

**RESOLUTION NO. 3694**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD  
AMENDING POLICY NO. 550 "CELL PHONE AND PAGER USE" OF  
THE SOLEDAD PERSONNEL POLICY MANUAL**

**WHEREAS**, on March 17, 2004, the City Council adopted Soledad Personnel Policy No 550, titled "Cell Phone and Pager Use" to take advantage of improving communication technologies to promote operational efficiency, improve service levels, and respond to emergencies, and

**WHEREAS**, personal cell phone usage in the work place has increased and the City wishes to establish a policy to limit such use to improve work productivity; and

**WHEREAS**, the City wishes to amend Policy 550 "Cell Phone and Pager Use" restricting the use of personnel cell phones during working hours.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Soledad, that the Council approves amendments to Policy No 550 of the Soledad Personnel Policy Manual for "Cell Phone and Pager Use," in the form attached hereto as Exhibit "A," and by this reference incorporated herein.

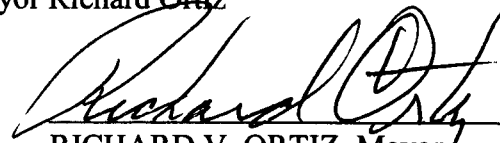
**PASSED AND ADOPTED** by the City Council of the City of Soledad at a regular meeting duly held on the 19th day of October, 2005, by the following vote:

**AYES**, and in favor thereof, Councilmembers. Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem Juan Saavedra

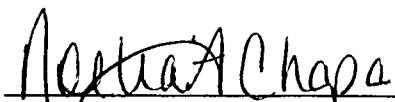
**NOES**, Councilmembers. None

**ABSTAIN**, Councilmembers. None

**ABSENT**, Councilmembers. Mayor Richard Ortiz

  
RICHARD V. ORTIZ, Mayor

ATTEST

  
NOEMIA F. CHAPA, City Manager

## CELLULAR PHONE AND PAGER USE

### I. PURPOSE

The purpose of this policy is to establish guidelines for the distribution and use of **City issued and personal** cellular telephones and pagers by the City of Soledad to employees and elected and appointed officials ("officials")

### II. SCOPE

This policy covers the issuance and use of **City issued** cellular phones and pagers, and **use of personal cell phone during working hours** and applies to Councilmembers, appointed officials, Management, Mid-Management and employees.

### III. POLICY

It is the policy of the City of Soledad to make appropriate use of City funds while taking advantage of improving communication technologies to promote operational efficiency, improve service levels, and respond to emergencies. **It is also the Policy of the City to limit or restrict use of personal cell phones during working hours.**

### IV. PROCEDURES

The City of Soledad recognizes that the acquisition of technological advances can provide the City with improved levels of communication. The City has and will continue to issue cell phones and/or pagers to employees and officials to ensure that they have equipment necessary to perform their jobs in an efficient manner but at the same time, must minimize the cost/number of pagers/cellular phones. This policy addresses the purchase, use, and reimbursement for cellular phones and electronic pagers.

A. Acquisition. The acquisition and use of cellular phones and pagers shall be approved by the City Manager or his/her designee. When the issuance of cellular phones or pagers is proposed for employees, each Department Manager shall prepare an assessment of the demonstrated need and estimated cost before submitting it to the City Manager. The City Manager will document the perceived need to distribute cellular phones or pagers to City officials. Designated employees and City officials may use cellular phones and pagers for City business.

B. Requisition Form. Department Managers and/or the City Manager shall complete the appropriate "Service Request and Review Form" and include the same with budget requests. If a request is being made after budget adoption, the requisition form shall be submitted to the City Manager. The City Manager or his/her designee shall review each request and the Department Manager will be notified of approval or denial, with the approval of the recommended budget. Emergency acquisitions shall be determined on a case-by-case basis. Once approval has been granted, Department Managers and/or the City Manager shall contact the Finance Department to make purchase arrangements. It shall be understood that any equipment purchased by the City is owned by the City and shall be returned to the City when the employee or official separates from service or completes a term of office, or when the need for such equipment no longer exists.

C Issuance of Cellular Phone. Employees and officials to be issued a cellular phone shall be identified by the City Manager and Department Manager. The list of users shall be reviewed annually by the City Manager and Department Manager to ensure the designated employee or official continues to demonstrate a need for the cellular phone. Whenever possible, and if less expensive, the City should obtain a cellular phone service plan that allows for shared minutes within each phone.

This plan will assure that all minutes be used before additional phone charges are incurred. To this end, the City will not incur additional phone charges other than the monthly service charge under the plan. If an employee or official exceeds the number of minutes allowed under the plan the City will audit the billing to determine if any of the phone charges were of a personal nature. Minutes in excess of the monthly number allowed, if personal, shall be calculated and the appropriate billing amount shall be reimbursed to the City. The City shall reserve the right to audit/review cellular phone bills.

D Issuance of Pager(s). Employees and officials issued a pager shall be identified by the City Manager and Department Manager. The list of users shall be reviewed annually by the City Manager and Department Manager to ensure the designated employee or official continues to demonstrate a need for the pager. The pager plan allows a maximum number of pages per month. It has been determined that that amount should not be exceeded by an employee or official. If an employee or official exceeds the number of monthly pages allowed under the plan the City will audit the billing to determine if any of the pages were of a personal nature. Pages in excess of the monthly number allowed, if personal, shall be calculated and the appropriate amount shall be reimbursed to the City. The City shall reserve the right to audit/review pager bills.

E. Reimbursement. From time-to-time employees and officials may need to use their City-issued cellular phone and/or pager for personal calls or pages, typically, when at meeting, a conference, and/or during an emergency. These calls/pages shall be kept to a minimum (see Policy No. 900 IV (M)). Upon receipt of the monthly bill, the cost for personal calls/pages, in excess of the monthly service plan, shall be reimbursed by the employee or official to the City through the Finance Department at 248 Main Street (see Policy No 550 C/D). When paying by check, the check should be made out to "The City of Soledad", not to the cellular phone service provider.

F Service/Maintenance of Cellular Phones. If a cellular phone needs servicing, contact the Finance Department.

G Service/Maintenance of Pager If a pager needs service, contact the Finance Department who will then contact the appropriate vendor. If a pager is lost or stolen, the Finance Department must be notified prior to contacting the supplier.

H. Use of Personal Cellular Phones/Pagers for business purposes. On occasion, employees or officials who do not have City issued cellular phones may find it necessary to use their personal cellular phone to make business calls. These calls are eligible for reimbursement by the City to the employee or official, provided there is no other option available (i.e., there is no pay phone, hotel phone, or home phone to use). Use of employee's/officials personal cellular phone is discouraged, due to the possible higher costs associated with cellular phone usage versus the standard phone. Requests for reimbursement shall be made through the petty cash or check request process with a copy of the monthly phone bill attached and the business calls highlighted. ~~Personal use is discouraged, however, it is occasionally inevitable. The cost of all personal use of City owned phones and pagers must be reimbursed.~~

Employees or officials who privately purchase cellular phones and/or pagers shall not include the City as co-owner or as co-lessee. A governmental rate shall not be used for these phones.

I. Use of Personal Cellular Phones/Pagers during business hours for personal purposes. On occasion, employees or officials receive non-work related calls on their personal cell phone while at work. In an effort to limit personal phone calls on personal cell phones during working hours, use of personal cell phones and pagers are restricted to areas that are out of the public (customer) view, areas that will not disrupt other employees' work, and only during the employee's personal time and/or breaks.

Cell phones and pagers must be kept secured on the person or hidden from the public view, and are to be shut off or in a "non-ring" mode during working hours so as to not disrupt office operations or the work of any employee. Calls being answered or returned are to be done only during the employee's personal time and/or breaks. Employees are discouraged from receiving phone calls at work on personal cell phones except for an emergency and only for a limited duration. Use of special feature cell phones and pagers (games, internet access, picture phones, etc.) is also restricted to employee breaks and personal time.

City will not be responsible for the loss of any personal items, including cell phones, while at work.

J. Department Managers and/or Supervisor Responsibility Department Managers and/or Supervisors may exercise the primary management-level responsibility to assure that employees abide by the Policy. Employee abuse of this Policy is an undesirable performance factor and may be managed by Supervisor and/or Department Managers according to the procedures outlined in Policy No. 430, Disciplinary Action.

Continued or excessive failure to comply with this policy may be used as grounds for disciplinary action, up to and including termination.