



# AGENDA

## SHORELINE CITY COUNCIL SPECIAL MEETING

Monday, February 27, 2017  
5:45 p.m.

Conference Room 303 · Shoreline City Hall  
17500 Midvale Avenue North

**TOPIC/GUESTS:** Sound Transit CEO

## SHORELINE CITY COUNCIL REGULAR MEETING

Monday, February 27, 2017  
7:00 p.m.

Council Chamber · Shoreline City Hall  
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
<b>1. CALL TO ORDER</b>		7:00
<b>2. FLAG SALUTE/ROLL CALL</b>		
<b>3. REPORT OF THE CITY MANAGER</b>		
<b>4. COUNCIL REPORTS</b>		
<b>5. PUBLIC COMMENT</b>		
<i>Members of the public may address the City Council on agenda items or any other topic for three minutes or less, depending on the number of people wishing to speak. The total public comment period will be no more than 30 minutes. If more than 10 people are signed up to speak, each speaker will be allocated 2 minutes. Please be advised that each speaker's testimony is being recorded. Speakers are asked to sign up prior to the start of the Public Comment period. Individuals wishing to speak to agenda items will be called to speak first, generally in the order in which they have signed. If time remains, the Presiding Officer will call individuals wishing to speak to topics not listed on the agenda generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i>		
<b>6. APPROVAL OF THE AGENDA</b>		7:20
<b>7. CONSENT CALENDAR</b>		7:20
(a) Minutes of Special Meeting of January 23, 2017	<u>7a-1</u>	
(b) Approval of expenses and payroll as of February 10, 2017 in the amount of \$1,010,391.88	<u>7b-1</u>	
(c) Authorize the City Manager to Execute a Contract in an Amount not to exceed \$94,268 with Stantec Consulting Services Inc. for Wastewater Code and Engineering Development Manual Review and Development and Financial Policy Review and Recommendations	<u>7c-1</u>	
(d) Motion to Appoint a Member to the Shoreline Landmarks and Heritage Commission	<u>7d-1</u>	
(e) Authorize the City Manager to Execute a Contract in the Amount of \$344,121 with Trinity Contractors Inc. for Construction of the Interurban/Burke-Gilman Connectors Project	<u>7e-1</u>	

- (f) Authorize the City Manager to Execute a Contract in the Amount of \$100,000 with EarthCorps to Provide Repair and Maintenance for Shoreline Parks and Surface Water Facilities 7f-1
- (g) Motion to Authorize the City Manager to Execute a Contract in the Amount of \$183,687 with Pertect Inc. for Construction Management Services for the Meridian Avenue N and 15<sup>th</sup> Avenue NE Pavement Preservation Projects 7g-1

**8. ACTON ITEMS**

- (a) Adoption of Res. No. 402 - Updating the City's Employee Handbook Including Adding Supplemental Paid Family Leave 8a-1 7:20

**9. STUDY ITEMS**

- (a) Discussion of Ord. No. 762 - Code Amendments for Transitional Encampments 9a-1 7:40
- (b) Discussion and Update of the 147th/148th Non-Motorized Bridge and Preferred Alternative 9b-1 8:10

**10. ADJOURNMENT**

8:40

*The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2231 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 801-2236 or see the web page at [www.shorelinewa.gov](http://www.shorelinewa.gov). Council meetings are shown on Comcast Cable Services Channel 21 and Verizon Cable Services Channel 37 on Tuesdays at 12 noon and 8 p.m., and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Online Council meetings can also be viewed on the City's Web site at <http://shorelinewa.gov>.*

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF SPECIAL MEETING**

Monday, January 23, 2017  
5:45 p.m.

Conference Room 303 - Shoreline City Hall  
17500 Midvale Avenue North

PRESENT: Mayor Roberts, Deputy Mayor Winstead, Councilmembers McGlashan, Scully, Hall, McConnell, and Salomon

ABSENT: None

STAFF: Debbie Tarry, City Manager; John Norris, Assistant City Manager; Randy Witt, Public Works Director; Lance Newkirk, Public Works Operations Manager; and Bonita Roznos, Deputy City Clerk

GUESTS: Ronald Wastewater District: Board President Gretchen Atkinson; Board Vice President George Webster; Boardmembers Chris Eggen, Arnold Lind, Robert Ransom; Mark Gregg, District General Manager; and George Dicks, District Maintenance Manager

At 5:50 p.m., the meeting was called to order by Mayor Roberts. Mayor Roberts welcomed District Commissioners and staff, and introductions were made.

John Norris, Assistant City Manager, provided a historical review of the Ronald Wastewater Assumption process, beginning with the 2002 Interlocal Operating Agreement to unify wastewater services with City operations. He recounted the creation of the Committee of Elected Officials (CEO), and the development of the Assumption Plan and the Assumption Implementation Team. He provided an update on the work completed by the Team and shared cultural integration activities Ronald employees have participated in with the City. He emphasized the importance of providing a smooth, fair, and equitable transition for Ronald employees, and said each employee will be provided an individualized transition plan. He talked about adoption of the Sick Leave Carryover Agreement, and shared information about fiscal, facility, and Shoreline Municipal Code implications. He said the Assumption is scheduled to take place on October 23, 2017.

Mark Gregg, District General Manager, shared information about the integration of Ronald's Asset Management System with the City's, and shared the systems will run separately until the Assumption.

Ronald Commissioners pointed out that the combined Ronald and City budgets will influence what goes in the City. They discussed the 185<sup>th</sup> Street Gravity Main Project and potential debt issuance; new Wastewater Treatment contracts with the King County Wastewater Treatment Division and the City of Edmonds; and the importance of having a representative on the

Metropolitan Water Pollution Abatement Advisory Committee. They conveyed possible financing options and asked questions about reducing Ronald's Reserve Fund. Mr. Norris explained that the CEO will regroup to discuss financing options and lowering reserve amounts if the District is interested in issuing debt to finance a capital project.

Mr. Gregg shared that the King County Wastewater Treatment Division has requested Ronald to enter into a 50 year contract for wastewater treatment service, and expressed the Board's concern about locking into a 50 year contract. He shared the contract would provide an opportunity to negotiate a better rate, explained that King County treats 90% of their flow, and said the Snohomish County Treatment rate is better than the King County Treatment rate.

Councilmembers expressed concern about a 50 year contract, and recommended negotiating giving up flow to Edmonds in exchange for the contract.

At 6:48 p.m. the meeting was adjourned.

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Bonita Roznos, Deputy City Clerk

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Approval of Expenses and Payroll as of February 10, 2017  
**DEPARTMENT:** Administrative Services  
**PRESENTED BY:** Sara S. Lane, Administrative Services Director

**EXECUTIVE / COUNCIL SUMMARY**

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

**RECOMMENDATION**

Motion: I move to approve Payroll and Claims in the amount of \$1,010,391.88 specified in the following detail:

**\*Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
1/15/17-1/28/17	2/3/2017	70404-70622	14779-14799	65986-95991	\$533,428.92
					\$533,428.92

**\*Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
2/2/2017	65911	65916	\$72,468.88
2/2/2017	65917	65925	\$46,062.08
2/2/2017	65926	65935	\$53,231.23
2/3/2017	65936	65944	\$32,787.55
2/8/2017	65172	65172	(\$186.15)
2/8/2017	65945	65945	\$186.15
2/9/2017	65946	65954	\$11,364.73
2/9/2017	65955	65964	\$17,873.89
2/9/2017	65965	65969	\$710.77
2/9/2017	65970	65975	\$110,411.75
2/9/2017	65976	65985	\$132,052.08
			\$476,962.96

Approved By: City Manager **DT**

City Attorney **JA-T**

**CITY COUNCIL AGENDA ITEM**

CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Motion to Authorize the City Manager to Execute a Contract with Stantec Consulting Services Inc. for Development of the City's Wastewater Code, Engineering Development Manual Review and Related Financial Policy Review and Recommendations
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Lance Newkirk, Utility and Operations Manager
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM / ISSUE STATEMENT:**

In 2002, the City and Ronald Wastewater District (RWD), a special purpose district, entered into an Interlocal Operating Agreement to unify wastewater services with City operations. The Agreement and state law outline the assumption process between the City and RWD. In October 2017, the City will assume the wastewater utility on October 23, 2017, and the utility will then operate under the City's governance structure. The utility will continue to be responsible for the operation and maintenance of approximately 190 miles of pipeline, 17 pump stations, 22 grinder pumps, and over 16,000 side sewer connections.

As result of the assumption and change in governance, new municipal code language, financial policies and design and construction requirements related to the City's new wastewater utility need to be developed and incorporated into City forms and documents.

The City issued a request for qualifications (RFQ), and three submittals were received. Stantec Consulting Services Inc. (Stantec) was selected as the most qualified firm to perform the work. The majority of the work included in the contract is expected to be completed prior to the City assumption of RWD.

**RESOURCE/FINANCIAL IMPACT:**

The total cost of contract for services, based on a time and materials fee, is not to exceed \$94,268.00. There are sufficient monies in the City's General Fund to fully cover the proposed costs of the contract.

## **RECOMMENDATION**

Staff recommends that the Council move to authorize the City Manager to execute a contract with Stantec for wastewater code, engineering development manual review and development and financial policy review and recommendations, for a total contract based on a time and materials fee not to exceed \$94,268.

Approved By:           City Manager ***DT***   City Attorney ***JA-T***

## **DISCUSSION**

In October 2017, the City will assume operation of the Ronald Wastewater District (RWD). As result of the assumption and change in governance, new municipal code language, financial policies and design and construction requirements related to the City's new wastewater utility need to be developed and incorporated into City forms and documents.

The new code will establish the City's Wastewater Utility and set forth the legal authority to set uniform requirements for wastewater discharges from residential, commercial, institutional and industrial users into the City's wastewater conveyance system. The new code will also promulgate regulations that conform to State and Federal wastewater requirements that protect the public's health, safety and welfare; revenue and financial considerations; as well as develop regulations that provide for equitable distribution of the cost of owning and operating the municipal wastewater conveyance system.

New wastewater design and development standards also need to be developed and added to the City's Engineering Development Manual (EDM). The updated document will need to set standards for the construction of public wastewater improvements to serve new and future developments and for the upgrade and reconstruction of existing facilities. These standards will apply to all improvements within the public right-of-way; to all improvements required within the proposed public right-of-way of new residential, commercial, and/or industrial developments; for all improvements requiring maintenance by the City; to all private connections that connect to the public wastewater conveyance system; and for all other improvements for which the City Code requires approval of the City Engineer.

The City needs to ensure that financial policies related to the Wastewater Utility are incorporated into the City's existing financial policies and procedures.

Through this contract, Staff is requesting assistance reviewing RWD and City policies, and utility best practices related to those policies, in order to identify any changes needed to City policies. The proposed contract requires Stantec to provide the above services and to efficiently manage the work to meet the negotiated milestones and timeline. The majority of the work included in the contract is expected to be completed by October 2017 when the City assumes the RWD. And, code revisions will be brought back to Council for final consideration before the assumption is complete.

## **FINANCIAL IMPACT**

The total cost of contract for services, based on a time and materials fee, will not exceed \$94,268.00. There are sufficient monies in the City's General Fund to fully cover the proposed costs of the contract.

## **RECOMMENDATION**



Staff recommends that the Council move to authorize the City Manager to execute a contract with Stantec for wastewater code, engineering development manual review and development and financial policy review and recommendations, for a total contract based on a time and materials fee not to exceed \$94,268.

**ATTACHMENTS**

Attachment A – Exhibit A – Scope and Compensation

**CITY OF SHORELINE**

**WASTEWATER CODE AND ENGINEERING DEVELOPMENT  
MANUAL (EDM) REVIEW AND DEVELOPMENT;  
AND FINANCIAL POLICY REVIEW AND RECOMMENDATIONS**

**EXHIBIT A – SCOPE & COMPENSATION**

Stantec Consulting Services Inc.  
February 2017

**PROJECT DESCRIPTION & PURPOSE**

In October, 2017, the City will assume Ronald Wastewater District (RWD), a special purpose district. The City will then be responsible for the operation and maintenance of approximately 190 miles of pipeline, 17 pump stations, 22 grinder pumps, and over 16,000 side sewer connections transfers to the City.

As result of the assumption and change in governance, new municipal code language, financial policies and design and construction requirements related to the City's new wastewater utility need to be developed and incorporated into City forms and documents.

The new code will establish the City's Wastewater Utility and set forth the legal authority to set uniform requirements for wastewater discharges from residential, commercial, institutional and industrial users into the City's wastewater conveyance system. The new code will also promulgate regulations that conform to State and Federal wastewater requirements that protect the public's health, safety and welfare, revenue and financial considerations as well as develop regulations that provide for equitable distribution of the cost of owning and operating the municipal wastewater conveyance system.

New wastewater design and development standards will be developed and added to the City's Engineering Design Manual (EDM). The updated document will set standards for the construction of public wastewater improvements to serve new and future developments and for the upgrade and reconstruction of existing facilities.

**SCOPE OF SERVICES**

The Scope of Services to be provided by to the City in support of the assumption and operation of the sewer system is outlined below:

1. Project Management
  - a. Prepare and Communicate Project Implementation Plan.
  - b. Manage scope, budget, schedule and tasks, staff, and subconsultant.
  - c. Communicate on a regular basis with City regarding progress, issues, costs, and schedule.

- d. Administer monthly Consultant invoicing to City for services provided.
- e. Project closeout and meet with City to discuss project performance.

2. Document Review

Stantec and FCSG will review relevant documents including:

- a. Ronald Wastewater District Governing Documents:
  - Ronald Wastewater District Board of Commissioners Bylaws, Rules, and Procedures
  - Ronald Wastewater District Resolution 13-24
  - Developer Extension Manual. REV:1/2014
  - Comprehensive Sewer Plan, 2010
  - Financial Policies
- b. Municipal Wastewater Code Review for the following selected Cities:
  - City of Bellevue Sewer Code
  - City of Mercer Island Sewer Code
  - City of Redmond Sewer Code
  - City of Carnation Sewer Code
- c. City of Shoreline Code Municipal Utilities Code Review
- d. Department of Ecology Regulation Review

3. Prepare Technical Memoranda (3)

- a. Municipal Code Technical Memorandum – Stantec Lead
  - Prepare a draft memorandum that summarizes the general findings of the documents outlined in Section 2 and recommends two City code options for use as the model Wastewater Utility Municipal Code of the documents identified in Section 2. The selected code from Section 2 shall then be the model for the development of the City's Wastewater Municipal Utility Code
  - Prepare a final memorandum that addresses the City's comments.
  - Assumption: The City of Shoreline will select the preferred option for use in developing the recommended Municipal Code prior to Stantec issuing the final draft of the memorandum.
- b. EDM Technical Memorandum – Stantec Lead
  - Prepare a draft memorandum that summarizes the RWD and two other potential model sewer development regulations and standards, recommends a model standard for Shoreline's wastewater standards, and identifies issues to be addressed and critical decisions to be made in preparation of the EDM standards and details.
  - Prepare a final memorandum that addresses the City's comments.

c. Financial Policies Technical Memorandum – FCSG lead

- Conduct phone interviews with one staff member each from the City and the District in order to learn how closely financial management practices fit the policy documents.
- Develop a comparative analysis of City and District financial policies.
- Identify areas where reconciliation is needed, and areas where there are potential improvements in financial management practices.
- Draft a technical memorandum (a.k.a. issue paper) discussing the differences in policies and practices between the City and District. The memorandum should recommend an approach to these policies for the City to follow after RWD’s assumption.

Assumptions:

- All deliverables shall be electronic in the format requested by the City
- One draft and a final (if needed) version of each memorandum shall be provided.

4. Meetings

- a. Project kickoff meeting with City to include Stantec and FCSG representatives
- b. Meeting(s) to Review City Comments on Technical Memorandums
- c. One Project meeting is assumed to review each technical memorandum (total 3) after City Review.
- d. Attend up to six (6) additional project meetings to address comments on topics at City’s discretion.

5. Prepare new Wastewater Utility Municipal Code and recommended updates to other code sections

- a. Prepare draft Wastewater Utility Municipal Code and section updates
- b. Stantec will prepare up to three versions of the Wastewater Utility Municipal Code consisting of up to two draft versions and one final version of the Code.
- c. FCSG will review and comment on Stantec prepared Wastewater Utility Municipal Code.
- d. Prepare final Wastewater Municipal Code and section updates that will address feedback/comments received from the City.

Deliverables: Two Drafts and a Final version of sections of the City’s municipal code that have been modified.

6. Prepare new EDM Wastewater Division

- a. Discuss and agree on numbering system/format of new/added sections of EDM with the City’s PM
- b. Work with City to select model documents for use in preparing EDM modifications.

- c. Prepare up to two drafts of revised EDM document to incorporate wastewater items and City input
- d. Prepare final EDM modifications/additions that address feedback/comments received from the City.

Deliverables:

- Two Drafts and a Final updated EDM in electronic format. Final version shall be provided electronically and four (4) hard copies will be provided including an unbound master copy.
- Sewer Standard Details (ACAD and pdf)

Assumptions:

- Shoreline's EDM structure will be reused, with new sections added and others modified as necessary to accomplish the City's wastewater system goals.
- An editable MSWord version of the EDM document and related electronic attachments will be provided to Consultant at the start of the project.
- Shoreline title blocks will be added to wastewater CAD standard details selected for inclusion in the EDM. City to provide electronic version of title blocks.
- Up to 25 standard details based on other municipalities' details will be included in the EDM, with minor CAD edits as required.
- This scope does not include developing Standard Details, drawings or specifications for applications not readily available from other public sources.
- Revised specifications for public bidding are not included in this effort.

7. Financial Polices (FCSG LEAD)

a. Draft Financial Policy

- Meet with City staff to review the approach recommended in the issue paper and receive feedback (budgeted in meetings item). Discuss with the staff any changes in financial practices that they would need to plan for, and how best to implement those changes.
- Based on that feedback, prepare a draft Financial Policy for the City to use after the assumption of the District is complete.
- If needed, provide code language describing the basis of the rates and charges, including the General Facilities Charge.
- If needed, review and comment on successive drafts of the Wastewater Code as the document goes through a careful review and revision process with the City's input.

b. Support for Assumption Process

- Provide additional analysis and consultation, as requested by the City and allowed by the project budget, related to the assumption process and financial integration of the City and District.

8. Additional Services

- a. Additional Services may be specified and authorized by the City. Additional services shall be identified and authorized by prior written approval of the Public Works Director or City Manager, dependent upon budget authority, as an amendment to this agreement. Compensation will be provided for at the negotiated rate of the requested additional services.
- b. Examples of additional services may include but are not limited to the following:
  - City Comprehensive Plan Utility Element Review and Update
  - Wastewater General Sewer Plan Review and Update
  - Wastewater Permit Process Review and Alignment
  - Wastewater Infrastructure – Condition Assessment/Financial Valuation

**PROJECT SCHEDULE**

Stantec proposes to accomplish this scope of services based on the following schedule milestones:

Draft Technical Memo – Financial Policies	March 24, 2017
Draft Technical Memo – Municipal Code	April 7, 2017
Draft Technical Memo – EDM	April 30, 2017
Initial Draft Municipal Code -	May 12, 2017
Final Municipal Code	July 31, 2017
Initial Draft Financial Policies	April 10, 2017
Final Financial Policies	May 15, 2017
Initial Draft EDM Modifications	June 20, 2017
Final EDM Modifications	July 31, 2017
Finalize all deliverables	July 31, 2017

**COMPENSATION**

Stantec proposes to complete the work described herein, based on a time and materials fee not to exceed \$94,268 without prior approval by the City. Stantec reserves the right to transfer budget between tasks, within the overall limit of the project, as the project evolves.

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Appointment of the Special Member of the City of Shoreline Landmarks and Heritage Commission
<b>DEPARTMENT:</b>	City Manager's Office
<b>PRESENTED BY:</b>	Alex Herzog, CMO Management Analyst
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion

**PROBLEM/ISSUE STATEMENT:**

In 1995, Shoreline entered into an interlocal agreement with King County for historic preservation services. The King County Landmarks and Heritage Commission (Commission) is a nine-member citizen board charged with designating landmarks in unincorporated King County and in those cities and towns in King County that have entered into an interlocal agreement with the County for historical preservation services. When the commission acts on behalf of a city with which the County has an interlocal agreement, the city appoints a special member to the commission. This special member sits as a regular member of the commission for all business conducted in that city.

The current Special Member of the City of Shoreline Landmarks and Heritage Commission, Mr. Rob Garwood, was appointed on June 13, 2011 and has served his first four-year term. Since the expiration of that term in June 2015, Mr. Garwood has continued to serve on the Commission in the capacity of Special Member though not officially re-appointed by the City Council. Mr. Garwood is interested in finishing what would be his second and final term.

If Council re-appoints Mr. Garwood to the Commission, he would serve until June 13, 2019. Pursuant to SMC 15.20.020, the term of a special member is for four years with a term limit of two consecutive terms (total of eight years).

**RESOURCE/FINANCIAL IMPACT:**

There is no financial impact to (re-)appointing a Special Member to the Landmarks Commission.

**RECOMMENDATION**

Staff recommends that the City Council re-appoint Robert Garwood to be the City of Shoreline Special Member of the King County Landmarks and Heritage Commission to finish what would be his second and final term, commencing on June 13, 2015 and expiring on June 13, 2019.

Approved By: City Manager **DT** City Attorney **JA-T**



**BACKGROUND:**

The King County Landmarks and Heritage Commission (Commission) is a nine-member citizen board each of whom is appointed by the King County Executive, subject to confirmation by the King County Council. The Commission is charged with designating landmarks in unincorporated King County and in those cities and towns in King County that have entered into an interlocal agreement with the County for historical preservation services. Commissioners are responsible for the following:

- Reviewing and deciding nominations for landmark designation
- Reviewing and deciding certificates of appropriateness for alterations to or demolition of landmark properties
- Developing policy and planning recommendations for King County's historic preservation program
- Attending periodic training sessions and conferences.

When the commission acts on behalf of a city with which the county has an Interlocal agreement to provide historic preservation services, such as Shoreline, the city appoints a special member to the commission. This special member sits as a voting member of the commission for all matters relating to or affecting landmarks within that city.

In 1995, the City of Shoreline entered into an interlocal agreement with King County for historic preservation services (City Clerk Receiving No. 0016 (Resolution 32)). With the passage of Ordinance 53, SMC Chapter 15.20 established landmarks preservation regulations as provided in the Interlocal agreement. Pursuant to SMC 15.20.020(B), the Shoreline City Council appoints a Special Member to the Commission. The Special Member is to be an individual with a demonstrated interest and competence in historic preservation. The Special Member, whose term is for four years with a term limit of two consecutive terms (total of eight years), is a voting member on all matters relating to or affecting landmarks within the City.

Since June 2011, Mr. Garwood has served as the Special Member to the Commission. More information about Mr. Garwood's initial appointment at the June 13, 2011 Council meeting can be found on the City's website:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/Council/Staffreports/2011/Staffreport061311-7f.pdf>.

**DISCUSSION:**

Mr. Garwood's initial term expired on June 13, 2015. However, Mr. Garwood has continued to serve on the commission despite not being officially re-appointed by the City Council. The action tonight would officially, and retrospectively, re-appoint Mr. Garwood to the Commission, and he would serve out the remaining time of what would have been his second and final term, expiring on June 13, 2019. SMC 15.20.020(B) states that the Special Member may be reappointed, but may not serve more than two consecutive four-year terms.

If Council does not re-appoint Mr. Garwood to his second and final term, staff would conduct a recruitment process to find a suitable new appointee to the Commission..

**RESOURCE/FINANCIAL IMPACT:**

There is no financial impact to appointing a new Special Member to the Landmarks Commission.

**RECOMMENDATION**

Staff recommends that the City Council re-appoint Robert Garwood to be the City of Shoreline Special Member of the King County Landmarks and Heritage Commission to finish what would be his second and final term, commencing on June 13, 2015 and expiring on June 13, 2019.

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Authorize the City Manager to Execute a Construction Contract with Trinity Contractors Inc. for the Interurban Trail/ Burke-Gilman Trail Connectors Project
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Tricia Juhnke, City Engineer
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Staff is requesting that Council authorize the City Manager to execute a contract with Trinity Contractors Inc. for the construction of the Interurban Trail/ Burke-Gilman Trail Connectors project in the amount of \$344,121.

**RESOURCE/FINANCIAL IMPACT:**

City Council approved this project as part of the 2017-2022 Capital Improvement Plan. Design was completed in 2016; the budget breakdown below is for the adopted 2017 budget:

**Project Expenditures:**

**Construction:**

Staff and other Direct Expenses	\$35,000	
Testing and Inspection Services	\$1,700	
<b>Construction Contract</b>	<b>\$344,121</b>	
Total Construction		\$379,121
<u>Contingency</u>		<u>\$55,196</u>
Total Project Expenditures		\$436,017

**Project Revenue:**

WSDOT – Pedestrian & Bicycle Safety Program	\$403,273
<u>Roads Capital Fund</u>	<u>\$32,744</u>
Total Available Revenue	\$436,017

**RECOMMENDATION**

Staff recommends that Council authorize the City Manager to execute a construction contract with Trinity Contractors Inc. in the amount of \$344,121 for the Interurban Trail/ Burke-Gilman Trail Connectors project.

Approved By: City Manager **DT** City Attorney *JA-T*

## **INTRODUCTION**

Staff is requesting that Council authorize the City Manager to execute a contract with Trinity Contractors Inc. for the construction of the Interurban Trail / Burke-Gilman Connectors project in the amount of \$344,121. The engineer's estimate for this project is \$365,000.

## **BACKGROUND**

In 2008, the City of Shoreline completed the entire section of the Interurban Trail that runs north and south through the City of Shoreline. While this provides a valuable connection for users traveling north/south through Shoreline, it is missing a connection to the Burke-Gilman Trail.

The City has collaborated with the City of Lake Forest Park to identify northern and southern routes to connect the Interurban Trail and the Burke-Gilman Trail. The Bicycle Master Plan (BMP), part of the 2011 Shoreline Transportation Master Plan, includes these routes as shown on the attached map.

In 2013 the City was awarded a state grant for the installation of signage, striping, sidewalks and bike lanes to complete the two connections between the Interurban Trail and the Burke-Gilman Trail through the two routes designated in the BMP.

## **ALTERNATIVES ANALYZED**

Between January 10<sup>th</sup> and February 3<sup>rd</sup>, the City solicited bids for construction of the Interurban Trail/ Burke-Gilman Trail Connectors Project. The engineer's estimate for the construction was \$365,000. Bids were opened on February 3, 2017 and four bids were received. Trinity Contractors Inc. was the apparent low bidder. The four bids received are as follows:

Contractor Name	Bid Received
Trinity Contractors Inc.	\$344,121
Westwater Construction Company	\$368,592
SRV Construction Inc.	\$396,476
A1 Landscaping and Construction Inc.	\$559,722

City staff has determined that Trinity Contractors Inc. has a responsive bid and that they have met contractor responsibility requirements. Construction is anticipated to start in March 2017 with completion anticipated in early July 2017

## **COUNCIL GOAL ADDRESSED**

This project addresses Council Goal #2, Improve Shoreline's utility, transportation, and environmental infrastructure. This project will meet this goal by connecting two regional trails.

## RESOURCE/FINANCIAL IMPACT

This project is approved as part of the 2017-2022 Capital Improvement Plan. Design was completed in 2016; the budget breakdown below is for the adopted 2017 budget:

### **Project Expenditures:**

#### **Construction:**

Staff and other Direct Expenses	\$35,000	
Testing and Inspection Services	\$1,700	
<b>Construction Contract</b>	<b>\$344,121</b>	
Total Construction		\$379,121
<u>Contingency</u>		<u>\$55,196</u>
Total Project Expenditures		\$436,017

### **Project Revenue:**

WSDOT – Pedestrian & Bicycle Safety Program	\$403,273	
<u>Roads Capital Fund</u>	<u>\$32,744</u>	
Total Available Revenue		\$436,017

## RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a construction contract with Trinity Contractors Inc. in the amount of \$344,121 for the Interurban Trail/ Burke-Gilman Trail Connectors project.

## ATTACHMENTS

Attachment A: Vicinity Map

# Attachment A: Vicinity Map

## Interurban Trail/ Burke-Gilman Trail Connectors Project

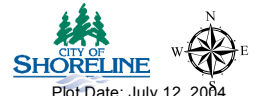
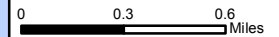
### Bike Trail

#### Existing

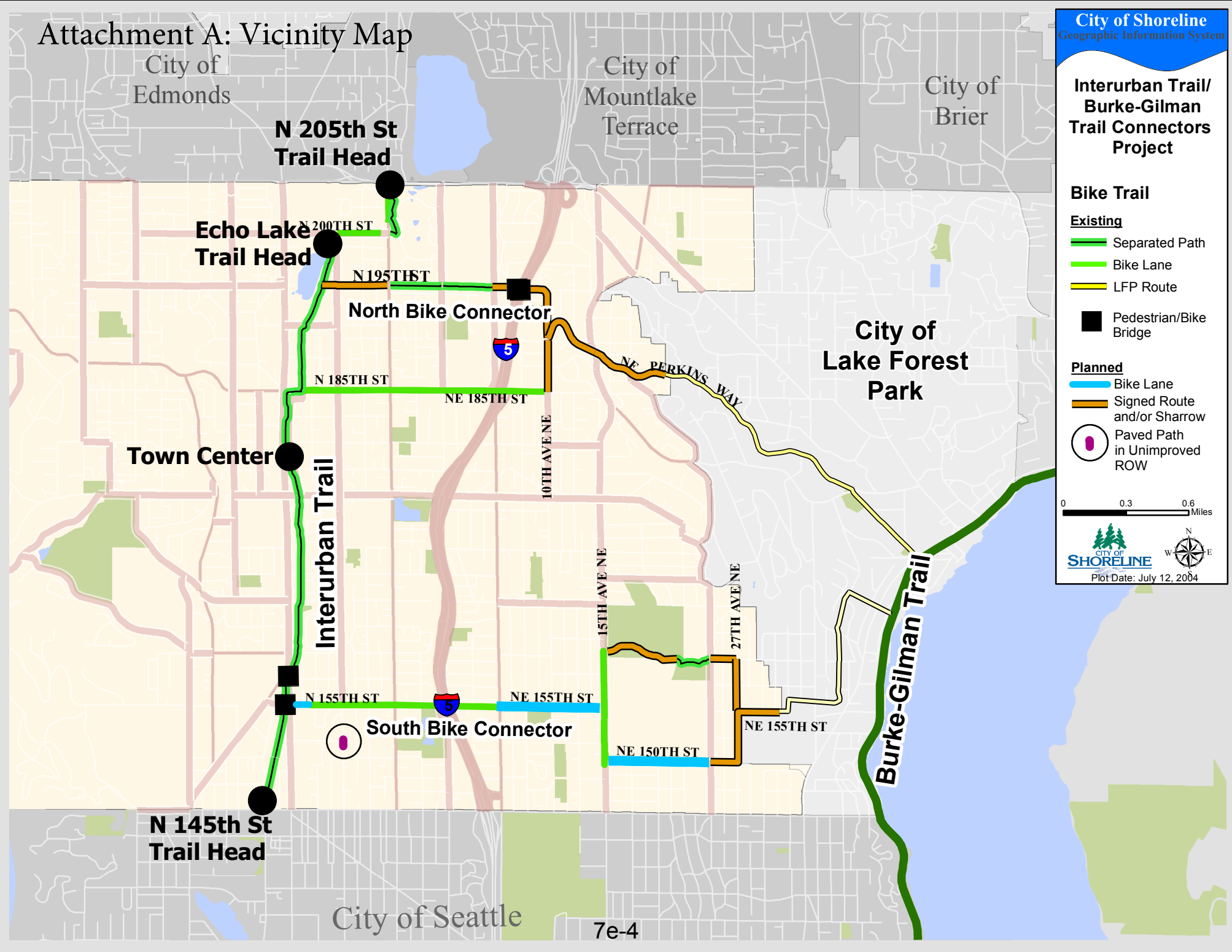
- Separated Path
- Bike Lane
- LFP Route
- Pedestrian/Bike Bridge

#### Planned

- Bike Lane
- Signed Route and/or Sharrow
- Paved Path in Unimproved ROW



Plot Date: July 12, 2004



**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Authorize the City Manager to Execute an Agreement with EarthCorps in the Amount of \$100,000 to Provide Repair and Maintenance for Shoreline Parks and Surface Water Facilities
<b>DEPARTMENT:</b>	Parks, Recreation, and Cultural Services/Public Works
<b>PRESENTED BY:</b>	Eric Friedli, PRCS Director, Randy Witt, Public Works Director
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing <input type="checkbox"/> Discussion

**ISSUE STATEMENT:**

Since 2009, the City of Shoreline has entered into agreements with EarthCorps for trail, vegetation and environmental restoration work at several Shoreline parks and surface water facilities. Since this contract amount is over \$50,000, City Council authorization is required for the City Manager to enter into the agreement.

This contract is being entered into pursuant to RCW 35.21.278 and RCW 79A.35.130, which allows the City to enter into a contract with a service organization to provide maintenance improvements to parks, surface water facilities and environmentally sensitive areas without regard to competitive bidding for public works. Thus, the contract is outside of the public works bidding laws.

**FINANCIAL IMPACT:**

This work is paid for using 2017 King County Renewal Trail Levy funding, General Capital Park Repair and Replacement funds and the Surface Water Utility operating funds. There is adequate funding within these budgets to complete this work.

**RECOMMENDATION**

Staff recommends that Council move to authorize the City Manager to execute an agreement with EarthCorps in the amount of \$100,000 to provide environmental vegetation management and minor trail repair for Shoreline parks and surface water facilities.

Approved By:      City Manager **DT**      City Attorney **MK/JA-T**

## **BACKGROUND**

Since 2009, the City of Shoreline has entered into agreements with EarthCorps for trail, vegetation and environmental restoration work at Shoreline parks and surface water facilities funded from the General Capital Fund, King County Trail Levy funds and Surface Water Utility operating funds. EarthCorps is a non-profit organization founded in 1993 with a mission to build a global community of leaders through local environmental service. EarthCorps provides a year-long intensive program for young adults from the United States and 80 other countries to learn best practices in community-based environmental restoration and develop their leadership skills as they supervise more than 10,000 volunteers each year. See Attachment A for a full program description.

Some examples of work that EarthCorps has performed at Shoreline parks and surface water open spaces over the past six years include:

- *Trail Maintenance*: construction and installation of trail markers, resurfacing trail beds, trail side slope stabilization, trail reconstruction after storm damage or over use, adding switch backs, check steps or stairs in steep slope trails, closing social trails, etc.
- *Environmental Restoration*: required mitigation plant monitoring and management, native plant installations, removing overgrown plants and weeds from planted park and surface water landscapes, invasive and noxious weed eradication, steep slope stabilization, removing illegally dumped trash and debris, and recruiting and leading volunteer community work parties in removing invasive species and planting natives.

See Attachment B, Scope of Work, for more details of this year's expected projects and the budget breakdown between Park and Surface Water budgets.

In 2017, Surface Water Utility operating funds, the King County Renewal Levy funds and General Capital repair and replacement funding will be used to pay for this contract. Since this proposed contract is over \$50,000, City Council authorization is required.

## **DISCUSSION**

This contract is being entered into pursuant to RCW 35.21.278 and RCW 79A.35.130, which allow the City to enter into a contract with a service organization to provide improvements to parks, surface water facilities and environmentally sensitive areas without regard to competitive bidding for public works. Thus, the contract is outside of the public works bidding laws.

RCW 35.21.278 requires that the value received be at least equal to three times the payment to the organization. Attachment C to this staff report contains an analysis of typical costs to do the work proposed. RCW 35.21.278 also requires that the total payments not exceed two times the population (\$106,000 for Shoreline based on 2010 US Census). This contract is under this limit. The purchasing department will coordinate any future need and limit City expenditures to be within that of the RCW.



As set forth in RCW 79A.35.130, participants in conservation corps programs offered by a nonprofit organization affiliated with a national service organization established under the authority of the National and Community Service Trust Act of 1993 are exempt from provisions related to rates of compensation while performing environmental and trail maintenance work, provided:

- 1) The nonprofit organization must be registered as a nonprofit corporation pursuant to chapter 24.03 RCW;
- 2) The nonprofit organization's management and administrative headquarters must be located in Washington;
- 3) Participants in the program spend at least 15 percent of their time in the program on education and training activities; and
- 4) Participants in the program receive a stipend or living allowance as authorized by federal or state law.

Participants are exempt from provisions related to rates of compensation only for environmental vegetation and trail work conducted pursuant to the conservation corps program.

### **FINANCIAL IMPACT**

This work is paid for using 2017 King County Renewal Trail Levy funding, General Capital Parks Repair and Replacement funds and the Surface Water Utility operating funds. There is adequate funding within these budgets to complete this work.

### **RECOMMENDATION**

Staff recommends that Council move to authorize the City Manager to execute an agreement with EarthCorps in the amount of \$100,000 to provide environmental vegetation management and minor trail repair for Shoreline parks and surface water facilities.

### **ATTACHMENTS**

Attachment A: EarthCorps Brochure  
Attachment B: 2017 Scope of Work  
Attachment C: Cost Comparison Study

# Attachment A



Since 1993, EarthCorps has been working to create a global community of leaders through local environmental service. Our restoration and education efforts focus on three key areas:

## YOUNG LEADERS

EarthCorps' Corps Program is an intensive year-long training program that unites both AmeriCorps and international participants (ages 18-25) from across the United States and around the world to learn skills in community building, habitat restoration, and leadership. EarthCorps program participants are part of a diverse group of emerging environmental leaders committed to teamwork, service, and personal growth. In addition to hands-on service, each participant takes part in 350 hours of workshops, retreats, and other formal trainings.

## HEALTHY HABITATS

EarthCorps works to restore the environment, improve air and water quality and ensure that local Puget Sound residents can enjoy safe, low-impact access to natural areas in urban, suburban and rural settings. EarthCorps seeded Seattle's urban forest restoration efforts that grew to become the Green Seattle Partnership.

## STRONG COMMUNITIES

Environmental service is a uniquely effective way to build community. Each year, 12,000 volunteers participate in environmental restoration projects led by EarthCorps. EarthCorps has lead more than 150,000 volunteers to date. Approximately half of EarthCorps volunteers are youth who volunteer as part of school teams or in order to complete service learning hours.

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## PROGRAM DESCRIPTION

Corps members spend 80% of their time in the field on a crew of six or seven young adults performing environmental restoration. A crew leader guides the crew as they complete restoration projects throughout the Puget Sound region. Restoration is physically demanding work that takes place outdoors in all weather conditions. Projects can include stream and salmon habitat restoration, erosion control, invasive plant removal, native plant installation, trail construction and maintenance, and volunteer management.

Corps members spend 20% of their time in classes, workshops, and field trainings as part of EarthCorps' education program. Education sessions mirror the learning goals of the EarthCorps experience, with curriculum covering basic botany and ecology of the Pacific Northwest, environmental restoration theories and concepts, topics in natural resource management and global environmental issues, leadership skills, and interpersonal and cross-cultural communication.

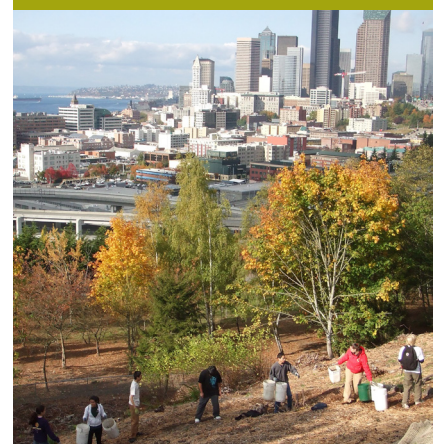
## LEADERSHIP



## COMMUNITY



## HABITAT



TO LEARN MORE, VISIT [WWW.EARTHCORPS.ORG](http://WWW.EARTHCORPS.ORG)

6310 NE 74th Street, Suite 201E Seattle, WA 98115 phone 206.322.9296 fax 206.322.9312

**Scope of Work Estimates for:**

Maureen Calaizzi  
 cc: Kirk Petersen  
 City of Shoreline  
 17500 Midvale Avenue N  
 Shoreline, WA 98133

**From:**

Jammie Kingham  
 EarthCorps  
 6310 NE 74th Street  
 Suite 201E  
 Seattle, WA 98115  
 Tel: 206.322.9296 Ext: 226  
 Fax: 206.322.9312  
 E-mail: jammie@earthcorps.org

**Date:** 1/13/2017  
**Name of Project:** Parks and Recreation 2017  
**Agency Contract No.:**  
**EarthCorps Project No.:**

**Narrative Scope of Work:**

**Task 1:** EarthCorps crews will perform the following tasks: Trail maintenance at the following locations: Boeing Creek Park, Shoreview Park, Hamlin Park, and Innis Arden Reserve. Trail work needs will be assessed after winter storm damage and proposed projects will be approved by City of Shoreline staff before work occurs. **Task 2:** Crews will either assist Kruckeberg Gardnes with nursery needs or KCD with restoration efforts throughout the city. **Task 3:** Volunteer Specialists will recruit, manage, and lead volunteers in planting on November 4th at Hillwood Park.

	Dates and Crew Name	# Crew Days or PM Hours	Daily or Hourly Rate	Materials Cost	Subtotals
<b>Task 1:</b>					
Days in field:		24	\$ 1,300.00		\$ 31,200.00
Project Management		75	\$ 75.00		\$ 5,625.00
					<b>\$ 36,825.00</b>
<b>Task 2:</b>					
Days in field:		5	\$ 1,300.00		\$ 6,500.00
Project Management		10	\$ 75.00		\$ 750.00
					<b>\$ 7,250.00</b>
<b>Task 3:</b>					
Volunteer Management					\$ 1,540.00
					<b>\$ 1,540.00</b>
<b>Subtotal</b>					<b>\$ 45,615.00</b>
Materials & Handling Fee (10% of Total Materials)					
<b>TOTAL FEE</b>					<b>\$ 45,615.00</b>
<b>Sales Tax:</b>	9.50%	<b>Location Code:</b> Loc Code			<b>\$ 4,333.43</b>
<b>TOTAL PAYABLE FOR PARKS, RECREATION &amp; CULTURAL SERVICES</b>					<b>\$ 49,948.43</b>
<b>TOTAL 2016 CONTRACT FOR EARTHCORPS SERVICES</b>					<b>\$100,000.00</b>

Fee Schedule	Labor
Crew Day (5-6 persons/van/equipment)	\$1,300.00
Project Manager/hour	\$75.00
Field Technician/hour	\$30.00
Field Trucks (4x4 pick up / 3 ton dump truck) \$75/day	
Payment: invoiced monthly until completion, 30 day payment requested.	



**Scope of Work for:**

Maureen Calaizzi  
 cc: Daniel Sinkovich - Utilities Operations Specialist  
 City of Shoreline  
 17500 Midvale Avenue N  
 Shoreline, WA 98133

**From:**

Jammie Kingham  
 EarthCorps  
 6310 NE 74th Street  
 Suite 201E  
 Seattle, WA 98115  
 Tel: 206.322.9296 Ext: 226  
 Fax: 206.322.9312  
 E-mail: jammie@earthcorps.org

**Date:** 1/23/2017  
**Name of Project:** Public Works Maintenance 2017  
**Agency Contract No.:**  
**EarthCorps Project No.:**

**Narrative Scope of Work:**  
**Task 1:** An EarthCorps crew will brush cut all street rain garden sedge beds to ground level and rake out all vegetation. Crews will spread mulch in areas where bare soil is present. **Task 2-6:** An EarthCorps crew will maintain street rain gardens (4-5 days), the north pond at Boeing Creek Park (.5 days), and Cromwell Park ponds (1.5 days). During a late summer visit, a crew will also sweep through Meridian Park to maintain site lines and remove volunteer tree species. Each site will be maintained four times throughout the year. (spread out between April and December) Crews will perform the following tasks at each street garden visit: Weed planting areas, prune suckers, remove leaf and branch debris, remove trash, remove sediment buildup at curb cuts, trim planted areas along paved edges, and install new plants where necessary. Crews will also cut the grass between beds at the 149th and Evanston site. Note: Monthly site breakdown: 4-5 crew days for street gardens, .5 day for Boeing Creek Park, and 1.5 days for Cromwell Park. Note: The final visit site visit will be split between October/December to allow for greater coverage of winter cleanup and planting. Garbage and vegetation will be loaded into an EarthCorps truck and deposited at the Hamlin Park Maintenance Yard. All mulch will be picked up and delivered by EarthCorps. Mulch will be billed to City of Shoreline account.

Dates and Crew Name	# Crew Days or PM Hours	Daily or Hourly Rate	Materials Cost	Subtotals
<b>Task 1:</b>				
Days in field: March	3	\$ 1,300.00		\$ 3,900.00
Project Management	10	\$ 75.00		\$ 750.00
EC Truck - mulch delivery				\$ 75.00
				<b>\$ 4,725.00</b>
<b>Task 2:</b>				
Days in field: April	7	\$ 1,300.00		\$ 9,100.00
Project Management	14	\$ 75.00		\$ 1,050.00
				<b>\$ 10,150.00</b>
<b>Task 3:</b>				
Days in field: June	6	\$ 1,300.00		\$ 7,800.00
Project Management	12	\$ 75.00		\$ 900.00
				<b>\$ 8,700.00</b>
<b>Task 4:</b>				
Days in field: July/August	6	\$ 1,300.00		\$ 7,800.00
Project Management	12	\$ 75.00		\$ 900.00
				<b>\$ 8,700.00</b>
<b>Task 5:</b>				
Days in field: October/November	6	\$ 1,300.00		\$ 7,800.00
Project Management	14	\$ 75.00		\$ 1,050.00
				<b>\$ 8,850.00</b>
<b>Task 6:</b>				
Days in field: December	3	\$ 1,300.00		\$ 3,900.00
Project Management	8	\$ 75.00		\$ 600.00
				<b>\$ 4,500.00</b>
<b>Crew Labor</b>				<b>\$ 40,300.00</b>
<b>Project Management</b>				<b>\$ 5,250.00</b>
<b>Materials</b>				
<b>EC Truck</b>				<b>\$ 75.00</b>
<b>Subtotal</b>				<b>\$ 45,625.00</b>
Materials & Handling Fee (10% of Total Materials)				\$ -
<b>TOTAL FEE</b>				<b>\$ 45,625.00</b>
<b>Sales Tax:</b> 9.50%	<b>Location Code:</b> Loc Code			<b>\$ 4,334.38</b>
<b>TOTAL PAYABLE FOR PUBLIC UTILITIES</b>				<b>\$ 49,959.38</b>
<b>TOTAL 2016 CONTRACT FOR EARTHCORPS SERVICES</b>				<b>\$100,000.00</b>

Fee Schedule	Labor
Crew Day (5-6 persons/van/equipment)	\$1,300.00
Project Manager/hour	\$75.00
Field Technician/hour	\$30.00
Field Trucks (4x4 pick up / 3 ton dump truck) \$75/day	
Payment: invoiced monthly until completion, 30 day payment requested.	



## City of Shoreline Cost Comparison Study

### EarthCorps vs General Contractor

Objective/Purpose: Per RCW 35.21.278 and RCW 79A.35.130 that allow the use of a volunteer/service organization, EarthCorps, instead of publicly advertising the work via standard bid procedures there is a requirement to demonstrate EarthCorps provides (3) three times the value as a Contractor.

#### Analysis

This 2016 analysis demonstrates the value via costs of a Contractor is more than three (3) times as much as the costs for similar work by EarthCorps.

#### ***EarthCorps***

Cost per day (8) hours:	\$1220
Crew size: 7	
Project Manager: 1 hour/day	\$75.00
Total cost/day:	\$1,295

For a \$100,000 contract EarthCorps can be utilized for 77 days.

#### ***Contractor***

*Cost for a General Laborer:	\$50.00/hour
*Cost for Construction Site Supervisor:	\$66.80/hour

\* These rates are based on Washington State Department of Labor and Industries prevailing wage rates and force account rates utilized in City of Shoreline 2015 construction contracts. They include prevailing wages, benefits and employment taxes.

Cost per day (8 hours)	
(7 laborers + supervisor):	\$3,334.40
Mark-up (per Force Acct reqts):	29%
Total cost/day:	\$4,301.38

For a \$100,000 contract a Contractor could be utilized for 23 days.

**Cost comparison (Contractor cost/day / Earthcorps cost/day): 3.3**

**Other items for consideration and analysis of benefits to utilizing EarthCorps**

- Utilizing a Contractor would require developing a specific scope with detailed plans and specifications in order to provide a fair bid environment and in order to manage the contract. Earth Corps can operate from field direction on a weekly or daily basis from City Staff with minimal direction. Estimated cost: \$7-10k
- Contract Administration and construction management is much higher with a Contractor compared with EarthCorps. Managing submittals, bonding, pay requests, etc takes significantly more resources to ensure responsible contract management than managing a service agreement with EarthCorps. Estimated costs: \$10k
- The quality of work with EarthCorps may be higher and is more predictable than utilizing a Contractor. Based on the requirement to utilize the lowest responsible bid, it is difficult to be confident in the abilities of a Contractor that may perform the work. EarthCorps specializes in Trail and Vegetation Management
- EarthCorps has flexibility in performing the work and operates at the direction of the City. With a Contractor there is less flexibility and increased risk/costs associated with changes in plans and work.
- EarthCorps has experience in coordinating and working with neighborhood/volunteer groups in performing work. The City can easily combine EarthCorps efforts with a community event without additional risks to increased costs. A typical Contract and Contractor does not allow for easy coordination or work alongside community or volunteer functions.

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Motion to Authorize the City Manager to Execute a Professional Services Contract with Perteet Inc. for the Construction Management Services for the Meridian Avenue N and 15 <sup>th</sup> Avenue NE Pavement Preservation Projects
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Tricia Juhnke, City Engineer
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Staff is requesting that Council authorize the City Manager to execute a contract with Perteet Inc. for Construction Management of the Meridian Avenue N and 15<sup>th</sup> Avenue NE Pavement Preservation Projects in the amount of \$183,687.

**RESOURCE/FINANCIAL IMPACT:**

The professional services for Construction Management of the Meridian Avenue N and 15<sup>th</sup> Avenue NE Pavement Preservation Projects will be funded through the Annual Road Surface Maintenance Program.

**RECOMMENDATION**

Staff recommends that Council authorize the City Manager to execute a professional services contract with Perteet Inc. in the amount of \$183,687 for construction management services for the Meridian Avenue N and 15<sup>th</sup> Avenue NE Pavement Preservation Projects.

Approved By:            City Manager **DT**    City Attorney **JA-T**

## **BACKGROUND**

Meridian Avenue N from N 190<sup>th</sup> Street to N 205<sup>th</sup> Street, and 15<sup>th</sup> Avenue NE from N 148<sup>th</sup> Street to N 155<sup>th</sup> Street projects are candidates for pavement overlay and Americans with Disabilities Act (ADA) compliance improvements. Federal Surface Transportation Program (STP) grants were awarded for up to \$674,560 for the Meridian Avenue N Overlay, and up to \$309,740 for the 15<sup>th</sup> Avenue NE Overlay.

These projects are part of the annual surface maintenance program and will overlay the roadways and reconstruct sidewalks, curb, gutter, and curb ramps to become in compliance with ADA. The projects were originally scheduled and budgeted for 2016 but high bid costs resulted in re-advertising the projects in late 2016 for 2017 construction. Council previously authorized the construction contracts for these projects under separate action. This contract is to provide the construction management and inspection on the project.

## **ALTERNATIVE ANALYSIS**

Staff is recommending use of consultant services primarily because the projects are federally funded and in-house resources are not available to provide the necessary support, including properly meeting the federal requirements.

Perteet Inc. has been selected to provide these services based on their involvement in the design of both projects and previous experience in providing these services on the 195<sup>th</sup> Street Trail project. Perteet is well qualified to provide construction management and inspection services on the subject projects

## **RESOURCE/FINANCIAL IMPACT**

The professional services for Construction Management of the Meridian Avenue N and 15<sup>th</sup> Avenue NE Pavement Preservation Projects will be funded through the Annual Road Surface Maintenance Program.



## EXPENSES

### Project Administration

Staff and Other Direct Expenses	\$70,000
<b><i>Perteet Inc. Construction Management Contract</i></b>	<b><u>\$183,687</u></b>

Total Project Administration Cost \$253,687

### Construction Contracts

Meridian Avenue Construction Contract	\$881,298
15 <sup>th</sup> Avenue Construction Contract	\$493,917
Contingency	<u>\$100,000</u>

Total Construction Contracts Cost \$1,475,215

**Total Expenses \$1,728,902**

## REVENUE

Annual Road Surface Maintenance Program	\$1,537,359
Surface Transportation Program Grant	<u>\$1,054,786</u>

**Total Revenue \$2,592,145**

## RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a professional services contract with Perteet Inc. in the amount of \$183,687 for construction management of the Meridian Avenue N and 15<sup>th</sup> Avenue NE Pavement Preservation Projects.

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Resolution No. 402 – Updating the City’s Employee Handbook Including Adding Supplemental Paid Family Leave
<b>DEPARTMENT:</b>	Human Resources
<b>PRESENTED BY:</b>	Paula Itaoka, Human Resources Director
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

The Employee Handbook contains the City’s personnel policies and practices. In 2016, staff conducted a comprehensive review of the Handbook to update all sections as needed. Council discussed updates to the Employee Handbook and potential supplemental paid parental and family leave policies at the January 30, 2017 meeting. Council’s direction was to bring forward the Employee Handbook updates, including the Supplemental Paid Family Leave policy discussed at the meeting.

Adoption of Resolution No. 402 will update the City’s Employee Handbook and include the following:

- Housekeeping changes to improve readability and comprehension (e.g.: clerical, formatting, organization, indexing, movement of text, added clarity, and updated data.)
- Moderate and substantial changes to incorporate practices or remove outdated text in the following sections:
  - Limited Term definition
  - Telecommuting, Telephone, Email, Voice Mail, and Other Communication Systems on City Equipment and Personal Equipment,
  - Recruitment and Selection,
  - Classification and Compensation,
  - Reasonable Accommodation,
  - Vacation Carryover Exception Requirements,
  - Tobacco and Vaping Free Workplace
- A new Supplemental Paid Family Leave policy.

**RESOURCE/FINANCIAL IMPACT:**

The new policy for supplemental paid family leave only increases costs if the City needs to backfill an employee’s absence to get work done. Assuming 3 to 5 employees might access this benefit for the full 12 weeks and backfill labor is necessary, the cost could range from \$50,000 to \$100,000 a year. If positions are not backfilled, then the work load would need to be adjusted to accommodate the absence of an employee.

**RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 402 (Attachment A) updating the City's Employee Handbook.

Approved By:       City Manager ***DT***   City Attorney ***JA-T***

## **BACKGROUND**

Council discussed updates to the Employee Handbook and potential supplemental paid parental and family leave policies at the January 30, 2017 meeting. Council's direction was to bring forward the Employee Handbook updates, excluding a change to delegation of authority and including the Supplemental Paid Family Leave policy discussed at the meeting. Materials from the January 30 meeting can be found on the City's website:

<K:\Staff Reports\2017\20170130\20170130 SR - Employee Handbook Update.docx>

<K:\Staff Reports\2017\20170130\20170130 SR - Employee Handbook Update - Attachment A Resolution 402 Exhibit A 1.20.17.pdf>

<K:\Staff Reports\2017\20170130\20170130 SR - Supplemental Paid Parental Leave Policy.docx>

## **DISCUSSION**

As directed by Council, Staff has brought forward updates to the Employee Handbook including the Supplemental Paid Family Leave policy discussed at the meeting on January 30. Part of the January 30 discussion focused on how often 12 weeks of supplemental paid family leave would be available. The policy, included in Section VI (K), allows employees with qualifying events to access up to 12 weeks of supplemental paid family leave in any rolling 36 months.

Staff has provided a redlined version of Attachment A, Exhibit A, Employee Handbook, in Attachment B, for Council to track the changes that would be adopted with passage of Resolution No. 402.

## **FINANCIAL IMPACT**

The new policy for supplemental paid family leave only increases costs if the City needs to backfill an employee's absence to get work done. Assuming 3 to 5 employees might access this benefit for the full 12 weeks and backfill labor is necessary, the cost could range from \$50,000 to \$100,000 a year. If positions are not backfilled, then work load would need to be adjusted to accommodate the absence of an employee.

## **RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 402 (Attachment A) updating the City's Employee Handbook.

## **ATTACHMENTS**

Attachment A: Resolution No. 402

Exhibit A - Employee Handbook

Attachment B: Redline version of the Employee Handbook

**RESOLUTION NO. 402**

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING REVISIONS TO PERSONNEL POLICIES TO PROVIDE FOR IMPROVED READABILITY AND COMPREHENSION, TO INCORPORATE CERTAIN PRACTICES, AND TO ADOPT A SUPPLEMENTAL PAID FAMILY LEAVE POLICY.**

WHEREAS, the City Council has provided for benefits and working conditions in the Employee Handbook ~~first adopted in 1996~~ with the adoption of Resolution No. 104 [in 1996](#) which sets forth the City's personal policies; and

WHEREAS, since its original adoption, the Employee Handbook has been updated on several occasions to reflect legislative amendments and court decisions, to clarify policies, and to modify policies as necessary; and

WHEREAS, the Human Resource Department has done a comprehensive review of the Employee Handbook and identified certain housekeeping amendments to improve readability and comprehension; and

WHEREAS, the Human Resource Department has also identified several policies that should be moderately or substantially revised so as to reflect current practices, delete outdated policies, and/or provide clarity; and

WHEREAS, moderate or substantial revisions include policies related to Limited Term Employees; Telecommuting; Telephone, Email, Voice Mail and Other Communication Systems on City Equipment and Personal Equipment; Recruitment and Selection; Classification and Classification Review; Reasonable Accommodation, Vacation Carryover and Tobacco Use; and

WHEREAS, on January 30, 2017 the City Council discussed supplemental paid parental leave and an alternative for supplemental paid family leave and directed staff to incorporate the alternative of supplemental paid family leave in the Employee Handbook; and

WHEREAS, the City Council, having given full consideration to the proposed revisions to the Employee Handbook;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**Section 1. Employee Handbook Revision.** The Employee Handbook is revised as provided in Exhibit A and shall be the personnel policies for the City of Shoreline.

**Section 2.**     **Corrections by City Clerk.** Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

**ADOPTED BY THE CITY COUNCIL ON February 27, 2017.**

---

Christopher Roberts, Mayor

ATTEST:

---

Jessica Simulcik Smith, City Clerk

Attachment A



# **EMPLOYEE HANDBOOK**

Last updated: 2/27/2017  
Resolution 402

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## **I. INTRODUCTION**

The Handbook is prepared so that employees will better understand how the City operates and what is expected of employees. It is a summary of the City's personnel policies and practices, and is intended as a general guide to how the organization functions. We want to create a work environment that allows individuals to maximize their contribution to the organization and results in personal satisfaction. We believe that when consistent personnel policies are known and communicated to all, the chances are increased for greater job satisfaction.

While the City hopes that the employment relationship will be positive, things do not always work out as planned. Either party may decide to terminate the employment relationship. No supervisor, manager or representative of the City, other than the City Manager, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the contents of this handbook. This handbook is not intended as a contract, express or implied, or as a guarantee of employment for any specific duration. As the need arises, the City may from time to time modify these policies. The City also reserves the right, at its sole discretion, to depart from the guidelines outlined in this handbook, in order to meet the business needs of the City. If you have any questions about any of our policies, please ask your supervisor or Human Resources.

We wish you success in your position and hope that your employment relationship with the City will be a personally rewarding experience.

## **II. APPLICABILITY AND AUTHORITY**

### **A. Applicability**

This Handbook is applicable to all employees except the City Manager who serves at the discretion of the City Council and except where specifically stated otherwise.

### **B. At Will**

At will positions include specific senior management positions designated by the City Manager; temporary, extra help and limited term positions; and regular employees who have not yet completed the orientation period. No provisions of this Handbook shall change at will status.

### **C. Local, State or Federal Law**

In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern. If any provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies will not be affected.

### **D. Authority**

Authority to take personnel actions is vested in the City Manager. This authority shall include but not be limited to hiring, promoting, demoting, evaluating, reclassifying and terminating employees. Authority for personnel actions is frequently delegated to Department Directors and immediate supervisors; however, coordination of all such actions through Human Resources is required.

**III. DEFINITIONS**

**A. Anniversary Date**

The date used for the purpose of calculating leave benefits and length of service. Usually the anniversary date is the date the employee began work for the City, but adjustments to the anniversary date shall be made proportionate to any unpaid time off.

**B. Break in Service**

The period of time between the date an employee separates from service and the date the employee is rehired.

**C. Callback**

All time worked in excess of a scheduled shift, which is not an extension of that shift, and is unanticipated, unforeseen, and not a regular function of the employee's work schedule.

**D. City**

The City of Shoreline, Washington.

**E. City Manager**

The individual appointed by the City Council to serve in this capacity or his or her designee.

**F. Core Hours**

Those hours during which City offices are open to the public and during which staffing is available to provide service to our customers. Core hours for the City are 8:00 a.m. to 5:00 p.m. Monday through Friday.

**G. Demotion**

Any case where a regular employee moves on a non-temporary basis to a different position in a lower salary range with the exception of such movement resulting from a compensation study or salary survey.

**H. Department Director**

An individual appointed by the City Manager to serve as Assistant City Manager, Administrative Services Director, City Attorney, Human Resources Director, Parks Recreation and Cultural Services Director, Planning and Community Development Director or Public Works Director or designee.

**I. Domestic Partner**

The individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with the City's Human Resources Department. The Partnership may be of the same or opposite sex. The Partnership must satisfy the following criteria:

- Partners shall not be part of another Domestic Partnership or marriage,
- Partners shall be mentally competent, 18 years of age or older, not related by blood closer than permitted for marriage under RCW 26.04.020.1a and .2.
- Partners share a regular and permanent residence and living expenses.

**J. Drugs**

Includes any substance which is controlled in its distribution by federal or state law, including but not limited to, narcotics, depressants, stimulants, hallucinogens,

cocaine and cannabis. Does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

**K. Employment Status Definitions**

**1. Regular Full Time**

A regular position established by the City budget that is expected to be ongoing and to work a 40 hour week.

**2. Regular Part Time**

A regular position established by the City budget that is expected to be ongoing and to work at least 20 but less than 40 hours per week.

**3. Limited Term**

A position that has a specific end date, works 20 or more hours a week and is not Extra Help. The maximum term is limited to three years.

**4. Extra Help**

A position that is employed in activities related to seasonal programs, variable intermittent workloads, or ongoing work of less than 20 hours a week, further defined below.

**a) Seasonal**

Work that is seasonal beginning approximately the same season of each calendar year, customarily less than six months in duration.

Maximum Hours:

- 1,040 hours a year with no limit on weekly hours if all work is seasonal.
- If some of the work is not seasonal then all hours worked count toward a maximum average of 29 per week in the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

**b) Variable-hour**

Work that is not seasonal but is intermittent and/or hours that are unpredictable from week to week.

Maximum Hours:

- 1,040 a year and
- an average of 29 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.



**c) Less than 20 Ongoing**

Work that is ongoing and consistent with few hours but regularly scheduled each week.

Maximum Hours:

- 1,040 a year and
- an average of 20 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

**L. Exempt Employee**

An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as defined by that Act or applicable state law and designated as such by the City Manager. Exempt positions are so indicated on the salary table adopted by the City Council.

**M. Flex-Time**

A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.

**N. Immediate Family**

Unless defined otherwise in these policies, the employee's grandparent, parent, parent-in-law, foster parent, spouse, domestic partner, biological child, adopted child, step child, child of domestic partner, foster child, a legal ward or child of a person standing in loco parentis if the child is younger than 18, grandchild, sister, sister-in-law, brother or brother-in-law.

In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager shall decide to approve or deny the request. (If the definition of immediate family is different in certain approved benefit plans or policies; the provisions of those plans or policies will govern.)

**O. Insubordination**

Expressed hostility or contempt for an employee's supervisor or willful disregard of a supervisor's reasonable directive.

**P. Intern**

A position that is a form of on-the-job training that may be either voluntary or on paid status.

**Q. Non-Exempt Employee**

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

**R. Promotion**

Any case where a regular employee moves on a non-temporary basis to a different position in a higher salary range with the exception of such movement resulting from a compensation study or salary survey.

**S. Standby**

Specific assignment of an employee during off-hours to be available to come to work if needed. Standby is not considered as time worked.

**T. Step Increase Date**

The date that is used for the purpose of annual performance review and step increase. Usually the step increase date is the date the employee began work in his or her current position, but adjustments shall be made proportionate to any unpaid time off.

**U. Time in Paid Status**

The period of hours during a pay cycle for which an employee receives compensation including hours worked, vacation, sick, holiday, management, personal or other paid leaves.

**V. Transfer**

Any case where a regular employee moves on a non-temporary basis to a different position in the same salary range.

**W. Work Location**

Work locations are the places employees work. The locations include city owned buildings, adjacent structures and parking lots, and grounds.

City Hall: 17500 Midvale Avenue North  
Hamlin Park Maintenance Yard: 16006 15<sup>th</sup> Avenue N.E.  
North Maintenance Facility, 19547 25<sup>th</sup> Ave NE  
Richmond Highlands Recreation Center: 16544 Fremont Avenue N  
Shoreline Pool: 19030 1<sup>st</sup> Avenue N.E.  
Spartan Recreation Center: 202 NE 185th Street

**X. Work Week**

A fixed and regularly recurring period of seven (7) consecutive twenty-four (24) hour periods. The standard workweek for employees consists of the period from 12:01 a.m. Sunday to 12:00 midnight the following Saturday. Where a different workweek is required, the City Manager will define an appropriate workweek and communicate that to the employees.

**Y. Y-Rating**

The continuation of a regular employee's salary above the highest step of a new salary range as a result of the salary range for the position being lowered due to a market survey or other factors.

## **IV. EMPLOYMENT POLICIES**

### **A. Recruitment and Selection**

#### **1. External and Internal Recruitment**

Job Posting and Application: Open positions will be posted on the City's web page with links to the application process. The opening will be posted for a minimum of five working days. To ensure internal employees are aware of an open position, Human Resources will announce openings through email.

Selecting Candidates for an Interview: The hiring manager will review the applications and identify candidates that will proceed to an interview. Additionally, all regular employees who applied will be granted an interview provided they possess the experience and training qualifications listed in the job description for the position.

Selecting the Best Candidate: The City's policy is to hire the best candidate for any job vacancy. The best candidate is an applicant who meets the minimum qualifications for the position and has the strongest match between their knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and favorable references.

#### **2. Internal Recruitment Only**

The Department Director, after consultation with the Director of Human Resources, will determine if an opening will be available internally only.

Job Posting and Application: Human Resources will announce openings through email, directing interested employees to apply through the City's web page with links to the application process. The opening will be posted for a minimum of five working days, any employee may apply.

Selecting Candidates for an Interview: The hiring manager will review the applications and identify candidates that will proceed to an interview. All regular employees who applied will be granted an interview provided they possess the experience and training qualifications listed in the job description for the position.

Selecting the Best Candidate: The City's policy is to hire the best candidate for any job vacancy. The best candidate is an applicant who meets the minimum qualifications for the position and has the strongest match between their knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and favorable references. If there is not an internal candidate who has a strong match between their

knowledge, skills and abilities and the work responsibilities of the position; the position may be re-posted and made available to external applicants.

**B. Reference Checking**

All requests for information regarding past or present employees shall be directed to the Human Resources Department. Human Resources will then release information stating job title, length of service and eligibility for rehire. If the employee has signed a statement releasing the City from liability, additional information may be given.

**C. Prohibited Political Activities – Code of Ethics, Appendix A**

While all employees have the right to participate in political or partisan activities of their choosing, employees are stewards of the public's trust in matters of City government. Political activity may not adversely affect the responsibilities of employees in their official duties. Because of the sensitive nature of the services in which the City is engaged, the following activities are prohibited:

**1. Use of City Resources, Property, Authority and Influence**

Employees may not campaign on City time or in City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities. Employees may not use City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office. Violation of this policy

**2. Coercion**

Employees may not directly or indirectly coerce, attempt to coerce, or command a state or local officer or employee to pay, lend, or contribute anything of value to any party, committee, organization, agency, or person for political purposes.

**3. Elected Office, Commission or Board Service**

Employees may not serve as an elected official of the City, a member of a City commission, or a member of a City board while an employee of the City.

**4. Conflict of Interest**

If there is a conflict of interest between an employee's elected position outside of the City and their position with the City, the employee must resign from one of the positions.

Violation of any part of this policy may be grounds for disciplinary action, up to and including termination.

**D. Prohibited Personal Gain - Code of Ethics, Appendix A**

The following standards are established for all City employees for conducting business within the guidelines of the Code of Ethics and providing friendly and courteous service to the public. The Code of Ethics is located in Appendix A of this manual.

Employees are prohibited from:

1. Receiving proceeds or having any financial interest in any sale to the City of any service or property when such proceeds or financial interest was received

with the prior knowledge that the City intended to purchase such property or obtain such service.

2. Soliciting or accepting anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City; provided, that the such prohibitions shall not apply to:
  - a. Attendance at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where attendance is appropriate as a staff representative.
  - b. An award publicly presented in recognition of public service.
  - c. Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.
  - d. Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the donor or any other gift that is deemed by the City Manager to be of insignificant value such that it does not present a conflict of interest.
3. Disclosing confidential information (except as provided for under public disclosure regulations), participating in the making of a contract, accepting private employment or providing private services that would be in conflict or incompatible with the performance of official duties as a City employee.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**E. Employee Orientation**

Upon hire or appointment, the Department Director and Human Resources shall be responsible for the orientation of each employee. Orientation may include explanation of the organization and services of the City, work and safety rules, personnel manual and procedures, departmental rules and procedures, completion of payroll forms and introduction to City personnel.

**1. Orientation Period for Initial Hire**

Upon hire to a regular position, each employee will be at will while serving in a six-month orientation period. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 6 months at the discretion of the City Manager.

The orientation period is part of the selection process and affords the employee and the City an opportunity to evaluate whether the match between the job and the employee is appropriate.

An employee may be discharged without cause or notice prior to the completion of the orientation period. Successful completion of the orientation period means a regular employee is no longer at will; however,

this should not be construed as creating a contract or as guaranteeing employment for any specific duration.

This section shall not apply to specified senior management positions at will, temporary, extra help, and limited term positions.

**2. Orientation Period for Promoted or Transferred Employees**

A promoted or transferred employee shall serve a 3 month orientation period in the new position. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 3 months at the discretion of the City Manager.

The promoted or transferred employee may be removed from the new position at any time prior to the completion of the orientation period by the Department Director giving written notice of failure to complete the orientation period. The Department Director shall consult with Human Resources before making the decision to remove an employee.

If removed, the employee may return to the position from which he or she promoted or transferred by providing written notice to the Department Director for the former position. This notice must be provided within 5 days of the notice of failure to complete the orientation period.

During the orientation period, the promoted or transferred employee may request to voluntarily return to the former position by making a written request to the Department Director for the former position. If the position has not yet been offered to a new employee, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.

This section shall not apply to at will positions.

**F. Equal Employment Opportunity**

It is the intent of the City to provide equal employment opportunity for all employees and applicants for employment without regard to race, color, religion, gender, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law). This policy applies to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. If an employee believes that his or her rights under this provision have been violated, he or she should follow the complaint reporting and resolution process outlined in Section 4, Discrimination Complaint Procedure.

**G. Prohibition of Employee Harassment**

The City expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law) which includes behavior by co-workers, supervisors, vendors, citizens, or any other individual or group with whom an employee may come in contact in the course of their job duties. Improper interference with the ability of employees to perform their jobs will not be tolerated.

With respect to sexual harassment, the City expressly prohibits the following:

1. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:
  - a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
  - b) Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
  - c) Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Offensive comments, jokes, innuendoes, and other sexually oriented statements or displays.

**H. Discrimination Complaint Procedure**

Each member of management is responsible for creating and maintaining an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of all co-workers.

If an employee believes he or she has experienced any job related harassment based upon sex, race, color, religion, national origin, marital status, age, sexual orientation or disability, or believes he or she has been treated in an unlawful, discriminatory manner, the employee should promptly:

1. Report the incident to his or her supervisor. The supervisor will immediately report the information to the Department Director who will consult with Human Resources and together they will determine how to investigate the matter and ensure that appropriate action is taken. Human Resources shall also report the information to the City Manager.
  - a) If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee may bypass the supervisor and report the complaint directly to the Department Director or to Human Resources or to the City Manager. The person receiving the report shall consult with other appropriate parties, and together they will determine how to undertake an investigation and ensure appropriate action is taken.
2. The complaint will be kept confidential to the extent possible.
3. If the City determines that an employee is guilty of harassing or discriminating against another employee, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.
4. The City prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.
5. Any employee who makes a complaint in bad faith, who provides false information regarding a complaint or who engages in any form of retaliation will be subject to disciplinary action, up to and including termination.

**I. Employment of Immediate Family**

1. Members of the immediate family of City elected officials will not be employed by the City in any capacity.
2. Members of the immediate family of employees will not be hired if:
  - a) One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;
  - b) One individual would be responsible for financially auditing the work of the other;
  - c) One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or
  - d) The member of the immediate family would be employed in the same department as the employee with the following two exceptions:
    - (1) Extra help employees may be employed in the same department as an immediate family member if no conflict of interest exists, including those outlined above.
    - (2) Spouses may be employed in the same department if no conflict of interest exists, including those outlined above.
3. If two employees marry, enter into a domestic partnership or become related, and in the judgment of the City Manager, the problems noted above exist or could exist, one of the employees will be required to terminate employment unless some step can be taken to eliminate the problem. The decision to define and implement steps to eliminate the problem is at the sole discretion of the City Manager. A decision as to which employee will remain must be made by the two employees within 30 days of the date they marry, enter into a domestic partnership or become related. If the parties do not make a decision within 30 days, the City Manager shall make the determination.

**J. Personnel Files**

Official personnel files are maintained by Human Resources. An employee has the right to inspect his or her personnel file at reasonable times during regular business hours. An employee wishing to see his or her personnel file should contact Human Resources. An employee has the right to have a copy of any information in his or her personnel file.

Personnel files are kept confidential to the maximum extent permitted by law.

**K. Reporting Improper Governmental Action and Protecting Employees against Retaliation**

1. It is the policy of the City to encourage reporting by City employees of improper governmental action and to protect City employees who have reported improper governmental action in accordance with City policy by providing remedies for retaliation.



2. Key Definitions:
  - a) **Improper Governmental Action** is any action by a City officer or employee that is:
    - (1) undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
    - (2) in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and a specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
  - b) **Retaliatory Action** means (a) any adverse change in a City employee's employment status, or in the terms and conditions of employment including: denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reductions in pay, denial of promotion, suspension, dismissal, or any other disciplinary action, not independently justified by factors unrelated to the reporting of improper government action; or (b) hostile actions by another employee that were encouraged by a supervisor or manager.
  - c) **Emergency** means a circumstance that if not immediately changed may cause damage to persons or property.
2. **Reporting Mechanism:** An employee who becomes aware of improper governmental action shall report the action to the Department Director. If the employee reasonably believes that the improper governmental action involves the Department Director, then the employee shall report the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee shall report the action to the Mayor. The person receiving the report shall notify the City Attorney. In an emergency, the employee may report the improper governmental action directly to the government agency with responsibility for investigating the improper action.
3. **Investigation:** The person receiving the report shall confer with the City Attorney and they shall agree upon an appropriate method of investigation. The person receiving the report shall ensure that prompt action is taken to properly investigate.
4. **Confidentiality:** The investigation should be conducted as confidentially as possible. Until the investigation is final, the identity of all employees involved shall be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees shall be kept confidential to

the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

5. When the investigation is completed, the person receiving the report shall advise all employees involved in the investigation of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
6. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee shall not be entitled to receive the protection against retaliation provided by this policy. Any false or frivolous claims or reporting will be subject to disciplinary action up to and including termination.
7. **Protection against Retaliatory Actions.** The City is prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper government action in accordance with this policy.
  - a) An employee who believes he or she has been retaliated against shall provide written notice of the charge of retaliatory action to the City Manager (or to the City Attorney if the charge is against the City Manager) within 30 days of the alleged retaliatory action. The notice shall specify the alleged retaliatory action and the relief requested.
  - b) The City Manager shall have 30 days to respond to the charge.
8. **Appeal to the State.** Upon receipt of the City Manager's response, or after the 30 day response period, the employee may request a hearing before a state administrative law judge for the purpose of establishing that a retaliatory action occurred and to obtain appropriate relief provided by law. The employee must submit the request for a hearing to the City Manager within 15 days of delivery of the City Manager's response, or within 15 days after the response period has expired. Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).
9. **Relief Granted Under The Act**
  - a) Reinstatement, with or without pay.
  - b) Injunctive relief necessary to return the employee to the position he or she held before the retaliatory action and to prevent the recurrence of retaliation.
  - c) Costs and reasonable attorneys' fees.
  - d) Penalty assessed against each individual retaliator or up to \$3,000 plus recommendation to City Manager that retaliator be suspended or dismissed.
  - e) State law does not provide for general economic damages or damages for emotional distress.
10. **List of Agencies:** The following is a partial list of agencies responsible for enforcing federal, state and local laws and investigating other issues

involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the following:

City of Shoreline

City Attorney or  
City Manager  
Shoreline City Hall  
17500 Midvale Ave. N.  
Shoreline, WA 98133  
206-801-2700  
Web: [www.shorelinewa.gov](http://www.shorelinewa.gov)

King County

Ombudsman or  
Prosecuting Attorney  
516 Third Ave  
Seattle, WA 98104  
206-477-1050 or  
206-296-9000  
Web: [www.kingcounty.gov](http://www.kingcounty.gov)

State of Washington

Auditor's Office  
302 Sid Snyder Avenue SW  
Olympia, WA 98504-0021  
Web: [www.sao.wa.gov](http://www.sao.wa.gov)  
Human Rights Commission  
711 South Capitol Way, St 402  
Olympia, WA 98504-2490  
Web: [www.hum.wa.gov](http://www.hum.wa.gov)

Dept. of Ecology  
3190 - 160th SE  
Bellevue, WA 98008-5852  
Web: [www.ecy.wa.gov](http://www.ecy.wa.gov)

Dept. of Labor & Industries  
PO Box 44000  
Olympia, WA 98504  
Web: [www.lni.gov](http://www.lni.gov)

**L. Outside Employment**

The City expects that it shall be the primary employer for all regular employees. Therefore, employees shall not engage in employment or render services for pay for any public or private interest (including self-employment) when such activity may:

- a) Occur during working hours;
- b) Detract from the efficiency of the employee while performing City duties;
- c) Constitute a conflict of interest or create an appearance of impropriety as determined by the City Manager;
- d) Utilize confidential information or contacts made during City employment which would give an unfair insider advantage or would otherwise be an inappropriate use or disclosure of such information or contacts;
- e) Take preference over extra duty required by City employment;
- f) Interfere with emergency callout duty;
- g) Tend to impair independence of judgment or action in performance of official duties;
- h) Involve the use of any City resources such as copiers, telephones, supplies, other equipment, or time; or
- i) Interfere in any other manner with the employee's provision of quality customer service.

- 2. In order to protect the interests of both the City and the employee, it is important that an employee and his or her Department Director have an opportunity to discuss any outside employment with the goal of avoiding any possible conflicts between the City and the other employment.

- a) Prior to engaging in any outside employment, an employee shall provide his or her Department Director with written notice of his or her intent to engage in the outside work. If an employee is unsure as to these criteria or the effect of his or her outside employment, he/she should consult with his or her Department Director or the Human Resources Director for clarification.
    - (1) After receiving the employee's request, the Department Director shall consult Human Resources and if the request complies with this policy, the Director may approve the outside employment.
    - (2) If the Department Director, in consultation with the Human Resources Director, determines that the outside employment interferes with or reduces the efficiency of City employment, then the Director shall recommend to the City Manager that the request to engage in the employment shall be denied.
  - b) After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager shall make a decision approving or denying the request.
3. Failure to comply with these provisions concerning outside employment may be grounds for disciplinary action, up to and including termination.

## **V. GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION**

### **A. Working Hours**

1. The workweek for regular, full-time employees is 40 hours. The daily hours of work shall be set by the Department Director with respect to each department as necessary for the efficient operation of the City. Employees may be requested to work different schedules, including varying shifts, weekends, holidays and overtime to meet the needs of the City or of specific departments. Varying schedules or overtime may also be required in emergency situations as defined by the City Manager.
2. Employees may request to work flex time or to job share. Flex time and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. Flex time and job share must be approved by the Department Director, after consultation with Human Resources.

### **B. Breaks**

#### **1. Lunch and Rest Breaks**

All employees working an 8 hour day shall be entitled to at least a one half hour unpaid meal period within five hours of the beginning of their shift, and scheduled as close to the midpoint of the day as possible. In addition, employees are entitled to a paid ten minute rest break for each four hours of working time. Employees who are able to take a break as needed do not

have to take a formally scheduled break and it is the employees' responsibility to take these breaks. Breaks shall be arranged so as not to interfere with normal business operations. All breaks should be taken away from the employee's immediate work area. Breaks cannot be combined or saved until the end of the day in order to arrive at work late or to leave work early.

**2. Lactation Breaks**

For one year after her child's birth, nursing employees are allowed to take reasonable breaks to express breast milk whenever the nursing employee feels it is necessary to do so. A private space for this purpose will be established at all City work locations. If you need information on the space at your work location contact a supervisor or Human Resources.

**C. Overtime**

This section applies to non-exempt employees. Employees will receive compensation for approved time in paid status in excess of 40 hours in a work week. Employees receiving overtime will be paid at one and one-half the regular hourly rate of pay. All overtime must be authorized in advance by the supervisor.

**D. Standby**

This section applies to non-exempt employees. A department may assign an employee who may be needed to work during off-hours to be on standby. Standby assignment normally will be rotated among similarly situated employees. An employee placed on standby shall be provided with a paging device to enable the employee to conduct his or her personal business within range of the paging device. Each employee on standby will receive compensation at the currently established rate for those hours on standby, and this allowance will be suspended when callback commences. Standby is not to be counted as hours worked for purposes of computing overtime or eligibility to receive benefits. Employees on standby will be expected to report for work within an hour of a request. If an employee on standby status fails to respond to a call to return to work, he or she may be subject to disciplinary action.

**E. Callback**

This section applies to non-exempt employees. Employees called back to work shall be paid a minimum of two hours at a rate of time and one-half. Hours worked on callback beyond the 2 hour minimum shall be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift.

**F. Compensatory Time**

This section applies to non-exempt employees. Limited amounts of compensatory time may be granted. An employee who is in paid status more than 40 hours in a work week may earn compensatory time at one and one-half times the straight time, instead of paid overtime, when requested by the employee and approved by the employee's supervisor. Compensatory time may not accumulate beyond 40 hours, and must be used within six months of award. Compensatory time not used within six months will be paid.

**G. Twelve Hour Shift**

This section applies to non-exempt employees. From time to time the City Manager may determine the need to assign City employees to work 12-hour shifts in order to effectively respond to inclement weather, natural disasters or other similar emergency events. The provisions of this policy apply in the case where the City Manager makes a declaration assigning employees to a “City Manager designated 12-hour shift”.

1. Pay to transition assigned employees into the 12-hour shift. When employees are working at the time the City Manager declares a 12-hour shift, night shift employees shall be sent home with pay to rest and prepare for the night shift. This period of pay shall cover the time between the declaration of the 12-hour shift until the end of their regularly scheduled work day. Example: An employee is at work and is scheduled to work until 4:00 pm. The employee normally takes a half hour lunch at noon. At 11:00 am the City Manager declares a 12-hour shift. The employee, assigned to the night shift, is sent home at 11:00 to rest and report to work at 9:00 pm for the night shift. The employee receives 4½ hours pay—1 hour from 11:00 to noon and 3½ hours from 12:30 pm – 4:00 pm.
  
2. Shift Differential. In recognition of the inconvenience of having to work unusual hours with very little notice and under conditions that are generally difficult due to weather or other uncomfortable conditions, employees assigned to the declared 12-hour shift shall receive an additional \$3 per hour shift differential for all hours worked beyond their normal assigned shift. When an employee is working a 12-hour shift on a day they are not normally scheduled to work, all hours worked shall be considered to be “beyond their normal assigned shift”. An example of how the policy would apply: Assume the following facts:
  - Both Employee A and Employee B normally work a schedule of 7:00 am – 4:00 pm (with an hour unpaid lunch break).
  - Employee A is assigned to the 9:00 pm – 9:00 am night shift. For each full night shift worked, Employee A will receive 10 hours of shift differential pay from 9:00 pm until 7:00 am to compensate for hours that Employee A does not normally work. This same amount of differential pay will apply regardless of which day of the week the work is being performed.
  - Employee B is assigned to the 9:00 am – 9:00 pm day shift. For each full day shift worked, Employee B will receive 5 hours of shift differential pay from 4:00 pm until 9:00 pm to compensate for hours that Employee B does not normally work. This same amount of differential pay will apply regardless of which day of the week the work is being performed.
  
3. Pay for meal breaks. During the declared 12-hour shifts, employees shall be paid for required meal breaks.

4. Premium Pay for work on days when the City is closed. In the event that the City Manager closes the City for any period of time during any normal work day during the period of the declared 12-hour shift, any employee assigned to the 12-hour shift who works during the calendar day the City is closed shall receive straight time “comp time” for the time that the City is closed, in addition to their pay for their shift. For the purposes of a full day City closure, the “time closed” shall be 8 hours.
- Example: The City experiences severe snow storms and the City Manager declares a 12-hour shift beginning on Monday and the 12-hour shifts continue through the weekend. During the work week, due to the snow, the City Manager closes the City for the entire work day on Wednesday. In addition the City Manager closes the City 2 hours early on Thursday to allow employees at work to drive home safely.
  - Employee A is assigned to the night shift and works the night shift on both Wednesday and Thursday as scheduled. In addition to appropriate pay for the hours worked, Employee A will receive 10 hours of comp time. (8 hours for having worked on Wednesday and 2 hours for having worked on Thursday).
  - Employee B is assigned to the day shift and works the day shift both Wednesday and Thursday as scheduled. In addition to appropriate pay for the hours worked, Employee B will receive 10 hours of comp time. (8 hours for having worked on Wednesday and 2 hours for having worked on Thursday).
  - Employee C is assigned to the day shift and is scheduled to work both Wednesday and Thursday; however, Employee C works Wednesday but then calls in sick and does not work as scheduled Thursday. Employee C will receive 8 hours comp time. (8 hours for having worked on Wednesday but 0 hours for Thursday).

**H. Inclement Weather**

1. The City is in the business of providing vital public services and therefore does not cease operations during times of inclement weather or natural disasters. The City may be the only organization providing essential services to citizens. Therefore, all employees are asked to make every reasonable effort to report to work during such times even if it is inconvenient.
2. A non-exempt employee who is unable to get to work or who leaves work early because of weather or natural disaster conditions may either charge the time missed against accrued vacation leave, compensatory time, or take leave without pay for the time missed. Tardiness due to an employee's inability to report for scheduled work because of severe weather conditions may be allowed up to one hour at the beginning of the work day or at the discretion of the City Manager. Inclement weather or natural disaster tardiness in excess of that allowed by the City Manager shall be charged as provided above.

3. In the event that the City Manager advises employees not to report to work or to leave early due to inclement weather or natural disaster, such time off will be paid time off and not charged to accrued vacation leave or compensatory time. Non-exempt employees who are available and report to work or continue to work in this situation, if requested by the City Manager, shall either be paid time and one-half for the actual hours worked or be given compensatory time off, at another time mutually agreed upon by the employee and the supervisor.

**I. Performance Evaluations**

1. Each regular employee's performance will be evaluated by his or her supervisor on an ongoing basis. The City also has a formal performance evaluation system.
2. Employees who disagree with their formal performance evaluations may provide comments on the evaluation form itself and may also submit a rebuttal in writing that will be attached to a copy of their performance evaluation and kept in their official personnel file. Employees may also appeal pursuant to Section 8 Complaint Resolution Procedure.

**J. Classification and Compensation Plan**

The City has a strong interest in attracting and retaining excellent employees. It is the policy of the City to maintain a comprehensive classification and compensation program. Within budget limitations, the City endeavors to pay salaries competitive with those paid within comparable jurisdictions and within the applicable labor market.

The City Manager shall be responsible for the administration of the classification and compensation plan. All changes in classifications and changes in assignment of classifications to salary ranges must be approved by the City Manager.

**1. Job Classification**

The Job Description and Salary Range assigned to the responsibilities of a position is the 'job classification.' A job description includes a job title and statements that define the position, including essential and marginal job functions and qualifications for knowledge, ability, experience and training. The experience and training qualifications in the job description are considered to be minimum qualifications. Salary range assignments are recommended by the Human Resources Director to the City Manager, with input from the Department Director. Periodically, the City may revise job classifications as needed or as part of a compensation study.

**2. Classification Review**

Positions sometimes evolve as a result of changed duties and responsibilities assigned by a supervisor. A classification review studies these changes to determine if a different job description and salary range assignment is appropriate. Importantly, not all changes warrant a different salary range assignment, the majority of the assigned duties must be a different type or complexity that is compensated at a different level to warrant a different salary range assignment.



Requesting a Classification Review

A Department Director, with the approval of the City Manager, may request a classification review when planning to change the assigned duties of a position within the next calendar month.

An employee who does not believe that their classification accurately reflects the current duties of the position may request in writing a classification review if it has been more than one year since the last classification review and the majority of duties have changed.

Performing the Classification Review

The Human Resources Department performs the classification review and will ask the requestor for updated job information which may include the use of a job analysis questionnaire.

After review by the Department Director and the Human Resources Director, any changes shall be recommended to the City Manager for reclassification as appropriate. The City Manager retains the final authority to approve or disapprove changes in classifications, within budgetary guidelines, and/or assignment of duties to employees. Any changes resulting from an employee request for a classification review will be retroactive to the date of submittal of the request for review. In the event that a classification review results in a denial of a change in classification but also results in a determination the employee was working out of class, the employee will be awarded out of class pay. The out of class pay will be effective on the date the employee submitted the written request for classification review and end on the date the out of class duties are no longer performed and will be based on Section 5, Out of Class Pay.

**3. Steps and Increases**

The compensation plan consists of six salary steps which are referred to as a salary range. Step 1 is the minimum; Step 6 is the top. The steps are set at 4% increments.

Regular employees not at the top step are eligible for advancement to the next step annually. The step increase will be effective on the step increase date. Once the top step is reached, the employee remains in the top step as long as the employee remains in that position.

**4. Starting Rates of Pay**

New employees generally will begin their employment at Step 1 of the salary range for the position. At the request of a Department Director, the Human Resources Director may recommend to the City Manager that a new employee start at a higher step. The City Manager must give approval prior to offering a salary above step 1. Offers will be extended by either the Human Resources Department or the Department Director.

Circumstances that support hiring above Step 1 include:

- a) Additional and directly applicable education or experience above the minimum requirements;

- b) Market conditions, including the applicant's current salary, that support a higher starting salary;
- c) The proposed higher salary will not create inequities with existing internal salaries.

**5. Promotion**

A regular employee receiving a promotion shall be placed in the first step in the new salary range that provides for at least a 5% increase or the top step of the new salary range if there is not a step that allows at least a 5% increase. The employee's promotion date becomes the employee's step increase date.

If the Department Director believes that circumstances warrant an exception to the 5% placement rule, and if the Human Resources Director concurs, they may recommend to the City Manager a higher placement. Circumstances that support a placement greater than a 5% increase are:

- a) Additional and directly applicable education or experience above the minimum requirements;
- b) Market conditions that support a higher starting salary;
- c) The proposed higher salary will not create inequities with existing internal salaries.

**6. Transfer**

A regular employee receiving a transfer shall remain in the same step and retain the same step increase date.

**7. Demotion**

Disciplinary Demotion. If the demotion is a result of a disciplinary action, the employee shall be placed in the highest step in the new salary range that provides for a decrease. The demotion date will become the employee's new step increase date.

Any Other Demotion. If the demotion is a result of any reason other than discipline and the employee's current salary is within the new salary range, the employee shall remain at the same rate of pay until the employee's next step increase date. On the step increase date, the employee shall move to the next step in the new salary range that provides for an increase. The employee shall retain the same step increase date.

If the employee's current salary is higher than the top step of the new salary range, the employee shall be placed in the top step of the new salary range.

**8. Y-Rating**

When a regular employee's position has been y-rated, the employee will remain at the same rate of pay until the salary range increases enough to include that rate. At that time, the employee shall be placed in the first step that does not provide for a decrease. No COLA or step increase will be awarded during this period.

**9. Pay Schedule**

The City is on a bi-weekly pay schedule that provides the equivalent of 26 paydays during a standard year (52 weeks divided by two).

**10. Out of Class Pay**

When a Department Director or the City Manager assigns a regular employee substantially higher paid responsibilities outside the scope of his or her job classification and the assignment exceeds ten working days, the employee shall be paid an additional 5% for the entire period of the out of class work. The assignment and the out of class pay must be in writing and approved by Human Resources prior to the Department Director making the assignment.

1. If the Department Director believes that circumstances warrant an exception to the 5% placement rule, and if the Human Resources Director concurs, they may recommend to the City Manager a higher placement. Circumstances that support a placement greater than a 5% increase are:
  - a) Additional and directly applicable education or experience above the minimum requirements;
  - b) Market conditions that support a higher starting salary;
  - c) The proposed higher salary will not create inequities with existing internal salaries;
  - d) The proposed higher salary is not higher than would be awarded if the employee were promoted into the position.

**K. Garnishment**

The City will honor and process any legally served writ of garnishment against any employee without prejudice towards the employee.

**L. Employee Training and Development**

It is the intent of the City to provide training opportunities to employees for building of skills directly related to the job. These opportunities may include in-house workshops, or workshops and seminars sponsored by other agencies or institutions.

**M. Educational Reimbursement Program**

The City has established an educational reimbursement program to help eligible regular employees develop their skills and upgrade their performance. All full time regular employees who have completed a minimum of one year of service are eligible to participate in the program.

1. Under the program, and within budget guidelines, educational reimbursement is provided for courses offered by approved institutions of learning, such as accredited colleges, universities and secretarial and trade schools. Courses must be, in the City's opinion, directly or reasonably related to the employee's present job or consistent with the employee's performance development plan. Courses must not interfere with job responsibilities and must be taken on the employee's own time.
2. Reimbursement covers actual costs of tuition and registration fees only and is limited to a maximum of six credits per semester or nine credits per

quarter for approved courses. The employee must pass the course in order to receive reimbursement.

3. Employees eligible for reimbursement from any other source (e.g., a government sponsored program or a scholarship) may seek assistance from this program but will be reimbursed only for the difference between the amount received from the other funding source and the actual course cost up to the maximum reimbursement allowable under this policy.
4. To be eligible for reimbursement, the employee must submit a tuition reimbursement form to his or her supervisor prior to the scheduled commencement of the course(s), receive written approval from the Department Director and Human Resources in advance, be actively employed by the City at the time of course completion and pass the course. The employee should also have raised the issue of pursuing this education as part of the performance development planning discussions of the Performance Management System.
5. On completion of the course, the employee must submit to the Human Resources Department an official transcript from the school, indicating grade received and a receipt or other official proof of payment.

**N. Reasonable Accommodation**

The City of Shoreline does not discriminate against qualified individuals with a disability with regard to any aspect of employment and is committed to complying with the Americans with Disabilities Act.

The City recognizes some individuals with disabilities may require reasonable accommodations. If an employee is disabled or becomes disabled (meaning he or she has a mental or physical impairment substantially limiting one or more of the major life activities) and requires a reasonable accommodation, the employee must contact the Human Resources Department to begin the interactive process. Accommodation requests may be made orally or in writing to the Human Resources Department. Requests may be made by the employee, the employee's supervisor or someone on behalf of the employee.

A reasonable accommodation is assistance or changes to a position or working conditions that will enable an employee with a disability to perform the essential functions of their job. The City will provide reasonable accommodation to employees with medically certified disabilities, unless doing so would pose an undue hardship.

Human Resources will meet with the employee to review the accommodation process, answer questions and provide the necessary forms which include a Medical Certification form to be completed by the employee's physician.

If the Medical Certification does not confirm that the employee has a disability, Human Resources will seek clarification from the medical provider and the employee before rejecting the request. If the Medical Certification confirms that the employee has a disability, the employee, supervisor and human resources will meet and begin an interactive process. The interactive process will include

discussing the disability, limitations, and possible reasonable accommodations that may enable the employee to perform the functions of his or her position, make the workplace readily accessible to and usable by the employee, or otherwise allow the employee to enjoy equal benefits and privileges of employment. Following the interactive process, a decision will be made and the employee will be notified if the accommodation is approved or denied.

## **VI. BENEFITS**

All benefits apply to regular and limited term employees and selected benefits apply to extra help employees and paid interns. These benefits contribute to total compensation. Complete descriptions of these benefits are available from Human Resources.

### **A. Group Insurance**

Applies to: Regular and limited term employees.

Employees and their dependents are generally eligible for medical, dental, vision, long term disability, life insurance, and the employee assistance program as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits as authorized by the City Council by resolution.

Regular and limited term part-time employees and their dependents, if eligible, receive City contributions for such insurance prorated based on the ratio of their normally scheduled work week to a forty hour week.

The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, and will make reasonable attempts to give prior notice to employees of any changes.

### **B. Social Security Replacement Plan**

Applies to: All employees.

All employees must participate in a Social Security Replacement Plan (401 a) and Medicare.

### **C. 457 Plan**

Applies to: Regular and limited term employees.

The City provides a 457 Deferred Compensation program for eligible employees. Employees must defer funds into this plan which have been allocated for benefits by the City but are not used by the employee. In addition, an employee may make personal contributions to this plan through payroll deduction, up to the limits set by law.

### **D. Retirement**

Applies to: All employees determined to be eligible by state law.

The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility. For more information, contact Human Resources or the Washington State Department of Retirement Systems.

**E. Vacation**

Applies to: Regular and limited term employees.

Employees accrue paid time off for vacation. Regular and limited term part-time employees receive prorated vacation accrual based on the ratio of their normally scheduled work week to a forty hour week.

**1. Accrual Table**

Vacation shall be accrued monthly as follows:

Years of Employment Completed	Days of Vacation per Year	Hours Accrued per Month
0 – 12 Months	12	8.0
1	13	8.6
2	14	9.3
3	15	10.0
4	16	10.6
5	17	11.3
8	18	12.0
10	19	12.6
12	20	13.3
15	23	15.3

**2. Carryover Maximum**

The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is equal to two years' accumulation.

**3. Carryover Exceptions**

Employees with a vacation balance in excess of the carryover maximum should reduce the balance to the maximum. If an employee perceives they cannot use vacation because City operations have prevented it, the employee should discuss the matter with their supervisor well ahead of requesting a carryover exception. If the employee and supervisor are unable to plan for the employee to take the time off, they may request a carryover exception. The Department Director with the approval of the City Manager may allow a carryover exception of unused accrual in excess of the carryover maximum. An employee will not be granted an exception two years in a row.

**4. Forfeiture**

Unused vacation leave in excess of the carryover maximum shall be forfeited at the end of the calendar year unless a carryover exception has been granted.

**5. Requesting Vacation**

In requesting vacation, employees should consider the City's needs to conduct the public business and to have time to plan for vacation coverage. Managers should respect employees' needs to take vacation. An employee's reasonable request for vacation should be approved unless the granting of the vacation would negatively compromise the business needs of the City. In case of a conflict in scheduling

vacation leave, normally the earliest request shall be given the preferred vacation choice.

An exempt employee shall not have deductions taken for vacation absences of less than a full day.

Vacation for a new employee shall accrue but shall not be used until after six months unless special authorization has been granted by the City Manager. The City Manager is authorized to negotiate higher accrual levels and/or starting balances of vacation with individual staff members.

An employee may cash out accrued vacation one time each calendar year. To be eligible for the cash out, an employee must have used at least 80 hours of vacation since the first of the year and the maximum cash out shall be 40 hours. The amount of the cash out shall be based upon the employee's hourly rate/salary at the time of the written request. If approved by the department director, the 80 hour minimum threshold may include vacation approved for the current calendar year, but not yet taken. In this case, the employee may receive the cash out just prior to leaving on the approved vacation. Cash out requirements for part time regular employees shall be prorated based upon the employee's authorized FTE.

**6. Separation from Service**

In the event of separation from service for any reason other than at retirement the employee shall be paid for any accrued vacation earned and not taken. In the case of separation for any reason when the employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System the maximum cash out shall be 240 hours.

**F. Management Leave**

Applies to: Exempt Regular and limited Term Employees.

On January 1st of each year, each employee shall receive 3 days of management leave. A new exempt employee hired before July 1 shall receive all 3 days. A new exempt employee hired between July 1 and October 1 shall receive 1 day; a new exempt employee hired after October 1 shall not receive any days of management leave until the next calendar year. The leave is to be used each year; any management leave not used during the calendar year shall not be carried into the next year.

**G. Holidays**

**1. Observed Holidays**

Applies to: Regular and limited term employees.

Employees receive paid time off for holidays. Regular and limited term part-time employees receive prorated holiday benefits based on the ratio of their normally scheduled work week to a forty hour week.

New Year's Day	January 1
Martin Luther King's Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May

## **Attachment A - Exhibit A**

Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Veteran's Day	November 11
Thanksgiving	4 <sup>th</sup> Thursday in November
Native American Heritage Day	Day after Thanksgiving
Christmas	December 25

If a designated holiday falls on a Saturday, the preceding Friday shall be observed and if the holiday falls on a Sunday, the following Monday shall be observed. If a designated holiday falls on any other regularly scheduled day off, it shall be observed on the work day immediately preceding or following the holiday as determined by the City Manager.

Employees must be in a paid status on the workday prior to and following a holiday to be eligible for holiday pay.

Nonexempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) shall be paid at time and a half for all hours worked. In the case that an employee works both the actual holiday and the corresponding City recognized holiday, the employee shall only receive the holiday pay for one of the days. The pay shall be for the hours worked on actual holiday, unless the employee makes a written request for pay for the City recognized holiday instead of the actual day. Example: Independence Day falls on Sunday, July 4<sup>th</sup>; the City recognized holiday is Monday, July 5<sup>th</sup>. Employee A works Sunday and receives time and a half for all hours worked. Employee B works Monday and receives time and a half for all hours worked. Employee C works both Sunday and Monday and will be paid time and a half only for the hours worked on Sunday, unless he or she makes a written request to be paid time and a half for the hours worked Monday, instead of Sunday.

### **2. Personal Days**

Applies to: Regular and limited term employees

Employees receive paid time off for two (2) personal days a year. Regular and limited term part-time employees receive prorated personal day benefits based on the ratio of their normally scheduled work week to a forty hour week.

A personal day needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason. Non-exempt staff may use these days as normal workdays or in increments of one or more hours (up to the total hours of two normal work days.) Exempt staff must use a full day at a time.

Personal days will be awarded effective January 1 of each year. An employee hired July 1 or later will receive only one personal day in that calendar year. Any personal days not used by the end of the calendar year will be forfeited.

### **3. Holidays for Reason of Faith or Conscience**

Applies to: All Employees

If an employee's religious beliefs include observance of a holiday or leave is needed to attend a religious activity of faith or conscience that is not a City holiday, the employee may take up to two days off per calendar year unless the leave



would create an undue hardship for the City as defined in WAC 82-56-020 or a risk to public safety. The leave requires the approval of the Department Director. Regular employees may use a personal day, vacation, compensatory time, or leave without pay, extra help employees may use leave without pay.

**H. Sick Leave**

Applies to: Regular and limited term employees

Employees accrue paid time off for sick leave at the rate of eight hours for each month worked. Regular and limited term part-time employees receive prorated sick leave accrual based on the ratio of their normally scheduled work week to a forty hour week. The City Manager is authorized to negotiate starting balances of sick leave with individual staff members.

**1. Purpose**

The purpose of sick leave is to provide an 'insurance policy' of a bank of paid leave to be used in the event that an employee or immediate family member experiences an illness or disability that requires an employee to be absent from work. Employees who are ill or disabled are expected to use sick leave to recover and to not report to work when they could expose co-workers to illness.

Employees shall use leave to account for any sick leave related absence whether full or partial day unless they have otherwise made up the time in the same work week.

**2. Use of Sick Leave**

**a) Employee**

Sick leave may be used when an employee is ill, injured, disabled (including a disability due to pregnancy or childbirth) or has been exposed to a contagious disease where there is a risk to the health of others, or for medical or dental examinations or treatment when such appointments cannot be scheduled outside of working hours, or when the use of a prescription drug impairs job performance or safety.

**b) Immediate Family Members**

Sick leave may be used to care for a member of the immediate family who is ill, injured or disabled. Sick leave may also be used for qualifying Family Leave provided for in the Family Leave section.

**c) Doctor's Note**

After three days of sick leave an employee may be asked to provide a doctor's note or other evidence of inability to work at the discretion of the supervisor or Department Director.

**d) Notification**

Each employee, or someone on their behalf, should inform their supervisor if unable to come to work. This notification should be done each day prior to the scheduled starting time unless on long-term leave, so arrangements can be made to cover the absence.

**3. Conversion of Vacation to Sick Leave**

If an employee on approved vacation is hospitalized or experiences a similar extraordinary sick leave event, the employee may make a written request to the City Manager to convert the sick leave connected time from vacation leave to sick leave. The City Manager shall consider the facts involved and shall approve or deny the request.

**4. Maximum Balance**

The maximum banked balance of sick leave is 1040 hours. Regular and limited term part time employees maximum banked balance will be prorated based on the ratio of their normally scheduled work week to a forty hour week.

**5. Separation from Service**

Upon separation, if an employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, an employee shall be paid for 10% of their accrued but unused sick leave.

**6. On-the-job Injury**

An employee who has an on-the-job injury and receives time loss payments from the Washington Department of Labor and Industries (L & I) may not use sick leave for the same hours for which the employee receives the time loss payment. An employee may use sick leave to supplement the time loss payment for the purpose of continuing to receive his or her normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee otherwise notifies Payroll in writing. If an employee is awarded time loss payments for a period that the employee has already used sick leave or other available leave, the employee shall submit the L & I check to Finance and 'buy back' the equivalent amount of leave used. While on time loss, the employee's salary may not exceed the employee's normal salary when not on time loss.

**I. Donated Leave**

Applies to: Regular and limited term employees.

A Department Director, after consulting with Human Resources, may recommend that the City Manager allow a regular employee to receive donated sick leave from another regular employee. The City Manager may approve the donated leave if he or she finds that the employee meets all of the following criteria.

**1. Criteria**

- a) The employee needs leave that qualifies for sick leave, which is of an extraordinary or severe nature and that has caused, or is likely to cause, the employee to either go on leave without pay or to terminate employment; and
- b) The employee has depleted all of his or her available leave time; and
- c) The employee has abided by all applicable policies regarding sick leave use; and
- d) The employee has been found ineligible for benefits under Worker's Compensation as governed by state law.

**2. Donation**

An employee may donate up to 25 hours annually of their sick leave balance. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained. An employee may also choose to donate accrued vacation leave. The donating employee in either case shall submit a written request to Human Resources.

**3. Value of Leave**

Donated hours will be used on an hour for hour basis with no consideration given to the dollar value of the leave donated.

**4. Treatment of Leave Remaining**

If more leave is donated than is used, the hours of leave that remain shall be returned to the employee(s) donating the leave on a pro rata basis.

**5. No Cash Out**

Donated sick leave hours are not eligible for the cash out provisions in the Separation from Service section.

**J. Family Leave under FMLA**

Applies to: All employees meeting FMLA eligibility criteria.

The City complies with the Federal Family and Medical Leave Act and all applicable state laws related to family and medical leave. This policy provides detailed information concerning the terms of FMLA. State laws may have additional requirements and provide additional protections; please check with Human Resources for details.

**1. Length of Family Leave and Eligibility**

Eligible employees may take up to 12 weeks of unpaid, family leave every 12 months for certain family and medical reasons, or up to 26 weeks of unpaid, family leave every 12 months for military family care leave. To be eligible, an employee must have worked for the City for at least 12 months and for at least 1,250 hours over the previous 12 months.

**2. Reasons for Taking Leave**

Family leave is provided for any of the following reasons:

- To care for an employee's child after birth or placement for adoption or foster care. Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.
- To care for an employee's spouse, child or parent who has a serious health condition.
- To care for a spouse, son, daughter, parent or next of kin who has a serious health condition as a result of military service 'military family care'.
- For qualifying exigencies (as defined by the FMLA) when a spouse, parent, son or daughter serving in the military is on, called to, or notified of impending call to covered active duty.
- If a serious health condition makes an employee unable to perform the functions of his or her job.

**3. Definitions**

For the purposes of Family Leave, the following definitions apply:

- **Child:** A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis (in place of the parent) if the child is younger than 18; or A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco parentis if the child is 18 or older and incapable of self-care because of a mental or physical disability.
- **Military Family Care:** Caring for a spouse, parent, son, daughter or next of kin with a serious injury or illness as a result of military service.
- **Parent:** A biological parent of an employee or an individual who stood in loco parentis to that employee when the employee was a child.
- **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
  - a. hospital care: any period of incapacity or subsequent treatment connected with or consequent to inpatient care (an overnight stay) in a hospital, hospice or residential medical care facility; or
  - b. absences plus treatment: any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider within 30 days, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
  - c. pregnancy: any period of incapacity due to pregnancy or for prenatal care; or
  - d. chronic conditions requiring treatments: a chronic condition which 1) requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under the direct supervision of a health care provider; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
  - e. permanent/long term conditions requiring supervision: a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
  - f. multiple treatment (non-chronic conditions): any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of or on referral by, a health care provider, whether for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more

than three consecutive calendar days in the absence of medical intervention or treatment.

g. incapacity: inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery there from.

- **Qualifying Exigency**: An urgent need that arises out of the fact that a covered military member is on, called to, or notified of impending call to covered active duty status. The most common qualifying exigencies include attending military functions, making financial and legal arrangements, and arranging for child care. The Department of Labor maintains a complete list of qualifying exigencies.

#### **4. Intermittent Leave**

Under some circumstances, family leave may be taken in separate blocks of time or by reducing a normal weekly or daily work schedule. Family leave may be taken intermittently if medically necessary because of a serious health condition (the employee's, or that of a spouse, child or parent). If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director approval.

#### **5. Paid Leave before Unpaid Leave**

When an employee has paid leave or comp time available that paid leave must be exhausted before unpaid leave is allowed as family leave.

#### **6. Advance Notice**

An employee shall provide advance notice of the need for family leave along with the requested dates for the leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

Notice must be provided at least 30 days in advance of the leave if the reason for the leave is birth, placement for adoption or foster care. If 30 days notice is not possible due to the employee taking physical custody of the child at an unanticipated time, notice must be given as soon as possible and at least within 5 working days of the placement. The employee shall adhere to the dates of leave requested unless the birth is premature, the mother is incapacitated by the birth and is unable to care for the child, the employee takes physical custody at an unanticipated time or the employee and Department Director agree to alter the dates. If there is a premature birth, incapacity or unanticipated placement, the employee must give notice of revised dates as soon as possible and at least within 5 working days.

Notice must be provided at least 14 days in advance of the leave if the reason for the leave is a serious health condition and the leave is foreseeable. The employee should make reasonable efforts to schedule the leave to not unduly disrupt the City's operations. If the leave is not foreseeable, the employee or the employee's representative shall provide notice within 1 or 2 working days, except in extraordinary circumstances.

**7. Medical Certification**

The City requires the provision of a medical certification to support a request for leave because of a qualifying event whenever the leave is expected to extend beyond three consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option and expense.

The City may require all employees on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave, dependent on the circumstance as it relates to the employees duties.

**8. Periodic Reporting**

If an employee takes leave for more than two weeks, the City may require the employee to periodically report on his or her status and intent to return to work.

**9. Health Insurance**

During an FMLA of absence, while an employee is in an unpaid status and unable to pay their portion of contributions for health insurance, the City will pay the City's portion and the employee's portion of the cost as governed by FMLA regulations. Therefore, employees covered by the City's group health plan (medical, dental or vision) will continue to receive health insurance during family leave on the same basis as during regular employment. An employee will be required to pay back the employee portion of cost paid by the City through a repayment plan regardless of whether the employee returns to work or does not. Employees that do not return to work after the leave will be required to pay back both the employee and the City portion of the insurance premiums unless failure to return to work was beyond the employee's control as governed by FMLA regulations.

**10. Other Insurance**

For employees covered by other insurance plans through the City, those coverages will continue during paid leave on the same basis as during regular employment. For any period of unpaid leave, the employee wishing the insurance to continue must pay for the coverage on a monthly basis prior to the month of coverage. Check with Human Resources for current information and costs for coverages.

**11. Couples Employed by the City**

If employees married to each other request leave for the birth, adoption or foster care placement of a child, the total family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time. If the leave requested is due to a serious health condition (the employee's or that of the child, spouse or parent), each employee is independently entitled to 12 weeks.

**12. Determining Leave Availability**

Family leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the 12-month period is a rolling 12-months measured from the first date any family leave is used. The employee is required to notify the City if any leave qualifies as family leave. All leave qualifying for family leave shall be designated and tracked as family leave upon the request of the employee.

**13. Special Rule for Leave Related to Pregnancy**

Leave taken for the disability phase of pregnancy or childbirth when physically unable to work, is counted against the 12-week FMLA family leave allowance. In some cases, state law may entitle the disabled employee to leave beyond the standard 12-week period. Human Resources can provide information concerning the state law and its applicability.

**14. Return Rights after Family Leave**

When an employee returns to work after family leave:

- the City shall place the employee in the same position the employee held when the leave began or in another City position with equivalent benefits and pay;
- the return is subject to bona fide changes in compensation or work duties;
- the employee does not have return rights if:
  - a. the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or
  - b. the employee takes another job; or
  - c. the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

**K. Supplemental Paid Family Leave**

Applies to: Regular employees

Supplemental Paid Family Leave provides employees an increased ability to attend to family matters by supplementing an employee's accrued paid leaves. The employee will receive the equivalent of his or her full pay for up to a total of twelve weeks, when combined with the employee's accrued leave (except for two weeks of their accrued leave), to pay for a qualified family leave. Refer to Section VI Benefits, Family Leave under FMLA or Victims of Domestic Violence leave to learn what constitutes a qualifying event.

**1. Eligibility**

Supplemental Paid Family Leave is available to all regular employees who have:

- Worked for the City continuously for at least 12 months and for at least 1,250 hours over the previous 12 months; and
- Have a qualifying event under FMLA or under the Victims of Domestic Violence policy; and
- Lack enough accrued leave to maintain a balance of two weeks and to pay for a leave of absence of up to 12 weeks.

**2. Benefit Amount**

An employee's Supplemental Paid Family leave benefit is calculated when an employee's accrued leave balances are down to two weeks or less. Accrued leave balances for purposes of this policy include sick leave, vacation, personal holiday, compensatory time and management leave. Employees may choose which type of leave they use first but are encouraged to use any personal holidays, management leave or compensatory time first because those leaves expire at the end of the year.

The employee will receive the equivalent of their full salary for up to a total of twelve weeks, when combined with the employee's accrued leave (except for two weeks of their accrued leave). Regular part time employees will receive this benefit on a pro-rata basis relative to their normal work week. The following is an example:

*An employee has a qualifying event for a twelve week family leave of absence. At the time of the qualifying event, the employee has five weeks of accrued leave and will accrue an additional 1.2 weeks (6 days) of vacation and sick leave during the leave of absence. With the five weeks of accrued leave on the books at the time of the qualifying event and with the additional 1.2 weeks of accrual, the employee will have a total of 6.2 weeks of accrued leave. In this example, the following would happen:*

*4.2 weeks of the employee's accrued leave would be applied towards the twelve weeks of Paid Family Leave.*

*Then, when the employee's balance of accrued leave is down to two weeks, the City would provide the employee with 5.8 weeks of Supplemental Paid Family Leave, so that the employee's twelve week family leave may be a fully paid leave.*

If the qualifying event is the birth, adoption or foster care placement of a child and both parents work for the City and meet the eligibility requirements, the total Supplemental Paid Family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time.

The employee must use all but two weeks of their accrued leave before using Supplemental Paid Family leave.

Supplemental Paid Family Leave may not be cashed out under any circumstance.

### **3. Benefit Period, Frequency, and Concurrency**

Supplemental Paid Family Leave must begin and be completed within twelve months of the qualifying event.

An employee may use Supplemental Paid Family Leave on an intermittent or part-time basis, as long as it is consistent with the department's operational needs, and is approved in writing by the employee's director prior to the leave.

Supplemental Paid Family Leave will run concurrently with the City's family and medical leave, and federal and state family and medical leave laws, to the fullest extent permitted by law. Supplemental Paid Family Leave is limited to a maximum of 12 weeks every three years and is calculated on a rolling thirty six month period.

### **4. Job Protection and Health Benefits**

Supplemental Paid Family Leave is protected leave. Barring required budget cuts or layoffs, an employee's job cannot be eliminated while the employee is on Supplemental Paid Family leave. Further, no retaliatory action may be taken against an employee for participating or planning to participate in the program.

The employee will continue to receive health benefits according to the underwriting rules of the relevant health plans and shall continue to accrue vacation and sick



leave according to City policy during the period of Supplemental Paid Family Leave.

**5. Procedure for Requesting Supplemental Paid Family Leave**

- a) Provide notice – Unless a leave is unexpected, at least thirty days' notice must be given to the Human Resources department and the Immediate Supervisor. In the case when the need for leave is not foreseeable, employees must provide notice as soon as possible.
- b) Discuss your anticipated leave duration and schedule with the Human Resources department and your Immediate Supervisor. If you plan to take intermittent or part-time leave, this must be approved in writing prior to the leave.
- c) Complete the Supplemental Paid Family Leave Request Form.
- d) Submit the Supplemental Paid Family Leave Request Form along with the completed paperwork to request an FMLA leave; or along with your request for a leave under the Victims of Domestic Violence policy.

**6. Time Recording**

Record your time using the time card codes provided by Payroll.

**L. Spousal Military Deployment Leave under Washington State Law**

Applies to: All employees

An employee who works an average of twenty or more hours a week and who is a spouse of a military service member may take up to fifteen days of unpaid leave while the military service members is on leave from deployment, or before and up to deployment, during times of military conflict declared by the President or Congress. An employee must provide Human Resources with notice of their intent to take leave within five business days of receiving official notice of leave from deployment or of an impending call to duty. Leave will run concurrently with FMLA leaves for deployment of a family member.

**M. Medical Leave of Absence (non FMLA)**

Applies to: Regular and limited term employees.

In addition to or in lieu of family leave, an unpaid leave of absence of up to six months may be granted in the case of an employee's disability when approved by the City Manager and when the leave will not adversely impact City operations. The request must be supported by a physician's certificate of necessity and reasonable expectation of a timely return to duty. Prior to application for a non-FMLA medical leave of absence, an employee's accrued sick leave, vacation leave, compensatory time, management leave and personal days must be exhausted.

**N. Leave of Absence Without Pay**

Applies to: Regular and limited term employees

Leave without pay is a temporary nonpaid status and absence from duty that occurs when an employee doesn't have enough, or does not qualify to use, paid time off for the absence. All paid leave banks must be exhausted prior to authorizing unpaid leave except when the reason for the leave does not qualify for

paid sick leave or the leave is otherwise covered by Leave for Active Duty Military Service.

Leave without pay for an illness not covered by FMLA requires the Department Director approval. If such an absence exceeds three consecutive work days, the absence requires notification to the Human Resources Director and approval by the City Manager.

The City Manager may approve leave without pay for other personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit. To request a leave of absence without pay for personal reasons, the employee shall submit a written request to the Department Director that states the reason for and the proposed length of the leave. If the Department Director approves of the leave, the Director will forward the request to the City Manager for consideration and provide a copy to the Human Resources Director. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave and a copy will be filed with Human Resources and payroll.

**O. Continuation of Benefits**

Applies to: Regular and limited term employees.

Employees on any paid leave shall continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits. Employees in unpaid status shall not be entitled to and shall not accrue any of the benefits of the City, except as provided under family leave, FMLA.

**P. Bereavement Leave**

Applies to: Regular and limited term employees

Employees may be granted up to three days of paid leave to make arrangements for or to attend the funeral of, or memorial service for, a member of their immediate family. If more than three days leave is necessary, earned vacation, sick leave, personal days, management leave or compensatory time may also be used.

If while on approved vacation an employee has a death in his or her immediate family requiring the employee to engage in activities typically covered by bereavement leave, the employee may make a written request to the City Manager to convert the bereavement leave connected time from vacation leave to bereavement leave. The City Manager shall consider the facts involved and shall approve or deny the request.

Regular and limited term part time employees will receive bereavement leave prorated based on the ratio of their normally scheduled work week to a forty hour week.

**Q. Court and Jury Duty Leave**

Applies to: Regular and limited term employees

Employees called to jury duty are strongly encouraged to fulfill their legal and civic responsibility. A regular or limited term employee will be granted leave at their regular rate of pay. Days during the period of summons when reporting to the court is not required are not covered by this leave.

During the regular work shift, an employee must report to work when not required to be in court. If the court pays the employee for the jury service, that payment must be turned in to the City. An employee is permitted to retain any mileage reimbursement received from the court.

An employee must inform their supervisor as soon as a summons is received, and on a daily basis as to court schedule.

Employees who have been subpoenaed for a job related matter shall be compensated as for any other working time.

**R. Military Leave**

**1. Military Training**

Applies to: Regular and limited term employees

An employee may take up to twenty one work days per year for active duty training if he/she is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or Marine Corps Reserves of the United States. This leave is in addition to regular vacation leave. For purposes of this section, "year" shall mean from October 1 to September 30.

An employee will continue to receive his or her normal pay during such active duty training, provided a written copy of the orders is submitted to the supervisor prior to leave and a written copy of the release is submitted upon return. If the active duty exceeds fifteen working days, the employee will be required to take the excess time first as compensatory time, vacation, and then leave without pay.

**2. Active Duty Military Service**

Applies to: Regular employees

Employees who are called to, or volunteer for active duty military service will be placed on an indefinite unpaid leave of absence for the entire time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may, at his or her option, use any or all accrued vacation leave or comp time prior to moving to the unpaid status. Any unused leave accruals remaining at the time the unpaid leave begins will be held until return to active employment with the City. Vacation and sick leave will not accrue during the time of the unpaid leave. The employee may choose to continue dependent medical coverage under the City's health plans to the extent allowed under the underwriting rules of those plans. While the employee is in an unpaid status and unable to pay their portion of contributions for dependent health insurance, the City will pay the City's portion and the employee's portion of the cost. An employee will be required to pay back the employee portion of cost paid by the City through a repayment plan upon their return from active duty leave of

absence. An employee choosing to do so needs to contact Human Resources to arrange the coverage and the payment plan prior to leaving for active duty.

Reinstatement following active duty will be in compliance with state and federal laws at the time of the return to work.

**S. Victims of Domestic Violence Leave**

Applies to: All employees

Employees who are victims of domestic violence, sexual assault, or stalking may take reasonable unpaid leave from work to take care of legal or law enforcement needs or to get medical treatment, social services assistance, or mental health counseling. Employees who are qualifying family members of a domestic violence victim are also eligible for leave under this policy.

While leave is unpaid, regular employees may elect to use paid sick, vacation or other accrued paid time off while on leave.

Employees must give as much advance notice of the need for leave under this policy as is possible. Leave requests must be supported with one or more of the following:

- A police report indicating the employee or employee's family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, or attorney.
- An employee's written statement that the employee or employee's family member is a victim and needs assistance.

For purposes of this section only, family member means child, spouse, parent, parent-in-law, grandparent or person the employee is dating. The City may request verification of family relationship.

**VII. STANDARDS OF EMPLOYEE CONDUCT**

The City expects all employees to strive for excellence, to exhibit the City Values in their work, to accomplish organizational and individual performance goals and to provide superior customer service.

**A. Personal Appearance and Demeanor**

Employees are expected to dress in attire appropriate to their job tasks and to behave in a professional, businesslike manner at all times.

Employees failing to adhere to City standards with respect to appearance and demeanor are subject to disciplinary action, up to and including termination.

**B. Absenteeism and Tardiness**

Employees are expected to report for work promptly and maintain good attendance. The supervisor must be advised of absence or late arrival prior to the beginning of the shift. Absenteeism or tardiness that is unexcused may be grounds for disciplinary action, up to and including termination.

**C. Solicitations and Distribution of Literature**

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or post materials, sell merchandise, solicit financial contributions or otherwise solicit for any cause during working hours. Employees who are not on working time (for example on lunchtime or break) may not solicit employees who are on working time. An employee (including any employee with management responsibility) shall not directly solicit any employee he or she supervises or otherwise exercises some element of control over. All employees shall recognize that any employee has the right to say “no” to any solicitation.

E-mail shall not be used to solicit employees for any purpose.

Employees may utilize such things as an employee newsletter or the employee lunch room bulletin board if approved by the City Manager’s Office for personal messages of this nature. Violation of this policy may be grounds for disciplinary action, up to and including termination.

Non-employees are prohibited from distributing material or soliciting employees on City premises at any time.

**D. Drug-Free Workplace**

1. It is the policy of the City to maintain a drug-free workplace. Actions in violation of this policy are inconsistent with the behavior expected of employees, subject all employees and visitors to our facilities to unacceptable safety risks and undermine the City’s ability to operate effectively and efficiently.
2. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that in the opinion of the City, it impairs an employee’s ability to perform on the job or threatens the reputation or integrity of the City. Therefore:
  - a) When employees are on the job, they are expected to be physically free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee shall not consume any alcohol during lunch or any other break occurring prior to the end of that employee’s work day. Workday in this context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be “fit for work”.
  - b) Use or possession of prescription or non-prescription medication is not prohibited when taken in accord with prescription or standard dosage recommendations. However, employees shall notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing his or her job safely and effectively. The employee and supervisor shall work together to determine the employee’s fitness for duty or to establish

- a light duty assignment if available and appropriate. If no agreement is reached, the fitness for duty determination shall be made by the Department Director, after consulting Human Resources.
- c) An employee convicted of a controlled substance-related violation must inform the City within five days of such conviction.
  - d) Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.
  - e) Employees may be required to submit to alcohol, drug or controlled substance testing when: an employee's work performance causes reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use; testing is required prior to appointment to a position; as a result of a job related accident when reasonable cause exists or if required by the Department of Transportation; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used in an employer action with regard to the employee.
  - f) Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances. The City has an employee assistance referral center to assist employees in dealing with personal problems. Details are available from the Human Resources Department.
3. In addition to previous sections. candidates applying for positions which require a valid Commercial Driver's License (CDL) will be subject to passing a pre-employment drug screening. All City employees in positions requiring a CDL must comply with the City's Drug and Alcohol Policy and Procedures Manual.

**E. Safety**

The City is committed to providing a safe and healthful working environment. The City makes every effort to comply with applicable federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies and programs conducive to such an environment. Safety policy is contained in the Accident Prevention and Safety Manual.

**F. Weapons**

No employee is authorized to carry a weapon, concealed or not, on City premises, in City vehicles, or while representing the City. An employee carrying a weapon in violation of this policy is subject to disciplinary action, up to and including termination.

**G. Workplace Violence**

It is the policy of the City to have zero tolerance of any acts or threats of violence by any employee in or about City facilities or elsewhere at any time. The City will not condone any acts or threats of violence against employees, customers or visitors in or about City premises at any time or while they are engaged in business with or on behalf of the City off City premises.

To ensure City objectives are attained, the City is committed to the following:

1. To provide a safe and healthful work environment, in accordance with the City safety policy.
2. To take prompt remedial action up to and including immediate termination against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive or threatening language or gestures.
3. To take appropriate action when dealing with customers or other visitors to City facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
4. To prohibit employees from bringing unauthorized firearms or other weapons onto City premises.

In furtherance of this policy, employees have a duty to warn their supervisor, managers or Human Resources of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve themselves or other employees, customers or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. The City will not condone any form of retaliation against any employee for making a report under this policy.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**H. Tobacco and Vaping Free Workplace**

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, use of all tobacco products, including smoking and smokeless tobacco, and vapor products is prohibited at all City work locations and property, and in City owned vehicles. Smoking and vaping is prohibited within 25 feet of all building entrances, windows that open and ventilation intakes. Violation of this policy may be grounds for disciplinary action, up to and including termination.

**I. General Conduct**

Employees are expected to conduct themselves in an appropriate, professional manner. Examples of behavior that are inappropriate include, but are not limited to:

1. Insubordination (as defined in Section 3);
2. Theft or other criminal activity;
3. General dishonesty including falsifying employment or other City records;
4. Failing to maintain confidentiality of City information;
5. Unwillingness or inability to maintain an acceptable level of work performance.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**J. Searches of Property**

Employees should be aware that all offices, desks, files, lockers and vehicles are the property of City and are issued for the use of employees only during their employment with the City. It may be necessary to conduct searches of employee personal property in City facilities or vehicles. In addition, the City reserves the right to search any employee's office, desk, files, locker or any other area or article on City premises. Searches may be conducted at any time without advance notice. Searches must be conducted by and authorized by the City Manager. Where reasonable, the search will be conducted by more than one person.

Employees may not use a personal lock on City property or lockers, unless authorized and only if a copy of the key or combination is retained by the City.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**K. Corrective Action Procedure**

**1. Progressive Discipline**

In taking disciplinary action, managers and supervisors may use a variety of measures. Where appropriate, managers and supervisors will follow a program of progressive discipline designed to give the employee the opportunity to correct behavior before it becomes a serious problem. Supervisors and managers also have the responsibility to provide behaviorally-specific feedback, either orally or in writing as appropriate, to employees to enable them to make improvements in their performance or correct the behavior that was a problem.

Please note that any or all of the steps outlined below or other appropriate measures may be utilized, depending upon individual circumstances and the nature of the offense. Serious discipline, including immediate termination may occur even on the first offense, in some circumstances, depending on the severity of the situation.

The degree of corrective action depends on the severity of the situation. It is the responsibility of the supervisor to objectively evaluate the circumstances and facts involved and to consult with the Human Resources Director before beginning such action.



The City may use administrative leave with pay while conducting an investigation into an alleged wrongdoing. This leave may be used when it is necessary to remove the employee from the work place pending the outcome of the investigation.

The following are examples of a pattern of progressive discipline

**a) Step One: Verbal Warning**

This step is used for relatively minor offenses and problems. The supervisor verbally discusses the concerns with the employee and lets the employee know the nature of the problem. Written documentation of the verbal warning shall be placed in the employee's personnel file.

**b) Step Two: Written Warning**

This step is used for a repeated offense where the discipline in Step 1 has failed to correct the problem or behavior, or for more serious problems that initially require stronger action. Under this step, a written warning is given to the employee and put in the employee's personnel file documenting the problem.

**c) Step Three: Suspension**

This step is used for repeated offenses where Steps 1 and 2 have failed to correct the problem or behavior, or for more serious problems that initially require stronger corrective action than the above steps. An employee is sent home without pay for a specified period of time. For an exempt employee, unpaid suspensions shall be in increments of workweeks. An exempt employee may also be given a period of time off with pay to make a personal decision as to whether to change behavior and continue employment with the City. Prior to a decision to suspend an employee, a pre-disciplinary hearing must be held.

**d) Step Four: Termination**

This step is to be used for instances where an employee has failed to correct their behavior after previous discipline or if there is a serious violation of City standards of conduct where immediate termination is warranted.

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion. Prior to a decision to terminate an employee, a pre-disciplinary hearing must be held.

**2. Pre-Disciplinary Hearing.**

This section does not apply to at will employees or to employees who have not completed their initial orientation period.

When considering discipline that would deprive an employee of pay, such as a step three suspension or step four termination, the City will conduct a pre-disciplinary hearing. The hearing serves as a check against a mistaken decision and as an opportunity for an employee to furnish reasons why he or she should not be disciplined before the decision is finalized.

**a) Notice to the Employee**

The employee shall be provided with a notice of the pre-disciplinary hearing.

The notice shall include an explanation of the charges on which the potential discipline is based, and the time and date for the hearing.

**b) At the Hearing**

The hearing will be presided over by the Department Director or a designated representative. The hearings are intended to be informal. The employee will be given an opportunity to explain why the serious discipline should not be taken. The employee may bring one person to the hearing as a representative. If the employee fails or refuses to appear, the Department Director shall determine the discipline without the employee's input.

**c) After the Hearing**

After the hearing, the Department Director will consider the information provided and will consult with the Human Resources Director. As soon as possible, the director will issue the decision. A longer review period may be required in more complex situations, and the employee will be so informed.

**L. Complaint Resolution Procedure**

**1. Resolving Conflict Informally**

It is natural to have misunderstandings and conflict in organizations. The purpose of this procedure is to provide a method for the resolution of such matters in a positive and constructive manner and to give employees a means of airing complaints regarding their employment. Employees and supervisors are encouraged to resolve the causes of conflict or disputes between themselves informally whenever possible.

**2. Resolving Conflict Formally**

When informal resolution fails, an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination shall occur because of the filing of a bona fide complaint under this procedure. The procedure should not, however, be construed as preventing, limiting, or delaying the City from taking disciplinary action against any employee up to and including termination where disciplinary action is deemed appropriate.

An employee who has been involuntarily separated from employment with the City has the right to participate in this process pursuant to the terms outlined below. Any complaint by a terminated employee must begin with step 3.

**a) Complaint Definition**

A complaint is a written allegation by an employee or former employee who has been involuntarily terminated that he or she has not been treated according to the personnel policies, or other rules or regulations.

**b) 30 Days to Initiate a Complaint**

Complaints must be initiated within 30 days of the alleged act and a copy of the complaint provided to Human Resources.

**c) Step 1 Present Complaint to Supervisor**

An employee should present the complaint to the supervisor and request time to meet and discuss the complaint. In consultation with Human Resources,

the supervisor shall consider the complaint and all relevant information and respond to the employee in a timely manner.

**d) Step 2 if Needed**

If the problem is not resolved at Step 1, the employee shall next request a meeting with the Department Director. In consultation with Human Resources, the Department Director will conduct an investigation and review the matter with appropriate persons. The Department Director shall respond to the employee within 10 working days, unless the response will take longer, in which case the director will keep the employee informed when the response will be available.

**e) Step 3 Final Step if Needed**

If the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, he or she shall request a meeting with the City Manager. The City Manager shall meet with the employee. The City Manager shall also conduct an investigation or otherwise consider information relevant to the complaint.

The City Manager shall issue a decision within 15 working days unless more time is needed, in which case the City Manager shall keep the employee informed of when the response will be available. The City Manager's decision shall be final and binding on the parties.

**VIII. SEPARATION FROM EMPLOYMENT**

**A. Resignation**

The City expects a resigning employee to give written notice to their supervisor at least 14 days in advance of the final working day.

**B. Unauthorized 3 Day Absence**

Unauthorized absence from work for a period of three consecutive days will be considered as a voluntary resignation, unless the employee can provide a reasonable explanation to the Department Director.

**C. Separation Procedures**

The Human Resources Department will verify an employee's separation date and notify payroll. A final paycheck will be issued to the employee on the next regular payday after completion of the following: exit interview, return of City keys, car, ID card, credit cards, bus pass, tools and equipment, uniforms, printed materials, and any other property or resources which had been made available to the employee. In addition, Human Resources will resolve the status of retirement plans, insurance conversions, and deferred compensation programs, and will conduct an exit interview.

**D. Layoff (Reduction in Force)**

The City may lay off employees where there are changes in duties, reorganization of work or positions, a position or service is abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

**1. Notice**

Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation, and options available, as soon as possible to allow time to make necessary arrangements.

**2. Order of Layoff**

Layoffs are determined by classification on an organization-wide-basis.

Extra help employees performing similar work will be laid off first.

Regular employees will be retained on the basis of their ability to perform work needed to meet program needs.

Where there is no demonstrable difference in ability to perform, employees with longer service shall be retained.

**3. Options**

Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions, or furloughs may also be explored, at the discretion of the City Manager.

**4. Layoff Support**

Regular full time and regular part time employees are eligible for Layoff Support. Once the employee has been notified of the future layoff, the employee shall be eligible for:

- a) Job search assistance, tailored to the particular circumstances and authorized by the City Manager.
- b) Limited time off for interviewing, subject to the approval of the Department Director.

**5. Severance**

Regular full time and regular part time employees are eligible for severance. After the layoff takes effect, the employee shall receive a severance package consisting of four (4) weeks' pay and 10% of the employee's sick leave balance. If the employee leaves employment at the City prior to the layoff date, the employee is not eligible for the severance package.

**6. Rehire List**

Any regular employee who is laid off shall be placed on a City rehire list for a period of one year from the date of layoff. An employee shall not be placed on the rehire list if the employee leaves employment at the City prior to the layoff date. The City will honor an employee's written request to not be placed on or to be removed from the list.

An employee on the Rehire List shall be deemed eligible for an open regular position when:

- The employee meets the minimum qualifications listed on the classification specification based on the information contained in the employee's personnel file; and

- The position is in a salary range equal to or lower than the salary range of the position the employee was in on the date of layoff.

When hiring for any vacancy, the Department Director shall first consult Human with Resources to determine if any employee on the rehire list is eligible for the vacancy. If there is an eligible employee on the rehire list, the employee shall be offered the position. In the case of more than one eligible employee on the rehire list, the position shall first be offered to the employee with the longest term of service with the City.

The employee has seven calendar days from the time the offer is sent to accept the offer; failure to do so will be considered a refusal.

An employee accepting a demotion to a position in a lower salary range shall remain on the list for the remainder of the year (based on the original layoff date).

An employee shall be removed from the list upon rehire by the City, a third refusal of a City job offer or the expiration of one year, whichever comes first.

If a department has a need to hire extra help while the City has any employees on the Rehire List, the Department Director shall first contact Human Resources before taking any other steps to hire the extra help. The extra help opportunity shall first be offered to any employees on the rehire list meeting the minimum requirements (in order of service with the City – longest first). Only if all eligible employees on the Rehire List refuse the extra help opportunity may the department proceed to outside hire. Neither acceptance nor refusal of an extra help opportunity shall affect an employee's status on the Rehire List.

## **IX. CLOSING STATEMENT**

Welcome to the City of Shoreline. If you have any questions about this handbook, please ask your supervisor or visit Human Resources.

**X. APPENDIX A - CODE OF ETHICS**

The purpose of the City of Shoreline Code of Ethics is to strengthen the quality of government through ethical principles which shall govern the conduct of the City's elected and appointed officials, and employees, who shall:

1. Be dedicated to the concepts of effective and democratic local government.

Guidelines:

Democratic Leadership: Officials and staff shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules and regulations.

2. Affirm the dignity and worth of the services rendered by government and maintain a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.

Guidelines:

Public Confidence: Officials and staff shall conduct themselves so as to maintain public confidence in city government and in the performance of the public trust.

Impression of Influence. Officials and staff shall conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

4. Recognize that the chief function of local government at all times is to serve the best interests of all the people.

Guidelines

Public Interest: Officials and staff shall treat their office as a public trust, only using the power and resources of public office to advance public interests, and not to attain personal benefit or pursue any other private interest incompatible with the public good.

5. Keep the community informed on municipal affairs; encourage communication between the citizens and all municipal officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Guidelines

Accountability: Officials and staff shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold city officials accountable.

Respectability: Officials and staff shall safeguard public confidence in the integrity of city government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of impropriety or which is otherwise unbecoming a public official.

6. Seek no favor; believe that personal benefit or profit secured by confidential information or by misuse of public time is dishonest.

Guidelines

Business Interests: Officials and staff shall have no beneficial interest in any contract which may be made by, through or under his or her supervision, or for the benefit of his or her office, or accept directly or indirectly, any compensation, gratuity or reward in connection with such contract unless allowed under State law.

Private Employment: Officials and staff shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service or business creates a conflict with or impairs the proper discharge of their official duties.

Confidential Information: Officials and staff shall not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

Gifts: Officials and employees shall not directly or indirectly solicit any gift or accept or receive any gift whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form - under the following circumstances: (a) it could be reasonably inferred or expected that the gift was intended to influence the performance of official duties; or (b) the gift was intended to serve as a reward for any official action on the official's or employee's part.

Investments in Conflict with Official Duties: Officials and employees shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction that creates a conflict with their official duties.

Personal Relationships: Personal relationships shall be disclosed in any instance where there could be the appearance of a conflict of interest.

Business Relationships: Officials and staff shall not use staff time, equipment, or facilities for marketing or soliciting for private business activities.

Reference Checking: Reference checking and responding to agency requests are a normal function of municipal business and is not prohibited if it does not adversely affect the operation of the City.

7. Conduct business of the city in a manner which is not only fair in fact, but also in appearance.

Guidelines

Personal Relationships: In quasi-judicial proceedings elected officials shall abide by the directives of RCW 42.36 which requires full disclosure of contacts by proponents and opponents of land use projects which are before the City Council. Boards and Commissions are also subject to these fairness rules when they conduct quasi-judicial hearings.

Not knowingly violate any Washington statutes, City ordinance or regulation in the course of performing their duties.



# EMPLOYEE HANDBOOK

Last updated: ~~12-2014~~2/27/2017



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**I. INTRODUCTION**

The Handbook is prepared so that employees will better understand how the City operates and what is expected of employees. It is a summary of the City’s personnel policies and practices, and is intended as a general guide to how the organization functions. We want to create a work environment that allows individuals to maximize their contribution to the organization and results in personal satisfaction. We believe that when consistent personnel policies are known and communicated to all, the chances are increased for greater job satisfaction.

While the City hopes that the employment relationship will be positive, things do not always work out as planned. Either party may decide to terminate the employment relationship. No supervisor, manager or representative of the City, other than the City Manager, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the contents of this handbook. This handbook is not intended as a contract, express or implied, or as a guarantee of employment for any specific duration. As the need arises, the City may from time to time modify these policies. The City also reserves the right, at its sole discretion, to depart from the guidelines outlined in this handbook, in order to meet the business needs of the City. If you have any questions about any of our policies, please ask your supervisor or Human Resources.

We wish you success in your position and hope that your employment relationship with the City will be a personally rewarding experience.

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**II. ~~2.00~~ APPLICABILITY AND AUTHORITY**

**A. Applicability**

~~A. Except as hereafter set forth, t~~his Handbook is applicable to all employees of the City except the City Manager who serves at the discretion of the City Council and except where specifically stated otherwise.

**B. At Will**

~~B. At will positions include specific~~ The City Manager has designated, in writing, specified senior management positions designated by the City Manager; temporary, extra help and limited term positions; and regular employees who have not yet completed the orientation period. whose employment is “at will” and employees in those positions shall serve at the discretion of the City Manager. -No provisions of this Handbook shall change ~~that~~ at will status.

**C. Local, State or Federal Law**

~~C.~~ In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern. If any provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies will not be affected.

**D. -Authority**

Authority to take personnel actions is vested in the City Manager. This authority shall include but not be limited to hiring, promoting, demoting, evaluating, reclassifying and terminating employees. Authority for personnel actions is frequently delegated to Department Directors and immediate supervisors; however, coordination of all such actions through Human Resources is required.



~~3.00~~ III. **DEFINITIONS**

~~3.01—Alternate Workplace~~

~~The place designated for the employee to work when not working at the regular office.~~

**A. Anniversary Date**

~~3.02—~~

The date used for the purpose of calculating leave benefits and length of service. Usually the anniversary date is the date the employee began work for the City, but adjustments to the anniversary date shall be made proportionate to any ~~for~~ unpaid time off ~~or other purposes~~.

**B. Break in Service**

~~3.03—~~

The period of time between the date an employee separates from service and the date the employee is rehired.

~~**Callback**~~

**C. Callback**

All time worked in excess of a scheduled shift, which is not an extension of that shift, and is unanticipated, unforeseen, and not a regular function of the employee's work schedule.

**D. City**

~~3.04—~~

The City of Shoreline, Washington.

~~3.05—City Hall Campus~~

~~The property including City Hall, the City Parking Garage and all adjacent City owned grounds not subject to lease.~~

**E. City Manager**

The individual appointed by the City Council to serve in this capacity or his or her designee.

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**F. Core Hours**

**3.06**

Those hours during which City offices are open to the public and during which staffing is available to provide service to our customers. Core hours for the City are 8:00 a.m. to 5:00 p.m. Monday through Friday.

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**G. Demotion**

**3.07**

Any case where a regular employee moves on a non-temporary basis to a different position in a lower salary range with the exception of such movement resulting from a compensation study or salary survey.

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**H. Department Director**

**3.08**

An individual appointed by the City Manager to serve as Assistant City Manager, Administrative Services Finance Director, City Attorney, Human Resources Director, Parks ~~and~~ Recreation and Cultural Services Director, Planning and Community Development ~~Services~~ Director or Public Works Director or ~~his or her~~ designee.

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**I. Domestic Partner**

**3.09**

The individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with the City's Human Resources Department. The Partnership may be of the same or opposite sex. The Partnership must satisfy the following criteria:

- Partners shall not be part of another Domestic Partnership or marriage,
- Partners shall be mentally competent, 18 years of age or older, not related by blood closer than permitted for marriage under RCW 26.04.020.1a and .2.
- Partners share a regular and permanent residence and living expenses.

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**J. Drugs**

**3.10**

Includes any substance which is controlled in its distribution by federal or state law, including but not limited to, narcotics, depressants, stimulants, hallucinogens, cocaine and cannabis. Does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

**3.11K. Employment Status Definitions****1. Regular Full Time**

**3.11.1** ÷ A regular position established by the City budget that is expected to be ongoing and to work a 40 hour week.

**2. Regular Part Time**

**3.11.2** ÷ A regular position established by the City budget that is expected to be ongoing and to work at least 20 but less than 40 hours per week.

**3. Limited Term**

A position that has a specific end date, works 20 or more hours a week and is not Extra Help. The maximum term is limited to three years.

**4. Extra Help**

**3.11.3** ÷ A position that is employed in activities related to seasonal programs, variable intermittent workloads, or ongoing work of less than 20 hours a week, further defined below.

**a) Seasonal**

**3.11.3.1** ÷ Work that is seasonal beginning approximately the same season of each calendar year, customarily less than six months in duration.

Maximum Hours:

- 1,040 hours a year with no limit on weekly hours if all work is seasonal.
- If some of the work is not seasonal then all hours worked count toward a maximum average of 29 per week in the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

**b) Variable-hour**

**3.11.3.2** ÷ Work that is not seasonal but is intermittent and/or hours that are unpredictable from week to week.

Maximum Hours:

- 1,040 a year and
- an average of 29 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

**c) Less than 20 Ongoing**

**3.11.3.3** ÷ Work that is ongoing and consistent with few hours but regularly scheduled each week.

Maximum Hours:

- 1,040 a year and
- an average of 20 per week during the first 3 months of employment and during 12 months of employment.

Break in Service Requirement before Rehire:

- 13 weeks, or
- Longer than the employee was employed, or
- With approval from Human Resources based on an evaluation of employment status including measurement period implications.

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~~Exempt Employee~~

**L. Exempt Employee**

An employee exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as defined by that Act or applicable state law and designated as such by the City Manager. Exempt positions are so indicated on the salary table adopted by the City Council~~A list of exempt positions is maintained by Human Resources.~~

—

**M. Flex-Time**

**3.12**

A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.

—

**N. Immediate Family**

**3.13**

Unless defined otherwise in these policies, the employee’s grandparent, parent, parent-in-law, foster parent, spouse, domestic partner, biological child, adopted child, step child, child of domestic partner, foster child, a legal ward or child of a person standing in loco parentis if the child is younger than 18, grandchild, sister, sister-in-law, brother or brother-in-law. ~~Domestic Partner is an individual named in a current, valid Affidavit of Marriage/Domestic Partnership on file with the City’s Human Resources Department and the Partnership shall satisfy the following criteria:~~

- ~~• Partners may be of the same or opposite sex;~~
- ~~• Partners shall be unmarried, mentally competent, 18 years of age or older and not related by blood closer than permitted for marriage under RCW 26.04.020;~~
- ~~• Share a regular and permanent residence and living expenses; and~~
- ~~• Partners shall not be a part of another Domestic Partnership.~~

In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to

Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager shall decide to approve or deny the request. (If the definition of immediate family is different in certain approved benefit plans or policies; the provisions of those plans or policies will govern.)

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**O. Insubordination**

~~3.14~~—

Expressed hostility or contempt for an employee’s supervisor or willful disregard of a supervisor’s reasonable directive.

—  
**P. Intern**

~~3.15~~—

A position that is a form of on-the-job training that may be either voluntary or on paid status.

—  
**Q. Non-Exempt Employee**

~~3.16~~—

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act.

—  
**R. Promotion**

~~3.17~~—

Any case where a regular employee moves on a non-temporary basis to a different position in a higher salary range with the exception of such movement resulting from a compensation study or salary survey.

—  
~~**3.18 Regular Office**~~

~~The office to which an employee is generally assigned.~~

—  
**S. Standby**

~~3.19~~—

Specific assignment of an employee during off-hours to be available to come to work if needed. Standby is not considered as time worked.

—  
**T. Step Increase Date**

~~3.20~~—

The date that is used for the purpose of annual performance review and step increase. Usually the step increase date is the date the employee began work in

his or her current position, ~~but~~ — Adjustments shall be made proportionate to any  
~~for unpaid time off or other purposes.~~

—

~~—~~ Telecommuter

~~3.21~~ —

~~—~~ An employee who has entered into a current Telecommuting Agreement.

—

~~—~~ Telecommuting

~~3.22~~ —

~~—~~ Working arrangements in which the workplace is located at least part time at an alternate location, such as the employee's home and which are expected to last longer than one month. A telephone may be the only equipment needed; however, in some cases employees may use special telecommunications equipment such as telephone answering devices, computers, faxes and modems.

—

U. Time in Paid Status

~~3.23~~ —

The period of hours during a pay cycle for which an employee receives compensation including hours worked, vacation, sick, holiday, management, personal or other paid leaves.

—

V. Transfer

~~3.24~~ —

Any case where a regular employee moves on a non-temporary basis to a different position in the same salary range.

W. Work Location

Work locations are the places employees work. The locations include city owned buildings, adjacent structures and parking lots, and grounds.

City Hall: 17500 Midvale Avenue North

Hamlin Park Maintenance Yard: 16006 15<sup>th</sup> Avenue N.E.

North Maintenance Facility, 19547 25<sup>th</sup> Ave NE

Richmond Highlands Recreation Center: 16544 Fremont Avenue N

Shoreline Pool: 19030 1<sup>st</sup> Avenue N.E.

Spartan Recreation Center: 202 NE 185th Street

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X. ~~3.28~~ — Work Week

A fixed and regularly recurring period of seven (7) consecutive twenty-four (24) hour periods. The standard workweek for employees consists of the period from

Attachment A, Employee Handbook Update, Red Line

12:01 a.m. Sunday to 12:00 midnight the following Saturday. Where a different workweek is required, the City Manager will define an appropriate workweek and communicate that to the employees.

Y. Y-Rating

~~3.29~~

The continuation of a regular employee's salary above the highest step of a new salary range as a result of the salary range for the position being lowered due to a market survey or other factors.

**IV. 4.00—EMPLOYMENT POLICIES**

**A. Recruitment and Selection**

**1. External and Internal Recruitment**

Job Posting and Application: Open positions will be posted on the City’s web page with links to the application process. The opening will be posted for a minimum of five working days. To ensure internal employees are aware of an open position, Human Resources will announce openings through email.

Selecting Candidates for an Interview: The hiring manager will review the applications and identify candidates that will proceed to an interview. Additionally, all regular employees who applied will be granted an interview provided they possess the experience and training qualifications listed in the job description for the position.

Selecting the Best Candidate: The City’s policy is to hire the best candidate for any job vacancy. The best candidate is an applicant who meets the minimum qualifications for the position and has the strongest match between their knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and favorable references.

**2. Internal Recruitment Only**

The Department Director, after consultation with the Director of Human Resources, will determine if an opening will be available internally only.

Job Posting and Application: Human Resources will announce openings through email, directing interested employees to apply through the City’s web page with links to the application process. The opening will be posted for a minimum of five working days, any employee may apply.

Selecting Candidates for an Interview: The hiring manager will review the applications and identify candidates that will proceed to an interview. All regular employees who applied will be granted an interview provided they possess the experience and training qualifications listed in the job description for the position.

Selecting the Best Candidate: The City’s policy is to hire the best candidate for any job vacancy. The best candidate is an applicant who meets the minimum qualifications for the position and has the strongest match between their knowledge, skills and abilities and the work responsibilities of a position. The best candidate will be determined based upon a review of application materials, the results of tests and/or background checks required by positions, an evaluation of responses to interview questions, and favorable references. If there is not an internal candidate who has a strong match between their



knowledge, skills and abilities and the work responsibilities of the position; the position may be re-posted and made available to external applicants.

**4.01 Selection**

The City's policy is to hire the best candidate for any job vacancy. The best candidate is determined by the strongest match between the knowledge, skills and abilities of the individual and the work responsibilities of a position.

In order to provide consideration for a current City employee who applies for an open position to promote or transfer, an interview will be granted provided he or she is a good match of knowledge, skills and abilities for the open position

**4.02 Job Posting**

The City encourages promotion from within the organization. All openings will be posted internally via e-mail so employees may become aware of openings and apply for positions for which they are interested and qualified.

The Department Director, after consultation with the Director of Human Resources, will determine if a position will be posted internally for regular employees only, or posted both internally and externally. If posted internally only, it will be open for 5 working days; if no qualified internal candidates apply; it will then go into the regular external recruitment process.

**B. 4.03 Reference Checking**

All requests for information regarding past or present employees shall be directed to the Human Resources Department. Human Resources will then release information stating job title, length of service and eligibility for rehire. If the employee has signed a statement releasing the City from liability, additional information may be given.

**C. Prohibited 4.04 Political Activities – Code of Ethics, Appendix A**

While all employees have the right to participate in political or partisan activities of their choosing, employees are stewards of the public's trust in matters of City government. Political activity may not adversely affect the responsibilities of employees in their official duties. Because of the sensitive nature of the services in which the City is engaged, the following activities are prohibited:

**1. Use of City Resources, Property, Authority and Influence**

A. Use of City resources and property for political activity. Employees may not campaign on City time or in City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities.

B. Use of City authority or influence Employees may not use City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office. Violation of this policy

**2. Coercion**

B. Employees may not ~~D~~ directly or indirectly coercing, attempting to coerce, or commanding a state or local officer or employee to pay, lend, or

contribute anything of value to any party, committee, organization, agency, or person for political purposes.

**3. Elected Office, Commission or Board Service**

~~G.~~ Employees may not serve as an elected official of the City, a member of a City commission, or a member of a City board while an employee of the City.

**4. Conflict of Interest**

If there is a conflict of interest between an employee's elected position outside of the City and ~~his/her~~their position with the City, the employee must resign from one of the positions.

Violation of any part of this policy may be grounds for disciplinary action, up to and including termination.

**D. ~~4.05 Conflict of Interest Prohibited Personal Gain and~~ Code of Ethics, Appendix A**

The following standards are established for all City employees for conducting business within the guidelines of the Code of Ethics and providing. ~~Employees shall emphasize~~ friendly and courteous service to the public. ~~and seek to improve the quality and image of public service.~~ The Code of Ethics is located in Appendix A of this manual.

-Employees are prohibited from:

A.1. -Receiving proceeds or having any financial interest in any sale to the City of any service or property when such proceeds or financial interest was received with the prior knowledge that the City intended to purchase such property or obtain such service.

B.2. Soliciting or accepting anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City; provided, that the such prohibitions shall not apply to:

- a. Attendance at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business or where attendance is appropriate as a staff representative.
- b. An award publicly presented in recognition of public service.
- c. Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.

- d. Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the donor or any other gift that is deemed by the City Manager to be of insignificant value such that it does not present a conflict of interest.

~~C.3.~~ -Disclosing confidential information (except as provided for under public disclosure regulations), participating in the making of a contract, accepting private employment or providing private services that would be in conflict or incompatible with the performance of official duties as a City employee.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**E. 4.06—Employee Orientation**

Upon hire or appointment, the Department Director and Human Resources shall be responsible for the orientation of each employee. Orientation may include explanation of the organization and services of the City, work and safety rules, personnel manual and procedures, departmental rules and procedures, completion of payroll forms and introduction to City personnel.

**1. —4.07—Orientation Period for Initial Hire**

- A. Upon hire to a regular position, each employee will be at will while serving in go through a six-month ~~period of~~ orientation period. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 6 months at the discretion of the City Manager.
- B. The orientation period is part of the selection process and affords the employee and the City an opportunity to evaluate whether the match between the job and the employee is appropriate.
- C. -An employee may be discharged without cause or notice prior to the completion of the ~~6 month~~ orientation period. Successful completion of the orientation period means a regular employee is no longer at will; however, this should not be construed as creating a contract or as guaranteeing employment for any specific duration.
- D. This section shall not apply to specified senior management positions at will, temporary, extra help, and limited term positions at will employees.

**2. 4.08—Orientation Period for Promoted or Transferred Employees**

- A. A promoted or transferred employee shall serve a 3 month orientation period in the new position. Upon the recommendation of the Department Director and the Human Resources Director, the orientation

period may be extended up to an additional 3 months at the discretion of the City Manager.

~~B.~~ The promoted or transferred employee may be removed from the new position at any time prior to the completion of the orientation period by the Department Director giving written notice of failure to complete the orientation period. The Department Director shall consult with Human Resources before making the decision to remove an employee.

~~C.~~ If removed, the employee may return to the position from which he or she promoted or transferred by providing written notice to the Department Director for the former position. This notice must be provided within 5 days of the notice of failure to complete the orientation period.

~~D.~~ During the orientation period, the promoted or transferred employee may request to voluntarily return to the ~~to~~ former position by making a written request to the Department Director for the former position. If the position has not yet been offered to a new employee, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.

~~E.~~ This section shall not apply to at will positions.

**F. 4.09—Equal Employment Opportunity**

It is the intent of the City to provide equal employment opportunity for all employees and applicants for employment without regard to race, color, religion, gender, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law). This policy applies to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. If an employee believes that his or her rights under this provision have been violated, he or she should follow the complaint reporting and resolution process outlined in Section ~~4.11~~ Discrimination Complaint Procedure.

**G. —4.10—Prohibition of Employee Harassment**

The City expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law) which includes behavior by co-workers, supervisors, vendors, citizens, or any other individual or group with whom an employee may come in contact in the course of his/her/their job duties. Improper interference with the ability of employees to perform their jobs will not be tolerated.

With respect to sexual harassment, the City expressly prohibits the following:

~~1. A.~~ Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:

~~1.a)~~ Submission to such conduct is made either explicitly or implicitly a term or condition of employment;

Attachment A, Employee Handbook Update, Red Line

~~2.b)~~ Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or

~~3.c)~~ Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

~~B.2.~~ Offensive comments, jokes, innuendoes, and other sexually oriented statements or displays.

**4.14H. Discrimination Complaint Procedure**

Each member of management is responsible for creating and maintaining an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of all co-workers.

If an employee believes he or she has experienced any job related harassment based upon sex, race, color, religion, national origin, marital status, age, sexual orientation or disability, or believes he or she has been treated in an unlawful, discriminatory manner, the employee should promptly:

~~A.1.~~ Report the incident to his or her supervisor. The supervisor will immediately report the information to the Department Director who will consult with Human Resources and together they will determine how to investigate the matter and ensure that appropriate action is taken. Human Resources shall also report the information to the City Manager.

~~B.a)~~ If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee may bypass the supervisor and report the complaint directly to the Department Director or to Human Resources or to the City Manager. The person receiving the report shall consult with other appropriate parties, and together they will determine how to undertake an investigation and ensure appropriate action is taken.

~~C.2.~~ -The complaint will be kept confidential to the extent possible.

~~D.3.~~ If the City determines that an employee is guilty of harassing or discriminating against another employee, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.

Attachment A, Employee Handbook Update, Red Line

~~E.4.~~ The City prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.

~~F.5.~~ Any employee who makes a complaint in bad faith, who provides false information regarding a complaint or who engages in any form of retaliation will be subject to disciplinary action, up to and including termination.

**I. 4.12—Employment of Immediate Family**

~~A.1.~~ Members of the immediate family of City elected officials will not be employed by the City in any capacity.

~~B.2.~~ Members of the immediate family of employees will not be hired if:

~~a)~~ One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;

~~1.~~

~~b)~~ One individual would be responsible for financially auditing the work of the other;

~~2.~~

~~3.c)~~ One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or

~~—~~

~~4.d)~~ The member of the immediate family (~~other than a spouse~~) would be employed in the same department as the employee with the following two exceptions:

~~i.(1)~~ Extra help employees may be employed in the same department as an immediate family member if no conflict of interest exists, including those outlined ~~above~~ in ~~Section 4.12, B.1-3~~

~~ii.(2)~~ Spouses may be employed in the same department if no ~~conflict of interest exists, including those outlined above~~. ~~ne of the conflicts outlined in Section 4.12, B. 1-3 exist.~~

3. If two employees marry, enter into a domestic partnership or become related, and in the judgment of the City Manager, the problems noted above exist or could exist, one of the employees will be required to terminate employment unless some step can be taken to eliminate the problem. The decision to define and implement steps to eliminate the problem is at the sole discretion of the City Manager. A decision as to which employee will remain must be made by the two employees within 30 days of the date they marry, enter into a domestic partnership or become related. If the parties do not make a decision within 30 days, the City Manager shall make the determination.

**J. ~~4.13~~ Personnel Files**

Official personnel files are maintained by Human Resources. An employee has the right to inspect his or her personnel file at reasonable times during regular business hours. An employee wishing to see his or her personnel file should contact Human Resources. An employee has the right to have a copy of any information in his or her personnel file.

Personnel files are kept confidential to the maximum extent permitted by law.

**K. ~~4.14~~ Reporting Improper Governmental Action and Protecting Employees aAgainst Retaliation**

~~A.1.~~ It is the policy of the City to encourage reporting by City employees of ~~improper governmental action~~ and to protect City employees who have ~~reported improper governmental action~~ in accordance with City policy ~~by providing remedies for retaliation.~~

~~B.2.~~ Key Definitions:

~~4.a)~~ **Improper Governmental Action** is any action by a City officer or ~~employee~~ that is:

~~a.(1)~~ undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

~~b.(2)~~ in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and a specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

**2.b) Retaliatory Action** means (a) any adverse change in a City \_\_\_\_\_ employee's employment status, or in the terms and conditions of \_\_\_\_\_ employment including: denial of adequate staff to perform duties, \_\_\_\_\_ frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated \_\_\_\_\_ letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reductions \_\_\_\_\_ in pay, denial of promotion, suspension, dismissal, or any other \_\_\_\_\_ disciplinary action, not independently justified by factors \_\_\_\_\_ unrelated to the reporting of improper government action; or (b) hostile actions by another employee that were encouraged by a supervisor or manager.-

**3.c) Emergency** means a circumstance that if not immediately \_\_\_\_\_ changed may cause damage to persons or property.

**~~C.2.~~ Reporting Mechanism:** An employee who becomes aware of improper governmental action shall report the action to the Department Director. If the employee reasonably believes that the improper governmental action involves the Department Director, then the employee shall report the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee shall report the action to the Mayor. The person receiving the report shall notify the City Attorney. In an emergency, the employee may report the improper governmental action directly to the government agency with responsibility for investigating the improper action.

**~~D.3.~~ Investigation.-:** The person receiving the report shall confer with the City Attorney and they shall agree upon an appropriate method of investigation. The person receiving the report shall ensure that prompt action is taken to properly investigate.

**~~E.4.~~ Confidentiality.-:** The investigation should be conducted as confidentially as possible. Until the investigation is final, the identity of all employees involved shall be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

**~~F.5.~~** When the investigation is completed, the person receiving the report shall advise all employees involved in the investigation of a summary of the



results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

~~G.6.~~ If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee shall not be entitled to receive the protection against retaliation provided by this policy. Any false or frivolous claims or reporting will be subject to disciplinary action up to and including termination.

~~H.7.~~ **Protection ~~a~~Against Retaliatory Actions.** The City is prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper government action in accordance with this policy.

~~1.a)~~ An employee who believes he or she has been retaliated against ————— shall provide written notice of the charge of retaliatory action to ————— the City Manager (or to the City Attorney if the charge is against ————— the City Manager) within 30 days of the alleged retaliatory action. ————— The notice shall specify the alleged retaliatory action and the ————— relief requested.

~~2.b)~~ -The City Manager shall have 30 days to respond to the charge.

~~I.8.~~ **Appeal to the State.** Upon receipt of the City Manager's response, or after the 30 day response period, the employee may request a hearing before a state administrative law judge for the purpose of establishing that a retaliatory action occurred and to obtain appropriate relief provided by law. The employee must submit the request for a hearing to the City Manager within 15 days of delivery of the City Manager's response, or within 15 days after the response period has expired. Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).

~~J.9.~~ **Relief Granted Under The Act**

~~1.a)~~ Reinstatement, with or without pay.

~~2.b)~~ Injunctive relief necessary to return the employee to the position he or she held before the retaliatory action and to prevent the recurrence of retaliation.

~~3.c)~~ Costs and reasonable attorneys' fees.

~~4.d)~~ Penalty assessed against each individual retaliator or up to \$3,000 plus recommendation to City Manager that retaliator be suspended

or dismissed.

~~5-e)~~ State law does not provide for general economic damages or \_\_\_\_\_ damages for emotional distress.

~~K-10.~~ **List of Agencies:** The following is a partial list of agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the following:

<u>City of Shoreline</u>	<u>King County</u>	<u>State of Washington</u>
<u>City Attorney or City Manager Shoreline City Hall 17500 Midvale Ave. N. Shoreline, WA 98133 206-801-2700 Web: <a href="http://www.shorelinewa.gov">www.shorelinewa.gov</a></u>	<u>Ombudsman or Prosecuting Attorney 516 Third Ave Seattle, WA 98104  206-477-1050 or 206-296-9000 Web: <a href="http://www.kingcounty.gov">www.kingcounty.gov</a></u>	<u>Auditor's Office 302 Sid Snyder Avenue SW Olympia, WA 98504-0021 Web: <a href="http://www.sao.wa.gov">www.sao.wa.gov</a>  Human Rights Commission 711 South Capitol Way, St 402 Olympia, WA 98504-2490 Web: <a href="http://www.hum.wa.gov">www.hum.wa.gov</a>  Dept. of Ecology 3190 - 160th SE Bellevue, WA 98008-5852 Web: <a href="http://www.ecy.wa.gov">www.ecy.wa.gov</a>  Dept. of Labor &amp; Industries PO Box 44000 Olympia, WA 98504 Web: <a href="http://www.lni.gov">www.lni.gov</a></u>

**L. Outside Employment**

The City expects that it shall be the primary employer for all regular employees. Therefore, employees shall not engage in employment or render services for pay for any public or private interest (including self-employment) when such activity may:

- ~~A-a)~~ Occur during working hours;
- ~~B-b)~~ Detract from the efficiency of the employee while performing City duties;
- ~~C-c)~~ Constitute a conflict of interest or create an appearance of impropriety as determined by the City Manager;
- ~~D-d)~~ Utilize confidential information or contacts made during City employment which would give an unfair insider advantage or would otherwise be an inappropriate use or disclosure of such information or contacts;
- ~~E-e)~~ Take preference over extra duty required by City employment;
- ~~F-f)~~ Interfere with emergency callout duty;
- ~~G-g)~~ Tend to impair independence of judgment or action in performance of official duties;
- ~~H-h)~~ Involve the use of any City resources such as copiers, telephones, supplies, other equipment, or time; or

Attachment A, Employee Handbook Update, Red Line

i) Interfere in any other manner with the employee's provision of quality customer service.

2. In order to protect the interests of both the City and the employee, it is important that an employee and his or her Department Director have an opportunity to discuss any outside employment with the goal of avoiding any possible conflicts between the City and the other employment.

a) Prior to engaging in any outside employment, an employee shall provide his or her Department Director with written notice of his or her intent to engage in the outside work. If an employee is unsure as to these criteria or the effect of his or her outside employment, he/she should consult with his or her Department Director or the Human Resources Director for clarification.

(1) After receiving the employee's request, the Department Director shall consult Human Resources and if the request complies with this policy, the Director may approve the outside employment.

(2) If the Department Director, in consultation with the Human Resources Director, determines that the outside employment interferes with or reduces the efficiency of City employment, then the Director shall recommend to the City Manager that the request to engage in the employment shall be denied.

a)b) After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager shall make a decision approving or denying the request.

3. Failure to comply with these provisions concerning outside employment may be grounds for disciplinary action, up to and including termination.

**V. ~~5.00~~ GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION**

**A. ~~5.01~~ Working Hours**

1. The workweek for regular, full-time employees is 40 hours. The daily hours of work shall be set by the Department Director with respect to each department as necessary for the efficient operation of the City. Employees may be requested to work different schedules, including varying shifts, weekends, holidays and overtime to meet the needs of the City or of specific departments. Varying schedules or overtime may also be required in emergency situations as defined by the City Manager.

2. Employees may request to work flex time or to job share. Flex time and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. Flex time and job share must be approved by the Department Director, after consultation with Human Resources.

**B. ~~5.02~~ Breaks****1. ~~A.~~ Lunch and Rest Breaks:**

-All employees working an 8 hour day shall be entitled to at least a one half hour unpaid meal period within five hours of the beginning of ~~his/her~~their shift, and scheduled as close to the ~~mid-point~~midpoint of the day as possible. In addition, employees are entitled to a paid ten minute rest break for each four hours of working time. Employees who are able to take a break as needed do not have to take a formally scheduled break and it is the employees' responsibility to take these breaks. Breaks shall be arranged so as not to interfere with normal business operations. All breaks should be taken away from the employee's immediate work area. Breaks cannot be combined or saved until the end of the day in order to arrive at work late or to leave work early.

**2. ~~B.~~ Lactation Breaks**

÷For one year after her child's birth, nursing employees are allowed to take reasonable breaks to express breast milk whenever the nursing employee feels it is necessary to do so. ~~Lactation breaks will be treated as outlined under Section 5.02A.~~ A private space for this purpose ~~has been~~will be established at all City work ~~locations~~sites. If you need information on the space at your work ~~site~~location contact a supervisor or Human Resources.

**~~5.03~~ Overtime, Standby and Callback (non-exempt employees)****C. Overtime**

This section applies to non-exempt employees. ÷~~All n~~on-exempt employees will receive compensation for approved time in paid status in excess of 40 hours in a work week. Employees receiving overtime will be paid at one and one-half the regular hourly rate of pay. All overtime must be authorized in advance by the supervisor.

**D. Standby**

This section applies to non-exempt employees. ÷A department may assign an employee who may be needed to work during off-hours to be on standby. Standby assignment normally will be rotated among similarly situated employees. An employee placed on standby shall be provided with a paging device to enable the employee to conduct his or her personal business within range of the paging device. Each employee on standby will receive compensation at the currently established rate for those hours on standby, and this allowance will be suspended when callback commences. Standby is not to be counted as hours worked for purposes of computing overtime or eligibility to receive benefits. Employees on standby will be expected to report for work within an hour of a request. If an employee on standby status fails to respond to a call to return to work, he or she may be subject to disciplinary action.

**E. Callback**

This section applies to non-exempt employees. ÷~~E~~ Employees called back to work shall be paid a minimum of two hours at a rate of time and one-half. Hours worked

on callback beyond the 2 hour minimum shall be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift.

**F. 5.04—Compensatory Time (Non-Exempt Employees)**

This section applies to non-exempt employees. Limited amounts of compensatory time may be granted. An ~~non-exempt~~ employee who is in paid status more than 40 hours in a work week may earn compensatory time at one and one-half times the straight time, instead of paid overtime, when requested by the employee and approved by the employee's supervisor. Compensatory time may not accumulate beyond 40 hours, and must be used within six months of award. Compensatory time not used within six months will be paid.

**G. 5.045—Twelve Hour Shift Policy (Non-Exempt Employees)**

This section applies to non-exempt employees. From time to time the City Manager may determine the need to assign City employees to work 12-hour shifts in order to effectively respond to inclement weather, natural disasters or other similar emergency events. The provisions of this policy apply in the case where the City Manager makes a declaration assigning employees to a "City Manager designated 12-hour shift".

1. Pay to transition assigned employees into the 12-hour shift. When employees are working at the time the City Manager declares a 12-hour shift, night shift employees shall be sent home with pay to rest and prepare for the night shift. This period of pay shall cover the time between the declaration of the 12-hour shift until the end of their regularly scheduled work day. Example: An employee is at work and is scheduled to work until 4:00 pm. The employee normally takes a half hour lunch at noon. At 11:00 am the City Manager declares a 12-hour shift. The employee, assigned to the night shift, is sent home at 11:00 to rest and report to work at 9:00 pm for the night shift. The employee receives 4½ hours pay—1 hour from 11:00 to noon and 3½ hours from 12:30 pm – 4:00 pm.

A.2. Shift Differential. In recognition of the inconvenience of having to work unusual hours with very little notice and under conditions that are generally difficult due to weather or other uncomfortable conditions, employees assigned to the declared 12-hour shift shall receive an additional \$3 per hour shift differential for all hours worked beyond their normal assigned shift. When an employee is working a 12-hour shift on a day they are not normally scheduled to work, all hours worked shall be considered to be "beyond their normal assigned shift". An example of how the policy would apply: Assume the following facts:

- Both Employee A and Employee B normally work a schedule of 7:00 am – 4:00 pm (with an hour unpaid lunch break).
- Employee A is assigned to the 9:00 pm – 9:00 am night shift. For each full night shift worked, Employee A will receive 10 hours of shift differential pay from 9:00 pm until 7:00 am to compensate for hours that Employee A does not normally work. This same amount of differential

pay will apply regardless of which day of the week the work is being performed.

- Employee B is assigned to the 9:00 am – 9:00 pm day shift. For each full day shift worked, Employee B will receive 5 hours of shift differential pay from 4:00 pm until 9:00 pm to compensate for hours that Employee B does not normally work. This same amount of differential pay will apply regardless of which day of the week the work is being performed.

B.3. Pay for meal breaks. During the declared 12-hour shifts, employees shall be paid for required meal breaks.

2.4. Premium Pay for work on days when ~~the City Hall~~ is closed. In the event that the City Manager closes ~~the City Hall~~ for any period of time during any normal work day during the period of the declared 12-hour shift, any employee assigned to the 12-hour shift who works during the calendar day the City ~~Hall~~ is closed shall receive straight time “comp time” for the time that ~~the City Hall~~ is closed, in addition to their pay for their shift. For the purposes of a full day City ~~Hall~~-closure, the “time closed” shall be 8 hours.

- Example: The City experiences severe snow storms and the City Manager declares a 12-hour shift beginning on Monday and the 12-hour shifts continue through the weekend. During the work week, due to the snow, the City Manager closes ~~the City Hall~~ for the entire work day on Wednesday. In addition the City Manager closes ~~the City Hall~~ 2 hours early on Thursday to allow employees at work to drive home safely.
- Employee A is assigned to the night shift and works the night shift on both Wednesday and Thursday as scheduled. In addition to appropriate pay for the hours worked, Employee A will receive 10 hours of comp time. (8 hours for having worked on Wednesday and 2 hours for having worked on Thursday).
- Employee B is assigned to the day shift and works the day shift both Wednesday and Thursday as scheduled. In addition to appropriate pay for the hours worked, Employee B will receive 10 hours of comp time. (8 hours for having worked on Wednesday and 2 hours for having worked on Thursday).
- Employee C is assigned to the day shift and is scheduled to work both Wednesday and Thursday; however, Employee C works Wednesday but then calls in sick and does not work as scheduled Thursday. Employee C will receive 8 hours comp time. (8 hours for having worked on Wednesday but 0 hours for Thursday).

H. ~~5.05~~ Inclement Weather

1. The City is in the business of providing vital public services and therefore does not cease operations during times of inclement weather or natural disasters. The City may be the only organization providing essential services to citizens. Therefore, all employees are asked to make every

reasonable effort to report to work during such times even if it is inconvenient.

1.2. A non-exempt employee who is unable to get to work or who leaves work early because of weather or natural disaster conditions may either charge the time missed against accrued vacation leave, compensatory time, or take leave without pay for the time missed. Tardiness due to an employee's inability to report for scheduled work because of severe weather conditions may be allowed up to one hour at the beginning of the work day or at the discretion of the City Manager. Inclement weather or natural disaster tardiness in excess of that allowed by the City Manager shall be charged as provided above.

2.3. In the event that the City Manager advises employees not to report to work or to leave early due to inclement weather or natural disaster, such time off will be paid time off and not charged to accrued vacation leave or compensatory time. Non-exempt employees who are available and report to work or continue to work in this situation, if requested by the City Manager, shall either be paid time and one-half for the actual hours worked or be given compensatory time off, at another time mutually agreed upon by the employee and the supervisor.

**I. 5.06—Performance Evaluations**

1. Each regular employee's performance will be evaluated by his or her supervisor on an ongoing basis. The City also has a formal performance evaluation system.
2. Employees who disagree with their formal performance evaluations may provide comments on the evaluation form itself and may also submit a rebuttal in writing that will be attached to a copy of their performance evaluation and kept in their official personnel file. Employees may also appeal pursuant to Section 8. ~~15~~ Complaint Resolution Procedure.

**J. 5.07—Classification and Compensation Plan**

The City has a strong interest in attracting and retaining excellent employees. It is the policy of the City to maintain a comprehensive classification and compensation program. Within budget limitations, the City endeavors to pay salaries competitive with those paid within comparable jurisdictions and within the applicable labor market.

The City Manager shall be responsible for the administration of the classification and compensation plan. All changes in classifications and changes in assignment of classifications to salary ranges must be approved by the City Manager.

**1. Job Classifications.**

The Job Description and Salary Range assigned to the responsibilities of a position is the 'job classification.' A A classification description job description includes a job title and statements that define the position, including -consisting of an appropriate title, description of essential and marginal job functions and qualifications for knowledge, ability, experience

and training. The experience and training qualifications in the job description are considered to be minimum qualifications. duties, statement of minimum education, experience and training is prepared and maintained for all regular positions within the City. Salary range assignments are recommended by the ~~Each classification is assigned a salary grade and corresponding salary range by the~~ Human Resources Director to the ~~and the~~ City Manager, with input from the ~~appropriate~~ Department Director. Periodically, the City may revise its job classifications as needed or classification descriptions and re-evaluate individual jobs as part of a compensation study.

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## **2. Classification Review**

Positions sometimes evolve as a result of changed duties and responsibilities assigned by a supervisor. A classification review studies these changes to determine if a different job description and salary range assignment is appropriate. Importantly, not all changes warrant a different salary range assignment, the majority of the assigned duties must be a different type or complexity that is compensated at a different level to warrant a different salary range assignment.

### Requesting a Classification Review

A Department Director, with the approval of the City Manager, may request a classification review when planning to change the assigned duties of a position within the next calendar month.

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~~An employee who does not believe that his or her~~their classification accurately reflects the current duties of the position may request in writing a classification review if it has been more than one year since the last classification review and the majority of duties have changed. ~~of his/her classification~~

### Performing the Classification Review

The Human Resources ~~d~~Department performs the classification review and will ask the requestor for updated job information which may include the use of a job analysis questionnaire.

~~r by the Department Director.~~ After review by the Department Director and the Human Resources Director, any changes shall be recommended to the City Manager for reclassification as appropriate. The City Manager retains the final authority to approve or disapprove changes in classifications, within budgetary guidelines, and/or assignment of duties to employees. Any changes resulting from an employee request for a classification review in classification that would increase an employee's pay rate will be retroactive to the date of submittal of the request for review. In the event that a classification review results in a denial of a change in classification ~~the reclassification request, b~~ut also results in a determination the



employee was working out of class ~~during the period of the classification review~~, the employee will be awarded out of class pay. The out of class pay will be effective for the qualifying out of class work (based on 5.08 Out of Class Pay) performed between the time theon the date the employee submitted the written request for classification review and the date of the denial of the reclassification requestend on the date the out of class duties are no longer performed and will be based on Section 5, Out of Class Pay.

### **3. Steps and Increases**

~~—~~The compensation plan consists of ~~minimum and maximum salaries and~~ six salary steps which are referred to as a salary range. for each class of positions. ~~Step 1 is the minimum; Step 6 is the top.~~ The steps are set at 4% increments. ~~Each step is an annual step. Once the top step is reached, the employee remains in the top step as long as the employee remains in the position.~~

Regular employees not at the top step are eligible for advancement to the next step annually. The step increase will be effective on the step increase date. Once the top step is reached, the employee remains in the top step as long as the employee remains in that position.

~~A.~~

### **4. Starting Rates of Pay**

~~—~~New employees generally will begin their employment at ~~step~~ Step 1 of the salary range for the classification position. At the request of a Department Director, the Human Resources Director may recommend to the City Manager that a new employee start at a higher step. The City Manager must give approval prior to offering a salary above step 1. Offers will be extended by either the Human Resources Department or the Department Director.

Circumstances that support hiring above Step 1 include:

- 1.a) Additional and directly applicable education or experience above the minimum requirements;
- 2.b) Market conditions, including the applicant's current salary, that support a higher starting salary;
- 3.c) The proposed higher salary will not create inequities with existing internal salaries.

~~E. Step Increase. Regular employees not at the top step will be considered annually for advancement to the next step. The step increase will be effective on the step increase date.~~

### **5. Promotion**

~~F.~~ ~~—~~A regular employee receiving a promotion shall be placed in the first step in the new salary range that provides for at least a 5% increase or the top step of the new salary range if there is not a step that allows at least

a 5% increase. The employee's promotion date becomes the employee's step increase date.

If the Department Director believes that circumstances warrant an exception to the 5% placement rule, and if the Human Resources Director concurs, they may recommend to the City Manager a higher placement. Circumstances that support a placement greater than a 5% increase are:

- ~~1.a)~~ Additional and directly applicable education or experience above the minimum requirements;
- ~~2.b)~~ Market conditions that support a higher starting salary;
- ~~3.c)~~ The proposed higher salary will not create inequities with existing internal salaries.

**6. Transfer**

~~G.~~ —A regular employee receiving a transfer shall remain in the same step and retain the same step increase date.

**H.7. Demotion.**

~~1.~~ **Disciplinary Demotion.** If the demotion is a result of a disciplinary action, the employee shall be placed in the highest step in the new salary range that provides for a decrease. The demotion date will become the employee's new step increase date.

~~2.~~ **Any Other Demotion.** If the demotion is a result of any reason other than discipline and the employee's current salary is within the new pay salary range, the employee shall remain at the same rate of pay until the employee's next step increase date. On the step increase date, the employee shall move to the next step in the new salary range that provides for an increase. The employee shall retain the same step increase date.

If the employee's current salary is higher than the top step of the new salary range, the employee shall be placed in the top step of the new salary range.

**8. Y-Rating**

~~—~~ —When a regular employee's position has been y-rated, the employee will remain at the same rate of pay until the pay salary range increases enough to include that rate. At that time, the employee shall be placed in the first step that does not provide for a decrease. No COLA or step increase will be awarded during this period.

**9. Pay Schedule**

The City is on a bi-weekly pay schedule that provides the equivalent of 26 paydays during a standard year (52 weeks divided by two).

~~I.~~ —

~~10.~~ ~~5.08~~ **Out of Class Pay**

When a Department Director or the City Manager assigns a regular employee substantially higher paid responsibilities outside the scope of his or her job classification and the assignment exceeds ten working days, the employee shall be paid an additional 5% for the entire period of the out of class work. The assignment and the out of class pay must be in writing and approved by Human Resources prior to the Department Director making the assignment.

~~—~~ If the Department Director believes that circumstances warrant an exception to the 5% placement rule, and if the Human Resources Director concurs, they may

1. recommend to the City Manager a higher placement. Circumstances that support a placement greater than a 5% increase are:
  - ~~1.a)~~ Additional and directly applicable education or experience above the minimum requirements;
  - ~~2.b)~~ Market conditions that support a higher starting salary;
  - ~~3.c)~~ The proposed higher salary will not create inequities with existing internal salaries;
  - ~~4.d)~~ The proposed higher salary is not higher than would be awarded if the employee were promoted into the position.

**K. 5.09—Garnishment**

The City will honor and process any legally served writ of garnishment against any employee without prejudice towards the employee.

**L. ——— 5.10—Employee Training and Development**

It is the intent of the City to provide training opportunities to employees for building of skills directly related to the job. These opportunities may include in-house workshops, or workshops and seminars sponsored by other agencies or institutions.

**M. 5.11—Educational Reimbursement Program**

The City has established an educational reimbursement program to help eligible regular employees develop their skills and upgrade their performance. All full time regular employees who have completed a minimum of one year of service are eligible to participate in the program.

1. Under the program, and within budget guidelines, educational reimbursement is provided for courses offered by approved institutions of learning, such as accredited colleges, universities and secretarial and trade schools. Courses must be, in the City's opinion, directly or reasonably related to the employee's present job or consistent with the employee's performance development plan. Courses must not interfere with job responsibilities and must be taken on the employee's own time.

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2. Reimbursement covers actual costs of tuition and registration fees only and is limited to a maximum of six credits per semester or nine credits per quarter for approved courses. The employee must pass the course in order to receive reimbursement.
3. Employees eligible for reimbursement from any other source (e.g., a government sponsored program or a scholarship) may seek assistance from this program but will be reimbursed only for the difference between the amount received from the other funding source and the actual course cost up to the maximum reimbursement allowable under this policy.
4. To be eligible for reimbursement, the employee must submit a tuition reimbursement form to his or her supervisor prior to the scheduled commencement of the course(s), receive written approval from the Department Director and Human Resources in advance, be actively employed by the City at the time of course completion and pass the course. The employee should also have raised the issue of pursuing this education as part of the performance development planning discussions of the Performance Management System.
5. On completion of the course, the employee must submit to the Human Resources Department an official transcript from the school, indicating grade received and a receipt or other official proof of payment.

~~5.12 Telecommuting Policy~~

- ~~A. General Policy. Telecommuting is a management program that may be used to reduce employee commute trips, to accommodate special needs of employees, to increase employee motivation and/or productivity. The City encourages the use of telecommuting as a work option in situations where it will work to the mutual benefit of the employee, the City and the City's customers.~~
- ~~B. Purpose. The purpose of this Policy is to define the telecommuting program and the guidelines and rules under which it will operate. Situations may arise where an employee may work at home on a temporary, short term basis to accomplish a particular assignment or project. A temporary arrangement planned for less than one month duration is within management's discretion and does not require compliance with this Policy. All managers, supervisors and telecommuters should be familiar with the contents of this Policy.~~
- ~~C. Terms of Employment. Telecommuting does not change salaries, benefits, job responsibilities, sick leave, vacation leave policies or any other basic terms of employment.~~
- ~~D. Selection. Telecommuting is only feasible for those tasks within a job which are amenable to being performed away from the regular office. Selection of employees shall not be arbitrary, but shall be based on specific, written work related criteria established by management. Selection may be based upon reasonable accommodation provisions for employees with disabilities. Employee~~

participation in telecommuting is voluntary. Final selection decisions shall be within the sole discretion of the City.

—Criteria. In deciding whether to approve telecommuting arrangements for an employee, managers must consider:

1. the nature of the employee's job and
2. the employee's demonstrated performance.

a. Job Characteristics A job that is appropriate for telecommuting typically has the following characteristics:

- Face-to-face interactions can be scheduled.
- Internal and external customer needs can be satisfied from the alternate workplace
- Use of resources that must stay at the regular office can be scheduled (such as reference materials or special equipment)
- Clear objectives can be set and tasks can be clearly defined
- Work flow can be scheduled
- Certain tasks can best be completed during quiet, uninterrupted time.
- Telecommuting can occur without negatively impacting customer service or other employees' work.

b. Performance Characteristics Before allowing an employee to work at an alternate workplace, the manager should determine that the employee has demonstrated the following kinds of performance characteristics:

- Completes assignments independently and on time, meeting the manager's standards for quality
- Asks for assistance when it is needed
- Communicates effectively with supervisor, co-workers, support staff and customers
- Sets appropriate priorities, changes priorities as needed and maintains a suitable alternate workplace
- Demonstrates dependability and responsibility
- Operates, adjusts and/or repairs computer or other equipment independently, to the degree required at the alternate workplace

F. Scheduling. Telecommuters need regular contact with supervisors and co-workers and access to specialized files and/or equipment. In addition, the supervisor must take actions to prevent the telecommuter from becoming isolated from the regular office staff. Therefore, telecommuters should

~~spend the majority of their work time in the regular office, except under unusual conditions.~~

—

~~Office needs take precedence over telecommute days. A telecommuter must forgo telecommuting if needed in the office on the regularly scheduled telecommute day.~~

—

~~G. Hours of Work and Overtime. All work schedules are discretionary and require management approval. Any work schedule may be approved for an individual telecommuter as long as the work schedule is consistent with the requirements of the employee's position and agreed to by the Department Director. A telecommuter may telecommute for part of a day to avoid peak commute periods.~~

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~~Overtime and call back must be authorized by management in accordance with these personnel policies. Compensatory time off will be authorized by management in accordance with these personnel policies.~~

—

~~As with any work schedule, changes in work schedules may be made to meet management needs or to accommodate an employee's request and shall be at the discretion of the City.~~

—

~~Normal leave policies apply to any instance where the telecommuter does not perform work at the alternative workplace as scheduled.~~

—

~~Equipment and Software~~

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~~1. Voucher. At the start of telecommuting, the City will provide the telecommuter with a one time voucher to be used to purchase or to modify necessary equipment and software. The voucher is paid as reimbursement to the telecommuter for actual purchases and shall be supported by appropriate receipts. The maximum amount of the voucher shall be \$750. In order to be eligible for the voucher, the telecommuter must receive prior written approval of the purchases/modifications and the amount by the manager.~~

—

~~2. Owner. The equipment and software purchased by the telecommuter shall become the property of the telecommuter. Any expenses beyond the amount of the voucher shall be the responsibility of the telecommuter.~~

—

3. ~~Reimbursement. If the telecommuting relationship ends prior to the completion of one year, the employee shall reimburse the City the full amount of the voucher. If the telecommuting relationship ends after one year, but prior to the completion of two years, the employee shall reimburse the City one-half the amount of the voucher. After more than two years of telecommuting, the employee shall not owe the City any reimbursement upon termination of telecommuting.~~

4. ~~Network Connections. Telecommuters connecting their own personal computer equipment to City equipment must obtain advance approval and must follow instructions provided by the City. If the telecommuter makes changes to the computer that result in an incompatible or unsupported PC configuration, the telecommuting agreement may be terminated. The telecommuter must take adequate measures to protect against computer viruses, including scanning any disks for viruses prior to using.~~

5. ~~Maintenance, Repair and Replacement. In the event of equipment malfunction, the telecommuter must notify his/her supervisor immediately. The City will not provide onsite assistance at the alternative workplace, but may be able to provide troubleshooting assistance over the telephone. If repairs will take some time, the telecommuter may be asked to report to the regular office until the equipment is usable.~~

~~Repairs to telecommuter owned equipment will be the responsibility of the telecommuter. If necessary equipment is stolen or malfunctions and the telecommuter determines not to replace or repair the equipment, the telecommuting agreement shall be terminated.~~

I. ~~Confidential and Sensitive Information. As with all employees, telecommuters are expected to adhere to all laws, policies, regulations and procedures regarding security and confidentiality for the computer, its data and information and any other information handled in the course of work. Telecommuters must protect confidential information and irreplaceable documents.~~

J. ~~The Alternate Workplace Environment. Alternate workplaces must be clean and free of safety hazards. The alternate workplace must be in compliance with all building codes. The facility must be free of hazardous materials. The telecommuter is responsible for ensuring his or her alternate workplace complies with these health and safety requirements. Management may deny an employee the opportunity to~~

~~telecommute or may \_\_\_\_\_ rescind a telecommuting agreement based on safety of the \_\_\_\_\_ alternate workplace. Management may also have the alternate \_\_\_\_\_ workplace inspected for compliance with health and safety \_\_\_\_\_ requirements. Inspections will be by appointment only.~~

~~— **If a telecommuter incurs a work-related injury while telecommuting, worker's compensation law and policies apply. Telecommuters must notify their supervisors immediately and complete all necessary and/or management requested documents regarding the injury.**~~

~~— **The opportunity to participate in the telecommuting program is offered with the understanding that it is the telecommuter's responsibility to ensure a proper work environment is maintained. Telecommuting is not a substitute for dependent care and the telecommuter must make regular dependent care arrangements. Personal disruptions such as non-business telephone calls and visitors must be kept to a minimum. Failure to maintain a proper work environment, as determined by management, provides cause for an employee's immediate termination from the telecommute program.**~~

~~\_\_\_\_\_~~  
~~K. **Termination**~~

~~1. **Termination of Telecommuting Program.** Management may terminate the City's Telecommuting Program for any reason, at any time, with advance written notice to the employees.~~

~~2. **Termination of Individual Telecommuter's Participation in Program.** Because participation in telecommuting is a bilateral voluntary agreement, management may terminate an individual telecommuter's participation in the program, without cause, at any time, with advance written notice. Termination of a telecommuter's participation for cause may be immediate and does not require advance written notice. The telecommuter may also request to terminate participation, without cause, at any time. Management will make arrangements for the employee to begin working at the regular office as quickly as possible~~

~~— **Telecommuting opportunities are based upon program requirements as determined by management. Therefore, employees previously participating in a telecommuting assignment are not assured of a telecommuting assignment when returning from a leave of absence or after a job transfer.**~~



~~—Telecommuter’s Agreement and Supervisor’s Checklist. The Telecommuter’s Agreement documents the mandatory policies in effect and the results of any other agreements between the supervisor and the telecommuter. This Agreement must be signed by both parties prior to the start of telecommuting and must be reviewed and renewed at least annually to ensure that the guidelines for participating in the program are well understood. **The Supervisor’s Checklist provides a way to verify that all essential parts of the start-up of a telecommuting arrangement with an employee have been covered prior to the actual start of telecommuting.**~~

~~—Renewal of Telecommuting Agreements. Each Agreement should **be discussed and renewed at least annually, whenever there is a major job change or whenever the telecommuter or supervisor changes positions. Because telecommuting was selected as a feasible work option based on a combination of job and performance characteristics, a change in any one of these elements may require a review of the telecommuting arrangement.**~~

**N. Reasonable Accommodation**

The City of Shoreline does not discriminate against qualified individuals with a disability with regard to any aspect of employment and is committed to complying with the Americans with Disabilities Act.

The City recognizes some individuals with disabilities may require reasonable accommodations. If an employee is disabled or becomes disabled (meaning he or she has a mental or physical impairment substantially limiting one or more of the major life activities) and requires a reasonable accommodation, the employee must contact the Human Resources Department to begin the interactive process. Accommodation requests may be made orally or in writing to the Human Resources Department. Requests may be made by the employee, the employee’s supervisor or someone on behalf of the employee.

A reasonable accommodation is assistance or changes to a position or working conditions that will enable an employee with a disability to perform the essential functions of their job. The City will provide reasonable accommodation to employees with medically certified disabilities, unless doing so would pose an undue hardship.

Human Resources will meet with the employee to review the accommodation process, answer questions and provide the necessary forms which include a Medical Certification form to be completed by the employee’s physician.

If the Medical Certification does not confirm that the employee has a disability, Human Resources will seek clarification from the medical provider and the employee before rejecting the request. If the Medical Certification confirms that the employee has a disability, the employee, supervisor and human resources will meet and begin an interactive process. The interactive process will include discussing the disability, limitations, and possible reasonable accommodations

that may enable the employee to perform the functions or his or her position, make the workplace readily accessible to and usable by the employee, or otherwise allow the employee to enjoy equal benefits and privileges of employment. Following the interactive process, a decision will be made and the employee will be notified if the accommodation is approved or denied.

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**VI. 6.00 EMPLOYEE BENEFITS AND TIME OFF**

All benefits apply to regular and limited term employees and selected benefits apply to extra help employees and paid interns. These benefits contribute to total compensation. Complete descriptions of these benefits are available from Human Resources.

**A. Group Insurance**

Applies to: Regular and limited term employees.  
Employees and their dependents are generally eligible for medical, dental, vision, long term disability, life insurance, and the employee assistance program as

defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits as authorized by the City Council by resolution. Regular and limited term part-time employees and their dependents, if eligible, receive City contributions for such insurance prorated based on the ratio of their normally scheduled work week to a forty hour week.

The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, and will make reasonable attempts to give prior notice to employees of any changes.

**B. Social Security Replacement Plan**

Applies to: All employees.

All employees must participate in a Social Security Replacement Plan (401 a) and Medicare.

**C. 457 Plan**

Applies to: Regular and limited term employees.

The City provides a 457 Deferred Compensation program for eligible employees. Employees must defer funds into this plan which have been allocated for benefits by the City but are not used by the employee. In addition, an employee may make personal contributions to this plan through payroll deduction, up to the limits set by law.

**D. Retirement**

Applies to: All employees determined to be eligible by state law.

The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility. For more information, contact Human Resources or the Washington State Department of Retirement Systems.

**E. 6.01—Annual Vacation**

Applies to: Regular and limited term employees.

Regular and limited term employees accrue shall be given annual paid time off for vacation. Regular and limited term part-time employees receive prorated vacation accrual shall accrue vacation based on the ratio of their normally scheduled work week to a forty hour week. Extra help employees are not eligible for these benefits vacation benefits.

**1. Accrual Table**

Vacation for regular and limited term full time employees shall be accrued monthly as follows:

<u>Years of Employment Completed</u>	<u>Days of Vacation per Year</u>	<u>Hours Accrued per Month</u>
<u>0 – 12 Months</u>	<u>12</u>	<u>8.0</u>
<u>1</u>	<u>13</u>	<u>8.6</u>
<u>2</u>	<u>14</u>	<u>9.3</u>
<u>3</u>	<u>15</u>	<u>10.0</u>
<u>4</u>	<u>16</u>	<u>10.6</u>
<u>5</u>	<u>17</u>	<u>11.3</u>
<u>8</u>	<u>18</u>	<u>12.0</u>
<u>10</u>	<u>19</u>	<u>12.6</u>
<u>12</u>	<u>20</u>	<u>13.3</u>
<u>15</u>	<u>23</u>	<u>15.3</u>

Time \_\_\_\_\_ Days \_\_\_\_\_ Hours/month

Zero to 12 months \_\_\_\_\_ 12 days of vacation \_\_\_\_\_ 8.0 hours  
After 1 year employment \_\_\_\_\_ 13 days of vacation \_\_\_\_\_ 8.6 hours  
After 2 years employment \_\_\_\_\_ 14 days of vacation \_\_\_\_\_ 9.3 hours  
After 3 years employment \_\_\_\_\_ 15 days of vacation \_\_\_\_\_ 10.0 hours  
After 4 years employment \_\_\_\_\_ 16 days of vacation \_\_\_\_\_ 10.6 hours  
After 5 years employment \_\_\_\_\_ 17 days of vacation \_\_\_\_\_ 11.3 hours  
After 8 years employment \_\_\_\_\_ 18 days of vacation \_\_\_\_\_ 12.0 hours  
After 10 years employment \_\_\_\_\_ 19 days of vacation \_\_\_\_\_ 12.6 hours  
After 12 years employment \_\_\_\_\_ 20 days of vacation \_\_\_\_\_ 13.3 hours  
After 15 years employment \_\_\_\_\_ 23 days of vacation \_\_\_\_\_ 15.3 hours

**2. Carryover Maximum**

The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is equal to two years' accumulation.

**3. Carryover Exceptions**

Employees with a vacation balance in excess of the carryover maximum should reduce the balance to the maximum. If an employee perceives they cannot use vacation because in cases where City operations have prevented it, the employee

~~should discuss the matter with their supervisor well ahead of requesting a carryover exception. , an employee from using vacation time, tlf the employee and supervisor are unable to plan for the employee to take the time off, they may request a carryover exception. The Department Director with the approval of the City Manager may allow a carryover exception of unused accrual in excess of the carryover maximum amount specified above to be carried over. An employee will not be granted an exception two years in a row. carryover exception granted in one year will not be granted again in the next year.~~

**4. Forfeiture**

~~Unused~~ Vacation leave ~~not used in excess of the carryover maximum~~ shall be forfeited ~~at the end of the calendar year~~ unless ~~a carryover exception has been granted in conformance with the above.~~

**5. Requesting Vacation**

~~A.~~ In requesting vacation, employees should consider the City’s needs to conduct the public business and to have time to plan for vacation coverage. Managers should respect employees’ needs to take vacation. An employee’s reasonable request for vacation should be approved unless the granting of the vacation would negatively compromise the business needs of the City. In case of a conflict in scheduling vacation leave, normally the earliest request shall be given the preferred vacation choice.

~~B.~~ An exempt employee shall not have deductions taken for vacation absences of less than a full day.

Vacation for a new employee shall accrue ~~at the above rates~~ but shall not be used until after six months unless special authorization has been granted by the City Manager. The City Manager is authorized to negotiate higher accrual levels and/or starting balances of vacation with individual staff members.

~~C.~~ An employee may cash out accrued vacation one time each calendar year. To be eligible for the cash out, an employee must have used at least 80 hours of vacation since the first of the year and the maximum cash out shall be 40 hours. The amount of the cash out shall be based upon the employee’s hourly rate/salary at the time of the written request. If approved by the department director, the 80 hour minimum threshold may include vacation approved for the current calendar year, but not yet taken. In this case, the employee may receive the cash out just prior to leaving on the approved vacation. Cash out requirements for part time regular employees shall be prorated based upon the employee’s authorized FTE.

**6. Separation from Service**

In the event of separation from service for any reason other than at retirement the employee shall be paid for any accrued vacation earned and not taken. In the case of separation for any reason when the employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System the maximum cash out shall be 240 hours.

**6.02F. Management Leave**

Applies to: Exempt Regular and limited Term Employees.

On January 1st of each year, each ~~exempt~~ employee shall receive 3 days of management leave. A new exempt employee hired before July 1 shall receive all 3 days. A new exempt employee hired between July 1 and October 1 shall receive 1 day; a new exempt employee hired after October 1 shall not receive any days of management leave until the next calendar year. The leave is to be used each year; any management leave not used during the calendar year shall not be carried into the next year.

**G. 6.03—Holidays**

**1. Observed Holidays**

Applies to: Regular and limited term employees.

Employees receive paid time off for holidays. Regular and limited term part-time employees receive prorated holiday benefits based on the ratio of their normally scheduled work week to a forty hour week. The following holidays are granted to regular employees as the normal workday off with full pay:

<u>New Year's Day</u>	<u>January 1</u>
<u>Martin Luther King's Birthday</u>	<u>3<sup>rd</sup> Monday in January</u>
<u>President's Day</u>	<u>3<sup>rd</sup> Monday in February</u>
<u>Memorial Day</u>	<u>Last Monday in May</u>
<u>Independence Day</u>	<u>July 4</u>
<u>Labor Day</u>	<u>1<sup>st</sup> Monday in September</u>
<u>Veteran's Day</u>	<u>November 11</u>
<u>Thanksgiving</u>	<u>4<sup>th</sup> Thursday in November</u>
<u>Day after Thanksgiving</u>	<u>Day after Thanksgiving</u>
<u>American Heritage Day</u>	
<u>Christmas</u>	<u>December 25</u>

- ~~New Years Day~~ ————— ~~January 1st~~
- ~~Martin Luther King's Birthday~~ ————— ~~3rd Monday in January~~
- ~~President's Day~~ ————— ~~3rd Monday in February~~
- ~~Memorial Day~~ ————— ~~Last Monday in May~~
- ~~Independence Day~~ ————— ~~July 4th~~
- ~~Labor Day~~ ————— ~~1st Monday in September~~
- ~~Veteran's Day~~ ————— ~~November 11th~~
- ~~Thanksgiving~~ ————— ~~4th Thursday in November~~
- ~~Day after Thanksgiving~~ ————— ~~Day after Thanksgiving~~
- ~~Christmas~~ ————— ~~December 25th~~
- ~~Personal Day~~ ————— ~~Two (2) days~~

~~Extra help employees are not eligible for these benefits.~~

~~A. A personal day needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason, or as an extension of vacation or sick leave. Non-exempt staff may use these days as a full normal workday or as 16 hours in increments of one or more hours. Exempt staff must utilize a full day at a time.~~

~~B. Personal Days will be awarded effective January 1 of each year. An employee hired July 1 or later will receive only one personal day in that calendar year. Any personal days not used by the end of the calendar year will be forfeited.~~

If a designated holiday falls on a Saturday, the preceding Friday shall be observed and if the holiday falls on a Sunday, the following Monday shall be observed. If a designated holiday falls on any other regularly scheduled day off, ~~the holiday~~ shall be observed on the work day ~~either the~~ immediately preceding or ~~immediately~~ following the holiday work day, as determined by the City Manager.

~~C.~~ Employees must be in a paid status on the workday prior to and ~~the workday~~ following a holiday to be eligible for holiday pay.

~~D. Regular part-time employees shall observe the established holidays and be compensated for same on a pro-rata basis.~~

~~E. If an employee's religious beliefs include observance of a holiday or leave is needed to attend a religious activity of faith or conscience that is not a City holiday, the employee may, with approval of the Department Director, take the day off using a personal day, vacation, compensatory time, or leave without pay unless the leave would create an undue hardship for the City as defined in WAG 82-56-010 or a risk to public safety.~~

F. Nonexempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) shall be paid at time and a half for all hours worked. In the case that an employee works both the actual holiday and the corresponding City recognized holiday, the employee shall only receive the holiday pay for one of the days. The pay shall be for the hours worked on actual holiday, unless the employee makes a written request for pay for the City recognized holiday instead of the actual day. Example: Independence Day falls on Sunday, July 4th; the City recognized holiday is Monday, July 5th. Employee A works Sunday and receives time and a half for all hours worked. Employee B works Monday and receives time and a half for all hours worked. Employee C works both Sunday and Monday and will be paid time and a half only for the hours worked on Sunday, unless he or she makes a written request to be paid time and a half for the hours worked Monday, instead of Sunday.

## 2. Personal Days

Applies to: Regular and limited term employees

Employees receive paid time off for two (2) personal days a year. Regular and limited term part-time employees receive prorated personal day benefits based on the ratio of their normally scheduled work week to a forty hour week.

A personal day needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason. Non-exempt staff may use these days as normal workdays or in increments of one or more hours (up to the total hours of two normal work days.) Exempt staff must use a full day at a time.

Personal days will be awarded effective January 1 of each year. An employee hired July 1 or later will receive only one personal day in that calendar year. Any personal days not used by the end of the calendar year will be forfeited.

**3. Holidays for Reason of Faith or Conscience**

Applies to: All Employees

If an employee's religious beliefs include observance of a holiday or leave is needed to attend a religious activity of faith or conscience that is not a City holiday, the employee may take up to two days off per calendar year, unless the leave would create an undue hardship for the City as defined in WAC 82-56-020 or a risk to public safety. The leave requires the with approval of the Department Director. Regular employees may use , take the day off using a personal day, vacation, compensatory time, or leave without pay, extra help employees may use leave without pay. unless the leave would create an undue hardship for the City as defined in WAC 82-56-020 or a risk to public safety.

**H. 6.04 Sick Leave**

**Accrual**

Applies to: Regular and limited term employees

Regular and limited term full-time eEmployees accrue paid time off for sick leave at the rate of eight hours for each month worked. Regular and limited term part-time employees receive prorated sick leave accrual based on the ratio of their normally scheduled work week to a forty hour week. The City Manager is authorized to negotiate starting balances of sick leave with individual staff members. Extra help employees are not eligible for sick leave benefits.

**1. Purpose**

**Policy:** The purpose of sick leave is to provide an “insurance policy” of a bank of paid leave to be used in the event that an employee or immediate family member experiences an illness or disability that requires an employee to be absent from work. Employees who are ill or disabled are expected to use sick leave to recover and to not report to work when they could expose co-workers to illness. **All regular and limited term eE**mployees shall use leave to account for any sick leave related absence whether full or partial day **unless they have otherwise made up the time in the same work week.**

**Sick leave is earned and to be used under the following conditions:**



## **2. Use of Sick Leave**

### **a) Employee**

~~A. Full-time regular employees shall accrue sick leave at the rate of eight hours for each month worked. Regular part-time employees shall accrue sick leave based on a pro-rata amount to reflect their normally scheduled workweek as compared to a full-time workweek of 40 hours. Extra help employees are not eligible for these benefits.~~

Sick leave may be ~~taken~~ used when an employee is ill, injured, disabled (including a disability due to pregnancy or childbirth) or has been exposed to a contagious disease where there is a risk to the health of others, or for medical or dental examinations or treatment when such appointments cannot be scheduled outside of working hours, or when the use of a prescription drug impairs job performance or safety.

### **b) Immediate Family Members**

~~B. Sick leave may also be used to care for a member of the immediate family under these conditions.~~

~~A regular employee may use sick leave who is ill, injured or disabled. Sick leave may also be used for qualifying Family Leave provided for in the Section 6, Family Leave section.~~

### **c) Doctor's Note**

~~C. for family leave as provided in Section 6.06, Family Leave.~~

~~D. A regular employee may use sick leave when the use of a prescription drug impairs job performance or safety.~~

~~E. After three days of sick leave an employee may be asked to provide a doctor's note or other evidence of inability to work at the discretion of your the supervisor or Department Director.~~

### **d) Notification**

~~F. Each employee, or someone on his/her their behalf, should inform his/her their supervisor if unable to come to work. This notification should be done each day prior to the scheduled starting time unless on long-term leave, so arrangements can be made to cover the absence.~~

## **3. Conversion of Vacation to Sick Leave**

If an employee on approved vacation is hospitalized or experiences a similar extraordinary sick leave event, the employee may make a written request to the City Manager to convert the sick leave connected time from vacation leave to sick leave. The City Manager shall consider the facts involved and shall approve or deny the request.

## **4. Maximum Balance**

~~G. The maximum banked balance of Sick-sick leave accrual is capped at 1040 hours. Regular and limited term part-time employees maximum banked balance will be prorated based on the ratio of their normally scheduled work week to a forty hour week, or a pro-rata share for part-time employees.~~

**5. Separation from Service**

~~H.~~ Upon separation, if an employee is eligible for retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, an employee shall be paid for 10% of their accrued but unused sick leave.

**6. On-the-job injury**

~~J.~~ An employee who has an on-the-job injury and receives time loss payments from the Washington Department of Labor and Industries (L & I) may not use sick leave for the same hours for which the employee receives the time loss payment. An employee may use sick leave to supplement the time loss payment for the purpose of continuing to receive his or her normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee otherwise notifies Payroll in writing. If an employee is awarded time loss payments for a period that the employee has already used sick leave or other available leave, the employee shall submit the L & I check to Finance and “buy back” the equivalent amount of leave used. While on time loss, the employee’s salary may not exceed the employee’s normal salary when not on time loss.

**6.05I. Donated Leave**

Applies to: Regular and limited term employees.

**—Criteria.**

~~—~~A Department Director, after consulting with Human Resources, may recommend that the City Manager allow a regular employee to receive donated sick leave from another regular employee. The City Manager may approve the donated leave if he or she finds that the employee meets all of the following criteria.:

**1. Criteria**

~~1.a)~~ The employee needs leave that qualifies for sick leave, which is of an extraordinary or severe nature and that has caused, or is likely to cause, the employee to either go on leave without pay or to terminate employment; and

~~2.b)~~ The employee has depleted all of his or her available leave time; and

~~3.c)~~ The employee has abided by all applicable policies regarding sick leave use; and

~~d)~~ The employee has been found ineligible for benefits under Chapter 51.32 RCW (Worker’s Compensation as governed by state law).

~~4. Donated sick leave hours are not eligible for the cash out provisions of Section 6, Separation from Service.~~

**2. Donation**

~~B.~~ —An employee may donate up to 25 hours annually of his/her/their sick leave balance. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained. An employee may also choose to donate

accrued vacation leave. The donating employee in either case shall submit a written request to Human Resources.

**3. Value of Leave-**

~~C.~~ -Donated hours will be used on an hour for hour basis with no consideration given to the dollar value of the leave donated.

**4. Treatment of Leave Remaining**

~~—~~If more leave is donated than is used, the hours of leave that remain shall be returned to the employee(s) donating the leave on a pro rata basis.

**5. No Cash Out**

Donated sick leave hours are not eligible for the cash out provisions in the Separation from Service section.

~~D. Sick leave hours so transferred shall not be utilized for the purposes authorized in Section 6.04 I.~~

**6.06J. Family Leave under FMLA**

Applies to: All employees meeting FMLA eligibility criteria.

~~A.~~ The City complies with the Federal Family and Medical Leave Act ~~of 1993 (the FMLA - 29 U.S.C.A., 2611)~~ and all applicable state laws (~~RCW 49.78, RCW 49.12.265, WAC 296-130~~) related to family and medical leave. This policy provides detailed information concerning the terms of FMLA. State laws may have additional requirements and provide additional protections; please check with Human Resources for details.

**1. Length of Family Leave and Eligibility**

~~B.~~ ~~—~~Eligible employees may take up to 12 weeks of unpaid, family leave every 12 months for certain family and medical reasons, or up to 26 weeks of unpaid, family leave every 12 months for military family care leave. To be eligible, an employee must have worked for the City for at least 12 months and for at least 1,250 hours over the previous 12 months.

**2. Reasons for Taking Leave**

~~C.~~ ~~—~~Family leave is ~~provided~~ for any of the following reasons:

- ~~1.~~ ~~•~~ To care for an employee's child after birth or placement for adoption or foster care. Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.
- ~~2.~~ ~~•~~ To care for an employee's spouse, child or parent who has a serious health condition.
- ~~3.~~ ~~•~~ To care for a spouse, son, daughter, parent or next of kin who has a serious health condition as a result of military service ~~("military family care")~~.
- ~~•~~ For qualifying exigencies (as defined by the FMLA) when a spouse, parent, son or daughter serving in the military is on, called to, or notified of impending call to covered active duty.
- ~~•~~ If a serious health condition makes an employee unable to perform the functions of his or her job.
- ~~4.~~

### 3. Definitions

~~D.~~ For the purposes of ~~this policy~~ Family Leave, the following definitions apply:

- ~~Child:~~ ~~a)~~ A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco ~~parentis~~ parentis (in place of the parent) if the child is younger than 18; or
- ~~b)~~ A biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco ~~parentis~~ parentis if the child is 18 or older and incapable of ~~self~~ self-care because of a mental or physical disability.
- ~~2.~~ **Military Family Care:** Caring for a spouse, parent, son, daughter or next of kin with a serious injury or illness as a result of military service.
- ~~2.~~ **Parent:** A biological parent of an employee or an individual who stood in loco ~~parentis~~ parentis to that employee when the employee was a child.
- ~~4.~~ **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
  - a) ~~a.~~ hospital care: any period of incapacity or subsequent treatment connected with or consequent to inpatient care (an overnight stay) in a hospital, hospice or residential medical care facility; or
  - b) ~~b.~~ absences plus treatment: any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider within 30 days, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
  - c) ~~c.~~ pregnancy: any period of incapacity due to pregnancy or for prenatal care; or
  - d) ~~d.~~ chronic conditions requiring treatments: a chronic condition which 1) requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under the direct supervision of a health care provider; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
  - e) ~~e.~~ permanent/long term conditions requiring supervision: a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;

~~f).~~ f. multiple treatment (non-chronic conditions): any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of or on referral by, a health care provider, whether for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

~~g. 5. Incapacity~~ incapacity: ~~:-~~ inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery there from.

- Qualifying Exigency: An urgent need that arises out of the fact that a covered military member is on, called to, or notified of impending call to covered active duty status. The most common qualifying exigencies include attending military functions, making financial and legal arrangements, and arranging for child care. The Department of Labor maintains a complete list of qualifying exigencies.

#### 4. Intermittent Leave

~~E.~~ ~~:-~~ Under some circumstances, family leave may be taken in separate blocks of time or by reducing a normal weekly or daily work schedule. Family leave may be taken intermittently if medically necessary because of a serious health condition (the employee's, or that of a spouse, child or parent). If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director approval.

#### 5. Substitution of Paid Leave Before Unpaid Leave

~~F.~~ ~~:-~~ When an employee has paid leave or comp time ~~is~~ available that paid leave must be exhausted before unpaid leave is allowed as family leave. ~~Accrued sick leave must may be substituted in the circumstances where City policies allow employees to use sick leave.~~

#### 6. Advance Notice

~~G.~~ ~~:-~~ An employee shall provide advance notice of the need for family leave along with the requested dates for the leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

Notice must be provided at least 30 days in advance of the leave if the reason for the leave is birth, placement for adoption or foster care. If 30 days notice is not possible due to the employee taking physical custody of the child at an unanticipated time, notice must be given as soon as possible and at least within 5 working days of the placement. The employee shall adhere to the dates of leave requested unless the birth is premature, the mother is incapacitated by the birth and is unable to care for the child, the employee takes physical custody at an unanticipated time or the employee and Department Director agree to alter the dates. If there is a premature birth, incapacity or unanticipated placement, the

employee must give notice of revised dates as soon as possible and at least within 5 working days.

Notice must be provided at least 14 days in advance of the leave if the reason for the leave is a serious health condition and the leave is foreseeable. The employee should make reasonable efforts to schedule the leave to not unduly disrupt the City's operations. If the leave is not foreseeable, the employee or the employee's representative shall provide notice within 1 or 2 working days, except in extraordinary circumstances.

**7. Medical Certification**

~~H.~~ –The City requires the provision of a medical certification to support a request for leave because of a qualifying event whenever the leave is expected to extend beyond three consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option, ~~at City~~and expense.

The City may require all employees on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave, ~~dependant~~ dependent on the circumstance as it relates to the employees duties.

**8. Periodic Reporting**

~~I.~~ –If an employee takes leave for more than two weeks, the City may require the employee to periodically report on his or her status and intent to return to work.

**9. Health Insurance**

~~J.~~ –During an FMLA of absence, while an employee is in an unpaid status and unable to pay their portion of contributions for health insurance, the City will pay the City's portion and the employee's portion of the cost as governed by FMLA regulations. ~~Therefore, E~~employees covered by the City's group health plan (medical, dental or vision) will continue to receive ~~paid~~ health insurance during family leave on the same basis as during regular employment. An employee will be required to pay back the employee portion of cost paid by the City through a repayment plan regardless of whether the employee returns to work or does not. Employees that do not return to work after the leave will be required to pay back both the employee and the City ~~the~~ portion of the insurance premiums ~~paid by the City~~ unless failure to return to work was beyond the employee's control as governed by FMLA regulations.

**10. Other Insurance**

~~K.~~ –For employees covered by other insurance plans through the City, those coverages will continue during paid leave on the same basis as during regular employment. For any period of unpaid leave, the employee wishing the insurance to continue must pay for the coverage on a monthly basis prior to the month of coverage. Check with Human Resources for current information and costs for coverages.

**11. Couples Employed by ~~The~~ the City**

~~L.~~ ÷ If employees married to each other request leave for the birth, adoption or foster care placement of a child, the total family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time. If the leave requested is due to a serious health condition (the employee's or that of the child, spouse or parent), each employee is independently entitled to 12 weeks.

**12. Determining Leave Availability**

~~M.~~ ÷ Family leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the 12-month period is a rolling 12-months measured from the first date any family leave is used. The employee is required to notify the City if any leave qualifies as family leave. All leave qualifying for family leave shall be designated and tracked as family leave upon the request of the employee.

**13. Special Rule for Leave Related to Pregnancy**

~~N.~~ — Leave taken for the disability phase of pregnancy or childbirth when physically unable to work, is counted against the 12-week FMLA family leave allowance. In some cases, state law may entitle the disabled employee to leave beyond the standard 12-week period. Human Resources can provide information concerning the state law and its applicability.

**14. Return Rights ~~After~~ after Family Leave**

~~O.~~ ÷ When an employee returns to work after family leave:

1. the City shall place the employee in the same position ~~the~~ employee held when the leave began or in another City position with equivalent benefits and pay;
2. the return is subject to bona fide changes in compensation or work duties;
3. the employee does not have return rights if:
  - a) the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or
  - b) the employee takes another job; or
  - c) the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

**K. Supplemental Paid Family Leave**

Applies to: Regular employees

Supplemental Paid Family Leave provides employees an increased ability to attend to family matters by supplementing an employee's accrued paid leaves. The employee will receive the equivalent of his or her full pay for up to a total of twelve weeks, when combined with the employee's accrued leave (except for two weeks of their accrued leave), to pay for a qualified family leave. Refer to Section VI Benefits, Family Leave under FMLA or Victims of Domestic Violence leave to learn what constitutes a qualifying event.

**1. Eligibility**

Supplemental Paid Family Leave is available to all regular employees who have:

- Worked for the City continuously for at least 12 months and for at least 1,250 hours over the previous 12 months; and

- Have a qualifying event under FMLA or under the Victims of Domestic Violence policy; and
- Lack enough accrued leave to maintain a balance of two weeks and to pay for a leave of absence of up to 12 weeks.

## **2. Benefit Amount**

An employee's Supplemental Paid Family leave benefit is calculated when an employee's accrued leave balances are down to two weeks or less. Accrued leave balances for purposes of this policy include sick leave, vacation, personal holiday, compensatory time and management leave. Employees may choose which type of leave they use first but are encouraged to use any personal holidays, management leave or compensatory time first because those leaves expire at the end of the year.

The employee will receive the equivalent of their full salary for up to a total of twelve weeks, when combined with the employee's accrued leave (except for two weeks of their accrued leave). Regular part time employees will receive this benefit on a pro-rata basis relative to their normal work week. The following is an example:

*An employee has a qualifying event for a twelve week family leave of absence. At the time of the qualifying event, the employee has five weeks of accrued leave and will accrue an additional 1.2 weeks (6 days) of vacation and sick leave during the leave of absence. With the five weeks of accrued leave on the books at the time of the qualifying event and with the additional 1.2 weeks of accrual, the employee will have a total of 6.2 weeks of accrued leave. In this example, the following would happen:*

*4.2 weeks of the employee's accrued leave would be applied towards the twelve weeks of Paid Family Leave.*

*Then, when the employee's balance of accrued leave is down to two weeks, the City would provide the employee with 5.8 weeks of Supplemental Paid Family Leave, so that the employee's twelve week family leave may be a fully paid leave.*

If the qualifying event is the birth, adoption or foster care placement of a child and both parents work for the City and meet the eligibility requirements, the total Supplemental Paid Family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time.

The employee must use all but two weeks of their accrued leave before using Supplemental Paid Family leave.

Supplemental Paid Family Leave may not be cashed out under any circumstance.

## **3. Benefit Period, Frequency, and Concurrency**

Supplemental Paid Family Leave must begin and be completed within twelve months of the qualifying event.



An employee may use Supplemental Paid Family Leave on an intermittent or part-time basis, as long as it is consistent with the department's operational needs, and is approved in writing by the employee's director prior to the leave.

Supplemental Paid Family Leave will run concurrently with the City's family and medical leave, and federal and state family and medical leave laws, to the fullest extent permitted by law. Supplemental Paid Family Leave is limited to a maximum of 12 weeks every three years and is calculated on a rolling thirty six month period.

#### **4. Job Protection and Health Benefits**

Supplemental Paid Family Leave is protected leave. Barring required budget cuts or layoffs, an employee's job cannot be eliminated while the employee is on Supplemental Paid Family leave. Further, no retaliatory action may be taken against an employee for participating or planning to participate in the program.

The employee will continue to receive health benefits according to the underwriting rules of the relevant health plans and shall continue to accrue vacation and sick leave according to City policy during the period of Supplemental Paid Family Leave.

#### **5. Procedure for Requesting Supplemental Paid Family Leave**

- a) Provide notice – Unless a leave is unexpected, at least thirty days' notice must be given to the Human Resources department and the Immediate Supervisor. In the case when the need for leave is not foreseeable, employees must provide notice as soon as possible.
- b) Discuss your anticipated leave duration and schedule with the Human Resources department and your Immediate Supervisor. If you plan to take intermittent or part-time leave, this must be approved in writing prior to the leave.
- c) Complete the Supplemental Paid Family Leave Request Form.
- d) Submit the Supplemental Paid Family Leave Request Form along with the completed paperwork to request an FMLA leave; or along with your request for a leave under the Victims of Domestic Violence policy.

#### **6. Time Recording**

Record your time using the time card codes provided by Payroll.

#### **L. Spousal Military Deployment Leave under Washington State Law**

Applies to: All employees

An employee who works an average of twenty or more hours a week and who is a spouse of a military service member may take up to fifteen days of unpaid leave while the military service members is on leave from deployment, or before and up to deployment, during times of military conflict declared by the President or Congress. An employee must provide Human Resources with notice of their intent to take leave within five business days of receiving official notice of leave from deployment or of an impending call to duty. Leave will run concurrently with FMLA leaves for deployment of a family member.

**M. 6.07—Medical Leave of Absence (non FMLA)**

Applies to: Regular and limited term employees.

In addition to or in lieu of family leave, an unpaid leave of absence of up to six months may be granted in the case of an employee's disability when approved by the City Manager and when the leave will not adversely impact City operations. The request must be supported by a physician's certificate of necessity and reasonable expectation of a timely return to duty. Prior to application for a non-FMLA medical leave of absence, an employee's accrued sick leave, vacation leave, compensatory time, management leave and personal days must be exhausted.

**N. Leave of Absence Without Pay**

Applies to: Regular and limited term employees

Leave without pay is a temporary nonpaid status and absence from duty that occurs when an employee doesn't have enough, or does not qualify to use, paid time off for the absence. All paid leave banks must be exhausted prior to authorizing unpaid leave except when the reason for the leave does not qualify for paid sick leave or the leave is otherwise covered by Leave for Active Duty Military Service.

Leave without pay for an illness not covered by FMLA requires the Department Director approval. If such an absence exceeds three consecutive work days, the absence requires notification to the Human Resources Director and approval by the City Manager.

The City Manager may approve leave without pay for other personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit. To request a leave of absence without pay for personal reasons, the employee shall submit a written request to the Department Director that states the reason for and the proposed length of the leave. If the Department Director approves of the leave, the Director will forward the request to the City Manager for consideration and provide a copy to the Human Resources Director. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave and a copy will be filed with Human Resources and payroll.

**O. ~~6.08~~—Continuation of Benefits**

Applies to: Regular and limited term employees.

Employees on any paid leave shall continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits. Employees in unpaid status shall not be entitled to and shall not accrue any of the benefits of the City, except as provided under family leave, FMLA.—

**P. 6.09—Bereavement Leave**

Applies to: Regular and limited term employees

Full-time regular and limited term employees may be granted up to three days of paid leave to make arrangements for or to attend the funeral of, or memorial

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service for, a member of their immediate family. If more than three days leave is necessary, earned vacation, sick leave, personal days, management leave or compensatory time may also be used.

If while on approved vacation an employee has a death in his or her immediate family requiring the employee to engage in activities typically covered by bereavement leave, the employee may make a written request to the City Manager to convert the bereavement leave connected time from vacation leave to bereavement leave. The City Manager shall consider the facts involved and shall approve or deny the request.

~~Part-time regular employees shall be entitled to a pro-rata share of bereavement leave, based upon their regular scheduled work hours.~~ Regular and limited term part time employees will receive bereavement leave prorated based on the ratio of their normally scheduled work week to a forty hour week.

**Q. 6.10—Court and Jury Duty Leave**

Applies to: Regular and limited term employees

Employees called to jury duty are strongly encouraged to fulfill their legal and civic responsibility. A regular or limited term employee will be granted leave at his/her/their regular rate of pay. Days during the period of summons when reporting to the court is not required are not covered by this leave.

During the regular work shift, an employee must report to work when not required to be in court. If the court pays the employee for the jury service, that payment must be turned in to the City. An employee is permitted to retain any mileage reimbursement received from the court.

An employee must inform his/her/their supervisor as soon as a summons is received, and on a daily basis as to court schedule.

Employees who have been subpoenaed for a job related matter shall be compensated as for any other working time.

**R. 6.11—Military Leave****1. ~~(Military Training)~~**

Applies to: Regular and limited term employees

Any ~~regular~~ employee may take up to twenty one work days per year for active duty training if he/she is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or Marine Corps Reserves of the United States. This leave is in addition to regular vacation leave. For purposes of this section, “year” shall mean from October 1 to September 30.

An employee will continue to receive his or her normal pay during such active duty training, provided a written copy of the orders is submitted to the supervisor prior to leave and a written copy of the release is submitted upon return. If the active duty exceeds fifteen working days, the employee will be required to take the excess time first as compensatory time, vacation, and then leave without pay.

**2. ~~6.12—Leave for Active Duty Military Service~~**

Applies to: Regular employees

~~Regular e~~Employees who are called to, or volunteer for active duty military service will be placed on an indefinite unpaid leave of absence for the entire time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may, at his or her option, use any or all accrued vacation leave or comp time prior to moving to the unpaid status. Any unused leave accruals remaining at the time the unpaid leave begins will be held until return to active employment with the City. Vacation and sick leave will not accrue during the time of the unpaid leave. The employee may choose to continue dependent medical coverage under the City’s health plans to the extent allowed under the underwriting rules of those plans. While the employee is in an unpaid status and unable to pay their portion of contributions for dependent health insurance, the City will pay the City’s portion and the employee’s portion of the

cost. An employee will be required to pay back the employee portion of cost paid by the City through a repayment plan upon their return from active duty leave of absence. have the City continue to pay for the cost of dependent medical coverage; a~~n~~ employee choosing to do so needs to contact Human Resources to arrange the coverage and the payment plan prior to leaving for active duty.

Reinstatement following active duty will be in compliance with state and federal laws at the time of the return to work.

### ~~6.13 Leave of Absence Without Pay~~

- ~~Leave without pay is a temporary nonpaid status and absence from duty that occurs when an employee doesn't have enough, or does not qualify to use, paid time off for the absence. All paid leave banks must be exhausted prior to authorizing unpaid leave except when the reason for the leave does not qualify for paid sick leave.~~
- ~~Leave without pay for an illness not covered by FMLA requires the Department Director approval. If such an absence exceeds three consecutive work days, the absence requires notification to the Human Resources Director and approval by the City Manager.~~
- ~~The City Manager may approve leave without pay for other personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit; or fulfilling a lengthy military obligation. To request a leave of absence without pay for personal reasons, the employee shall submit a written request to the Department Director that states the reason for and the proposed length of the leave. If the Department Director approves of the leave, the Director will forward the request to the City Manager for consideration and provide a copy to the Human Resources Director. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave and a copy will be filed with Human Resources and payroll.~~
- ~~The City Manager may grant regular employees a leave of absence without pay for an absence not covered by religious leave (6.03(F)), family leave (6.06(F)) or medical leave of absence (6.07) if all leave balances are exhausted. Examples of situations for which leave without pay may be granted include personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit; or fulfilling a lengthy military obligation.~~
- ~~To request a leave of absence without pay under this section, the employee shall submit a written request to the City Manager. The request shall state the reason for and the proposed length of the leave. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave.~~

~~6.14 Spousal Military Deployment Leave~~

~~An employee who works an average of twenty or more hours a week and who is a spouse of a military service member may take up to fifteen days of unpaid leave while the military service members is on leave from deployment, or before and up to deployment, during times of military conflict declared by the President or Congress. An employee must provide Human Resources with notice of his/her/their intent to take leave within five business days of receiving official notice of leave from deployment or of an impending call to duty.~~

**S. 6.15 Leave for Victims of Domestic Violence Leave and tTheir Family Members**

Applies to: All employees

Employees who are victims of domestic violence, sexual assault, or stalking may take reasonable unpaid leave from work to take care of legal or law enforcement needs or to get medical treatment, social services assistance, or mental health counseling. Employees who are qualifying family members of a domestic violence victim are also eligible for leave under this policy.

While leave is unpaid, regular employees may elect to use paid sick, vacation or other accrued paid time off while on leave.

Employees must give as much advance notice of the need for leave under this policy as is possible. Leave requests must be supported with one or more of the following:

- A police report indicating the employee or employee's family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, or attorney.
- An employee's written statement that the employee or employee's family member is a victim and needs assistance.

For purposes of this section only, family member means child, spouse, parent, parent-in-law, grandparent or person the employee is dating. The City may request verification of family relationship.

~~6.16 Exigency Leave~~

~~An eligible employee may take up to a total of 12 workweeks of unpaid leave during the normal 12-month period for FMLA leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. Qualifying exigency leave is available to a family member of a military member in the National Guard, Reserves and the Regular Armed Forces. Qualifying exigency leave may be taken intermittently or on a reduced leave schedule.~~

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~~— **7.00 HEALTH AND WELFARE BENEFITS**~~

~~All number of benefits are provided apply to regular and limited term regular employees and selected benefits apply to Extra Help employees and paid Interns. These benefits that contribute to total compensation. Complete descriptions of these benefits are available from Human Resources. These benefits that you may receive are as follows:~~

~~— **7.01 Social Security Replacement Plan**~~

~~Applies to: All employees.~~

~~All regular employees must participate in a Social Security Replacement Plan (401 a) and Medicare. Extra help employees and interns are also covered by this program.~~

~~— **7.02 Group Insurance**~~

~~Applies to: Regular and limited term employees who are full or part time. Regular and limited term employees and their dependents are generally eligible for medical, dental, vision, long term disability, and life insurance, and the employee assistance program as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits. Regular and limited term Ppart-time regular employees and their dependents, if eligible, receive City contributions for such insurance on a pro-rata basis. Extra help employees and interns are not eligible for these benefits prorated based on the ratio of their normally scheduled work week to a forty hour week.~~

~~The City provides an employee assistance program (EAP) for its employees. The program is provided as part of the group medical coverage.~~

~~The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, and will make reasonable attempts to give prior notice to employees of any changes.~~

~~7.03 Retirement~~

~~Applies to: All employees determined to be eligible by state law. The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility. For more information, contact Human Resources or the Washington State Department of Retirement Systems.~~

~~7.04 457 Plan~~

~~Applies to: Regular and limited term employees who are full or part time. The City provides a 457 Deferred Compensation program for eligible regular and limited term employees. Employees must defer funds into this plan which have been allocated for benefits by the City but are not used by the employee. In addition, an employee may make personal contributions to this plan through payroll deduction, up to the limits set by law. Extra help employees and interns are not eligible for this benefit.~~

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**VII. 8.00 STANDARDS OF EMPLOYEE CONDUCT**

~~8.01 General Policy~~

The City expects all employees to strive for excellence, to exhibit the City Values in their work, to accomplish organizational and individual performance goals and to provide superior customer service.

**A. 8.02 Personal Appearance and Demeanor**

Employees are expected to dress in attire appropriate to their job tasks and to behave in a professional, businesslike manner at all times.

Employees failing to adhere to City standards with respect to appearance and demeanor are subject to disciplinary action, up to and including termination.

**B. 8.03 Absenteeism and Tardiness**

Employees are expected to report for work promptly and maintain good attendance. The supervisor must be advised of absence or late arrival prior to the beginning of the shift. Absenteeism or tardiness that is unexcused may be grounds for disciplinary action, up to and including termination.



**C. ~~8.04~~ — Solicitations and Distribution of Literature**

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or post materials, sell merchandise, solicit financial contributions or otherwise solicit for any cause during working hours. Employees who are not on working time (for example on lunchtime or break) may not solicit employees who are on working time. An employee (including any employee with management responsibility) shall not directly solicit any employee he or she supervises or otherwise exercises some element of control over. All employees shall recognize that any employee has the right to say “no” to any solicitation.

E-mail shall not be used to solicit employees for any purpose.

Employees may utilize such things as an ~~the~~-employee newsletter or the employee lunch room bulletin board if approved by the City Manager’s Office for personal messages of this nature. Violation of this policy may be grounds for disciplinary action, up to and including termination.

~~Non-Non~~-employees are prohibited from distributing material or soliciting employees on City premises at any time.

**D. ~~8.05~~ — Drug-Free Workplace**

~~A.~~ It is the policy of the City to maintain a drug-free workplace. ~~in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988, other state and federal regulations and in keeping with the City’s own standards.~~ Actions in violation of this policy are inconsistent with the behavior expected of employees, subject all employees and visitors to our facilities to unacceptable safety risks and undermine the City’s ability to operate effectively and efficiently.

~~1.~~  
~~A-2.~~ The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that in the opinion of the City, it impairs an employee’s ability to perform on the job or threatens the reputation or integrity of the City.

Therefore:

~~1.a)~~ When employees are on the job, they are expected to be physically free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee shall not consume any alcohol during lunch or any other break occurring prior to the end of that employee’s work day. Workday in this context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be “fit for work”.

~~2.b)~~ Use or possession of prescription or non-prescription medication is not prohibited when taken in accord with prescription or

standard dosage recommendations. However, employees shall notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing his or her job safely and effectively. The employee and supervisor shall work together to determine the employee's fitness for duty or to establish a light duty assignment if available and appropriate. If no agreement is reached, the fitness for duty determination shall be made by the Department Director, after consulting Human Resources.

~~3.c)~~ An employee convicted of a controlled substance-related violation must inform the City within five days of such conviction.

~~4.d)~~ Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.

~~5.e)~~ Employees may be required to submit to alcohol, drug or controlled substance testing when: an employee's work performance causes reasonable suspicion that the employee is impaired due to current intoxication, drug or controlled substance use; testing is required prior to appointment to a position; as a result of a job related accident when reasonable cause exists or if required by the Department of Transportation; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used in an employer action with regard to the employee.

~~6.f)~~ Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances. The City has an employee assistance referral center to assist employees in dealing with personal problems. Details are available from the Human Resources Department.

~~3. C.~~ In addition to previous sections, ~~A and B~~ candidates applying for positions which require a valid Commercial ~~Drivers~~Driver's License (CDL)

will be subject to passing a pre-employment drug screening. All City employees in positions requiring a CDL must comply with the City's Drug and Alcohol Policy and Procedures Manual.

**E. ~~8.06~~ Safety**

The City is committed to providing a safe and healthful working environment. The City makes every effort to comply with applicable federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies and programs conducive to such an environment. Safety policy is contained in the Accident Prevention and Safety Manual.

**F. ~~8.07~~ Weapons Policy**

No employee is authorized to carry a weapon, concealed or not, on City premises, in City vehicles, or while representing the City. An employee carrying a weapon in violation of this policy is subject to disciplinary action, up to and including termination.

**G. ~~8.08~~ Workplace Violence**

~~The City is concerned about the increased violence in society, which has filtered into many workplaces throughout the United States.~~ It is the policy of the City to have zero tolerance of any acts or threats of violence by any employee in or about City facilities or elsewhere at any time. The City will not condone any acts or threats of violence against employees, customers or visitors in or about City premises at any time or while they are engaged in business with or on behalf of the City off City premises.

~~In keeping with the spirit and intent of this policy and t~~ To ensure City objectives ~~in this regard~~ are attained, the City is committed to the following:

- ~~A.1.~~ To provide a safe and healthful work environment, in accordance with the City safety policy.
- ~~B.2.~~ To take prompt remedial action up to and including immediate termination against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive or threatening language or gestures.
- ~~C.3.~~ To take appropriate action when dealing with customers or other visitors to City facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- ~~D.4.~~ To prohibit employees from bringing unauthorized firearms or other weapons onto City premises.

In furtherance of this policy, employees have a "duty to warn" their supervisors, managers or Human Resources of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve themselves or other employees, customers or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum

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possible extent. The City will not condone any form of retaliation against any employee for making a report under this policy.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**H. 8.09—Tobacco and Vaping Free Policy Workplace**

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, use of all tobacco products, including smoking and smokeless tobacco, and vapor products is prohibited at all City work sites locations and property, and in City owned vehicles. Smoking and vaping is prohibited within 25 feet of all building entrances, windows that open and ventilation intakes. Violation of this policy may be grounds for disciplinary action, up to and including termination.

**I. ——— 8.10—General Conduct**

Employees are expected to conduct themselves in an appropriate, professional manner. Examples of behavior that are inappropriate include, but are not limited to:

- A.1. Insubordination (as defined in Section 3.17);
- B.2. Theft or other criminal activity;
- C.3. General dishonesty including falsifying employment or other City records;
- D.4. Failing to maintain confidentiality of City information;
- E.5. Unwillingness or inability to maintain an acceptable level of work performance.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**J. 8.11—Searches of Property**

Employees should be aware that all offices, desks, files, lockers and vehicles are the property of City and are issued for the use of employees only during their employment with the City. It may be necessary to conduct searches of employee personal property in City facilities or vehicles. In addition, the City reserves the right to search any employee’s office, desk, files, locker or any other area or article on City premises. Searches may be conducted at any time without advance notice. Searches must be conducted by and authorized by the City Manager. Where reasonable, the search will conducted by more than one person.

Employees may not use a personal lock on City property or lockers, unless authorized and only if a copy of the key or combination is retained by the City.

Violation of this policy may be grounds for disciplinary action, up to and including termination.

**8.12—Telephone, E-Mail, Voice Mail and Other Communication Systems on City Equipment and Personal Equipment**

**——— A. City Equipment**

~~— **City Equipment**~~

~~Computers, electronic mail, telephones, mobile computing devices (tablets/smartphones), voice mail, facsimile machines, copy machines and other information related City equipment are provided to employees to be used for City business purposes and may be accessed by other City staff. Supervisors are responsible for regular monitoring of phone call identification logs to enforce this policy and message or file monitoring by the City may occur with prior permission of the City Manager or for purposes of public records production.~~

~~Employees are not to attempt to gain access to another employee's computer file, e-mail messages or voice mail messages without that employee's permission.~~

~~Employees shall not negligently or willfully damage City equipment nor engage in unauthorized use including use that is disruptive or offensive to others, supports any profit-making business or outside employment, solicits contributions for any cause or advocates for or against any ballot measure or candidate.~~

~~For the convenience of the employee, it is permissible to place or receive occasional personal calls or e-mail not excluded above, but such use should be minimized. Long distance calls and cellular calls must be accounted for on a regular basis, with reimbursement provided to the City for personal use outside the following exceptions:~~

- ~~◆ De\_minimis activity not to exceed \$2.00 per billing cycle~~
- ~~◆ Placing calls to notify family of emergencies or unexpected changes in a work schedule.~~

~~Employees shall not place or receive text messages on City cellular phones. This includes both City business-related text messages and personal text messages.~~

~~Employees shall not download applications that serve no official City function or purpose on City mobile computing devices. This includes, but is not limited to, games, documents, mobile services, entertainment/recreational applications, etc. If a mobile application is to be used in the course of official City business, the employee shall receive approval from their Department Director and the Information Technology (IT) Division Manager prior to downloading the application on a City device. If there is a cost for the application, the employee must also receive approval from their Department Director for the cost expenditure and the cost must be paid using funds from the employee's Department. All applications used in the course of official City business that are downloaded on City devices are the property of the City and must always be accessible.~~

~~— **B. Public Disclosure of Records Located on City Equipment/Accounts and Personal Equipment/Accounts**~~

~~As a public agency, all City business records, even if located on personal equipment, are public records and can be protected from disclosure only if a specific exemption in the Public Records Act exempts the record from disclosure. As a result, e-mails and text messages, phone and text messaging logs, and all other documents related to City business located either on City equipment or on personal equipment or personal accounts are subject to public disclosure, if requested. Employees should not expect any right to privacy in the public records located on their City equipment or on their personal equipment.~~

~~Entirely personal records located on City equipment or on personal equipment are not considered public records and are not subject to disclosure.~~

~~No text messaging for City business is allowed. No City funds may be used to purchase City approved applications on personal mobile computing devices. Personal phones and personal computers may only be used for City business under the following circumstances:~~

- ~~1. The phone call is made to a City phone; or~~
- ~~2. The document or email is saved on the City's server.~~

~~An employee may be approved by their Department Director to use a personal cell phone for City business under circumstances other than those designated above that will assure record retention and production in compliance with the Public Records Act including:~~

- ~~• The employee shall be responsible for retaining phone records associated with personal phones that reflect City business communications for a minimum of one year from the date the call is made or received.~~
- ~~• In the event of a public records request for City-related records located on an employee's personal equipment or personal account, employees must cooperate with the City and produce those records for disclosure.~~

~~Records that mix both City business and personal business are considered public records and are subject to disclosure in their entirety. The Public Records Act does not allow redaction of personal information within a public record.~~

~~No City business may be conducted on private social media (tweets, blogs, web posts). City business may be conducted on a City-sponsored social media.~~

~~Violation of this policy may be grounds for disciplinary action, up to and including termination.~~

**K. 8.13—Corrective Action Procedure**

**1. Progressive Discipline**

In taking disciplinary action, managers and supervisors may use a variety of measures. Where appropriate, managers and supervisors will follow a program of progressive discipline designed to give the employee the opportunity to correct behavior before it becomes a serious problem. Supervisors and managers also have the responsibility to provide behaviorally-specific feedback, either orally or in writing as appropriate, to employees to enable them to ~~who~~ make improvements in their performance or correct the behavior that was a problem.

Please note that any or all of the steps outlined below or other appropriate measures may be utilized, depending upon individual circumstances and the nature of the offense. Serious discipline, including immediate termination may occur even on the first offense, in some circumstances, depending on the severity of the situation.

The degree of corrective action depends on the severity of the situation. It is the responsibility of the supervisor to objectively evaluate the circumstances and facts involved and to consult with the Human Resources Director before beginning such action.

The City may use administrative leave with pay while conducting an investigation into an alleged wrongdoing. This leave may be used when it is necessary to remove the employee from the work place pending the outcome of the investigation.

The following are examples of a pattern of progressive discipline

**a) Step One: Verbal Warning**

∴ This step is used for relatively minor offenses and problems. The supervisor verbally discusses the concerns with the employee and lets the employee know the nature of the problem. Written documentation of the verbal warning shall be placed in the employee's personnel file.

**b) Step Two: Written Warning**

∴ This step is used for a repeated offense where the discipline in Step 1 has failed to correct the problem or behavior, or for more serious problems that initially require stronger action. Under this step, a written warning is given to the employee and put in the employee's personnel file documenting the problem.

**c) Step Three: Suspension**

∴ This step is used for repeated offenses where Steps 1 and 2 have failed to correct the problem or behavior, or for more serious problems that initially require stronger corrective action than the above steps. An employee is sent home without pay for a specified period of time. For an exempt employee, unpaid suspensions shall be in increments of workweeks. An exempt employee may also be given a period of time off with pay to make a personal decision as to whether to change behavior and continue employment with the City. Prior to a decision to suspend an employee, a pre-disciplinary hearing must be held.

**d) Step Four: Termination**

∴ This step is to be used for instances where an employee has failed to correct ~~his/her~~their behavior after previous discipline or if there is a serious violation of City standards of conduct where immediate termination is warranted.

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion. Prior to a decision to terminate an employee, a pre-disciplinary hearing must be held.

**2. 8.14 — Pre-Disciplinary Hearing.**

~~A.~~ This section does not apply to at will employees or to employees who have not completed their initial orientation period.

~~B.~~ When considering ~~discipline termination or other discipline~~ that would deprive an employee of pay, such as a step 3three suspension or step four termination, the City will conduct a pre-disciplinary hearing. The hearing serves as a check against a mistaken decision and as an opportunity for an employee to furnish reasons why he or she should not be disciplined before the decision is finalized.

**a) Notice to the Employee**

~~B.~~ The employee shall be provided with a notice of the pre-disciplinary hearing.

The notice shall include an explanation of the charges on which the potential discipline is based, and the time and date for the hearing.

**b) At the Hearing**

~~C.~~ The hearing will be presided over by the Department Director or a designated representative. The hearings are intended to be informal. The employee will be given an opportunity to explain why the serious discipline should not be taken. The employee may bring one person to the hearing as a representative. If the employee fails or refuses to appear, the Department Director shall determine the discipline without the employee's input.



**c) After the Hearing**

~~D.~~ After the hearing, the Department Director will consider the information provided and will consult with the Human Resources Director. As soon as possible, the director will issue the decision. A longer review period may be required in more complex situations, and the employee will be so informed.

**L. 8.15—Complaint Resolution Procedure****1. Resolving Conflict Informally**

It is natural to have misunderstandings and conflict in organizations. The purpose of this procedure is to provide a method for the resolution of such matters in a positive and constructive manner and to give employees a means of airing complaints regarding their employment. Employees and supervisors are encouraged to resolve the causes of conflict or disputes between themselves informally whenever possible.

**2. Resolving Conflict Formally**

~~When informal resolution if such efforts fails,~~ an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination shall occur because of the filing of a bona fide complaint under this procedure. The procedure should not, however, be construed as preventing, limiting, or delaying the City from taking disciplinary action against any employee up to and including termination where disciplinary action is deemed appropriate.

An employee who has been involuntarily separated from employment with the City has the right to participate in this process pursuant to the terms outlined below. Any complaint by a terminated employee must begin with step 3.

**a) Complaint Definition**

~~÷~~A complaint is a written allegation by an employee or former employee who has been involuntarily terminated that he or she has not been treated according to the personnel policies, or other rules or regulations.

**b) 30 Days to Initiate a Complaint**

~~A.~~ Complaints must be initiated within 30 days of the alleged act and a copy of the complaint provided to Human Resources.

**c) Step 1 Present Complaint to Supervisor**

~~B.~~ —An employee should present the complaint to the supervisor and request time to meet and discuss the complaint. In consultation with Human Resources, the supervisor shall consider the complaint and all relevant information and respond to the employee in a timely manner.

**d) Step 2 if Needed**

~~C.~~ —If the problem is not resolved at Step 1, the employee shall next request a meeting with the Department Director. In consultation with Human Resources, the Department Director will conduct an investigation and review the matter

Attachment A, Employee Handbook Update, Red Line

with appropriate persons. The Department Director shall respond to the employee within 10 working days, unless the response will take longer, in which case the director will keep the employee informed when the response will be available.

**e) Step 3 Final Step if Needed**

—If the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, he or she shall request a meeting with the City Manager. The City Manager shall meet with the employee. The City Manager shall also conduct an investigation or otherwise consider information relevant to the complaint.

The City Manager shall issue a decision within 15 working days unless more time is needed, in which case the City Manager shall keep the employee informed of when the response will be available. The City Manager's decision shall be final and binding on the parties.

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**VIII. 9.00 SEPARATION FROM EMPLOYMENT**

**A. 9.01—Resignation**

The City expects a resigning employee to give written notice to his/her/their supervisor at least 14 days in advance of the final working day.

**B. 9.02—Unauthorized 3 Day Absence**

Unauthorized absence from work for a period of three consecutive days will be considered as a voluntary resignation, unless the employee can provide a reasonable explanation to the Department Director.

**C. ~~9.03~~ Separation Procedures**

The Human Resources Department will verify an employee's separation date and notify payroll. A final paycheck will be issued to the employee on the next regular payday after completion of the following: exit interview, return of City keys, car, ID card, credit cards, bus pass, tools and equipment, uniforms, printed materials, and any other property or resources which had been made available to the employee. In addition, Human Resources will resolve the status of retirement plans, insurance conversions, and deferred compensation programs, and will conduct an exit interview.

**D. 9.04—Layoff (Reduction in Force)**

The City may lay off employees where there are changes in duties, reorganization of work or positions, a position or service is abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

**1. Notice**

~~A.~~ Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation, and options available, as soon as possible to allow time to make necessary arrangements.

**2. Order of Layoff**

~~B.~~ Layoffs are determined by classification on an organization-wide-basis.

~~C.~~ Extra help employees performing similar work will be laid off first.

~~D.~~ Regular employees will be retained on the basis of their ability to perform work needed to meet program needs.

~~E.~~ Where there is no demonstrable difference in ability to perform, employees with longer service shall be retained.

**3. Options**

Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions, or furloughs may also be explored, at the discretion of the City Manager.

**F.4. Layoff Support for Laid Off Employees.**

~~4.~~ Regular full time and regular part time employees are eligible for Layoff Support. Once the employee has been notified of the future layoff, the employee shall be eligible for:

a) Job search assistance, tailored to the particular circumstances and authorized by the City Manager.

a.b) \_\_\_\_\_ Limited time off for interviewing, subject to the approval of the Department Director.

**5. Severance**

**2. Regular full time and regular part time employees are eligible for severance.**

After the layoff takes effect, the employee shall receive a severance package consisting of four (4) ~~weeks~~weeks' pay and 10% of the employee's sick leave balance. If the employee leaves employment at the City prior to the layoff date, the employee is not eligible for the severance package.

**6. Rehire List.**

Any regular employee who is laid off shall be placed on a City rehire list for a period of one year from the date of layoff. An employee shall not be placed on the rehire list if the employee leaves employment at the City prior to the layoff date. The City will honor an employee's written request to not be placed on or to be removed from the list.

An employee on the Rehire List shall be deemed eligible for an open regular position when:

- The employee meets the minimum qualifications listed on the classification specification based on the information contained in the employee's personnel file; and
- The position is in a salary range equal to or lower than the salary range of the position the employee was in on the date of layoff.

When hiring for any vacancy, the Department Director shall first consult Human with Resources to determine if any employee on the rehire list is eligible for the vacancy. If there is an eligible employee on the rehire list, the employee shall be offered the position. In the case of more than one eligible employee on the rehire list, the position shall first be offered to the employee with the longest term of service with the City.

The employee has seven calendar days from the time the offer is sent to accept the offer; failure to do so will be considered a refusal.

An employee accepting a demotion to a position in a lower salary range shall remain on the list for the remainder of the year (based on the original layoff date).

An employee shall be removed from the list upon rehire by the City, a third refusal of a City job offer or the expiration of one year, whichever comes first.

If a department has a need to hire extra help while the City has any employees on the Rehire List, the Department Director shall first contact Human Resources before taking any other steps to hire the extra help. The extra help opportunity shall first be offered to any employees on the rehire list meeting the minimum requirements (in order of service with the City – longest first). Only if all eligible employees on the Rehire List refuse the extra help opportunity may the department proceed to outside hire. Neither acceptance nor refusal of an extra help opportunity shall affect an employee's status on the Rehire List.

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**IX. CLOSING STATEMENT**

~~Welcome to the City of Shoreline. We wish you successful employment with the City.~~ If you have any questions about this handbook, please ~~direct your questions to ask~~ your supervisor or ~~visit to~~ Human Resources.

**X. APPENDIX A - CODE OF ETHICS**

~~CITY OF SHORELINE~~

**~~CODE OF ETHICS~~**

The purpose of the City of Shoreline Code of Ethics is to strengthen the quality of government through ethical principles which shall govern the conduct of the City's elected and appointed officials, and employees, who shall:

~~1.~~ Be dedicated to the concepts of effective and democratic local government.

1.

Guidelines:

~~Democratic Leadership:~~ Officials and staff shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules and regulations.

2. ~~2.~~ Affirm the dignity and worth of the services rendered by government and maintain a deep sense of social responsibility as a trusted public servant.

~~3.~~ Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.

3.

Guidelines:

~~Public Confidence:~~ Officials and staff shall conduct themselves so as to maintain public confidence in city government and in the performance of the public trust.

Attachment A, Employee Handbook Update, Red Line

~~\_\_\_\_\_~~ Impression of Influence. Officials and staff shall conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

~~4.~~ 4.—Recognize that the chief function of local government at all times is to serve the best interests of all the people.

Guidelines

~~—~~ Public Interest.: Officials and staff shall treat their office as a public trust, only using the power and resources of public office to advance public interests, and not to attain personal benefit or pursue any other private interest incompatible with the public good.

~~5.~~ 5.—Keep the community informed on municipal affairs; encourage communication between the citizens and all municipal officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Guidelines

~~\_\_\_\_\_~~ Accountability.: Officials and staff shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold city officials accountable.

~~\_\_\_\_\_~~ Respectability.: Officials and staff shall safeguard public confidence in the integrity of city government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of impropriety or which is otherwise unbecoming a public official.

~~6.~~ 6.—Seek no favor; believe that personal benefit or profit secured by confidential information or by misuse of public time is dishonest.

Guidelines

~~\_\_\_\_\_~~ Business Interests.:—Officials and staff shall have no beneficial interest in any contract which may be made by, through or under his or her supervision, or for the benefit of his or her office, or accept directly or indirectly, any compensation, gratuity or reward in connection with such contract unless allowed under State law.

~~\_\_\_\_\_~~ Private Employment.:—Officials and staff shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service or business creates a conflict with or impairs the proper discharge of their official duties.

~~\_\_\_\_\_~~ Confidential Information.: Officials and staff shall not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

~~\_\_\_\_\_~~ Gifts.: Officials and employees shall not directly or indirectly solicit any gift or accept or receive any gift whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form - under the following circumstances: (a) it could be reasonably inferred or expected that the gift was intended to influence the performance of

Attachment A, Employee Handbook Update, Red Line

official duties; or (b) the gift was intended to serve as a reward for any official action on the official's or employee's part.

~~Investments in Conflict with Official Duties:~~ Officials and employees shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction that creates a conflict with their official duties.

~~Personal Relationships:~~ Personal relationships shall be disclosed in any instance where there could be the appearance of a conflict of interest.

~~Business Relationships:~~ Officials and staff shall not use staff time, equipment, or facilities for marketing or soliciting for private business activities.

~~Reference Checking:~~ Reference checking and responding to agency requests are a normal function of municipal business and is not prohibited if it does not adversely ~~effect~~ affect the operation of the City.

~~7. 7.~~ Conduct business of the city in a manner which is not only fair in fact, but also in appearance.

Guidelines

~~Personal Relationships:~~ In ~~a~~ quasi-judicial proceedings elected officials shall abide by the directives of RCW 42.36 which requires full disclosure of contacts by proponents and opponents of land use projects which are before the City Council. Boards and Commissions are also subject to these fairness rules when they conduct quasi-judicial hearings.

~~8.~~ Not knowingly violate any Washington statutes, City ordinance or regulation in the course of performing their duties.



**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	<b>Discussion of Ordinance No. 762 - Code Amendments for Transitional Encampments</b>
<b>DEPARTMENT:</b>	<b>Planning &amp; Community Development</b>
<b>PRESENTED BY:</b>	<b>Paul Cohen, Planning Manager Kim Lehmborg, Associate Planner Rachael Markle, AICP, Director</b>
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Council Resolution No. 379, passed December 14, 2015, directs Staff to review City policies and codes that may create barriers for those experiencing homelessness and to continue to support the City's human service partner agencies. These amendments were initiated to facilitate churches and other human service non-profit organizations to provide the homeless with temporary and safe shelter without more process or expense.

The Planning Commission spent significant time in formulating recommended amendments to the City's regulations and unanimously recommended the regulations in Exhibit A to Ordinance No. 762 following significant public comment and Commission deliberation. Council discussed the proposed regulations at the January 30, 2017 meeting and directed staff to formulate some alternatives, specifically to the 20-foot setback requirement.

**RESOURCE/FINANCIAL IMPACT:**

If adopted as proposed, the City would not receive fees for Temporary Use Permits (TUP) for Transitional Encampments. In the past, an average of 1.2 camps per year have applied for TUPs. Given the current fee for a TUP of \$1,500, the lost revenue would average approximately \$1,800 per year.

**RECOMMENDATION**

No action is required by Council this evening. Ordinance No. 762 is tentatively scheduled for Council action on March 20, 2017.

Approved By:            City Manager **DT**    City Attorney **JA-T**

## **INTRODUCTION**

Shoreline Municipal Code (SMC) Section 20.30.070 describes the process and procedures for Type L, Legislative decisions. Amendments to the Development Code are Type L decisions that include a public hearing before the Planning Commission, recommendation by the Planning Commission, and adoption by the City Council.

### **Development Code Amendment Criteria (SMC 20.30.350)**

The following criteria are to be met for approval of amendments to the Development Code:

1. The amendment is in accordance with the Comprehensive Plan; and
2. The amendment will not adversely affect the public health, safety or general welfare; and
3. The amendment is not contrary to the best interest of the citizens and property owners of the City of Shoreline.

Relevant Comprehensive Plan Housing goal and policies that support the amendments are as follows:

Goal H VII: “Collaborate with other jurisdictions and organizations to meet housing needs and address solutions that cross jurisdictional boundaries.”

Policy #H19: “Encourage, assist, and support non-profit agencies that construct, manage, and provide services for affordable housing and homelessness programs within the city.”

Policy #H25: “Encourage, assist, and support social and health service organizations that offer housing programs for targeted populations.”

Policy #H29: “Support the development of public and private, short-term and long-term housing and services for Shoreline’s population of people who are homeless.”

Policy #H31: “Partner with private and not-for-profit developers, social and health service agencies, funding institutions, and all levels of government to identify and address regional housing needs.”

## **BACKGROUND**

Since 2005 the City has successfully approved seventeen (17) TUPs for Transitional Encampments (formerly referred to as Tent Cities). These TUPs were administered only with the TUP criteria and staff added conditions on a permit-by-permit basis. These approvals sought to balance the need to allow temporary encampments and address neighborhood concerns. Though neighbors have expressed concerns, Shoreline Police has not reported any substantiated problem with these encampments nor is City Planning Staff aware of any such problems.

Currently transitional encampments are a permitted use, with indexed supplemental criteria, in all of the City’s residential zones, except Town Center (TC) 1, 2 and 3 (SMC

20.40.120). Transitional encampments are also a permitted use, with indexed supplemental criteria, in all MUR zones within station areas (SMC 20.40.160).

The supplemental criteria is set forth in SMC 20.40.535”

- A. Allowed only by Temporary Use Permit.
- B. Prior to application submittal, the applicant is required to hold a neighborhood meeting as set forth in SMC 20.30.090. A neighborhood meeting report will be required for submittal.
- C. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver’s license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff’s Office Communications Center.
- D. The applicant shall have a code of conduct that articulates the rules and regulation of the encampment.
- E. The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment.

In 2015, supplemental criteria C through E were added to the code by Ordinance 731 in response to neighborhood concerns and in coordination with the police department. To be clear, the list of residents is not submitted to the City as part of the public record – it is kept by the applicant and provided directly to the Sheriff’s office liaison, who reports any issues to City staff.

In December 2015 the City Council adopted Resolution No. 379 supporting King County’s declaration of emergency due to area homelessness and expressed the City’s commitment to work with King County and partner agencies on plans to address homelessness.

On August 26, 2016, the City Manager and other Staff met with representatives of area churches that have hosted transitional encampments in Shoreline to discuss potential changes to the City’s regulations related to transitional encampments and how best to assist them in their efforts to host encampments.

Based on these communications and extension research by Staff, on September 15, 2016, transitional encampment code amendments were presented to the Planning Commission.

On October 20, 2016, the Planning Commission held a public hearing on these potential amendments. Links to the public hearing staff report and minutes are here:

<http://www.shorelinewa.gov/home/showdocument?id=29221>

<http://www.cityofshoreline.com/Home/ShowDocument?id=30145>

Much of the public comment expressed concern that the proposed changes to the code, which included changing the permit type from a TUP to a Transitional Encampment Permit, would allow for encampments in backyards of single-family properties. Other public comment voiced concern that the code would deter encampments from locating in Shoreline. While these were not the intent of the proposed changes, the Planning Commission continued the public hearing and asked Staff to respond to a number of concerns raised by the public.

Based on the concerns raised at the initial public hearing, Staff proposed amendments wherein Transitional Encampment applications would not be a listed land use on the development code land use tables as originally proposed and would continue to be processed under a Temporary Use Permit, with added criteria that Staff believed would preclude incompatible siting of such encampments on single-family properties. At the continued public hearing on December 15, 2016, the Planning Commission voted to recommend the revised amendments. Links to the staff report and minutes are here:

<http://www.shorelinewa.gov/home/showdocument?id=29809>

<http://www.cityofshoreline.com/Home/ShowDocument?id=30083>

## **DISCUSSION**

On January 30, 2017, Council held a study session on the Planning Commission's recommendation. A link to the staff report is here:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport013017-8a.pdf>

Much of the public comment at the Council meeting centered around the proposed 20-foot setbacks and the new definitions, especially that of "Managing Agency." To address these comments along with the Council's direction, Staff has proposed reduced setbacks, a minimum usable space area for Transitional Encampments, an additional definition for Host Agency and a revised definition for Managing Agency.

Adding the Host Agency definition was originally intended to clarify that the host and managing agency could be either the same or different agencies. Historically the hosting agency has been a separate entity from the agency actually managing encampments within Shoreline. During the Council discussion on January 30, a question arose regarding the liability/responsibility of either agency for any potential code violations. In response to this question, the City Attorney's Office offers this opinion:

*If these are separate entities (e.g. a church and ShareWheel) then the relationship is one of a private contractual arrangement. Think of it like the owner of an apartment project that hires a property management firm to handle the tenants.*

*Compliance with Shoreline's regulations related to transitional encampments (or any regulation) is the responsibility of both parties (and potentially even the residents themselves). SMC 20.30.730(A) states that any person who causes or*

*maintains a code violation and the owner, lessor, or tenant, or others entitled to control, use, or occupy the property are responsible parties subject to enforcement. This provision also recognizes that if a violation occurs without the owner's knowledge/consent, the owner is still responsible to bring the property into compliance to extent reasonably feasible.*

*Thus, both the Managing Agency and the Host are responsible for code violations. However, if found liable, how to distribute the cost/burden of bringing the property into compliance will be left to the Managing Agency and Host; the City will not participate in that arrangement.*

As to specific issues, City Council directed Staff to consider the following:

**Alternative Setback Solutions – Minimum Setback and Site Area**

Council directed Staff to look at alternatives to the 20-foot setback proposal, either by reducing or eliminating the setback, even with the ability of the Director's discretion to modify.

To provide context, the City uses setback requirements in most zones to help provide separation from property uses between parcels. This continues to be the case for Transitional Encampments.

Council discussed using alternatives to the property line for establishing set-backs, such as residential buildings or other structures. Minimum setbacks to residential buildings on adjoining parcels are an option but would be difficult for applicants to provide accurate information and also might be difficult for Staff to enforce.

Staff recommends that the Council consider a 10 foot setback from all property lines, excluding rights of way and adjoining property owned by the host agency.

Staff also recommends that Council allow for reductions in the 10 foot setback to no less than five (5) feet if the condition of the site warrants a reduction in relation to such factors as: topography; presence of an intervening structure; substantial distance of structures on adjacent property from a transitional encampment; or vegetation that effectively creates visual separation or a physical barrier between properties adjoining a transitional encampment.

Additionally, Staff recommends that Council consider establishing a minimum site area for transitional encampments. This requirement would ensure that adequate space is available to provide a healthy and safe environment for the residents of the transitional encampment. The cities of Seattle and Tacoma have adopted regulations that require a specific site area for transitional encampments. Seattle, at SMC 23.42.056, establishes a minimum of 100 square feet of land area for each encampment resident. Tacoma, at TMC 13.06.635, states that the minimum site area for each camp is 7,500 square feet for the first 50 residents, plus 150 square feet for each additional resident, up to a maximum 100 residents.

The cities of Bellevue, Bothell, and Auburn have more subjective criteria for total square footage stating that transitional encampments must be of a sufficient size to support the activities of the camp without creating overcrowding and associated issues. The determination as to what is a “sufficient size” is made on a case by case basis by the planning director and is largely based on life and safety regulations.

Staff further considered the specifications used by agencies that routinely provide temporary shelter such as the Red Cross and U. S. Military. These agencies have per person standards for congregate sleeping: 38 square feet per person in Red Cross facilities and 80 square feet per person for U.S. Military base camps. These minimum areas do not include support facilities and circulation between shelters/tents, only actually sleeping space. Also, these standards are for congregate facilities, not private and semi-private living arrangements as are found in transitional encampments. For additional reference, the Residential Building Code requires that habitable rooms be no less than 70 square feet.

Transitional encampments differ from camps for emergency shelter such as a Red Cross shelter used in response to a natural disaster. Transitional encampments house people for longer periods of time within more individualized living spaces, albeit in tents as opposed to group sleeping quarters. More transitional campers could reside in less space if the facilities were designed as group living quarters. However, this is not how transitional encampments are designed.

For example, the United We Stand camp has eighteen (18) 12’X12’ tents and eight (8) 12’X15’ tents to house about 35 people. The United We Stand camp also has tents for: security, a kitchen and TV viewing. Additional space is occupied by portable restrooms and garbage collection. An estimated 3-4 feet of space is needed between tents to create paths to allow for safe ingress and egress. The site plan the applicant submitted for the United We Stand camp at the Shoreline Free Methodist Church, shows that the camp for 35 residents will use an estimated 9,100 square feet, which is 260 square feet per person.

For the purpose of ensuring that the residents of transitional encampments have a healthy and safe environment, Staff recommends that Council:

- Limit the size of a transitional encampment to a maximum of 100 people;
- Require a minimum useable site area for transitional encampments of 7,500 square feet for the first 50 residents; plus 150 square feet for each additional resident, up to the maximum of 100 residents; and
- Require a minimum 10-foot setback from all property lines excluding rights of way or adjacent property that is also owned by the host agency with noted exceptions that allow for a reduction to a five (5) foot setback.

As previously stated requiring adequate space for transitional encampments is to help ensure a healthy and safe environment for the encampment residents. As a result, these regulations would likely eliminate smaller properties and many residential properties as the required space would not be adequate to ensure a healthy and safe environment for the encampment.

Staff recently met with representatives from agencies that have hosted encampments to review the proposed changes to the setback, camp resident limitation, and site area requirements. The consensus staff heard from these agencies was that these changes were fair.

Although this was the case, there were a couple of additional comments and suggestions about the proposed site area requirements. Please see Attachments C and C1. Greater Seattle Cares sought an alternative to the staff recommended minimum useable site area for transitional encampments. As illustrated in Attachment C1, Greater Seattle Cares indicates that 100 encampment residents can be located in a minimum site area of 10,000 square feet or 100 square feet per person. Staff's recommendation is that a minimum of 150 square feet per person be required or a minimum area 15,000 square feet for 100 residents. Staff continues to believe that the examples provided in Attachment C-1 do not provide adequate space for a healthy and safe environment for the encampments and would not recommend reducing the space allocation per resident. Greater Seattle Cares also recommended a lower minimum camp size than the proposed 7,500 square feet, seeking a 2,500 square feet for up to 25 people; 5,000 square feet for 26-50 people; 7,500 square feet for 51-75 people and 7,500 square feet plus 100 square feet per person over 75 people.

**Staff does not recommend the proposed reduction in the minimum site area standard or the per resident allocation.** Although, large transitional encampments may fit within smaller site areas whereby accommodating more people, the impacts to the health and safety of both the encampment residents and neighboring property owners is an important factor to consider and balance. Based on staff analysis of the past host sites and known potential host sites in the City, the minimum camp size of 7,500 square feet is achievable.

The additional 150 square feet per person may limit some host sites to fewer than the maximum number of 100 encampment residents. This is intended to balance the capacity of the site with the health and safety needs of the residents and nearby neighbors. The 150 square foot minimum allows enough space for: private and semi-private tents commonly used in encampments that have recently been hosted in Shoreline; separation between tents; safe ingress/egress aisles; sanitary facilities; security tents; dining and kitchen tents; and other common area tents. Staff has also heard from some of Shoreline's former encampment hosts that the smaller camps serving 35 or fewer residents better match their capability to support such endeavor.

All previously permitted encampments in Shoreline were approved with TUPs only for church sites with adequate space and facilities. Applications will need to meet the criteria for TUP's, and specific additional criteria for transitional encampments, including a requirement that they be located on property owned or leased by a host or managing agency. The Planning Commission's recommendation includes a fee waiver for such applications. Host agencies request the Council also consider not charging the hour fee, currently \$187 for creation of the mailing labels for the required Neighborhood Meeting. The proposed regulations do not provide for waiver of this fee. If Council desires to waive the cost for creating the mailing labels, then staff would recommend

amending SMC 20.30.295(D)(3) to indicate that the City will provide the mailing labels to the permit applicant at no cost.

Using the TUP process, the City will administer transitional encampments in the same manner that it has since 2005 but without the barrier of a fees, and with criteria to increase health, safety, and neighborhood welfare.

### **PROPOSAL & ANALYSIS**

Attachment A, Ordinance No. 762, includes Exhibit A, which are the Planning Commission's recommended Transitional Encampment regulations. As has been Council's practice, when Council takes final action on Ordinance No. 762, scheduled for March 20, Council will start with the Planning Commission's recommendation and then make any amendments to that recommendation desired by Council. For ease of looking at the Staff's recommended changes to the Planning Commission's recommendation as outlined in this staff report, Staff has included Attachment B to this staff report which starts with the Planning Commission's recommendation and incorporates Staff recommendations, denoted in yellow highlight.

All of Staff's proposed amendments to the Planning Commission's recommendation are shown in Attachment B. Many of these changes were suggested by former host agencies that recently met with Staff on February 15<sup>th</sup>. A brief explanation for each amendment is discussed below with staff's recommended changes being highlighted in yellow.

#### **1. Definitions: SMC 20.20.024, 20.20.034 & 20.20.048**

Add definitions for "Host Agency" and amend the definition of "Managing Agency" and "Transitional Encampment": as follows:

##### ***20.20.024 H definitions.***

***Host agency: Religious or not for profit organization that invites a transitional encampment to reside on the land that they own or lease.***

Additionally, at least one past host agency would like the Council to consider broadening the definition of a host agency to include any organization that wants to have an encampment instead of limiting it to religious or not for profit organizations only. **Staff does not recommend this change.** Over the past twelve years, the City has had a good track record with religious organizations serving as hosts for transitional encampments. The regulations are largely written to support the rights of religious organizations to exercise religious freedoms as required by Federal law and State law. The proposed change would allow the siting of a transitional encampment anywhere within the City (assuming all other criteria could be met) without the benefit of a proven host and management agency support system.

The Managing Agency or Host Agency is a religious or non-profit organization that manages or hosts a transitional encampment. These definitions are inclusive of religious organizations and secular non-profit agencies such as human service agencies, housing advocacy groups, or a governmental organization.



**20.20.034 M definitions. Managing agency:** *Managing agency means a religious or City-recognized non-profit organization or other type of organization approved by the City to that manages a transitional encampment.*

There was much discussion centered on the definition of Managing Agency. Based on this feedback, Staff is recommending a change to the definition that will include “or other type of organization approved by the City” so that the self-managed Transitional Encampment can be considered as a Managing Agency. This helps to ensure that there is an entity with responsibility for compliance with the requirements of the encampment. (Note that additional criteria under SMC 20.30.295 propose that a Managing Agency or Host Agency must either lease or own the land where the encampment is located).

**2. Neighborhood Meeting 20.30.045**

Added under this section is that a neighborhood meeting is required for a TUP for a Transitional Encampment. This is not a new requirement and has been in the indexed criteria since 2005. However, this amendment clarifies the requirement by including it with the other neighborhood meeting requirements for certain Type A proposals. Staff is recommending an amendment to clarify who is responsible to conduct the neighborhood meeting as follows:

**20.30.045 Neighborhood meeting for certain Type A proposals.**  
*1. A neighborhood meeting ~~is required~~ shall be conducted by the applicant for Temporary Use Permits for Transitional Encampment proposals.*

This section (20.30.045) was added to the code after the original transitional encampment (Tent City) indexed criteria were enacted.

**3. Temporary Use Permit 20.30.295:**

Add Section D for Transitional Encampments Criteria under the Temporary Use Permit criteria. Move current indexed criteria from SMC 20.40.535 to this section and add additional criteria. This will further ensure that an application for a transitional encampment will have to meet all of the criteria for a Temporary Use Permit, plus the additional criteria specific to a Transitional Encampment. Section D is shown below with yellow-highlight reflecting Staff’s recommended changes to the Planning Commission’s recommendation:

**D. Additional Criteria for Transitional Encampment.**

1. The site must be owned or leased by either a Host or Managing Agency.
2. The application fee for a Temporary Use Permit (TUP) for a transitional encampment is waived
3. Prior to application submittal, the applicant is required to hold a neighborhood meeting and provide a written summary as set forth in SMC 20.30.045 and 20.30.090.

4. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.

5. The applicant shall have a code of conduct that articulates the rules and regulation of the encampment. These rules shall include, at a minimum, prohibitions against alcohol and/or drug use and violence; and exclusion of sex offenders. The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment.

6. The maximum number of residents at a transitional encampment site shall be determined taking into consideration site conditions, but shall in no case be greater than 100 residents at any one time. Any proposed site shall meet the site requirements in 20.30.295(D)(7) and be of sufficient size to support the activities of the transitional encampment without overcrowding of residents.

67. Site requirements:

a. The minimum useable site area for a transitional encampment shall be: 7,500 square feet for the first 50 residents, plus 150 square feet for each additional resident, up to the maximum allowable of 100 residents. The useable site area may be a combination of contiguous parcels in the same ownership of the host or managing agency.

b. Tents and supporting facilities within an encampment must meet 2010-foot setbacks from neighboring property lines, not including right-of-way lines or properties under the same ownership as the host agency. Setback from rights-of-way must be a minimum of five feet. Setbacks may be modified by the Director based on site conditions or in order to bring the site into compliance with the criteria. Additional setback from rights-of-way may be imposed based on the City's Traffic Engineer's analysis of what is required for safety. Setbacks to neighboring property lines may be reduced by the Director to a minimum of five feet if it can be determined that the reduction will result in no adverse impact on the neighboring properties, taking into account site conditions, including but not limited to:

1 Topography changes from adjoining property

2 Intervening structures

3 Distance from nearest structure on neighboring property

4 Vegetation that creates a visual screen.

c. The transitional encampment shall be screened. The screening shall meet setbacks except screening or structures that act as screening that are already in existence. Screening is required for mitigation of visual appearance to the street and neighboring properties. There shall be screening fence installed wherever the camp is visible from streets or residential properties. The color of the screening shall not be black.

d. A fire permit is required for all tents over 400 square feet. Fire permit fees are waived.

e. All tents must be made of fire resistant materials and labeled as such.

f. Provide adequate number of 2A-10BC rated fire extinguishers so that they are not more than 75 feet travel distance from any portion of the complex. Recommend additional extinguishers in cooking area & approved smoking area.

g. Smoking in designated areas only; these areas must be a minimum of 25 feet from any neighboring residential property. Provide ash trays in areas approved for smoking.

h. Emergency vehicle access to the site must be maintained at all times.

i. Members of the transitional encampment Security personnel shall monitor entry points at all times. A working telephone shall be available to security personnel ensure the safety and security of the transitional encampment at all times.

NOTE: This edit came from the February 15<sup>th</sup> meeting with former host agencies. This change reflects the fact that on site security has been performed by campers, not hired security personnel or the managing agency.

j. Provide adequate sanitary facilities.

8. The encampment shall permit inspections by City, King County Health Department, and Fire Department inspectors at reasonable times during the permit period without prior notice to ensure compliance with the conditions of the permit.

9. The encampment shall allow for an inspection by the Shoreline Fire Department during the initial week of the encampment's occupancy.

10. Encampments may be allowed to stay under the Temporary Use Permit for up to 90 days. A TUP extension may be granted for a total of 180 days, on sites

where agencies in good standing have shown to be compliant with all regulations and requirements of the TUP process, with no record of rules violations. The extension request must be made to the City, but does not require an additional neighborhood meeting or additional application materials or fees.

11. Host or Managing Agencies may not host a transitional encampment on the same site within 180 days of the expiration date of the TUP for a transitional encampment.

12. At expiration of the permit, the Host or Managing Agency shall restore the property to the same or similar condition as at permit issuance.

Most of the additional criteria are standard health and safety conditions that have been required for Transitional Encampment TUP's in the past.

### **RESOURCE/FINANCIAL IMPACT**

If adopted as proposed, the City would not receive fees for Temporary Use Permits (TUP) for Transitional Encampments. In the past, an average of 1.2 camps per year have applied for TUPs. Given the current fee for a TUP of \$1,500, the lost revenue would average approximately \$1,800 per year.

### **RECOMMENDATION**

No action is required by Council this evening. Ordinance No. 762 is tentatively scheduled for Council action on March 20, 2017.

### **ATTACHMENTS**

Attachment A: Draft Ordinance No. 762  
*Exhibit A: Planning Commission Recommended Transitional Encampment Code Amendments*

Attachment B: Staff's Recommended Amendments to the Planning Commission's Recommended Transitional Encampment Code Amendments

Attachment C: Greater Seattle Cares Comments  
Attachment C1: Greater Seattle Cares Amendment Supporting Documentation

## ATTACHMENT A

### ORDINANCE NO. 762

#### **AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CERTAIN SECTIONS OF THE SHORELINE MUNICIPAL CODE TITLE 20, THE UNIFIED DEVELOPMENT CODE, TO ADDRESS TRANSITIONAL ENCAMPMENTS.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70A RCW; and

WHEREAS, the City has traditionally permitted transitional (homeless) encampments through the issuance of a Temporary Use Permit; and

WHEREAS, the application process for a Temporary Use Permit has been considered burdensome by the hosts of such encampments, churches and human service organizations; and

WHEREAS, via the adoption of Resolution No. 379, the City Council directed staff to review policies and development code provisions that may create barriers for those experiencing homelessness; and

WHEREAS, staff worked with interested members of the public, churches, and human service organizations in addition to reviewing regulations of other municipalities; and

WHEREAS, on September 15, 2016, the City of Shoreline Planning Commission reviewed the proposed Development Code amendments; and

WHEREAS, on October 20, 2016, the City of Shoreline Planning Commission held a public hearing on the proposed Development Code amendments so as to receive public testimony; and

WHEREAS, the Planning Commission continued the public hearing so as to allow the staff time to respond to public and commission questions and concerns; and

WHEREAS, on December 15, 2016, at the continued public hearing, the Planning Commission considered revisions to the proposed Development Code amendments and, at the conclusion of public hearing, the Planning Commission, after adopting several revisions to the proposal submitted by staff, recommended approval of the amendments to the City Council; and

WHEREAS, on January 30 and February 27, 2017, the City Council considered the Planning Commission's recommendation on the proposed Development Code amendments; and

## ATTACHMENT A

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the amendments and the public hearing as provided in SMC 20.30.070; and

WHEREAS, the environmental impacts of the proposed amendments resulted in the issuance of a Determination of Non-Significance (DNS) on October 13, 2016, and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendment(s) to its Unified Development Code; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan and serves the purpose of the Unified Development Code as set forth in SMC 20.10.020;

THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

**Section 1. Amendment.** Title 20 of the Shoreline Municipal Code, Unified Development Code, is amended as set forth in Exhibit A to this Ordinance.

**Section 2. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

**Section 3. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

**Section 4. Publication and Effective Date.** A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

**PASSED BY THE CITY COUNCIL ON \_\_\_\_, MARCH, 2017.**

**ATTACHMENT A**

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Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

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Jessica Simulcik-Smith  
City Clerk

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Margaret King  
City Attorney

Date of Publication: , 2017  
Effective Date: , 2017

**Amendment #1 - Definitions.**

**20.20.034 M definitions.**

[Managing agency: Managing agency means a religious or City-recognized non-profit organization that manages a transitional encampment.](#)

**20.20.048 T definitions.**

[Transitional Encampments: Temporary campsites for the homeless, organized by a managing agency.](#)

**Amendment #2 Neighborhood meeting**

**20.30.045 Neighborhood meeting for certain Type A proposals.** 

[1. A neighborhood meeting is required for Temporary Use Permits for Transitional Encampment proposals.](#)

[2.](#) A neighborhood meeting shall be conducted by the applicant for developments consisting of more than one single-family detached dwelling unit on a single parcel in the R-4 or R-6 zones. This requirement does not apply to accessory dwelling units (ADUs). This neighborhood meeting will satisfy the neighborhood meeting requirements when and if an applicant applies for a subdivision (refer to SMC [20.30.090](#) for meeting requirements). (Ord. 695 § 1 (Exh. A), 2014).

**Amendment #3 Additional TUP Criteria for Transitional Encampments**

**20.30.295 Temporary use.** 

A. A temporary use permit is a mechanism by which the City may permit a use to locate within the City (on private property or on the public rights-of-way) on an interim basis, without requiring full compliance with the Development Code standards or by which the City may permit seasonal or transient uses not otherwise permitted.

B. The Director may approve or modify and approve an application for a temporary use permit if:

1. The temporary use will not be materially detrimental to public health, safety, or welfare, nor injurious to property and improvements in the immediate vicinity of the subject temporary use;
2. The temporary use is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use;
3. Adequate parking is provided for the temporary use and, if applicable, the temporary use does not create a parking shortage for the existing uses on the site;
4. Hours of operation of the temporary use are specified;
5. The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties; and



6. The temporary use is not in conflict with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, and is located outside the shoreline jurisdiction regulated by the Shoreline Master Program, SMC Title 20, Division II.

C. Except for Transitional Encampments, a temporary use permit is valid for up to 60 calendar days from the effective date of the permit, except that the Director may establish a shorter time frame or extend a temporary use permit for up to one year. (Ord. 724 § 1 (Exh. A), 2015; Ord. 425 § 1, 2006).

**D. Additional Criteria for Transitional Encampment.** 

1. The site must be owned or leased by a Managing Agency.

2. The application fee for a Temporary Use Permit (TUP) for a transitional encampment is waived.

3. Prior to application submittal, the applicant is required to hold a neighborhood meeting and provide a written summary as set forth in SMC 20.30.045 and 20.30.090.

4. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.

5. The applicant shall have a code of conduct that articulates the rules and regulation of the encampment. These rules shall include, at a minimum, prohibitions against alcohol and/or drug use and violence; and exclusion of sex offenders. The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment.

6. Site requirements:

a. Tents and supporting facilities within encampments must meet 20-foot setbacks from neighboring property lines. Setbacks may be modified by the Director based on site conditions or in order to bring the site into compliance with the criteria.

b. Screening is required for mitigation of visual appearance to the street and neighboring properties. There shall be screening fence installed wherever the camp is visible from streets or residential properties. The color of the screening shall not be black.

c. A fire permit is required for all tents over 400 square feet. Fire permit fees are waived.

d. All tents must be made of fire resistant materials and labeled as such.

- e. Provide adequate number of 2A-10BC rated fire extinguishers so that they are not more than 75 feet travel distance from any portion of the complex. Recommend additional extinguishers in cooking area & approved smoking area.
- f. Smoking in designated areas only; these areas must be a minimum of 25 feet from any neighboring residential property. Provide ash trays in areas approved for smoking.
- g. Emergency vehicle access to the site must be maintained at all times.
- h. Security personnel shall monitor entry points at all times. A working telephone shall be available to security personnel at all times.
- i. Provide adequate sanitary facilities.

7. The encampment shall permit inspections by City, King County Health Department, and Fire Department inspectors at reasonable times during the permit period without prior notice to ensure compliance with the conditions of the permit.

8. The encampment shall allow for an inspection by the Shoreline Fire Department during the initial week of the encampment's occupancy

9. Encampments may be allowed to stay under the Temporary Use Permit for up to 90 days. A TUP extension may be granted for a total of 180 days, on sites where agencies in good standing have shown to be compliant with all regulations and requirements of the TUP process, with no record of rules violations. The extension request must be made to the City, but does not require an additional neighborhood meeting or additional application materials or fees.

10. Managing Agencies may not host a transitional encampment on the same site within 180 days of the expiration date of the TUP for a transitional encampment.

11. At expiration of the permit, the Managing Agency shall restore the property to the same or similar condition as at permit issuance.

**Amendment #4 – Use Tables.**

Note: not all rows in tables are shown here in the interest of brevity and clarity.

20.40.120 Residential uses. 

**Table 20.40.120 Residential Uses**

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
<b>TEMPORARY LODGING</b>									
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel						P	P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
	<a href="#">Transitional Encampment</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	-

**20.40.150 Campus uses.** 

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
	<a href="#">Tent City</a>	<a href="#">P-i</a>	-	-	-
	Wireless Telecommunication Facility	P-i			P-i
<b>P = Permitted Use</b> <b>P-i = Permitted Use with Indexed Supplemental Criteria</b> <b>P-m = Permitted Use with approved Master Development Plan</b>					

**Table 20.40.160 Station Area Uses**

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
<b>RESIDENTIAL</b>				
	<a href="#">Tent City</a>	<a href="#">P-i</a>	<a href="#">P-i</a>	<a href="#">P-i</a>

**Amendment #5. Move existing Indexed Criteria from the Use Provisions to the new section under 20.30.295, Temporary Use Permit, Section D, Additional Transitional Encampment Criteria.**

**[20.40.535 Transitional encampment.](#)** 

~~A.— Allowed only by temporary use permit —.~~

~~B.— Prior to application submittal, the applicant is required to hold a neighborhood meeting as set forth in SMC 20.30.090. A neighborhood meeting report will be required for submittal.~~

~~C.— The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.~~

~~D.— The applicant shall have a code of conduct that articulates the rules and regulation of the encampment.~~

~~E.— The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment. (Ord. 731 § 1 (Exh. A), 2015; Ord. 368 § 2, 2005).~~

**ATTACHMENT B**  
**YELLOW HIGHLIGHTED SECTIONS ARE DEPENDENT ON**  
**COUNCIL AMENDMENTS TO THE PLANNING COMMISSION**  
**RECOMMENDATION**

**Amendment #1 - Definitions.**

**20.20.024 H definitions.**

Host agency: Religious or not for profit organization that invites a transitional encampment to reside on the land that they own or lease.

**20.20.034 M definitions.** Managing agency: Managing agency means a religious or City-recognized non-profit organization or other type of organization approved by the City to that manages a transitional encampment.

**20.20.048 T definitions.**

Transitional Encampments: Temporary campsites for the homeless organized by a managing agency.

**Amendment #2 Neighborhood meeting**

**20.30.045 Neighborhood meeting for certain Type A proposals.**

1. A neighborhood meeting is required shall be conducted by the applicant for Temporary Use Permits for Transitional Encampment proposals.

2. A neighborhood meeting shall be conducted by the applicant for developments consisting of more than one single-family detached dwelling unit on a single parcel in the R-4 or R-6 zones. This requirement does not apply to accessory dwelling units (ADUs). This neighborhood meeting will satisfy the neighborhood meeting requirements when and if an applicant applies for a subdivision (refer to SMC [20.30.090](#) for meeting requirements). (Ord. 695 § 1 (Exh. A), 2014).

**Amendment #3 Additional TUP Criteria for Transitional Encampments**

**20.30.295 Temporary use.**

A. A temporary use permit is a mechanism by which the City may permit a use to locate within the City (on private property or on the public rights-of-way) on an interim basis, without requiring full compliance with the Development Code standards or by which the City may permit seasonal or transient uses not otherwise permitted.

B. The Director may approve or modify and approve an application for a temporary use permit if:

**ATTACHMENT B**  
**YELLOW HIGHLIGHTED SECTIONS ARE DEPENDENT ON**  
**COUNCIL AMENDMENTS TO THE PLANNING COMMISSION**  
**RECOMMENDATION**

1. The temporary use will not be materially detrimental to public health, safety, or welfare, nor injurious to property and improvements in the immediate vicinity of the subject temporary use;
2. The temporary use is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use;
3. Adequate parking is provided for the temporary use and, if applicable, the temporary use does not create a parking shortage for the existing uses on the site;
4. Hours of operation of the temporary use are specified;
5. The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties; and
6. The temporary use is not in conflict with the standards of the critical areas regulations, Chapter [20.80](#) SMC, Critical Areas, and is located outside the shoreline jurisdiction regulated by the Shoreline Master Program, SMC Title [20](#), Division II.

C. Except for Transitional Encampments, a temporary use permit is valid for up to 60 calendar days from the effective date of the permit, except that the Director may establish a shorter time frame or extend a temporary use permit for up to one year. (Ord. 724 § 1 (Exh. A), 2015; Ord. 425 § 1, 2006).

**D. Additional Criteria for Transitional Encampment.**

1. The site must be owned or leased by either a Host or Managing Agency.
2. The application fee for a Temporary Use Permit (TUP) for a transitional encampment is waived.
3. Prior to application submittal, the applicant is required to hold a neighborhood meeting and provide a written summary as set forth in SMC 20.30.045 and 20.30.090.
4. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.
5. The applicant shall have a code of conduct that articulates the rules and regulation of the encampment. These rules shall include, at a minimum, prohibitions against alcohol and/or drug use and violence; and exclusion of sex offenders. The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment.
6. The maximum number of residents at a transitional encampment site shall be determined taking into consideration site conditions, but shall in no case be greater than 100 residents at any one time. Any proposed site shall meet the site requirements in 20.30.295(D)(7) and be of sufficient size to support the activities of the transitional encampment without overcrowding of residents.

**ATTACHMENT B**  
**YELLOW HIGHLIGHTED SECTIONS ARE DEPENDENT ON**  
**COUNCIL AMENDMENTS TO THE PLANNING COMMISSION**  
**RECOMMENDATION**

67. Site requirements:

- a. The minimum useable site area for a transitional encampment shall be: 7,500 square feet for the first 50 residents, plus 150 square feet for each additional resident, up to the maximum allowable of 100 residents. The useable site area may be a combination of contiguous parcels in the same ownership of the host or managing agency.
- b. Tents and supporting facilities within an encampment must meet 2010-foot setbacks from neighboring property lines, not including right-of-way lines or properties under the same ownership as the host agency. Setback from rights-of-way must be a minimum of five feet. Setbacks may be modified by the Director based on site conditions or in order to bring the site into compliance with the criteria. Additional setback from rights-of-way may be imposed based on the City's Traffic Engineer's analysis of what is required for safety. Setbacks to neighboring property lines may be reduced by the Director to a minimum of five feet if it can be determined that the reduction will result in no adverse impact on the neighboring properties, taking into account site conditions, including but not limited to:
  - 1 Topography changes from adjoining property
  - 2 Intervening structures
  - 3 Distance from nearest structure on neighboring property
  - 4 Vegetation that creates a visual screen
- c. The transitional encampment shall be screened. The screening shall meet setbacks except screening or structures that act as screening that are already in existence. Screening is required for mitigation of visual appearance to the street and neighboring properties. There shall be screening fence installed wherever the camp is visible from streets or residential properties. The color of the screening shall not be black.
- d. A fire permit is required for all tents over 400 square feet. Fire permit fees are waived.
- e. All tents must be made of fire resistant materials and labeled as such.
- f. Provide adequate number of 2A-10BC rated fire extinguishers so that they are not more than 75 feet travel distance from any portion of the complex. Recommend additional extinguishers in cooking area & approved smoking area.
- g. Smoking in designated areas only; these areas must be a minimum of 25 feet from any neighboring residential property. Provide ash trays in areas approved for smoking.
- h. Emergency vehicle access to the site must be maintained at all times.
- i. Members of the transitional encampment Security personnel shall monitor entry points at all times. A working telephone shall be available to security personnel ensure the safety and security of the transitional encampment at all times.

**ATTACHMENT B**  
**YELLOW HIGHLIGHTED SECTIONS ARE DEPENDENT ON**  
**COUNCIL AMENDMENTS TO THE PLANNING COMMISSION**  
**RECOMMENDATION**

j. Provide adequate sanitary facilities.

8. The encampment shall permit inspections by City, King County Health Department, and Fire Department inspectors at reasonable times during the permit period without prior notice to ensure compliance with the conditions of the permit.

9. The encampment shall allow for an inspection by the Shoreline Fire Department during the initial week of the encampment’s occupancy.

10. Encampments may be allowed to stay under the Temporary Use Permit for up to 90 days. A TUP extension may be granted for a total of 180 days, on sites where agencies in good standing have shown to be compliant with all regulations and requirements of the TUP process, with no record of rules violations. The extension request must be made to the City, but does not require an additional neighborhood meeting or additional application materials or fees.

11. Host or Managing Agencies may not host a transitional encampment on the same site within 180 days of the expiration date of the TUP for a transitional encampment.

12. At expiration of the permit, the Host or Managing Agency shall restore the property to the same or similar condition as at permit issuance.

**Amendment #4 – Use Tables.**

Note: not all rows in tables are shown here in the interest of brevity and clarity.

20.40.120 Residential uses. 

**Table 20.40.120 Residential Uses**

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	TC-4	NB	CB	MB	TC-1, 2 & 3
<b>TEMPORARY LODGING</b>									
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel						P	P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i	P-i	
-	Transitional Encampment	P-i	P-i	P-i	P-i	P-i	P-i	P-i	-



**ATTACHMENT B  
YELLOW HIGHLIGHTED SECTIONS ARE DEPENDENT ON  
COUNCIL AMENDMENTS TO THE PLANNING COMMISSION  
RECOMMENDATION**

20.40.150 Campus uses. 

NAICS #	SPECIFIC LAND USE	CCZ	FCZ	PHZ	SCZ
-	Tent City	P-i	-	-	-
	Wireless Telecommunication Facility	P-i			P-i
<b>P = Permitted Use</b> <b>P-i = Permitted Use with Indexed Supplemental Criteria</b> <b>P-m = Permitted Use with approved Master Development Plan</b>					

**Table 20.40.160 Station Area Uses**

NAICS #	SPECIFIC LAND USE	MUR-35'	MUR-45'	MUR-70'
<b>RESIDENTIAL</b>				
-	Tent City	P-i	P-i	P-i

**Amendment #5. Move existing Indexed Criteria from the Use Provisions to the new section under 20.30.295, Temporary Use Permit, Section D, Additional Transitional Encampment Criteria.**

~~20.40.535 Transitional encampment.~~ 

~~A. Allowed only by temporary use permit.~~

~~B. Prior to application submittal, the applicant is required to hold a neighborhood meeting as set forth in SMC [20.30.090](#). A neighborhood meeting report will be required for submittal.~~

~~C. The applicant shall utilize only government-issued identification such as a State or tribal issued identification card, driver's license, military identification card, or passport from prospective encampment residents to develop a list for the purpose of obtaining sex offender and warrant checks. The applicant shall submit the identification list to the King County Sheriff's Office Communications Center.~~

**ATTACHMENT B**  
**YELLOW HIGHLIGHTED SECTIONS ARE DEPENDENT ON**  
**COUNCIL AMENDMENTS TO THE PLANNING COMMISSION**  
**RECOMMENDATION**

~~D.—The applicant shall have a code of conduct that articulates the rules and regulation of the encampment.~~

~~E.—The applicant shall keep a cumulative list of all residents who stay overnight in the encampment, including names and dates. The list shall be kept on site for the duration of the encampment. The applicant shall provide an affidavit of assurance with the permit submittal package that this procedure is being met and will continue to be updated during the duration of the encampment. (Ord. 731 § 1 (Exh. A), 2015; Ord. 368 § 2, 2005).~~

# ATTACHMENT C

February 19, 2017 email comments sent by Cindy Roat of Greater Seattle Cares in response to the February 15, 2017 meeting with local church representatives on the proposed transitional encampment amendments

I know that you have already sent the transitional encampment amendments to the City Council, but I wanted you to see this information, explaining why the City should not require 15000 square feet for a camp of 100. The attached document (**Attachment C-1**), Encampment Size letter, explains it all. I understand that you want a minimum size so as to keep encampments out of back yards, but the minimum that is included in the amendments for a camp of 100 is too big.

I know you are interested in learning more about how these camps can work, so I thought you would be interested in seeing this. Attached, (are) some images and a PDF that contains some of them, some explanations, and a sample layout for a 100-person camp in a 100x100 site. Hopefully this helps them see sanity.

My suggestion for the ordinance: 100 sf per maximum population of the encampment. Perhaps in 2500 sf increments.

Thus, 0-25 people, 2500 sf; 26-50 people, 5000 sf; 51-75 people, 7500 sf; et cetera.

They might word it something like this: given a maximum intended encampment population, for each 25 people or portion thereof, 2500 sf must be available for use on the site.

And then they should include a chart up to 75 people, with the +25 and +2500 sf as the bottom row. If that makes sense.

This would allow TC-3 (Tent City 3) to stay at PoP (Prince of Peace), for example.

Regards,

Cindy Roat, President - Greater Seattle Cares

# Attachment C-1

## Encampment site sizes

By Roger Franz

I was asked by Cindy Roat to present pictures of large camps on small sites, and after some thought I decided to write some explanation to go with them.

Most of these pictures are from Google Earth with prior year aerial and satellite pictures. I have cropped them as I felt necessary to reduce the size of this file.

Most of these are for Tent City 3. One is for Nickelsville.

A 100-person encampment can function fairly well in 10000 square feet. It will function *better* at 12000. It *can* function at 9000.

## Prince of Peace Church

145<sup>th</sup> and 20<sup>th</sup>, Shoreline

The first example that comes to mind is Prince of Peace. The adjacent lot to Prince of Peace is about 8185 sf per King County. When TC3 was at this church, the camp spilled over about 15 feet into the main lot, which is about 140 feet long.  $20 \times 140 = 2800$  sf.

The adjacent lot has embankments at the eastern and northern edges, making about 5' of the northern edge useless for 70' of its length, and about 5' of the eastern edge useless. Campers can make use of some of the embankment, by creative use of pallets.

Again, the lot is 8185 sf. 8185 less 600 nonusable space plus 2800 sf in the northern row of parking spaces from the main lot gives 10385 sf – a little more than 10ksf.

And here's the picture from Google Earth, 2010:



## Cherry Hill Baptist Church

22<sup>nd</sup> and Cherry, Seattle

Another relatively tight space is Cherry Hill Baptist Church's lot. The lot space inside the sidewalks is about 73 x 146 (~10658). The King County Assessor's report is useless, as it

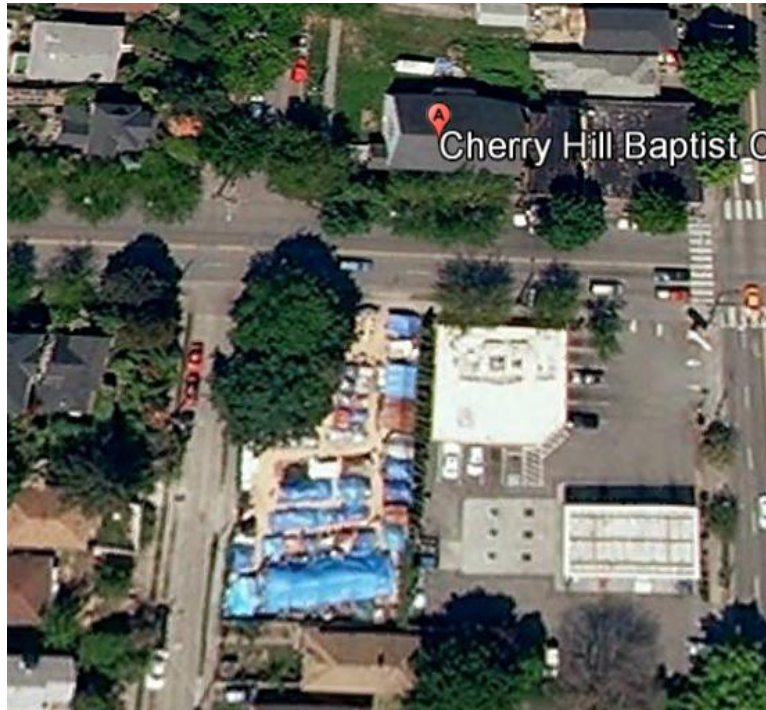
does not accurately reflect the size of the lot. (This is obvious when you overlay the aerial photos).

The south end of the lot is a steep slope, and is relatively useless for approximately seven (7) feet. About six (6) feet of the east edge of the lot is useless for the southern 70 feet for a similar reason. There is also a huge tree on the lot, and about 20 square feet around it is useless.  $67*7 + 70*6 + 20$ , or 909 sf are useless. Again, campers can be creative and use a foot or two, but such construction is dangerous and not approved on this slope.

$10658 - 909 = 9749$  sf.

Tent City 3 has camped here several times over the years, with 100 people on the site.

Here's a picture, 2009:



## St. Therese

35<sup>th</sup> Ave and E Spring St, Seattle

athletic field, 60 x 150. If the camp uses surrounding margins, perhaps 80 x 170 (12600).

Here's a picture (it's rather blurry, but it shows TC-3 on the site):



I do not know the details about usable space on this site. King County's "Hillshade" graphic shows about 5-8' on the eastern and western edges to be unusable. I estimate, then, that the usable space is 70 x 170, or 11,900 sf.

Tent City 3 has been here at least once. I do not have details.

## Bryn Mawr United Methodist Church

80<sup>th</sup> Ave S and S 116<sup>th</sup> St.

Adjacent space.

Tent City 3 has been here a few times, and Nickelsville a few times.

The usable space is about 107 x 110 feet (measured with a tape), or 11,770 sf.

Tent City 3 fits here very nicely.

The aerial photograph I found of the space was when Nickelsville was there, in 2009. you can see that there was room to spare, and their tents are not arranged optimally.



## **A sample Layout:**

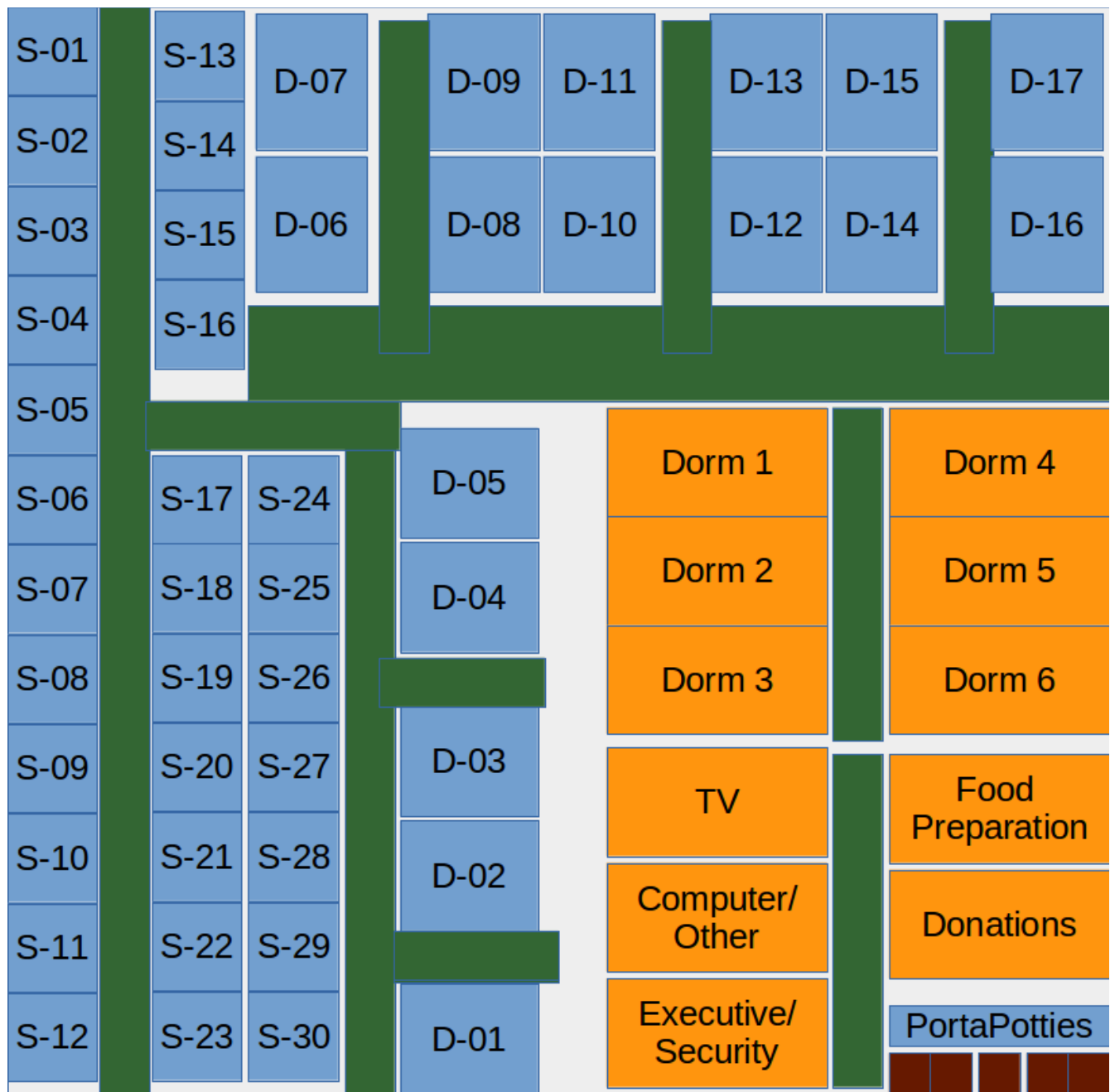
Currently, Camp United We Stand, Camp Unity Eastside, and Camp Second Chance do not plan for tight spaces. These are small camps, and do not need to pack themselves tightly. They have, in fact, planned to remain small so they will never have that need.

Tent City 3 and Tent City 4, on the other hand, have typically had populations of 80-100 residents. They have often camped in spaces of about 10,000 square feet.

This is accomplished by strictly limiting the size of tents allowed.

In TC3, for example, single tents are allowed 8' x 8'; doubles are allowed 10'x12', and family tents (3 or more people) are allowed 10' x 16'. In addition, Tent City 3 has the dorm tents, where 5-7 people sleep in a tent the size of a carport. At times, these tents have been huge (an old army mash tent is shown, for example, in an aerial photograph from 2007 on King County's iMap site, at Haller Lake UMC (133<sup>rd</sup> and 1<sup>st</sup> Ave N, Seattle)). A 16x20 tent can hold 10 people easily (6 ½' x 4' for each).

Below I show a sample layout of an encampment like Tent City 3. This is to scale, and it is drawn in a 100x100 sf space – 10,000 square feet.





I need to explain a few things. First, this is not an optimal layout, as there is unused space. However, this would *work*. It does not include family tents, yet there is easily enough room amongst the Doubles tents to change one of those for a family tent (they do not necessarily have to be exactly 10x16; they could be 12x12 or 12x14, for example).

Tent Type	Number	Persons each	Total
Single	30	1	30
Double	17	2	34
Dorm	6	6	36
<b>TOTAL POPULATION</b>			<b>100</b>

The walkways indicated are at least 4'6" wide. For a long time, Tent City 3 was under a consent decree with the City of Seattle, which required 4' aisles. While the camp is no longer under the consent decree, this practice is still maintained (for the most part) for purposes of emergency access (accommodating gurneys, in particular).

Five porta-potties are near the entrance. Often they will be placed centrally, but must be near an edge of the camp so the porta-potty truck can get near them (25' hose is the limit on distance from the street).

On a larger site, other tents would be placed. On a smaller site, the TV, Computer/Other, and Donations tents might disappear. Donations might be merged with the Executive/Security tent (and, in practice, this happens often even on larger sites).

*The only way this works is by strictly limiting tent size.* When tents are allowed to be larger, the space required for them grows.

Yet, you can see that a 100-person camp will fit on a 10,000 square feet lot – or a somewhat smaller one; there is unused space in this layout.

## Considerations other than space

1. A fire extinguisher should be easily available no more than 75' from any point in the camp. Fire marshals have interpreted this differently, but typically one per row, at the end of the row. In the layout above, Tukwila's fire marshal would have wanted eight full-size fire extinguishers (One in the food preparation area, one at the Executive/Security desk, two in the long singles aisle, one at the end of each doubles row along the top, and one at the end of the singles/doubles row). This is actually 50' or less from any point in camp, but the idea behind his requirement was 'easily available.' No one should have to take a turn to get to a fire extinguisher (nearly his exact words). While fires were rare in Tent City 3, they did happen – almost always when a resident was breaking the rules.

2. Porta-potties must be maintained so that they do not fill completely between truck visits. 3 visits a week for 5 porta-potties is sometimes not adequate for a 100-person camp, particularly in summer. Encampments should have some arrangement for extra visits during high-capacity stays.

3. At larger sites, an encampment may want to expand to larger than 100 people. While this is possible, it's been discovered that beyond about 115 residents, a self-managed encampment becomes nearly unmanageable without modification of its governance structures. When Tent City 3 tried this, the Executive Committee found itself extremely busy.

## **About the author**

Roger Franz survived five years, homeless, in Tent City 3. For four of those years, he occupied a leadership position (Camp Adviser). He led 6 moves as “Movemaster” for Tent City 3, and was deeply involved in design and layout of most of the site plans.

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Discussion and Update of 147 <sup>th</sup> /148 <sup>th</sup> Street Non-Motorized Bridge and Preferred Alternative		
<b>DEPARTMENT:</b>	Public Works		
<b>PRESENTED BY:</b>	Nora Daley-Peng, Senior Transportation Planner		
<b>ACTION:</b>	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

**PROBLEM/ISSUE STATEMENT:**

At the December 12, 2016 Council meeting, City staff requested feedback from the City Council on the Non-Motorized Bridge Options to 145th street light rail station. Based on the presentation, Council directed City staff to refine the two most viable options – Refined 147<sup>th</sup> Street Option (Hybrid of 147<sup>th</sup> Street Option A and B) and Refined 148<sup>th</sup> Street Option - and return to Council with an update before advancing a preferred alternative into 30% design and environment analysis. See Attachment A for map of the two refined options.

The staff report for December 12, 2016 Council presentation can be found at: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport121216-9a.pdf>

Tonight, City Staff is returning to City Council with two refined non-motorized bridge options for discussion and selection of a preferred alternative to take forward into 30% design and environmental analysis. The following key refinements were made to the options:

- Refined 147<sup>th</sup> Street Crossing Option
  - adjustments to the bridge alignment for cost savings
  - reconfiguration of the ramp and stairs to the station plaza for more direct pedestrian/bike access to the station
- Refined 148<sup>th</sup> Street Crossing Option
  - reconfiguration of the ramp and stairs to the station plaza to resolve pedestrian circulation conflicts

**RESOURCE/FINANCIAL IMPACT:**

The 2017 Capital Improvement Projects (CIP) budget includes \$500,000 for 147<sup>th</sup>/148<sup>th</sup> Street Non-motorized Bridge - 30% Design and Environmental Analysis. The 30% design advancement of the 147<sup>th</sup>/148<sup>th</sup> Street Non-motorized Bridge project in 2017 will help position the City for the 2018 – 2020 grant funding cycle. No additional staff resources are required for this effort.

**RECOMMENDATION**

Based on an evaluation of pedestrian/bike travel time, the walkshed served, and cost, Staff is recommending that Council, through consensus, authorize moving forward with the 148<sup>th</sup> Street Refined Option as the preferred alternative to advance to 30% design and environmental review.

Approved By:           City Manager ***DT***   City Attorney ***JA-T***

## **INTRODUCTION**

To maximize multi-modal access to the future 145<sup>th</sup> Street light rail stations, City Staff has been conducting a feasibility study of non-motorized bridge options (see Attachment B for composite map of all options studied to date) in the vicinity of 147<sup>th</sup>/148<sup>th</sup> Street. This report provides a briefing on two refined options that were developed from the initial set of four options presented to Council on December 12, 2016 and recommends the 148<sup>th</sup> Street Refined Option as the preferred alternative to advance to 30% design and environmental analysis.

The December 12, 2016, staff report and other documents can be found at: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport121216-9a.pdf>

Advancing the design of this project and obtaining environmental clearances will accomplish the following:

- Provide Sound Transit with the design parameters and costs needed to avoid preclusion of non-motorized facilities to the 145<sup>th</sup> Street Light Rail Station in advance of the Sound Transit Lynnwood Link Extension (LLE) project
- Support Sound Transit's "baseline" design milestone due to be completed in the Summer 2017 which establishes the light rail project's cost
- Foster design partnerships with Sound Transit and Washington State Department of Transportation (WSDOT)
- Prepare conceptual designs in 2017 to be competitive in the 2018 - 2020 federal and state grant funding cycle

## **REFINED OPTIONS**

Based on the December 12, 2016 presentation, Council directed staff to refine the two most viable options and return to Council with an update before advancing a preferred alternative into 30% design and environment analysis.

Operating within the design constraints posed by vertical height clearances, American with Disabilities Act (ADA) requirements, and WSDOT right-of-way restrictions (refer to the December 12, 2016 staff report for a detail description of these design constraints), the project team refined the top two options (see Attachment C for crossing option profiles) as follows:

- Refined 147<sup>th</sup> Street Crossing Option
  - Per Council's direction on December 12, 2016, City Staff developed a hybrid crossing option which combines that best elements of the initial 147th Street Option A and Option B. This hybrid offers an efficient crossing option similar to Option A with a direct connection to the station similar to Option B. As an improvement over Option B, the hybrid eliminates the bridge connection to the third level of the station's garage and, instead, provides a direct ramp and stairs connection to the plaza level. This improvement quickens pedestrian/cyclist travel times.

- Refined 148<sup>th</sup> Street Crossing Option
  - Similar to the initial 148<sup>th</sup> Street Option, the refined alignment starts at the end of N 148th Street, ramps up to a bridge crossing of I-5, and passes under the LLE Guideway. The refined option has an improved ramp and stair configuration to the north of the station that ties into the plaza level, as well as the trail along the Rail's conceptual alignment.

### **ALTERNATIVES ANALYSIS**

To evaluate the benefits of the refined options, the project team analyzed each option's pedestrian/bike travel time, the walkshed served, and estimated cost. The table below summarizes the findings of the analysis (see Attachment D for Walkshed Analysis Maps and Attachment E for detailed cost estimates):

<b>Option</b>	<b>Length</b>	<b>Pedestrian Travel Time*</b>	<b>Total Walkshed Acreage</b>	<b>Acreage Gain over baseline</b>	<b>Cost Estimate</b>
Baseline	N/A	N/A	218.66	N/A	N/A
147 <sup>th</sup> Street – Option A	1,407 ft.	5.8 minutes	218.66	0.0	\$17,512,000
147 <sup>th</sup> Street – Option B	880 ft.	3.6 minutes	229.97	11.31	\$18,792,000
147 <sup>th</sup> Street – Refined Option	860 ft.	3.5 minutes	235.97	17.31	\$16,687,000
148 <sup>th</sup> Street – Refined Option	580 ft.	2.4 minutes	290.86	72.2	\$13,331,000
149 <sup>th</sup> Street ( <i>Infeasible</i> )	N/A	N/A	N/A	N/A	N/A

\* Pedestrian travel time is based on the length of each option's alignment (the bridge and its ramps/walkways from the west side neighborhood over I-5 to the light rail station's plaza level) using *The Manual on Uniform Traffic Control Devices*' (MUTCD) suggested normal walking speed of four feet per second.

The following table provides a comparative analysis of the 147<sup>th</sup> Street Refined Option and 148<sup>th</sup> Street Refined Option based on estimated cost, walkshed increase, and design/construction considerations:

**Comparative Analysis of Non-Motorized Refined Options**

<b>Alignments Considered</b>	<b>Opinion of Cost Summary (2022)<sup>a</sup></b>	<b>Walk Time</b>	<b>Walkshed Summary</b>	<b>Considerations</b>
147 <sup>th</sup> Refined Option	\$16,687,000	3.5 minutes	Moderate Increase	<ul style="list-style-type: none"> <li>Requires sidewalk construction and illumination on 147<sup>th</sup> Street</li> <li>Geometry of the profile requires 5% grade of overcrossing structure over I-5.</li> <li>Truss options require closure of I-5 to erect trusses.</li> <li>Location of east side pier provides for most convenient location to erect truss due to clearance from LLE aerial guideway</li> <li>Constructability of erecting trusses under the guideway structure - will need to be partially launched from temporary supports.</li> <li>147<sup>th</sup> Street will function as kiss-n-ride, increasing vehicle traffic. Traffic impacts were not studied. No additional accommodations for vehicle turn-around were provided at the east end of 147<sup>th</sup> Street.</li> <li>No property acquisition is assumed for this option.</li> </ul>
148 <sup>th</sup> Refined Option	\$13,331,000	2.4 minutes	Greatest Increase	<ul style="list-style-type: none"> <li>Truss options require closure of I-5 to erect trusses.</li> <li>Constructability of erecting trusses under the LLE aerial guideway - will need to be partially launched from temporary supports, taking more time and longer closure of I-5.</li> <li>Methodology of bridge construction is impacted by timing of LLE guideway construction. There is little space west of the LLE guideway for construction staging.</li> <li>Requires pathway construction and illumination from 1<sup>st</sup> Ave to I-5, requiring permanent property easements or property acquisition.</li> <li>Access to the two churches and the parking lot at Phillippi Presbyterian Church will likely function as kiss-n-ride, increasing vehicle traffic. Traffic impacts were not studied.</li> <li>Property acquisition or easement will be required for ramp touch down to the north of the station.</li> </ul>

Table Notes

<sup>a</sup> Opinion of cost escalated to 2022

Table Notes

<sup>a</sup> Opinion of cost escalated to 2022

## **DISCUSSION**

Based on the comparative analysis of the all viable crossing options studied, Staff is recommending that the 148<sup>th</sup> Street Refined Option be the preferred alternative for following reasons:

- Presents the least expensive option
- Provides the shortest bridge/ramp connection to the light rail station, which in turn, provides the shortest walk time
- Provides the greatest increase in walkshed
- Offers the closest option for a mid-point crossing between the 145<sup>th</sup> Street Bridge and 155<sup>th</sup> Street Undercrossing, thereby more evenly supporting local non-motorized access to the station

If the 148<sup>th</sup> Street Refined Option moves forward as the preferred alternative for 30% design and environment analysis, the following key elements should be addressed early in the process to minimize risk:

- Ensure that the pedestrian/bike ramp doesn't conflict with pedestrian/cyclist circulation at the station plaza level and to/from the Trail Along the Rail
- Coordinate with Sound Transit about construction sequencing of the guideway and the bridge. If a bridge pier cannot be constructed before the guideway is built, then the construction of a pier foundation should be considered as a placeholder to not preclude the future construction of the bridge
- Explore property easements and/or acquisitions on both sides of the bridge into in order to accommodate bridge and ramp configurations
- Assess and accommodate anticipated changes to auto/pedestrian/cyclist circulation in the vicinity of N 148<sup>th</sup> Street

## **RESOURCE/FINANCIAL IMPACT**

The 2017 Capital Improvement Projects (CIP) budget includes \$500,000 for 147<sup>th</sup>/148<sup>th</sup> Street Non-motorized Bridge - 30% Design and Environmental Analysis. The 30% design advancement of the 147<sup>th</sup>/148<sup>th</sup> Street Non-motorized Bridge project in 2017 will help position the City for the 2018 – 2020 grant funding cycle. No additional staff resources are required for this effort.

### ***Potential Funding Sources***

- Nexus between Sound Transit Multi-Modal Access Assessment Improvements within ½ mile of the 145<sup>th</sup> and 185<sup>th</sup> Street Stations
- WA State Recreation and Conservation Office (RCO) – 50% match
- WSDOT Pedestrian and Bicycle Program – no match required
- STP/CMAQ – Regional Competition – minimum 13.5% match
- STP/CMAQ – Countywide Competition – minimum 13.5% match



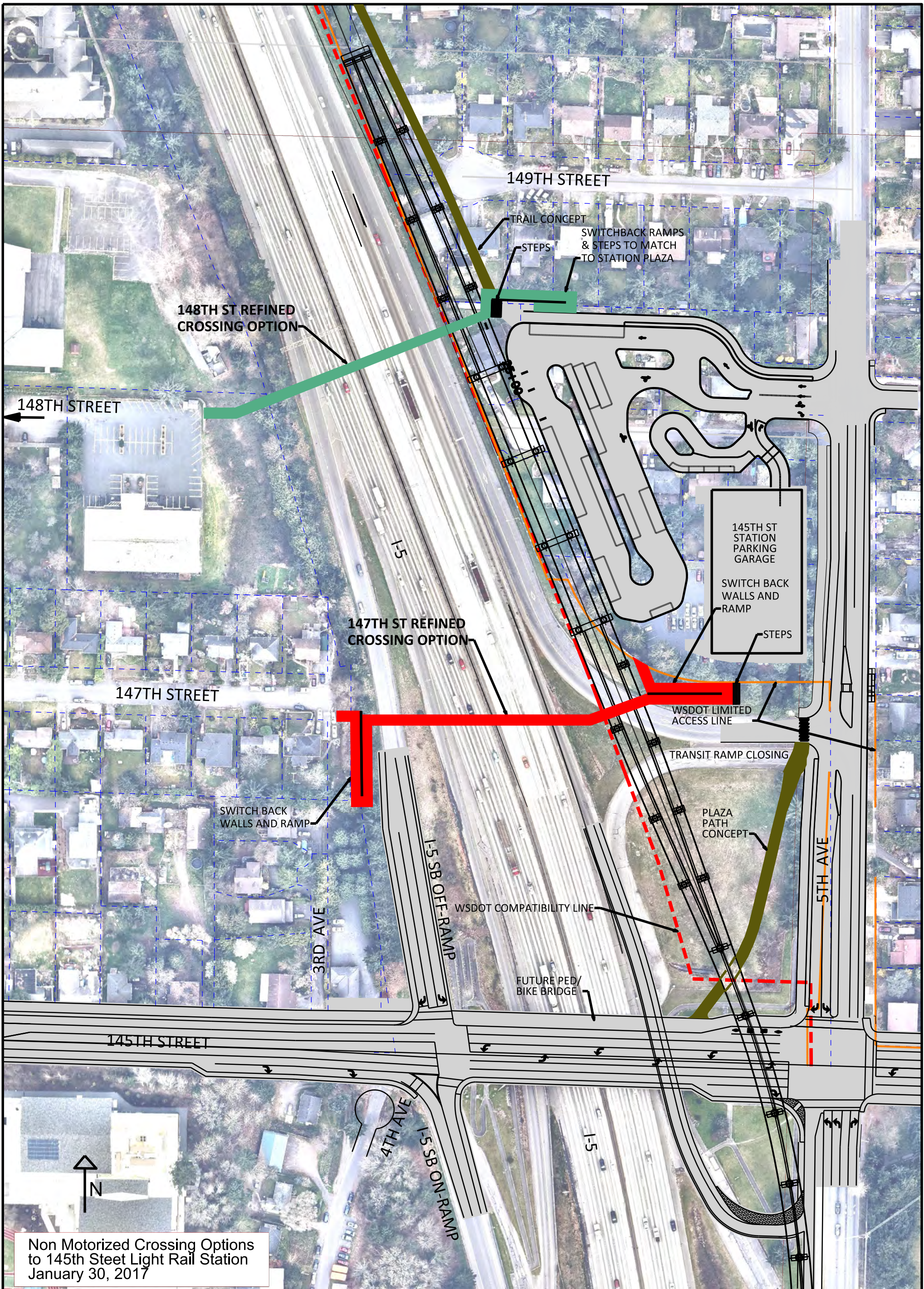
- Federal Transit Administration – FAST – New Starts Grant for trails up to 3 miles from light rail stations

### **RECOMMENDATION**

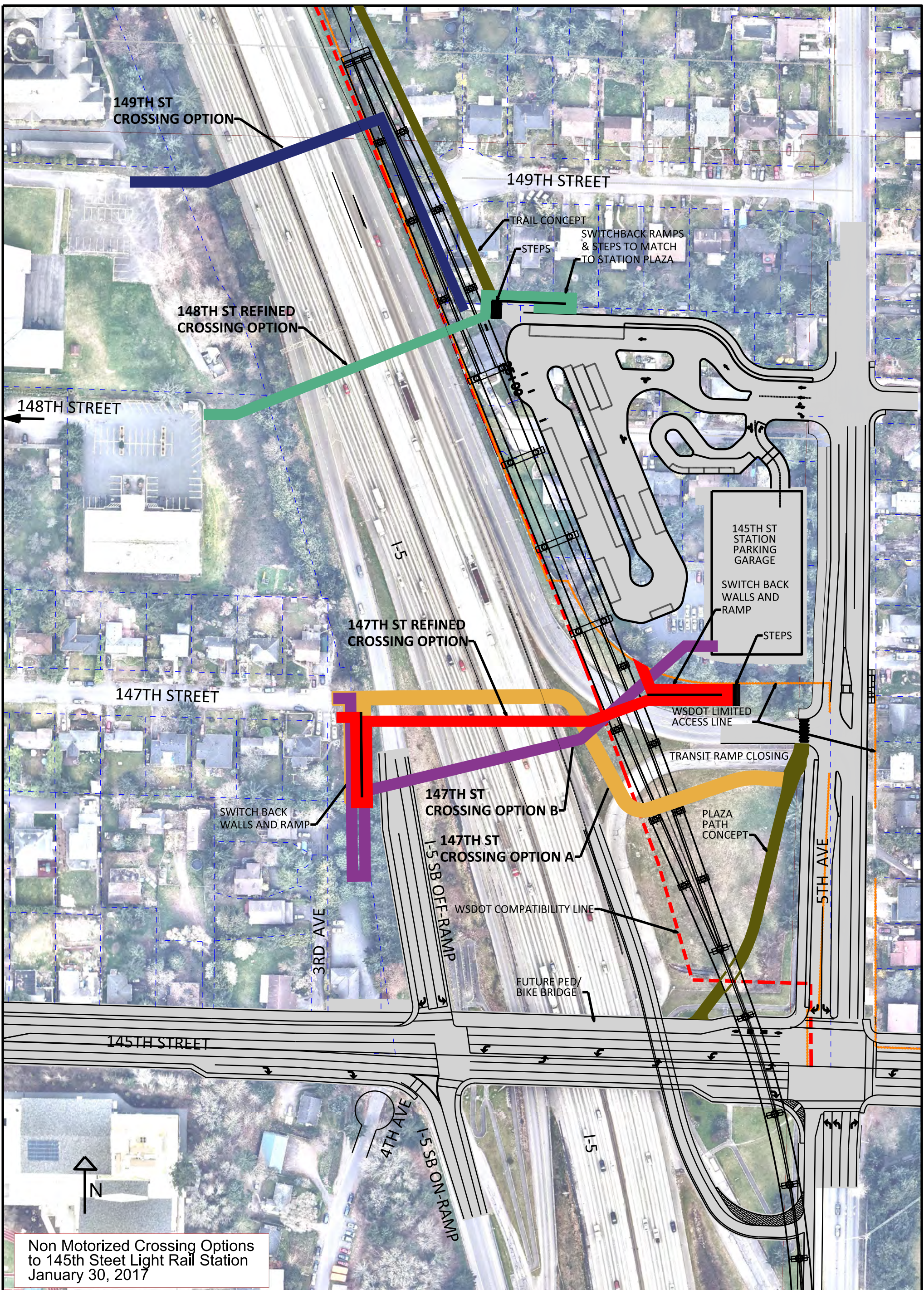
Based on an evaluation of pedestrian/bike travel time, the walkshed served, and cost, staff is recommending that Council, through consensus, authorize moving forward with the 148<sup>th</sup> Street Refined Option as the preferred alternative to advance to 30% design and environmental review.

### **ATTACHMENTS**

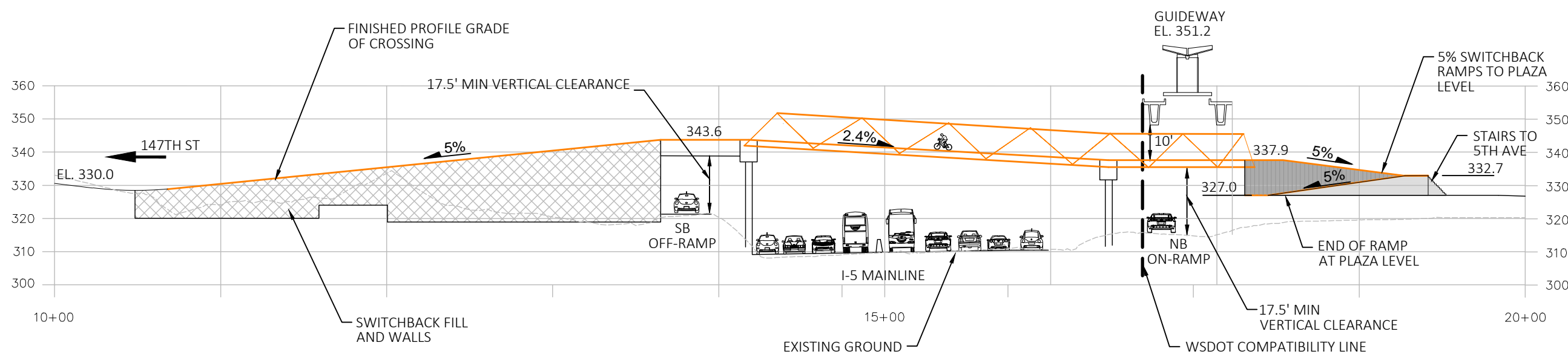
- Attachment A: Refined Non-Motorized Crossing Options - Plan
- Attachment B: Non-Motorized Crossing Options Studied to Date - Plan
- Attachment C: Refined Non-Motorized Crossing Options - Profiles
- Attachment D: 145<sup>th</sup> Street Station Walkshed Analysis
- Attachment E: Refined Non-Motorized Crossing Options – Cost Estimates



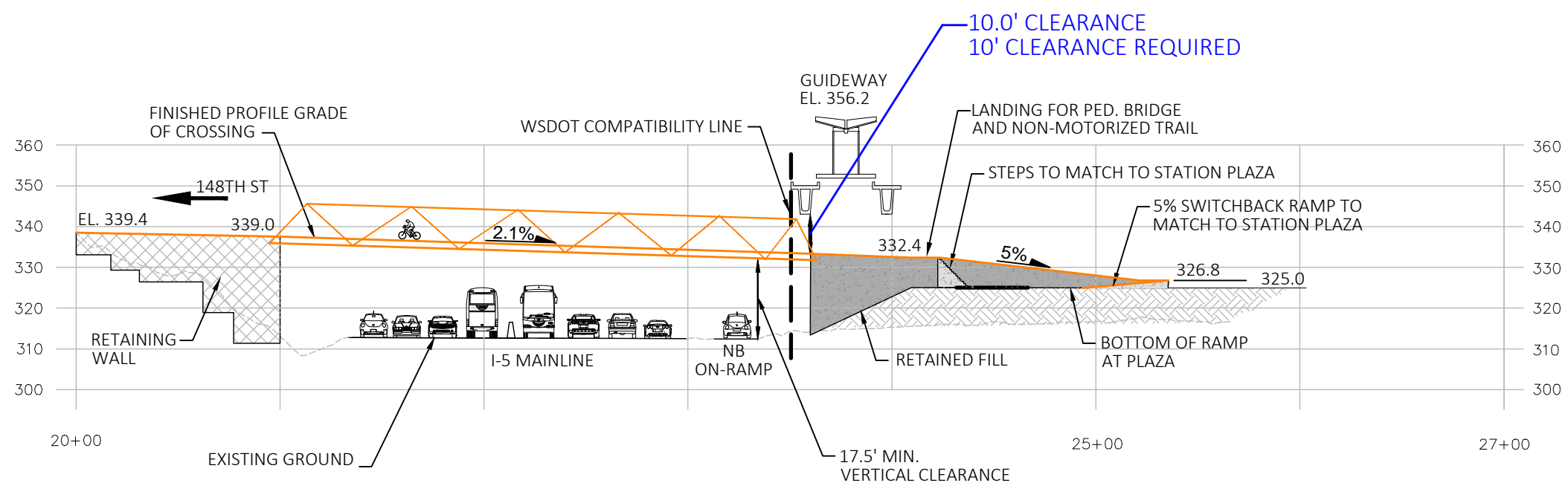
Non Motorized Crossing Options to 145th Street Light Rail Station  
January 30, 2017



Non Motorized Crossing Options to 145th Street Light Rail Station  
January 30, 2017



- NOTES:
1. STEEL TRUSS STRUCTURE ASSUMED OVER I-5 DUE TO LENGTH OF SPAN.
  2. FOR BRIDGE SPANS NOT OVER I-5, 4.5' STRUCTURE DEPTH ASSUMED BASED ON WSDOT BRIDGE DESIGN MANUAL
  3. PROFILES AND PLANS ARE CONCEPTUAL LEVEL FOR THE PURPOSE OF GEOMETRIC FEASIBILITY STUDY. SOILS AND UNDERGROUND CONDITIONS HAVE NOT BEEN STUDIED TO DETERMINE STRUCTURE TYPE AND OTHER FACTORS THAT MAY AFFECT THE FEASIBILITY.



- NOTES:
1. STEEL TRUSS STRUCTURE ASSUMED OVER I-5 DUE TO LENGTH OF SPAN.
  2. FOR BRIDGE SPANS NOT OVER I-5, 4.5' STRUCTURE DEPTH ASSUMED BASED ON WSDOT BRIDGE DESIGN MANUAL
  3. PROFILES AND PLANS ARE CONCEPTUAL LEVEL FOR THE PURPOSE OF GEOMETRIC FEASIBILITY STUDY. SOILS AND UNDERGROUND CONDITIONS HAVE NOT BEEN STUDIED TO DETERMINE STRUCTURE TYPE AND OTHER FACTORS THAT MAY AFFECT THE FEASIBILITY.



# Baseline Walkshed

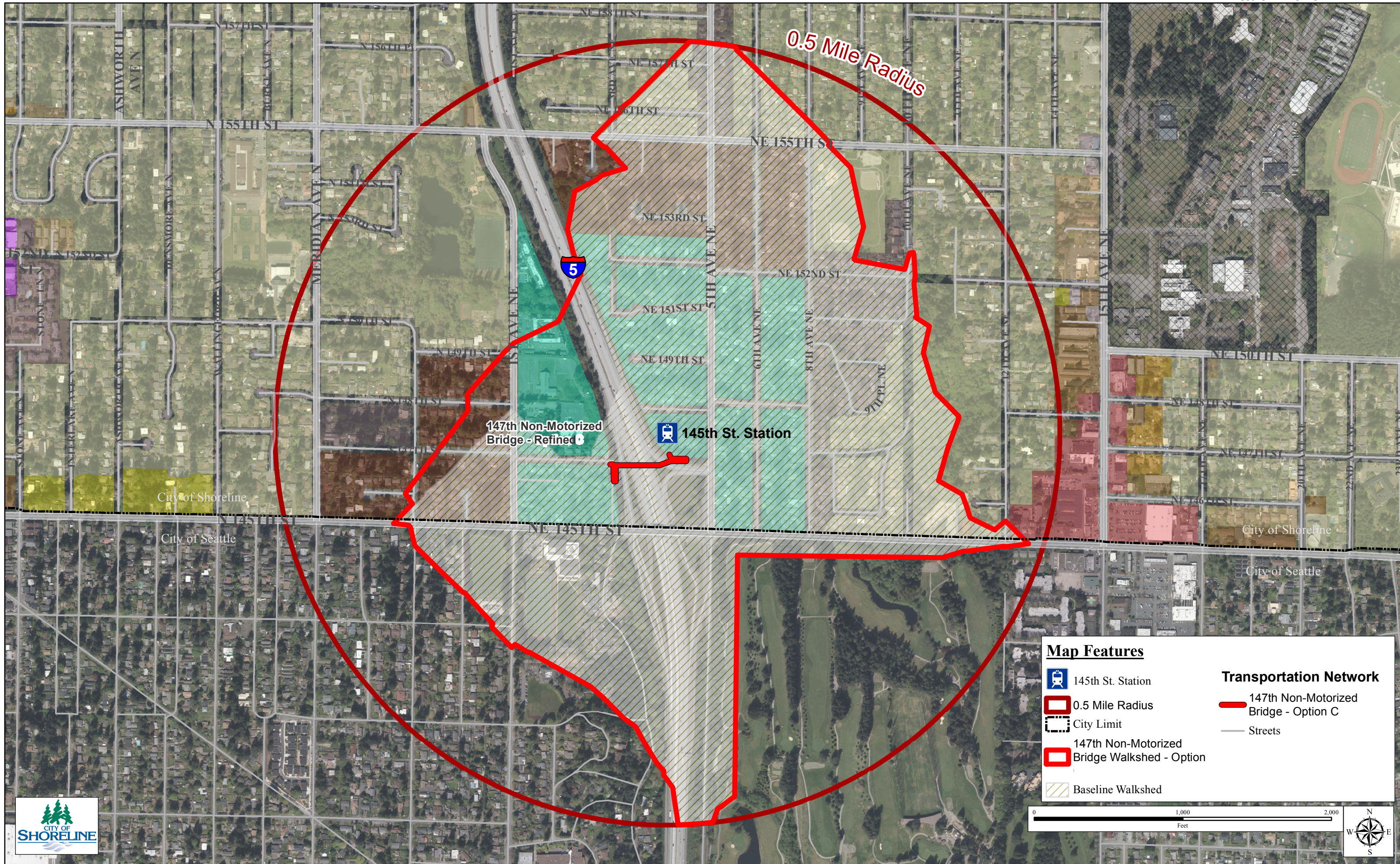
145th St. Station Subarea Phase 1 Zoning



**Map Features**

- 145th St. Station
- 0.5 Mile Radius
- City Limit
- Baseline Walkshed
- Streets





**Map Features**

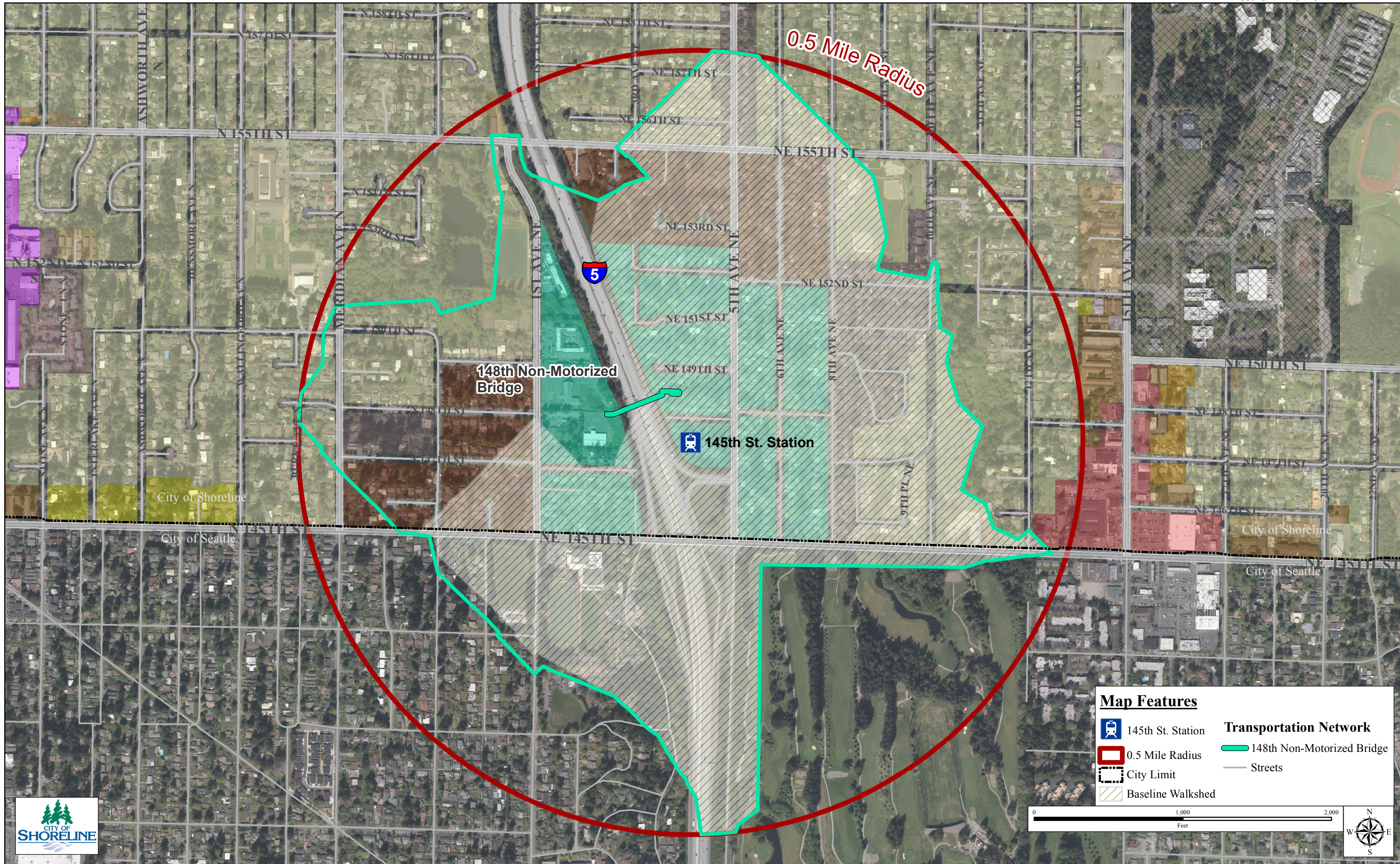
- 145th St. Station
- 0.5 Mile Radius
- City Limit
- 147th Non-Motorized Bridge Walkshed - Option
- Baseline Walkshed

**Transportation Network**

- 147th Non-Motorized Bridge - Option C
- Streets

0 1,000 2,000 Feet





**Map Features**

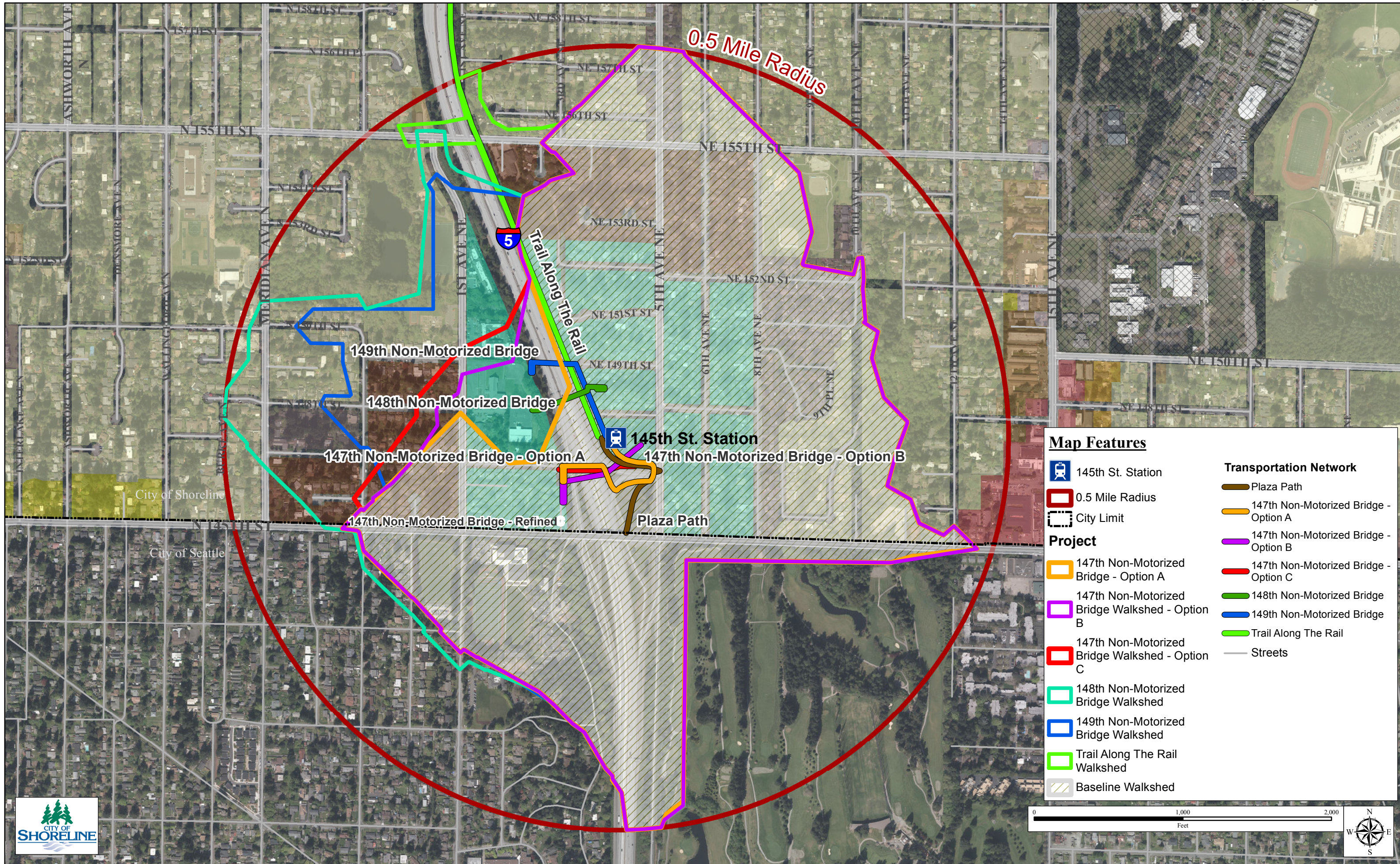
- 145th St. Station
- 0.5 Mile Radius
- City Limit
- Baseline Walkshed

**Transportation Network**

- 148th Non-Motorized Bridge
- Streets







**Map Features**

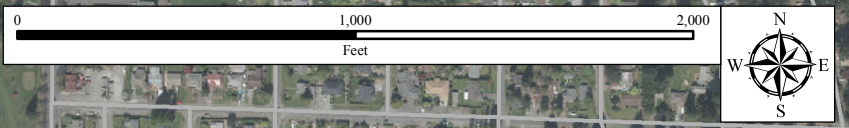
- 145th St. Station
- 0.5 Mile Radius
- City Limit

**Project**

- 147th Non-Motorized Bridge - Option A
- 147th Non-Motorized Bridge - Option B
- 147th Non-Motorized Bridge - Option C
- 148th Non-Motorized Bridge
- 149th Non-Motorized Bridge
- Trail Along The Rail
- Streets

**Transportation Network**

- Plaza Path
- 147th Non-Motorized Bridge - Option A
- 147th Non-Motorized Bridge - Option B
- 147th Non-Motorized Bridge - Option C
- 148th Non-Motorized Bridge
- 149th Non-Motorized Bridge
- Trail Along The Rail
- Streets



CITY OF SHORELINE Planning Level Opinion of Cost

Project: 145th Street Station Pedestrian/Bike Access  
 Project ID: 147th Street Refined Option  
 Concept #: 1

Entered by: GMS  
 Reviewed by: JAM  
 Updated: 2/17/2017

	Cost	Risk Assessment	Contingency		Total
			%	Amount	
<b>I. Right of Way</b>	\$0	MEDIUM	30%	\$ -	\$0
<b>II. Construction</b>	\$6,420,674	MEDIUM-HIGH	35%	\$ 2,247,235.97	\$8,668,000
<b>III. Project Development</b>	\$2,632,476	MEDIUM-HIGH	35%	\$ 921,366.75	\$3,554,000
<b>IV. Construction Management</b>	\$1,605,169	MEDIUM-HIGH	35%	\$ 561,808.99	\$2,167,000
<b>V. Estimate of Probable Cost (2016) Subtotal</b>					<b>\$14,389,000</b>
<b>VI. Escalation</b>			<b>Project Escalation</b>		<b>\$2,298,000</b>
Year of cost index	2016				
Midpoint of Construction	2022				
Escalation Rate	2.50%				
<b>TOTAL ESTIMATE OF PROBABLE COST</b>					<b>\$16,687,000</b>

See sheet 3 for Assumptions

The above cost opinion is in 2016 dollars for Comparative Level Evaluation of concepts. The cost does not include financial costs or operations and maintenance costs. In addition, there are no costs for the mitigation or remediation associated with the potential discovery of hazardous materials. The order of magnitude cost opinion shown has been prepared for guidance in project evaluation at the time of the estimate. The final costs of the project will depend on actual labor and material costs, actual site conditions, productivity, competitive market conditions, final project scope, final project schedule, and other variable factors. As a result, the final project costs will vary from the estimate presented above. Because of these factors, funding needs must be carefully reviewed prior to making specific financial decisions or establishing final budgets.

CITY OF SHORELINE Planning Level Opinion of Cost

Project: **145th Street Station Pedestrian/Bike Access**  
 Project ID: 147th Street Refined Option  
 Concept No.: 1

Entered by: **GMS**  
 Reviewed by: **JAM**  
 Updated: **2/17/2017**

I. RIGHT OF WAY	Neighborhood:		Residential	
	Unit	Quantity	Unit Cost	Total
1 Land Purchase (excludes full takes)	SF		\$ 30.00	\$0
2 Damage / Cure	%	10%	of line 1	\$0
3 Partial Building Take	SF	-	\$ 150.00	\$0
4 Full Acquisitions (sum up of assessed values)	LS			\$ -
5 Relocation	EA		\$ 10,000.00	\$0
6 Acquisition Admin. Costs (per Parcel)	EA		\$ 3,000.00	\$0
7 Condemnation Contingency (Estimated)		20%	of lines 1 through 6	\$0
<b>8 Right of Way Sub-Total</b>				<b>\$0</b>

II. CONSTRUCTION	Unit	Quantity	Unit Cost	Total
9 Demolition/Clearing	SF	24,000	\$ 1.00	\$24,000
10 Gravel Borrow	TON	5,653	\$ 20.00	\$113,056
11 Bridge Demolition & Disposal	SF		\$ 60.00	\$0
12 Pedestrian Bridge - Steel Truss	SF	4,650.00	\$ 550.00	\$2,557,500
13 Pedestrian Bridge - Concrete	SF	750.00	\$ 400.00	\$300,000
14 Curb Ramps	EA	6	\$ 2,900.00	\$17,400
15 New Pavement - HMA	LANE-MILE		\$ 480,000.00	\$0
16 Pavement Overlay	LANE-MILE		\$ 150,000.00	\$0
17 Asphalt Path	SY	622	\$ 20.00	\$12,444
18 Sidewalks	SY	596	\$ 60.00	\$35,733
19 Curb and Gutter	LF	670	\$ 25.00	\$16,750
20 Walls - Cut (Soil Nail)	LF		\$ 100.00	\$0
21 Walls - Fill (MSE)	SF	9,280	\$ 50.00	\$464,000
22 Drainage / Stormwater	LANE-MILE	0.34	\$ 180,000.00	\$61,364
23 Stormwater Management	LANE-MILE	0.34	\$ 160,000.00	\$54,545
24 Utility Modifications	LS	1	\$ 30,000.00	\$30,000
25 Utility Undergrounding (SCL)	LF		\$ 770.00	\$0
26 Landscaping	SY	556	\$ 70.00	\$38,889
27 Traffic Signal New	EA		\$ 340,000.00	\$0
28 Traffic Signal Modification	EA		\$ 150,000.00	\$0
29 Channelization / Signing	LANE-MILE	0.25	\$ 25,000.00	\$6,345
30 Illumination	MILE	0.34	\$ 500,000.00	\$170,455
31 TESC	LS	3%	of lines 9 through 29	\$117,074
32 Railing	LF	1,900.00	\$ 150.00	\$285,000
33 user custom			\$ -	\$0
34 user custom			\$ -	\$0
35 user custom			\$ -	\$0
36 Construction Traffic Control	%	13%	of lines 9 through 35	\$559,592
37 Miscellaneous / Allowance	%	20%	of lines 9 through 36	\$972,829
38 Mobilization	%	10%	of lines 9 through 37	\$583,697.65
39 WA State Sales Tax (Non-city utilities)	%	10%	of line 23 & 24	\$0
<b>40 Construction Sub-Total</b>				<b>\$6,420,674</b>

Assumptions listed on next page

The above cost opinion is in 2016 dollars for Comparative Level Evaluation of concepts. The cost does not include escalation, financial costs, or operations and maintenance costs. In addition, there are no costs for the mitigation or remediation associated with the potential discovery of hazardous materials. The order of magnitude cost opinion shown has been prepared for guidance in project evaluation at the time of the estimate. The final costs of the project will depend on actual labor and material costs, actual site conditions, productivity, competitive market conditions, final project scope, final project schedule, and other variable factors. As a result, the final project costs will vary from the estimate presented above. Because of these factors, funding needs must be carefully reviewed prior to making specific financial decisions or establishing final budgets.

CITY OF SHORELINE Planning Level Opinion of Cost

Project:	145th Street Station Pedestrian/Bike Access	Entered by:	GMS
Project ID:	147th Street Refined Option	Reviewed by:	JAM
Concept No.:	1	Updated:	2/17/2017

III. Project Development	Unit	Quantity	Unit Cost	Total
41 PE and Environmental Documentation	%	5%	of line 40	\$321,034
42 Design Engineering	%	20%	of line 40	\$1,284,135
43 Agency Administration	%	12%	of line 40	\$770,481
44 Public Art	%	2%	of line 40	\$128,413
45 Community Engagement	%	2%	of line 40	\$128,413
46			of line 40	\$0
<b>47 Project Development Sub-Total</b>				<b>\$2,632,476</b>

IV. Construction Management	Unit	Quantity	Unit Cost	Total
48 Construction Management	%	25%	of line 40	\$1,605,169
49 user custom			of line 40	\$0
50 user custom			of line 40	\$0
51 Monitoring agreement cost	%		of line 40	\$0
<b>52 Construction Management Sub-Total</b>				<b>\$1,605,169</b>

**Assumptions:**

- \* based on conceptual layout 147th Crossing Option C, January 2017
- \* assumes steel truss bridge over I-5, pre-fabricated and delivered to site
- \* assumes new sidewalks on 147th Street from 1st Ave NE to the I-5 SB off-ramp
- \* does not include costs for detailed architecture, special fabrication, or special art features
- \* includes switchback, walls, and landing south of the LRT Station

The above cost opinion is in 2016 dollars for Comparative Level Evaluation of concepts. The cost does not include escalation, financial costs, or operations and maintenance costs. In addition, there are no costs for the mitigation or remediation associated with the potential discovery of hazardous materials. The order of magnitude cost opinion shown has been prepared for guidance in project evaluation at the time of the estimate. The final costs of the project will depend on actual labor and material costs, actual site conditions, productivity, competitive market conditions, final project scope, final project schedule, and other variable factors. As a result, the final project costs will vary from the estimate presented above. Because of these factors, funding needs must be carefully reviewed prior to making specific financial decisions or establishing final budgets.

CITY OF SHORELINE Planning Level Opinion of Cost

Project: **145th Street Station Pedestrian/Bike Access**  
 Project ID: 147th Street Refined Option  
 Concept No.: 1

Entered by: **GMS**  
 Reviewed by: JAM  
 Updated: 2/17/2017

**Risk Considerations**

**Environmental Permitting**

Presence of wetlands  
 Impacts to ecological sensitive areas  
 Multi-agency approvals needed

Likelihood	Impact	Risk Assessment
Med	Low	LOW
Low	Low	LOW
High	Med	HIGH

**Design and Construction**

Unknown soil conditions  
 Contaminated soils  
 Unknown utilities  
 Underground utility project elements  
 Significant structures  
 Work within water table  
 Little project definition, many unknowns  
 New technology

Likelihood	Impact	Risk Assessment
Med	Low	LOW
Low	Med	LOW
High	Med	HIGH
Low	Low	LOW
High	High	HIGH
Low	Low	LOW
High	High	HIGH
None	None	NONE

**Right of Way**

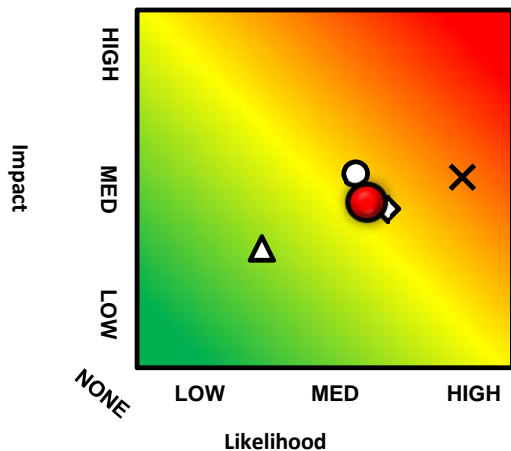
Significant property impacts

Likelihood	Impact	Risk Assessment
Low	Low	LOW

**Other Factors**

Project scope affected by other projects  
 Controversial project  
 Multi-jurisdictional project  
 Federal funding  
 Time constraint

Likelihood	Impact	Risk Assessment
High	Med	HIGH
Med	Low	LOW
High	Med	HIGH
High	Med	HIGH
Med	Low	LOW



**Risk Matrix**

- ◆ Environmental Permitting
- Design and Construction
- ▲ Right of Way
- ✕ Other Factors
- Aggregate Project Risk

CITY OF SHORELINE Planning Level Opinion of Cost

Project: 145th Street Station Pedestrian/Bike Access  
 Project ID: 148th Street Refined Option  
 Concept #: 1

Entered by: GMS  
 Reviewed by: JAM  
 Updated: 2/17/2017

	Cost	Risk Assessment	Contingency		Total
			%	Amount	
<b>I. Right of Way</b>	\$291,600	MEDIUM-HIGH	35%	\$ 102,060.00	<b>\$394,000</b>
<b>II. Construction</b>	\$4,952,991	MEDIUM-HIGH	35%	\$ 1,733,546.88	<b>\$6,687,000</b>
<b>III. Project Development</b>	\$2,030,726	MEDIUM-HIGH	35%	\$ 710,754.22	<b>\$2,742,000</b>
<b>IV. Construction Management</b>	\$1,238,248	MEDIUM-HIGH	35%	\$ 433,386.72	<b>\$1,672,000</b>
<b>V. Estimate of Probable Cost (2016) Subtotal</b>					<b>\$11,495,000</b>
<b>VI. Escalation</b>				<b>Project Escalation</b>	<b>\$1,836,000</b>
Year of cost index	2016				
Midpoint of Construction	2022				
Escalation Rate	2.50%				
<b>TOTAL ESTIMATE OF PROBABLE COST</b>					<b>\$13,331,000</b>

See sheet 3 for Assumptions

The above cost opinion is in 2016 dollars for Comparative Level Evaluation of concepts. The cost does not include financial costs or operations and maintenance costs. In addition, there are no costs for the mitigation or remediation associated with the potential discovery of hazardous materials. The order of magnitude cost opinion shown has been prepared for guidance in project evaluation at the time of the estimate. The final costs of the project will depend on actual labor and material costs, actual site conditions, productivity, competitive market conditions, final project scope, final project schedule, and other variable factors. As a result, the final project costs will vary from the estimate presented above. Because of these factors, funding needs must be carefully reviewed prior to making specific financial decisions or establishing final budgets.

CITY OF SHORELINE Planning Level Opinion of Cost

Project: **145th Street Station Pedestrian/Bike Access**  
 Project ID: **148th Street Refined Option**  
 Concept No.: **1**

Entered by: **GMS**  
 Reviewed by: **JAM**  
 Updated: **2/17/2017**

I. RIGHT OF WAY	Neighborhood:		Residential	
	Unit	Quantity	Unit Cost	Total
1 Land Purchase (excludes full takes)	SF	8,400	\$ 25.00	\$210,000
2 Damage / Cure	%	10%	of line 1	\$21,000
3 Partial Building Take	SF	-	\$ 150.00	\$0
4 Full Acquisitions (sum up of assessed values)	LS			\$ -
5 Relocation	EA		\$ 10,000.00	\$0
6 Acquisition Admin. Costs (per Parcel)	EA	4.00	\$ 3,000.00	\$12,000
7 Condemnation Contingency (Estimated)		20%	of lines 1 through 6	\$48,600
<b>8 Right of Way Sub-Total</b>				<b>\$291,600</b>

II. CONSTRUCTION	Unit	Quantity	Unit Cost	Total
	9 Demolition/Clearing	SF	36,000	\$ 1.00
10 Gravel Borrow	TON	6,934	\$ 20.00	\$138,681
11 Bridge Demolition & Disposal	SF		\$ 60.00	\$0
12 Pedestrian Bridge - Steel Truss	SF	3,750.00	\$ 550.00	\$2,062,500
13 Pedestrian Bridge - Concrete	SF	-	\$ 400.00	\$0
14 Curb Ramps	EA	3	\$ 2,900.00	\$8,700
15 New Pavement - HMA	LANE-MILE		\$ 480,000.00	\$0
16 Pavement Overlay	LANE-MILE		\$ 150,000.00	\$0
17 Asphalt Path	SY	933	\$ 20.00	\$18,667
18 Sidewalks	SY	-	\$ 60.00	\$0
19 Curb and Gutter	LF	-	\$ 25.00	\$0
20 Walls - Cut (Soil Nail)	LF		\$ 100.00	\$0
21 Walls - Fill (MSE)	SF	11,880	\$ 50.00	\$594,000
22 Drainage / Stormwater	LANE-MILE	0.17	\$ 180,000.00	\$30,600
23 Stormwater Management	LANE-MILE	0.17	\$ 160,000.00	\$27,200
24 Utility Modifications	LS	1	\$ 30,000.00	\$30,000
25 Utility Undergrounding (SCL)	LF		\$ 770.00	\$0
26 Landscaping	SY	667	\$ 70.00	\$46,667
27 Traffic Signal New	EA		\$ 340,000.00	\$0
28 Traffic Signal Modification	EA		\$ 150,000.00	\$0
29 Channelization / Signing	LANE-MILE	-	\$ 25,000.00	\$0
30 Illumination	MILE	0.17	\$ 500,000.00	\$85,227
31 TESC	LS	3%	of lines 9 through 29	\$92,347
32 Railing	LF	1,000.00	\$ 150.00	\$150,000
33 user custom			\$ -	\$0
34 user custom			\$ -	\$0
35 user custom			\$ -	\$0
36 Construction Traffic Control	%	13%	of lines 9 through 35	\$431,677
37 Miscellaneous / Allowance	%	20%	of lines 9 through 36	\$750,453
38 Mobilization	%	10%	of lines 9 through 37	\$450,271.92
39 WA State Sales Tax (Non-city utilities)	%	10%	of line 23 & 24	\$0
<b>40 Construction Sub-Total</b>				<b>\$4,952,991</b>

Assumptions listed on next page

The above cost opinion is in 2016 dollars for Comparative Level Evaluation of concepts. The cost does not include escalation, financial costs, or operations and maintenance costs. In addition, there are no costs for the mitigation or remediation associated with the potential discovery of hazardous materials. The order of magnitude cost opinion shown has been prepared for guidance in project evaluation at the time of the estimate. The final costs of the project will depend on actual labor and material costs, actual site conditions, productivity, competitive market conditions, final project scope, final project schedule, and other variable factors. As a result, the final project costs will vary from the estimate presented above. Because of these factors, funding needs must be carefully reviewed prior to making specific financial decisions or establishing final budgets.

CITY OF SHORELINE Planning Level Opinion of Cost

Project: **145th Street Station Pedestrian/Bike Access**  
 Project ID: 148th Street Refined Option  
 Concept No.: 1

Entered by: **GMS**  
 Reviewed by: **JAM**  
 Updated: **2/17/2017**

III. Project Development	Unit	Quantity	Unit Cost	Total
41 PE and Environmental Documentation	%	5%	of line 40	\$247,650
42 Design Engineering	%	20%	of line 40	\$990,598
43 Agency Administration	%	12%	of line 40	\$594,359
44 Public Art	%	2%	of line 40	\$99,060
45 Community Engagement	%	2%	of line 40	\$99,060
46			of line 40	\$0
<b>47 Project Development Sub-Total</b>				<b>\$2,030,726</b>

IV. Construction Management	Unit	Quantity	Unit Cost	Total
48 Construction Management	%	25%	of line 40	\$1,238,248
49 <i>user custom</i>			of line 40	\$0
50 <i>user custom</i>			of line 40	\$0
51 Monitoring agreement cost	%		of line 40	\$0
<b>52 Construction Management Sub-Total</b>				<b>\$1,238,248</b>

**Assumptions:**

- \* based on conceptual layout 148th Crossing Option, January 2017
- \* assumes steel truss bridge over I-5, pre-fabricated and delivered to site
- \* assumes new pathway from 1st Ave NE the bridge approach ramp, west of the I-5 Southbound off-ramp
- \* assumes new illumination from 1st Ave NE the bridge approach ramp, west of the I-5 Southbound off-ramp
- \* does not include costs for detailed architecture, special fabrication, or special art features
- \* assumes switchback and landing adjacent to the north side of the LRT Station.
- \* assumes partial property acquisition from two parcels east of I-5 for the footprint of the switchback and landing. Partial strip acquisition is assumed, not full acquisition and relocation.

The above cost opinion is in 2016 dollars for Comparative Level Evaluation of concepts. The cost does not include escalation, financial costs, or operations and maintenance costs. In addition, there are no costs for the mitigation or remediation associated with the potential discovery of hazardous materials. The order of magnitude cost opinion shown has been prepared for guidance in project evaluation at the time of the estimate. The final costs of the project will depend on actual labor and material costs, actual site conditions, productivity, competitive market conditions, final project scope, final project schedule, and other variable factors. As a result, the final project costs will vary from the estimate presented above. Because of these factors, funding needs must be carefully reviewed prior to making specific financial decisions or establishing final budgets.



CITY OF SHORELINE Planning Level Opinion of Cost

Project:	<b>145th Street Station Pedestrian/Bike Access</b>	Entered by:	<b>GMS</b>
Project ID:	148th Street Refined Option	Reviewed by:	JAM
Concept No.:	1	Updated:	2/17/2017

**Risk Considerations**

**Environmental Permitting**

Presence of wetlands  
 Impacts to ecological sensitive areas  
 Multi-agency approvals needed

Likelihood	Impact	Risk Assessment
Med	Low	LOW
Low	Low	LOW
High	Med	HIGH

**Design and Construction**

Unknown soil conditions  
 Contaminated soils  
 Unknown utilities  
 Underground utility project elements  
 Significant structures  
 Work within water table  
 Little project definition, many unknowns  
 New technology

Likelihood	Impact	Risk Assessment
Med	Low	LOW
Low	Med	LOW
High	Med	HIGH
Low	Low	LOW
High	High	HIGH
Low	Low	LOW
High	High	HIGH
None	None	NONE

**Right of Way**

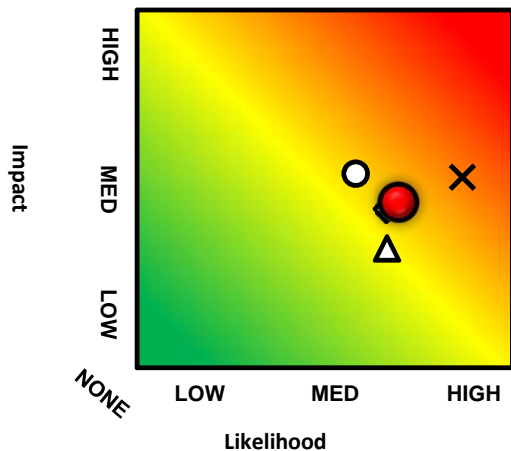
Significant property impacts

Likelihood	Impact	Risk Assessment
Med	Low	MEDIUM

**Other Factors**

Project scope affected by other projects  
 Controversial project  
 Multi-jurisdictional project  
 Federal funding  
 Time constraint

Likelihood	Impact	Risk Assessment
High	Med	HIGH
Med	Low	LOW
High	Med	HIGH
High	Med	HIGH
Med	Low	LOW



**Risk Matrix**

- ◆ Environmental Permitting
- Design and Construction
- ▲ Right of Way
- ✕ Other Factors
- Aggregate Project Risk