

# City of Jacksonville Management Report

**To: The Honorable Mayor and Council**  
**From: Ronald F. Massey, Interim City Manager**  
**Date: Thursday, October 8, 2009**

## October Events

Fri, Oct 9	7:30 AM	2009 Economic Summit
Tues, Oct 13	6 PM	"Meet the Candidates" Forum
Thurs, Oct 15		No Excuse Voting Begins
Thurs, Oct 15	6:30 PM	Mayor's Committee Banquet
Fri, Oct 16	10 AM – 2 PM	Health Fair – Jax Commons
Tues, Oct 20	7 PM	Council Meeting
Fri, Oct 23	10:30 AM	Beirut Memorial Ceremony
October 25 – 27		NCLM Conference – Greenville
Tues, Oct 27	5 PM	Council Workshop

- **October Workshop** – Since several Council members will be attending the NCLM Conference in Greenville on October 27 and there are no items on the agenda, I would like to propose that we cancel the workshop. Please let me know if you disagree.
- **Mayor's Committee Annual Awards Banquet** – The 17<sup>th</sup> Annual Mayor's Committee for Persons with Disabilities Awards Banquet is scheduled for Thursday, October 15<sup>th</sup> at 6:30 PM at Hilda's Restaurant. Please join us for a night filled with inspiration and accomplishment as the Committee recognizes those who assist persons with disabilities. If you need additional tickets, please contact the City Clerk's Office.
- **2009 Health Fair** – You are cordially invited to attend the 12th Annual Health/Benefit Fair sponsored by the City of Jacksonville and co-sponsored by Onslow County. The fair is open to all City and County employees and will be held at the Jacksonville Commons Recreation Center on Friday, October 16<sup>th</sup> from 10 AM until 2 PM. Some of the services provided will be eye exams, blood pressure/BMI checks, flu shots, games, door prizes and much more. A lunch will also be provided.
- **Beirut Memorial Observance** – The annual observance at the Beirut Memorial will be held on Friday, October 23 at 10:30 AM. If you would like us to reserve a seat for you or would like a ride in the shuttle from City Hall to the site, please let us know. Seats not used will be made available to the families, the military and the public.

- **Article 5, Section 9 – Family Medical Leave (FMLA)** – Attached for your review is another personnel procedure section that has been developed. Consistent with City Code, I'm providing this for your review prior to formal adoption. This procedure will become effective after 14 days unless two or more members of Council object. Let me know if you have any concerns or questions.
- **Building Inspection Consolidation** – As you will recall, several months ago the City Council, County Commissioners, and other elected officials of towns in Onslow County adopted a Resolution that authorized staff to explore the feasibility of consolidating building inspections county wide. To date, staffs from the different jurisdictions have met to discuss the issues associated with this task and North Topsail Beach and Swansboro have conducted meetings with local builders to obtain their thoughts on consolidating building services. Jacksonville's staff has scheduled a meeting with the Onslow County Home Builders Association on October 22, 2009 at 6:00 PM. The meeting will be held at the Onslow County Home Builders Association office located at 825 Gum Branch Road.
- **Water Law Conference** – John Carter has been given a scholarship to attend the 1<sup>st</sup> Annual North Carolina Water Law and Policy Conference in Raleigh this Thursday and Friday, October 8-9. The N. C. League of Municipalities and the Water Systems Council are serving as sponsors for this conference.
- **Pump Station Upgrade** – The City's Main Pump Station (MPS) will be shutdown on Monday morning as part of the Wastewater Land Treatment System (LTS) Upgrade and Expansion project. The station is expected to be offline for 14 days while the contractor for the LTS project makes a number of modifications to the station including, but not limited to: installing a new sewage pump; replacing an existing pump motor, as well as the shaft between the motor and pump; replacing the internal components of two pumps; installing new controls for the pumps; and installing new in-line grinding equipment. During this shutdown the contractor will employ portable bypass pumps and related equipment to pump around the MPS by withdrawing wastewater from a manhole just outside the MPS and then discharging directly into the forcemain that conveys wastewater to the LTS.

It is worth noting that the contractor will be using three portable pumps whose combined capacity will match that of the pumps in the MPS. Additionally, a spare pump will be located at the site in case of failure of any of the other three pumps. Work at the MPS is also expected to occur 24 hours a day during the 14-day shutdown. Lastly, an alarm will be annunciated if a high water level occurs in the manhole.

- **Crime Statistic Comparison** – The Jacksonville Police Department is committed to providing quality service in partnership with our community. As part of our philosophy in providing that service, we actively support and encourage our members to become involved in creative problem-solving efforts. While problem-solving efforts can be difficult and frustrating at times, they can also be very effective and satisfying for both the community and department members.

Over the past several years, the Police Department has utilized crime and incident information as the basis for law enforcement decision making and strategy development. The Jacksonville Police Department, through analysis, has been able to determine that traffic crashes, injuries, and fatalities are on the increase within the City of Jacksonville. During this fiscal year, the Traffic Division has increased the number of Driving While Impaired Checking Stations and Driver License Checking Stations in order to reduce alcohol-related motor vehicle crashes. Those Strategies have resulted in a 16% increase in DUI arrests over the same time period last year.

Crime	Jan - Sept 2008	Jan - Sept 2009	Percentage Difference
Homicide	6	7	15% Increase
Rape	32	27	16% Decrease
Commercial Robberies	11	4	64% Decrease
Individual Robberies	48	35	28% Decrease
Aggravated Assault	109	95	13% Decrease
Burglary	352	497	30% Increase
Larceny	1449	1429	1.5% Decrease
MV Theft	108	87	20% Decrease
Arson	5	6	17% Increase
Total Crimes Reported	6,299	5,770	9% Decrease
Calls for Service	72,853	78,669	8% Increase
Self Initiated	46,325	52,124	12% Increase
Field Interviews	2,773	2,685	4% Decrease
Motor Vehicle Fatalities	5	5	No Change
Motor Vehicle Injuries	656	651	1% Decrease
Motor Vehicle Crashes	2308	2508	8% Increase
Citations	13,440	15,346	13% Increase
Driving While Impaired	234	276	16% Increase

<b>Police Response Times</b>	2008	2009	
Priority 1 Call to Dispatch	1:51	1:32	19 Seconds Reduction
Priority 1 Dispatch to Arrival	5:06	4:14	52 Seconds Reduction
Priority 1 Total Response Time	6:56	5:46	1 min 10 Sec. Reduction

<b>Fire Response</b>	2008	2009	
Priority 1 Call to Dispatch	1:04	1:04	No Increase



## **Section 9. Family Medical Leave (FMLA)**

It is the intent of the City of Jacksonville to comply with all aspects of the Family and Medical Leave Act of 1993 (FMLA) and applicable regulations.

**FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons, unless otherwise noted:**

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.
- Any "qualifying exigency" arising from a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- Care for a spouse, child, parent (not in-law), or next of kin who is a current member of the Armed Forces, including a member of the National Guard or Reserves, and has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness renders the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating and for which the service member is undergoing medical treatment, recuperation, or therapy, or the service member is in outpatient status, or is on the temporary disability retired list. This leave is referred to as "Service Member Family Leave" and provides up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to care for the service member. During the single 12-month period in which Service Member Family Leave may be taken, eligible employees are limited to a combined total of 26 weeks of unpaid leave for any reason under the FMLA; however, no more than 12 of those weeks may be taken for non-service member Family Leave.

## **Section 9.1 Serious Health Condition**

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition which requires inpatient care at a hospital, hospice, or residential medical care facility; or continuing treatment by a licensed health care provider, including (1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes: treatment two or more times by, or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or (2) Any period of incapacity related to pregnancy or for prenatal care; or (3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity; or (4) a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or (5) any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

## **Section 9.2 FMLA Eligibility**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months.

If both spouses are employed by the City of Jacksonville, the husband and wife together may take a total of 12 weeks of leave under FMLA for the same qualifying event. Employed spouses are covered for 12 weeks for separate qualifying events, or 26 weeks, when applicable.

## **Section 9.3 Use of Leave**

FMLA leave may be paid (in coordination with the City's Vacation and Sick Leave policies), unpaid, or a combination of both. Unpaid leave will be granted only when the employee has exhausted all accrued Sick Leave and Vacation Leave hours, in that order. Requests for additional time away from work must be submitted, in writing, to the employee's department director. FMLA Leave may sometimes be authorized on an intermittent basis, if medically necessary.

Note: The City will deduct appropriate amounts of Sick/Vacation Leave hours from an exempt employee's salary for partial-day absences covered by FMLA leave or Intermittent FMLA leave. Deductions in pay may be taken in 15 minute increments, once all Sick Leave and Vacation Leave hours have been exhausted. These deductions also pertain to non-exempt employees.

## **Section 9.4 FMLA & Benefits**

Employees covered under FMLA are entitled to be reinstated to their former position, or to an equivalent position, with equivalent benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if: (a) business circumstance has changed during the FMLA Leave period (e.g. the job is no longer available due to downsizing or job elimination); (b) the position is that of a highly compensated (key) employee; or (c) the leave has exceeded the 12 week limit in any given rolling twelve month period, or has exceeded 26 weeks over a single 12-month period for **Service Member Family Leave**.

The employee's insurance premiums are maintained by the City while covered under FMLA leave *when this insurance was provided before the leave was taken*. Employees must pay their share of these premiums plus any applicable optional and/or dependent coverage. The City is entitled to recover the premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave. With the exception of longevity, no employment benefits accrue (i.e. Vacation hours, Sick Leave hours) while on an unpaid leave.

## **Section 9.5 FMLA Notice and Certification**

Employees are required to provide a 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. When the need for leave is not foreseeable, the employee must provide notice to the Department Director as soon as practicable under the facts and circumstances. The City may also, on its own initiative, designate the leave as covered under FMLA or Intermittent FMLA.

Employees are also required to provide sufficient information for the City to determine whether the FMLA applies to the leave request. If the employee's request is due to a serious health condition affecting the employee or a covered family member, the City requires a certification from a health care provider. This includes Intermittent FMLA or Service member Leave, as well. The City may also require a second and third opinion and periodic recertification of a serious health condition. The City may use a health care provider or a human resource professional (but not the employee's supervisor) to authenticate or clarify a medical certification of a serious health condition. Employees must contact Human Resources to obtain certification forms.

## **Section 9.6 Returning to Work**

If returning from FMLA leave or intermittent FMLA leave for an employee's own serious health condition, the City requires a certification from the attending physician that the employee is able to resume work.

## **Section 9.7 Notifying Human Resources**

If supervisors or employees have questions regarding the Family and Medical Leave Act, they should contact the Human Resources Department. If a supervisor or employee feels they are entitled to FMLA leave, they should contact the Human Resources Department as soon as possible for guidance, as well as obtaining appropriate forms.