



The Crossroads of South Florida,
We envision a sustainable economy, Let Us Grow Together

CITY OF SOUTH BAY

CITY COMMISSION MEETING AGENDA

VIRTUAL MEETING

TUESDAY, JUNE 02, 2020

www.southbaycity.com

Phone: 561-996-6751 Fax: 561-996-7950

Mayor:	Joe Kyles Sr.
Vice Mayor:	Betty Barnard
Commissioner:	Esther Berry
Commissioner:	Taranza McKelvin
Commissioner:	John Wilson
City Manager:	Leondrae D. Camel
City Attorney:	Burnadette Norris-Weeks
City Clerk:	Natalie Malone

RULES OF PROCEDURE

WHO MAY SPEAK

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

SPEAKING ON AGENDA ITEM

- I. Consent Agenda Item** - These are items, which the Commission does not need to discuss individually, and which are voted on as a group. Any Commissioner who wishes to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.
- II. Regular Agenda Items** - These are items, which the Commission will discuss individually in the order listed on the agenda. By majority vote, the City Commission may permit any person to be heard on an item at a non-public hearing.
- III. Public Hearing Items** - This portion of the agenda is to obtain input from the public on some ordinances, resolutions and zoning applications. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA

Any resident may address the Commission on any items pertaining to City business during the Opportunity for the Public to Address the Commission portion of the agenda. Persons wishing to speak must sign in with the City Clerk before the start of the meeting.

ADDRESSING THE COMMISSION: MANNER AND TIME

By majority vote the City Commission may invite citizen discussion on any agenda item. In every case where a citizen is recognized by the Mayor to discuss an agenda item, the citizen shall step to the podium/microphone, state his or her name and address for the benefit of the city clerk, identify any group or organization he or she represents and shall then succinctly state his or her position regarding the item before the city commission. Any question, shall be related to the business of the City and deemed appropriate by the Mayor, shall be directed to the Mayor and the Mayor shall then re-direct the question to the appropriate Commissioner or City Staff to answer the citizen question which shall be related to the business of the City.

All comments or questions of the public are to be directed to the Mayor as presiding officer only. There shall be no cross conversations or questions of any other persons. The length of time each individual may speak should be limited in the interest or order and conduct of the business at hand. Comments to the Commission by individual citizens shall be limited to three (3) minutes during the citizens request period. The City clerk shall be charged with the responsibility of notifying each citizen thirty (30) seconds before said time shall elapse and when said time limit has expired.

APPEALS

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DECORUM

If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room. If a crowd becomes unruly, the Mayor may recess or adjourn the meeting.

PLEASE SILENCE ALL CELL PHONES AND PAGERS

CONTACT INFORMATION

If anyone has questions or comments about anything on the meeting agenda, please contact the City Manager at 561-996-6751.

AMERICANS WITH DISABILITY ACT

In accordance with the Americans with Disability Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the city clerk no later than three (3) days prior to the meeting at 561-996-6751 for assistance.

**REGULAR CITY MEETING AGENDA
CITY OF SOUTH BAY, FL
VIRTUAL MEETING
TUESDAY, JUNE 02, 2020**

.....
NOTICE: If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-996-6751 no later than 2 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda item must complete their "Request for Appearance and Comment" card and present completed form to the City Clerk.
.....

1. CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE

2. DISCLOSURE OF VOTING CONFLICTS

3. PRESENTATIONS AND PROCLAMATIONS (*Up to 5 minutes*)

3a. Mrs. Mary Lee Stinson-Past Proclamation

4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION

5. CONSENT AGENDA

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

**5a. Approval of City Minutes - May 19, 2020
(Regular City Meeting)**

5b. Approval of Regular City Agenda- June 02, 2020

6. RESOLUTIONS - (Non- Consent) and Quasi-Judicial Hearing, if applicable)

6a. RESOLUTION NO. 21-2020

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF SOUTH BAY, FLORIDA, ADOPTING THE FAMILIES FIRST
CORONAVIRUS RESPONSE ACT FOR CITY OF SOUTH BAY
EMPLOYEES; PROVIDING FOR AN EFFECTIVE DATE**

6b. RESOLUTION NO. 22-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, IMPLEMENTING A VOLUNTARY FURLOUGH PROGRAM FOR CITY EMPLOYEES DUE TO THE IMPACT OF COVID-19; PROVIDING FOR AN EFFECTIVE DATE

7. ORDINANCE

8. ROSENWALD ELEMENTARY SCHOOL

9. FINANCE REPORT

9a. Accounts Payable Report

10. CITY CLERK REPORT

10a. Next Scheduled Commission Meeting-*July 21, 2020*

11. CITY MANAGER REPORT

11a. Rebuild Florida Infrastructure Repair Program Grant

11b. Revenue Sharing

12. CITY ATTORNEY REPORT

13. FUTURE AGENDA ITEMS

14. COMMISSIONER COMMENTS: FOR THE GOOD OF THE ORDER

15. ADJOURNMENT

PROCLAMATION

Mrs. Mary Lee Stinson

JANUARY 31, 1954- MAY 15, 2020

WHEREAS, the breath of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brought to all; and

WHEREAS, the city of South Bay recognizes with respect and admiration the contribution of Mrs. Mary Stinson to our community; and

WHEREAS, Mrs. Mary Stinson was born in Lake City, Florida on January 31, 1954 to the late Cicero Rawls and the late Phillis Glover and has lived in South Bay for the majority of her life. She describes herself as someone who always "treat people right". She is described by others as being very humble and very grateful for everything you do for her. She is also described as being easy to get along with, someone who takes pride in her appearance, and is a good listener and friend; and

WHEREAS, Mrs. Stinson was educated in the School District of Palm Beach County, class of 1972. She spent over 30 years serving countless children at Rosenwald Elementary School in South Bay, Florida. On August 18, 1971 Mary married the love of her life, Thomas L. Stinson of Ritta Village, FL. This union was blessed with four children: Valerie, Thomas Jr., Melvin Sr. and Symone.

WHEREAS, Mrs. Stinson is a woman of great faith who loves her church family at Mt. Calvary First Baptist in South Bay and has been a member there over 40 years; and

WHEREAS, Mrs. Stinson has been an active participant of the South Bay Golden Girls where she enjoys a variety of activities such as Bingo, Dominoes, Sewing and Arts and Crafts. She also enjoys going to the South Florida Fair along with an occasional shopping trip and enjoys socializing with her friends at South Bay Senior Program; and

NOW, THEREFORE BE IT PROCLAIMED ... that I, Joe Kyles, Mayor of the City of South Bay and on the behalf of the City Commissioners and the citizens of South Bay, hereby express our deepest appreciation for her services and contributions to our community, we extend our sincerest sympathy to her family upon her transition from Earth to Heaven.

PROCLAIMED this 23rd Day of May, 2020

Joe Kyles, Mayor

ATTESTED BY:

Natalie Malone, City Clerk

CITY OF SOUTH BAY
VIRTUAL CITY MEETING
TUESDAY, MAY 19, 2020
At 7:00P.M.

A Regular City Meeting of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles on May 19, 2020 at 7:00 p.m. on gotomeeting.com (<https://global.gotomeeting.com/join/309541053>).

Present:

Mayor Joe Kyles
Vice-Mayor Betty Barnard
Commissioner Esther E. Berry
Commissioner John Wilson

Staff:

Leondrae Camel, City Manager
Massih Saadatmand, Finance Director
Vicky Del Bosquez, Human Resources
Natalie Malone, City Clerk

1. MAYOR KYLES CALLS MEETING TO ORDER:

“Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.”

2. ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE

3. MAYOR KYLES CALLED FOR ANY VOTING CONFLICTS: NONE

4. PRESENTATIONS/PROCLAMATIONS

5. PUBLIC COMMENTS

6. CONSENT AGENDA

6a. **Approval of City Minutes - May 05, 2020**
 (Regular City Meeting Minutes)

Moved By: Commissioner Wilson
Seconded By: Commissioner Berry

6b. **Approval of Regular Agenda - May 19, 2020**

Moved By: Commissioner Wilson
Seconded By: Commissioner Berry

7. RESOLUTIONS

7a. **RESOLUTION NO. 18-2020**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA RELATING TO FINANCES, PROVIDING FOR AMENDMENTS TO THE FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; APPROVING ASSOCIATED BUDGET AMENDMENTS; PROVIDING AN EFFECTIVE DATE

Moved By: Commissioner Berry
Seconded By: Vice Mayor Barnard

<i>COMMISSION</i>	<i>VOTE</i>
<i>Mayor Kyles</i>	YES
<i>Vice Mayor Barnard</i>	YES
<i>Commissioner Berry</i>	YES
<i>Commissioner McKelvin</i>	ABSENT
<i>Commissioner Wilson</i>	YES

7b. RESOLUTION NO. 19-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AMENDMENT 001 TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF SOUTH BAY; PROVIDING FOR AN EFFECTIVE DATE

Moved By: Commissioner Wilson
 Seconded By: Vice Mayor Barnard

COMMISSION	VOTE
<i>Mayor Kyles</i>	YES
<i>Vice Mayor Barnard</i>	YES
<i>Commissioner Berry</i>	YES
<i>Commissioner McKelvin</i>	ABSENT
<i>Commissioner Wilson</i>	YES

7c. RESOLUTION NO. 20-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA RATIFYING THE CITY MANAGER’S SUBMISSION OF A UNITED STATES DEPARTMENT OF AGRICULTURE COMMUNITY FACILITY TECHNICAL ASSISTANCE AND TRAINING GRANT FOR FISCAL YEAR 2020 AND APPROVING CERTAIN GRANT PREPARATION SERVICES; PROVIDING FOR AN EFFECTIVE DATE

Moved By: Vice Mayor Barnard
 Seconded By: Commissioner Berry

COMMISSION	VOTE
<i>Mayor Kyles</i>	YES
<i>Vice Mayor Barnard</i>	YES
<i>Commissioner Berry</i>	NO
<i>Commissioner McKelvin</i>	ABSENT
<i>Commissioner Wilson</i>	YES

8. ROSENWALD ELEMENTARY SCHOOL

9. FINANCE REPORT

9a. Accounts Payable Report

9b. Truth in Millage (TRIM) schedule

10. CITY CLERK REPORT

11. CITY MANAGER REPORT

11a. COVID-19 Testing

11b. Road Projects

12. CITY ATTORNEY REPORT

13. FUTURE AGENDA ITEMS

14. COMMISSIONER COMMENTS: FOR THE GOOD OF THE ORDER

14a. Commissioner Wilson:

- 6ft social distancing
- Eilon Ave concern
- Appreciation for work being done in the City

14b. Commissioner Berry:

- *No comment*

14c. Vice-Mayor Barnard:

- Thanked Commission, Staff, Residents, and those who have been involved in the past city events

14d. Mayor Kyles:

- We are a Team
- Expressed appreciation for all
- Thanked everyone for joining and be safe

15. ADJOURNMENT

Joe Kyles, Mayor

ATTESTED BY:

Natalie Malone, City Clerk

RESOLUTION 21-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT FOR CITY OF SOUTH BAY EMPLOYEES; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Novel Coronavirus (“COVID-19”) has impacted the City of South Bay (“City”) and its residents thereby creating health challenges, premature deaths and financial hardships; and

WHEREAS, employees of the City have been impacted by similar challenges, along with City closures and staff reductions due to COVID-19; and

WHEREAS, on March 18, 2020 the Families First Coronavirus Response Act (“Act”) was signed into law by the President of the United States, taking effect on April 1, 2020 and continuing until December 31, 2020; and

WHEREAS, the Act includes the Emergency Paid Sick Leave Act (EPSL) and the Emergency Family and Medical Leave Expansion Act (EFMLA) which both benefit City employees impacted by COVID-19, attached hereto as Exhibit “A”; and

WHEREAS, City Commission for the City of South Bay finds adoption of the Families First Coronavirus Response Act be in the best interest of the residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Adoption of Families First Coronavirus Response Act and Authorization of City Manager. The City Commission of the City of South Bay hereby adopts the Families First Coronavirus Response Act for the benefit of its employees, attached hereto as Exhibit “A”. The City Manager is authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 2nd day of June 2020.

Joe Kyles, Mayor

ATTEST:

By: _____
Natalie Malone, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, Esquire
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Wilson	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)



CITY OF SOUTH BAY

TITLE: EMERGENCY FMLA LEAVE AND SICK PAY PURSUANT TO THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT of 2020

OBJECTIVE: To comply with the Federal Families First Coronavirus Response Act, effective April 1, 2020.

RESPONSIBILITY: The Director of Human Resources, or designee, is responsible for the administration of this procedure.

PROCEDURE:

- I. Pursuant to the Federal Families First Coronavirus Response Act signed by the President of the United States on March 18, 2020, the Act shall take effect April 1, 2020 and shall continue until December 31, 2020
- II. The Act includes the Emergency Paid Sick Leave Act (EPSL) and Emergency Family and Medical Leave Expansion Act (EFMLA).
 - A. The provisions of these Acts are provided in addition to any existing City benefits provided.
 - B. The provisions of this policy in its entirety are effective April 1, 2020 and ending on December 31, 2020.
 - C. These benefits may be requested when an employee is unable to work (or work remotely) for one or more of the qualifying events identified herein.
 - D. The City will not discharge or otherwise take retaliatory and/or discriminatory action against any employee who is granted leave and receives benefits in accordance with this policy.
 - E. The paid leave benefits described herein are required per Federal law and considered as an unfunded mandate for the City.

III. Emergency Family and Medical Leave Expansion (EFMLA)

- A. Any EFMLA provided is not independent from, and shall count toward, any leave taken under the Family Medical Leave Act in place prior to the enactment of EFMLA.
- B. Eligibility:
 1. Health care providers and emergency responders are ineligible to receive EFMLA.
 2. Eligible employee means an employee who has been employed for at least 30 calendar days by the City, regardless of employment type.
- C. Qualifying Leave Related to a Public Health Emergency
 1. Employee is unable to work (or remote work) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider (defined by the Federal Emergency Family and Medical Leave Expansion Act) of such son or daughter is unavailable, due to a public health emergency.
 2. The term 'public health emergency' means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.
- D. Paid Leave Provisions:

1. Unpaid leave for initial 10 days.
 2. After 10 days, employees can receive up to 10 weeks of paid emergency family medical leave (PEFML) at 2/3 their regular rate of employees pay.
- A) Regular rate of pay for full-time employees is based on 40 hours of work per pay period.
- B) Regular rate of pay for part-time (including regular part-time) or temporary employees equals the average number of work hours over a six (6) month period. This is calculated by adding all compensation that was part of the regular rate of pay over the prior six months (or lesser period of time worked) and dividing that sum by all hours worked in the same period
3. Employees may elect to use Emergency Paid Sick Leave (EPSL) or City accrued pandemic personal leave, sick, compensatory, annual vacation, or other available leave such as personal, administrative, or floating holiday leave (City leave to be used in that order if elected), during the initial 10 day period or to supplement any difference between PEFML and their regular rate of pay.
- E. Notice Requirements:
1. Notice of EFMLA shall be requested using the Emergency Family Medical Leave Act Request form.
 2. Prior notice of the need for leave of at least one-calendar day is preferred, but not required.
 3. Once EFMLA benefits are active, the employee shall notify their supervisor regarding the continued need for said leave on the preceding Friday, not later than 5:00pm, of each week.
4. This leave can be taken on an intermittent basis.
- F. Employment Protections:
1. An employee who completes a period of qualified EFMLA leave and who is able to return to full duty, performing the essential functions of the position with or without a reasonable accommodation, will be returned to the same position held prior to the leave. If the same position is not available, the employee will be returned to a position equivalent in pay, benefits, and any other terms and conditions of employment.
 2. Leave will not result in the loss of any previously accrued seniority or employment benefits, but neither will any benefits accrue during the leave.
 3. Health care benefits will continue through an employee's leave.
 - a) If any portion of an employee's EFMLA leave is unpaid, they will be required to pay the employee portion of their insurance premiums accumulated during the unpaid leave period. Payment will begin the first pay period the employee returns to work from the unpaid FMLA leave.
 - b) The City is entitled to recover insurance premiums paid on behalf of the employee who fails to return from leave, unless failure to return is a result of the continuation, recurrence, or onset of a serious health condition, or something else beyond the employee's control. This is subject to certification by the health care provider.

IV. Emergency Paid Sick Leave Act (EPSL)

A. Eligibility:

1. Any employee of the City, who is scheduled for work but is unable to work (or work remotely) due to one of the reasons listed below, is covered by this benefit regardless of the length of employment.

B. Qualifying Reasons for Use:

1. When an employee cannot work due to one of the following reasons, they may be eligible for EPSL.

- a) A Federal, State, or local quarantine or isolation order related to COVID-19;
- b) Being advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- c) Experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- d) Caring for an individual who is subject to an order as described in reason for use (a) above or has been advised as described in reason for use (b);
- e) Caring for a child of such employee if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions;
- f) Experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

2. Paid Leave Provisions:

- a) Paid leave (EPSL) for reasons IV(B)(1) a –c listed above will be at 100% of employee's regular rate of pay, capped at employee's salary per day.
- b) Paid leave (EPSL) for reasons IV(B)(1) d –f listed above will be at 2/3 of employee's regular rate of pay.
- c) An employee may first use EPSL before using any other City provided paid leave. If the employee elects to use City leave to supplement any difference between EPSL and their regular rate of pay, the City leave shall be used in this order: pandemic personal leave, sick, annual vacation, or other available leave such as personal, administrative, or floating holiday leave.
- d) Regular rate of pay for full-time employees is based on 40 hours of work per pay period.
- e) Regular rate of pay for part-time (including regular part-time) or temporary employees equals the average number of work hours over a six (6) month period. This is calculated by adding all compensation that was part of the regular rate of pay over the prior six months (or lesser period of time worked) and dividing that sum by all hours worked in the same period
- f) Paid leave provided under EPSL does not carryover from one year to the next. Employees are not entitled to reimbursement for unused EPSL upon termination, resignation, retirement, or other separation from employment.

C. Notice Requirements:

- 1. Prior notice of the need for leave of at least one calendar day is preferred, but not required.
- 2. Once EPSL benefits are being paid, the employee shall notify their supervisor regarding the continued need for said leave on the preceding Friday, not later than 5:00 PM, of each week.
- 3. This leave can be taken on an intermittent basis.
- 4. The City of South Bay reserves the right to obtain documentation for leave requested as necessary.

RESOLUTION 22-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, IMPLEMENTING A VOLUNTARY FURLOUGH PROGRAM FOR CITY EMPLOYEES DUE TO THE IMPACT OF COVID-19; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Novel Coronavirus (“COVID-19”) has impacted City of South Bay (“City”) employees and has also taken a toll on the City’s personnel costs; and

WHEREAS, the City Commission of the City of South Bay (“City Commission”) desires to implement a Voluntary Furlough Program, attached hereto as Exhibit “A”, that would allow City employees, if eligible, to voluntarily request unpaid leave and if granted, remain on active pay status; and

WHEREAS, furloughs will be granted in one (1) work week increments only and there shall be no break in service or seniority; and

WHEREAS, City Commission finds that implementing a Voluntary Furlough Program is in the best interest of the residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Implementation of a Voluntary Furlough Program and Authorization of City Manager. The City Commission of the City of South Bay hereby implements the Voluntary Furlough Program for the benefit of eligible City employees, attached hereto as Exhibit “A”. The City Manager is authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 2nd day of June 2020.

Joe Kyles, Mayor

Attested

By: _____
Natalie Malone, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, Esquire
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Wilson	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)

CITY OF SOUTH BAY

VOLUNTARY FURLOUGH PROGRAM

The Purpose of this policy is to allow regular full time and part time employees the opportunity to request an unpaid, voluntary furlough when economic conditions, as determined by the City Manager, warrant the reduction of City personnel costs.

GUIDELINES

General

1. When the City Manager has determined that it is in the best interests of the City, based on economic conditions, voluntary furloughs may be granted at the discretion of the City Manager.
2. This program is entirely voluntary. An employee who submits a form requesting voluntary furlough thereby acknowledges that he or she has done so without coercion, undue influence, or intimidation. An employee cannot use a voluntary furlough for any reason which would be covered by the City's sick leave or disability programs. A voluntary furlough may not be used to extend time away from work under any other City leave program without prior approval.
3. The language in this policy does not create any entitlement or contractual rights to employees. The City reserves the right to revise the contents of this document, in whole or in part at any time or eliminate this program in its entirety.

Eligibility

1. Only non-exempt employees are eligible to apply for a voluntary furlough.
2. An employee must have at least one full year of service in order to request a voluntary furlough. Probationary employees, employees who have received a disciplinary suspension, without pay, in the last twelve months and employees who have given notice of their resignation or retirement separation date are NOT eligible to participate in this program.
3. An employee whose position is covered by a collective bargaining agreement is not eligible for a voluntary furlough, until such time as this program has been approved, in writing, by the respective certified bargaining representative and the City.

Procedures

1. An eligible employee desiring to use the voluntary furlough program shall submit the request form to his or her supervisor. By requesting voluntary furlough leave, the employee certifies that he or she has reviewed the program guidelines and is aware of the eligibility requirements. To the extent possible, City Manager will attempt to honor the furlough request.
2. A voluntary furlough must be scheduled in advance in order to accommodate the scheduling needs of the City.
3. Furlough shall be granted in one work week increments only, no more, no less. One week is seven consecutive days, starting Saturday 12 AM and ending Friday 12 AM. Employees who take a voluntary furlough shall remain on active pay status. There shall be no break in service or in seniority.

Benefits and Payroll

1. Employees approved for furlough shall continue to accrue seniority during the furlough.
2. Employees will continue to accrue vacation, sick leave and pension credit during the furlough.
3. City contributions toward employees' benefits program shall continue during the furlough.
4. Employee payroll deductions for pension, health and other benefits programs shall continue during the furlough.
5. All other payroll deductions, including but not limited to income deductions orders, child support, union dues, garnishments, etc. shall continue uninterrupted during the furlough.
6. If an employee's weekly earnings will be insufficient to cover the expenses of any of the payroll deductions as listed above, the employee will be solely responsible for the payment of such expenses prior to beginning the furlough. Employees should contact the Finance Department for additional information regarding their net pay and deduction information.
7. Voluntary furlough hours will be reported by the person submitting the department/division payroll code as 055 personal leave – leave without pay Non-Exempt, Reason- Furlough.

Miscellaneous Provisions

1. The City Manager shall have the sole right to disapprove any requests for voluntary furlough based on the department's workload, sufficient staffing, the employee's positions, work record and recent performance, etc. The City Manager's disapproval or postponement of a request for voluntary furlough shall not be the subject to any grievance or any appeal process.
2. An employee may take a maximum of two (2) non-consecutive voluntary furlough weeks under this program during any rolling twelve-month period, when the City Manager has authorized this program during economic conditions.
3. The purpose of this program is to reduce expenditures. Therefore, no overtime hourly cost is permitted to be incurred as a result of granting a furlough. Failure to return to work from a furlough as scheduled without permission, shall be considered job abandonment.
4. No form of compensation (i.e. vacation, comp time, etc.) may be taken during a voluntary furlough. Holiday occurring during a furlough shall be paid as usual, but shall be counted as one of the furlough days.
5. Once approved by the City Manager, voluntary furlough hours may not be changed or cancelled by the employee except in cases where the employee is changing jobs, or is terminating employment.



City of South Bay

South Bay City Hall
335 SW 2nd Avenue
South Bay, FL 33493
Telephone: 561-996-6751
Facsimile: 561-996-7950

www.southbaycity.com

Commission

Joe Kyles Sr.
Mayor

Betty Barnard
Vice Mayor

Esther E. Berry

John Wilson

Taranza McKelvin

Leondrae Camel
City Manager

City Clerk
Natalie Malone

Bernadette Norris-Weeks
City Attorney

"An equal Opportunity
Affirmative Action Employer"

To: Honorable Mayor and Commissioners
From: Massih Saadatmand, Finance Director
Thru: Mr. Leondrae Camel, City Manager
Date: May 29, 2020
Ref: Weekly check register

Enclosed, please find the summary of check register as of May 29, 2020:

General Fund

• Utility:		
	Comcast	\$ 862.12
	PBC Water	1,448.79
• Bank of America		752.09
• PBC Sheriff		18,657.42
• United Health Care		13,708.73
• Delano Allen		1,750.00
• CAP Government		975.00
• Ford Credit		899.74
• Purchased of supplies, materials and parts		853.46
• Payment for various services		2,670.64
• Payroll deductions		4,844.60
• Other		1,033.18
	Total	<u>\$ 48,455.77</u>

Sanitation Fund

Waste Management \$ 10,643.57

AP Check Register Report

City Of South Bay (CSBFND)

05/21/2020 11:17:42 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
12598	CITIBOT INC	CITIBOT INC	05/21/2020	450.00
12599	CLARKE	CLARKE	05/21/2020	630.72
12600	COMCAST BUSINESS	COMCAST	05/21/2020	648.82
12601	EVERGLADES FARM EQU	EVERGLADES EQUIPMENT GROUP	05/21/2020	338.79
12602	FORD CREDIT DEPT 67-4	FORD CREDIT COMPANY LLC	05/21/2020	899.74
12603	INDEPENDENT NEWSPAP	INDEPENDENT NEWSMEDIA INC.USA	05/21/2020	91.80
12604	LARRY'S AC APPLIANCE	LARRY'S AC & APPLIANCE	05/21/2020	541.00
12605	NATALIE MALONE	NATALIE MALON	05/21/2020	70.82
12606	PBC SHERIFF'S OFFICE	PALM BEACH COUNTY SHERIFF'S OFFICE	05/21/2020	18,657.42
12607	PERFORMANCE NAPA	PERFORMANCE NAPA	05/21/2020	31.82
12608	QUADIENT FINANCE USA	QUADIENT LEASING USA, INC.	05/21/2020	468.96
12609	THEODORE GREEN	THEODORE GREEN	05/21/2020	300.00
12610	XEROX CORP	XEROX CORPORATION	05/21/2020	236.25
Non-Electronic Transactions:				23,366.14
Total Transactions:				23,366.14

AP Check Register Report

City Of South Bay (CSBFND)

05/28/2020 10:01:19 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
12611	AFLAC	AFLAC	05/28/2020	1,645.76
12612	BANK OF AMERICA, NA	BANK OF AMERICA	05/28/2020	752.09
12613	CAP GOVERNMENT	CAP GOVERNMENT	05/28/2020	975.00
12614	COLONIAL LIFE PROCES	COLONIAL LIFE PROCESSING CENTER	05/28/2020	1,355.25
12615	COMCAST	COMCAST	05/28/2020	213.30
12616	EVERGLADES FARM EQU	EVERGLADES EQUIPMENT GROUP	05/28/2020	155.64
12617	EVERGLADES TRADING	EVERGLADES TRADING	05/28/2020	60.00
12618	FEDERAL EXPRESS	FEDERAL EXPRESS	05/28/2020	21.91
12619	FPL	FPL	05/28/2020	347.84
12620	GLADES ALTERNATOR	DRIVERS CHOICE	05/28/2020	114.54
12621	IAMAW	IAMAW	05/28/2020	413.00
12622	LIBERTY NATIONAL	LIBERTY NATIONAL	05/28/2020	536.52
12623	MUTUAL OF OMAHA	MUTUAL OF OMAHA	05/28/2020	314.52
12624	ORIGINAL EQUIPMENT	ORIGINAL EQUIPMENT	05/28/2020	70.68
12625	PBC WATER UTILITIES	PALM BEACH COUNTY WATER UTILITIES	05/28/2020	1,448.79
12626	SEASON TO SEASON, LLC	SEASON TO SEASON, LLC	05/28/2020	230.00
12627	SOLSTICE BENEFITS IN	SOLSTICE MARKETPLACE	05/28/2020	654.23
12628	UNITED HEALTH CARE	UHS PREMIUM BILLING	05/28/2020	13,708.73
12629	WASHINGTON NATIONAL	WASHINGTON NATIONAL INS. CO.	05/28/2020	239.84
12630	WOLFF'S LAWN	WOLFF LAWN MACHINE INC	05/28/2020	81.99
Non-Electronic Transactions:				23,339.63
Total Transactions:				23,339.63

AP Check Register Report
City Of South Bay (CSBFND)

05/26/2020 8:26:41 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
217	WASTE MANAGEMENT	WASTE MANAGEMENT INC. OF FLORIDA	05/26/2020	10,643.57
Non-Electronic Transactions:				10,643.57
Total Transactions:				10,643.57

AP Check Register Report
City Of South Bay (CSBFND)

05/18/2020 11:54:01 AM

Page 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
12597	DELANO ALLEN	DELANO ALLEN	05/18/2020	1,750.00
Non-Electronic Transactions:				1,750.00
Total Transactions:				1,750.00