

**CITY OF STANWOOD
Stanwood, Washington**

RESOLUTION 2015-25

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON AMENDING
THE CITY'S PERSONNEL POLICY SECTION 305 – USE OF CITY CELL
PHONES**

WHEREAS, on May 28, 2009, the city council approved by motion a Personnel Policy Manual: and

WHEREAS, on June 13, 2013 the city council adopted Resolution 2013-06 amending the Personnel Policy Manual Section 901 – Vacation Leave, to reflect the city's current practice, Section 902 – Sick Leave, to comply with the Family Care Act, and Section 604.1 – Payroll Draws, to reflect current city practice; and

WHEREAS, on December 11, 2014 the city council adopted Resolution 2014-21 amending the Personnel Policy Manual Section 604 - Paydays and Section 604.1 - Draws in order to change scheduled pay and draw dates; and

WHEREAS, on September 22, 2015 the city council adopted Resolution 2015-19 amending the Personnel Policy Manual Section 307 – Reporting Improper Government Action, in order to meet the level of specificity as required by Chapter 42.41 RCW Local Government Whistleblower Protection; and

WHEREAS, the city's Personnel Policy Manual Section 305 – Use of City Cell Phones in its current form does not conform to Records Managements Advice, Electronic Records Management: Text Messages and Public Records – The Basics as prescribed by the Office of the Secretary of State; and

WHEREAS, it is the city council's intention to amend Section 305 – Use of City Cell Phones to reflect a specific policy consistent with the Office of Secretary of State recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD AS FOLLOWS:

Section 305 – Use of City Cell Phones, of the City's Personnel Policy Manual. is hereby amended to read as follows:

305 Use of City Cell Phones

The City of Stanwood issues individual cellular phones to employees who are required to be in close contact with the City at all times. While cell phones are a necessary convenience of the City, it is required that employees follow the guidelines listed below for their own safety as well as the safety of others.

Acquisition

The purchase and/or installation of cell phones shall be approved by the Department Head. It shall be the responsibility of the Department Head to ensure that sufficient funds are budgeted for the purchase and monthly operational costs associated with such equipment prior to its use.

Usage

The general use of cell phones shall not be in lieu of more cost effective, practical and available means of communication.

All employees are required to be professional and conscientious at all times when using City phones and comply with state and federal laws.

It is the City's policy that employees who are issued a cellular phone understand that it is issued primarily for business use. Employees are expected to make every effort to use cell phones in a responsible and efficient manner.

It is the City's policy that its employees maintain electronic files in accordance with the State archivist records retention laws and schedules. The City does not archive instant messaging or text messaging records. Therefore, employees are instructed not to use instant messaging or text messaging for communications records that have retention value. City records should be stored on City network storage drives or other authorized business applications. Storage of City records on personally owned devices should only occur on a temporary "as-needed" basis and be transferred to the City's network as soon as practicable.

Cellular phone bills will be reviewed when they arrive. The City reserves the right to require reimbursement for cell phone misuse. The City also reserves the right to limit or terminate an employee's use of a City phone in any way, at any time, and for any reason.

The City has a zero tolerance policy regarding using a cell phone while driving without a proper hands free device in accordance with state law. Employees must follow all laws in regards to the use of cell phones while driving a vehicle.

The City reserves the right to amend or alter the terms of this policy at its own discretion.

Cellular phone users, upon leaving City employment, will be removed from the City's plan. All cell phones must be returned by the employee upon separation.

BE IT FURTHER RESOLVED:

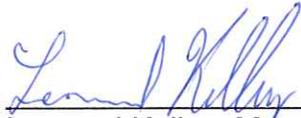
Section 2 Except as provided above, all other sections of the Personnel Policy Manual remain unchanged and in full force and effect.

Section 3 Severability. The various parts, sections and clauses of this Resolution are hereby declared to be severable. If any part, sentence, paragraph, section of clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Resolution shall not be affected thereby.

Section 4 Effective Date. This Resolution shall take effect on November 12, 2015

PASSED AND APPROVED by the City Council of the City of Stanwood this 12th day of November, 2015.

CITY OF STANWOOD



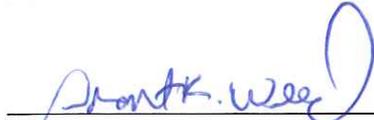
Leonard Kelley, Mayor

ATTEST:



Greg Thramer, City Clerk

APPROVED AS TO FORM:



Grant Weed, City Attorney