

PUBLIC HEARING & SPECIAL MEETING
APALACHICOLA CITY COMMISSION
TUESDAY, NOVEMBER 16, 2021 – 5:01PM
BATTERY PARK COMMUNITY CENTER
1 BAY AVE., APALACHICOLA, FLORIDA 32320

Agenda

You are welcome to comment on any matter under consideration by the Apalachicola City Commission when recognized to do so by the Mayor. Once recognized please rise to the podium, state your name for the record and adhere to the five minute time limit for public comment. Comments may also be sent by email to the City Manager or to Commissioners.

- I. Call to Order**
- II. Agenda Adoption**
- III. Budget Hearing Ordinance 2021-05 Amending FY 2020-2021 Budget and Ordinance 2021-06 Amending FY 2021-22 funding new Department for Permitting, Planning, Zoning & Code Enforcement**
- IV. Special Meeting**
 - 1. Adopt Ordinance 2021-05 and Ordinance 2021-06 Budget Amendments**
 - 2. Adopt Resolution to Approve the City's Affirmative Action Plan.**
- V. Adjournment**

Any person who desires to appeal any decision at this meeting will need a record of the proceeding and for this purpose, may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 48 hours in advance of the meeting

CITY OF APALACHICOLA
ORDINANCE 2021-06
BUDGET AMENDMENT #0001 FOR FY 2021-2022

Be it Ordained by the City Commission of the City of Apalachicola that the following amendment be made to Budget Ordinance 2021-04 for the Fiscal Year ending September 30, 2022:

FUND: General Fund

DEPARTMENT: Permitting, Planning, Zoning and Code Enforcement

PURPOSE: To amend budget for increased revenues and expenses for and in-house department

ACCT#	ACCOUNT NAME	DEBIT / (CREDIT)	AMENDED BUDGET TOTAL
1422001	BUILDING PERMIT FEES	160,000	200,000
	SALARIES	80,000	163,875
	SOCIAL SECURITY	6,120	12,536
	FRS (RETIREMENT)	8,656	17,731
	GROUP INSURANCE	12,880	33,993
	GAS & OIL	1,500	3,000
	WORKERS COMP INS.	595	1,190
	COMMUNICATIONS	700	3,500
	EQUIPMENT	3,500	5,000
	SOFTWARE	0	3,000
	VEHICLE REPAIRS & MAINT	1,000	2,000
	CAPITAL OUTLAY	0	7,000
	RESERVE / GENERAL FUND	45,049	45,049

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA THAT:

- 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.
- 2. ADOPTION OF THE BUDGET AMENDMENT.** The City Commission hereby adopts the Budget Amendment for FISCAL 2021-2022.
- 3. EFFECTIVE DATE.** This Amendment shall take effect upon its approval.

DULY PASSED AND ADOPTED by the City Commission of the City of Apalachicola, Florida, on this 2nd day of November, 2021.

Motion made by: _____ Seconded by: _____

Voting AYE:

Voting NAY:

CITY OF APALACHICOLA, FLORIDA

ATTEST:

Deborah Guillotte, City Clerk

Brenda Ash, Mayor

**CITY OF APALACHICOLA
RESOLUTION 2021-17**

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, ADOPTING AN AFFIRMATIVE ACTION PLAN FOR COMPLIANCE WITH CERTAIN REQUIREMENTS OF RECIPIENTS OF COMMUNITY DEVELOPMENT BLOCK GRANTS AND APPOINTS THE CITY CLERK AS THE CITY'S AFFIRMATIVE ACTION OFFICER

WHEREAS, the City of Apalachicola applies for CDBG grants and

WHEREAS, the City Commission of the City of Apalachicola has determined that the receipt of these grants will provide general improvement for the citizens of Apalachicola.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Apalachicola, Florida:

1. ADOPTS THE CITY OF APALACHICOLA AFFIRMATIVE ACTION PLAN AND
2. APPOINT THE CITY CLERK AS THE CITY'S AFFIRMATIVE ACTION OFFICER.

ADOPTED, this 16th day of November, 2021 by the City Commission of the City of Apalachicola.

FOR THE CITY COMMISSION
CITY OF APALACHICOLA

Brenda Ash, Mayor

ATTEST:

Deborah Guillotte, City Clerk



City of Apalachicola
Affirmative Action Plan
November 16, 2021

**City of Apalachicola, Florida
AFFIRMATIVE ACTION PLAN**

I. PREFACE

Equal Employment Opportunity is the goal of the City of Apalachicola, Florida (the "City"). This means that individuals will not be discriminated against in any form and will be employed without regard to race, color, religion, sex, national origin, age, disability, sexual preference, marital or veteran status, or any other legally protected status.

Equal Employment Opportunity is the purpose and goal of Affirmative Action. In the City's Action Plan, the City resolves to be fully committed to assuring equal employment opportunity in its workforce.

The City recognizes that the effective application of this policy requires that certain positive steps be taken to assert its leadership within the community to achieve full employment and effective utilization of the capabilities and productivity of all persons pursuant to the goal of equal employment opportunity.

II. INTRODUCTION

The City is an Equal Opportunity Employer. As such, it is incumbent upon the City to make good faith efforts to achieve a workforce that is representative of the area labor market. As new positions are created or vacancies occur in the City's labor force, the Chancery Clerk, in his/her dual role as an Affirmative Action Officer, will review the City's workforce to identify employment imbalances identified therein where possible. Additionally, the City will employ its purchasing power to have businesses adhere to the principals of affirmative action. Nothing in this Plan should be construed to encourage or to permit discrimination based on any legally protected class or characteristic.

III. POLICY STATEMENT

COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY

The City is committed to complying with all laws that prohibit discrimination in employment on the basis of any legally protected status. In addition, the City will ensure that its employment practices will provide an equality of opportunity to applicants and employees without regard to their race, color, religion, sex, national origin, ancestry, age, disability, veteran status under federal laws, marital status, sexual orientation or any other legally protected status. This policy applies to employment practices, including, but not limited to, hiring, placements, promotions, terminations, layoffs, recalls, transfers, leaves of absence, compensation and training.

In furtherance of the City's commitment regarding Affirmative Action and Equal Employment Opportunity, the City will maintain a written Affirmative Action Plan that sets forth the policies, practices, and procedures which the City will apply in order to ensure that non-discrimination and affirmative action for qualified females and minorities is accomplished. The objective of these policies and programs is to attract and promote individuals who are qualified and/or trainable for available positions by virtue of job related standards or education, training, and personal qualifications.

This commitment has the full backing and support of the City Commission and support of all employees is expected. The City Clerk is the appointed Affirmative Action Officer. As Affirmative

Action Officer, the City Clerk shall, among other things, annually review and examine the effectiveness of the City's affirmative action program and its compliance with Executive Order 11246.

IV. DESIGNATION OF RESPONSIBILITY FOR IMPLEMENTATION

The City Clerk, as City Commission appointed Affirmative Action Officer, has the overall responsibility for ensuring the effective implementation of Equal Employment Opportunity ("EEO") and the City's Affirmative Action Plan ("AAP"). Responsibilities of the City Clerk, or his/her designee, include the following:

1. Developing and modifying Equal Employment Opportunity policy statements, affirmative action programs and internal and external communication procedures;
2. Evaluating EEO progress at the City and assisting in the identification of problem areas;
3. Assisting the Board of Supervisors reach solutions to AAP/EEO problems;
4. Serving as the City's representative in its dealings with federal, state or local enforcement agencies;
5. Serving as liaison between the City and minority and women's organizations, and other relevant interest groups concerned with affirmative action;
6. Keeping the Board of Supervisors informed of the latest equal opportunity developments and providing training as appropriate;
7. Auditing to ensure that the City is in compliance in areas such as:
 - a. Properly displaying posters on the City bulletin boards and in public areas; and
 - b. Affording minority and female employee's full opportunity and encouraging full participation in all City sponsored educational, development, recreational and social activities.
8. Reviewing personnel policies on an ongoing basis to make certain that they are nondiscriminatory and that they contain an EEO policy statement;
9. Advising managers and supervisors that an important part of their responsibilities is to apply affirmative action to all employment practices; and
10. Including a statement of equal employment opportunity policy in all contracts and agreements with vendors and suppliers of the City.

Responsibilities of City Department Heads include the following:

1. Assisting in the identification of problem areas, formulating solutions, and establishing goals and objectives in their departments as needed;
2. Reviewing the qualifications of applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer, and termination actions occur;

3. Communicating with employees to be certain the City's policies are being followed; and
4. Taking actions to prevent harassment and to ensure that the progress of minority and female employees is not impeded through discriminatory assignments or steering into certain jobs or departments.

V. POLICY DISSEMINATION

A copy of this plan shall be made available for review by all departmental head and employees.

A copy of the City's Affirmative Action Policy Statement shall be posted in an area accessible to the public area in the City Offices.

The City's employment application form shall contain a statement that "The City is an Affirmative Action/Equal Opportunity Employer" and encourages minority and women owned firms to apply.

Bid documents shall contain a clause that the City will not award a contract to any contractor or supplier covered by Executive Order 11246 who refuses to comply with the EOE clause.

The City's Standard Instructions to Bidders for Construction, Materials, and Supplies, shall state that the successful bidder shall certify to compliance with all applicable equal employment opportunity laws and regulations, that acceptance of the contract shall constitute compliance.

The policy statement shall be included in the City Personnel Rules.

Minority and Women Owned contractors are invited to bid on various construction projects and contracted services that the City offers.

Contracts and bid advertisements shall contain words or letters denoting equal employment opportunity.

A listing of various agencies, institutions, and newspapers, as available, will be contacted in the event of a position vacancy occurrence in the City. This listing, that will be used to assist in disseminating employment opportunities, will be modified to enhance the affirmative outreach efforts of the City.

VI. INTERNAL AUDIT AND REPORTING SYSTEM

The City's Affirmative Action Officer has responsibility for developing and implementing an auditing system that periodically measures the effectiveness of its affirmative action program. The Affirmative Action Officer or his/her designee will:

1. Monitor all records of referrals, hires, terminations, transfers and promotions at all levels to ensure that the City's nondiscrimination policy is carried out.
2. Design and implement reporting systems that will permit continuous monitoring of Equal Employment Opportunity progress and will serve to provide management with requisite data in that regard. Further, such systems will be used to:
 - a. Measure the effectiveness of the City's progress;

- b. Indicate any need for additional remedial action; and
 - c. Determine the degree to which the City's objectives and goals have been achieved.
- 3. Review the results obtained with Department Heads at ongoing meetings, report on progress to the Board of Supervisors, and develop recommendations for improvements as necessary.
- 4. Maintain the following documents as a component of the internal audit process:
 - a. Applicant File;
 - b. Personnel Activity File;
 - c. Employment Applications.

VII. ACTION-ORIENTED PROGRAMS

The following action-oriented programs and procedures are designed to carry out the City's continuing commitment to Equal Employment Opportunity.

- 1. Analyze job descriptions to ensure accuracy and consistency and review qualification for positions to ensure that they are both job-related and nondiscriminatory.
- 2. Analyze the hiring process to make every good faith effort to select employees based on their qualifications for positions available, while at the same time recognizing the City's commitment to take affirmative action to eliminate any underutilization of women or minority employees by:
 - a. Reviewing the job application and other pre-employment forms to ensure that the information requested is job-related.
 - b. Evaluating selection methods to determine whether they have a disparate impact on minorities or women and to ensure that they are job-related and consistent with business necessity; and
 - c. Training management on proper interview techniques and equal employment opportunity developments.
- 3. Adopt techniques to improve recruitment and increase the flow of minority and female applicants by:
 - a. Including the phrase "The City is an Affirmative Action / Equal Opportunity Employer and encourages minority and women owned businesses to apply" in all employment advertisements;
 - b. Disseminating information on job opportunities to organizations representing minorities and women;

- c. Informing recruitment sources and employment agencies that the City is an equal employment opportunity/affirmative action employer and that the City requires them to actively recruit and refer qualified women and minorities for the positions to be filled; and
 - d. Encouraging employees to refer qualified applicants.
- 4. Audit compensation practices to ensure that compensation is justified on the basis of qualifications and job performance.
- 5. Ensure all employees are given equal opportunity for promotion by:
 - a. Posting promotional opportunities;
 - b. Assisting employees in identifying promotional opportunities and providing reimbursement for training and educational programs as authorized by the City Clerk to enhance promotional opportunities;
 - c. Properly evaluating job requirements for positions; and
 - d. Reviewing employee promotions and requiring decisions to be justified on the basis of qualifications and job performance.

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FOR THE CITY COMMISSION
CITY OF APALACHICOLA

Brenda Ash, Mayor

ATTEST:

Deborah Guillotte, City Clerk