

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
COUNCIL POLICY STATEMENT— CELL PHONE USAGE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

**SYNOPSIS**

A resolution has been prepared for the approval of a Council Policy Statement on Cell Phone Usage.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval.

**BACKGROUND**

The City needs to have a cell phone policy for employees that are doing City business on their cell phones. This policy establishes the procedures for cell phone authorization, allowance and use.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE USE OF CELL PHONE FOR CITY BUSINESS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the use of cell phones for city business and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2011.

**CITY OF LA VISTA**

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
COUNCIL POLICY STATEMENT**

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**CELL PHONE ALLOWANCE POLICY**

Issued:  
Resolution No.

This policy is effective as of October 1, 2011 and supersedes any previous policies and guidelines regarding cell phones.

**Policy**

City of La Vista recognizes the need for certain City personnel to own and use cell phones to complete and enhance their job performance. This policy establishes the procedures for cell phone authorization, allowance and use. Once approved for cell phone allowance a full-time employee will receive a monthly allowance added to payroll as a non-taxable benefit.

For an employee to be eligible for the monthly allowance, at least one of the following must be true:

- This employee is a key staff member needed in the event of an emergency.
- This employee is frequently away from access to traditional land-based phone services.
- This employee is involved in frequent off hours/on-call activity.
- The nature of this employee's work is critical to the operation of the City and immediate response is required.
- This employee's assigned work requires substantial travel.
- The anticipated level of business use is significant.
- The related cost is justified when compared with alternative communication choices.

**Administration of Allowance**

When a supervisor deems it appropriate for an employee to receive a cell phone allowance, the employee needs to complete the "Cell Phone Authorization Request" and the "Cell Phone Usage Agreement" forms. (Attached)

Please note that allowances must be covered by a department's budget.

## City of La Vista Cell Phone Authorization Request

City of La Vista recognizes the need for certain City personnel to own and use cell phones to complete and enhance their job performance. This policy establishes the procedures for cell phone authorization, allowance and use. Once approved for cell phone allowance an employee will receive a monthly allowance added to payroll as a non-taxable benefit.

The application form below must be completed and signed by the employee, then submitted to the employee's immediate supervisor/ director. The supervisor will submit the application for approval. Please allow adequate time for completion of this process.

**A cell phone is justified for these reasons (mark all that apply)**

*(How the cell phone will support the City's business and improve the employee's ability to do his/her job)*

- This employee is a key staff member needed in the event of an emergency.
- This employee is frequently away from access to traditional land-based phone services.
- This employee is involved in frequent off hours/on-call activity.
- The nature of this employee's work is critical to the operation of the City and immediate response is required.
- This employee's assigned work requires substantial travel.
- The anticipated level of business use is significant.
- The related cost is justified when compared with alternative communication choices.
- Other: \_\_\_\_\_

Print Name:	
Department:	Cell phone number: ( )
Date:	Provider of cell phone:

I have read the above information regarding the City of La Vista cell phone policy and had the opportunity to discuss any usage questions with my supervisor. I understand that my cell phone number may be published. I understand that I may be required to submit a copy of the cell phone billing statement for audit purposes. I have read and signed the City of La Vista Cell Phone Usage Agreement.  
I also understand that I am financially responsible for any and all charges for this cell phone plan.

Employee signature

\_\_\_\_\_  
Date

Approval signatures

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Finance Director

**City of La Vista  
Cell Phone Usage Agreement  
While Driving City Vehicles  
And While Conducting City Business**

Employee drivers must adhere to all federal, state or local rules and regulations regarding the use of cell phones while driving either a City-owned vehicle or non-City-owned vehicle. Accordingly, employees must not use a cell phone if such conduct is prohibited by law, regulation or other ordinance.

Employee drivers must not use cell phones for City business purposes while driving any vehicle, including City owned vehicles or their personal vehicle, or any borrowed or rented vehicle. Should an employee need to make or receive a City business call while driving any vehicle, he or she must locate a lawfully designated area to park and make or receive the call at that time.

This policy forbidding the use of cell phones while driving includes ALL uses of the cell phone, i.e. voice calling, message texting, internet surfing, etc. ALL of these activities fall under this policy.

*The ONLY exception to this policy is Police personal when they are acting in an official capacity.*

**I have read the above information regarding the City of La Vista Cell Phone Usage Agreement While Driving City Vehicles and While Conducting City Business policy and had the opportunity to discuss any questions with my supervisor. I understand that by signing this policy statement I am agreeing to abide by its stipulations and that if I violate the provisions of this policy I accept personal liability for any personal injuries or property damages that may result from any incident or accident that I may be determined to have caused while conducting City business on a cell phone, regardless of whether the cell phone usage is reimbursed by the City or not.**

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Employee signature

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Date