



AGENDA

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, January 14, 2019
5:45 p.m.

Conference Room 303 · Shoreline City Hall
17500 Midvale Avenue North

TOPIC/GUESTS: Council Operations

SHORELINE CITY COUNCIL REGULAR MEETING

Monday, January 14, 2019
7:00 p.m.

Council Chamber · Shoreline City Hall
17500 Midvale Avenue North

	<u>Page</u>	<u>Estimated Time</u>
1. CALL TO ORDER		7:00
2. FLAG SALUTE/ROLL CALL		
(a) Proclamation of Martin Luther King, Jr. Day	<u>2a-1</u>	
3. REPORT OF THE CITY MANAGER		
4. COUNCIL REPORTS		
5. PUBLIC COMMENT		
<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>		
6. APPROVAL OF THE AGENDA		7:20
7. CONSENT CALENDAR		7:20
(a) Approving Minutes of Regular Meeting of November 5, 2018	<u>7a-1</u>	
(b) Approving Expenses and Payroll as of December 28, 2018 in the Amount of \$6,901,108.52	<u>7b-1</u>	
(c) Authorizing the City Manager to Obligate \$3,616,471 in Washington State Transportation Improvement Board Grant Funding for the Westminster Way N and N 155 th Street Intersection Improvement	<u>7c-1</u>	
(d) Authorizing the City Manager to Enter into a Contract with KPFF Consulting Engineers in the Amount of \$72,444 for the 160 th and Greenwood/Innis Arden Intersection Project	<u>7d-1</u>	
(e) Authorizing the City Manager to Amend the Intergovernmental Agreement with the King Conservation District for Performance of Conservation Services Program	<u>7e-1</u>	

- (f) Authorizing the City Manager to Purchase a Backhoe Loader in the Amount of \$120,753.38 7f-1

8. ACTION ITEMS

- (a) Authorizing the City Manager to Award an Option to Lease the City Owned 198th Property to Community Psychiatric Clinic for Affordable Housing and Supportive Services 8a-1 7:20

9. STUDY ITEMS

- (a) Discussing Ordinance No. 839 – Amending the Shoreline Municipal Code to Expand the Deep Green Incentive Program 9a-1 7:40
- (b) Discussing Resolution No. 433 - Revising the Employee Handbook 9b-1 8:10

10. EXECUTIVE SESSION

- Litigation – RCW 42.30.110(1)(i) 8:30

The Council may hold Executive Sessions from which the public may be excluded for those purposes set forth in RCW 42.30.110 and RCW 42.30.140. Before convening an Executive Session the presiding officer shall announce the purpose of the Session and the anticipated time when the Session will be concluded. Should the Session require more time a public announcement shall be made that the Session is being extended.

11. ADJOURNMENT

9:15

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. 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 COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation Declaring January 21, 2019 as Martin Luther King Jr. Day in the City of Shoreline		
DEPARTMENT:	Parks, Recreation and Cultural Services/CCK		
PRESENTED BY:	Jessica Simulcik Smith		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Proclamation

ISSUE STATEMENT:

On January 21, 2019 the nation celebrates Martin Luther King Jr. Day. Dr. King's message of peace and service and his dream of pursuing a world free from prejudice and injustice lives on and has not been forgotten since his tragic death in 1968.

This proclamation recognizes the impact of Dr. King's contributions on our nation, state, and community, and urges Shoreline citizens to reflect on our common goals and celebrate his life and his ideals of freedom and justice for all.

Stephanie Johnson-Toliver, President; J. Paul Blake, Board of Directors; and Carol Peoples-Procter, Board of Directors; from the Black Heritage Society of Washington State will receive the proclamation.

RECOMMENDATION

Staff recommends that the Mayor read the proclamation and present it to representatives from the Black Heritage Society of Washington State.

Approved By: City Manager **DT** City Attorney **MK**



P R O C L A M A T I O N

WHEREAS, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

WHEREAS, Dr. King's teachings continue to guide and inspire us in addressing challenges in our communities; and

WHEREAS, each of us can and must contribute to making our communities better with increased opportunity for all our citizens; and

WHEREAS, the Black Heritage Society of Washington State honors Dr. King's work by educating, sharing, and collaborating with all communities to uphold the contributions of people of African descent, thus building understanding and connections for all people;

NOW, THEREFORE, I, Will Hall, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim January 21, 2019 as

MARTIN LUTHER KING JR. DAY

in the City of Shoreline.

Will Hall, Mayor

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

Monday, November 5, 2018
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

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

ABSENT: None.

1. CALL TO ORDER

At 7:00 p.m., the meeting was called to order by Mayor Hall who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Hall led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

(a) Proclamation of Veterans Appreciation Day

Mayor Hall read a proclamation recognizing the contributions and sacrifices that the loyal and courageous veterans of our community, state, and country have made for the cause of freedom and peace. The proclamation was accepted by Major General Raymond Coffey, Shoreline Veterans Association; Commander Larry Fisher, Shoreline American Legion; and additional representatives of both organizations. Major General Coffey, on behalf of all Veterans organizations, thanked the City for the continued support of Veterans and Veterans programs. He invited everyone to the Veteran's Day Program at City Hall on Monday, November 12. Commander Fisher echoed Major General Coffey's gratitude for Shoreline's support, mentioning the addition of the Memorial Plaza, and said it was an honor for the members of the Shoreline Legion to participate in receiving the Proclamation. He extended an invitation to all veterans to join their Post for regular meetings.

3. REPORT OF CITY MANAGER

Debbie Tarry, City Manager, provided reports and updates on various City meetings, projects and events.

4. COUNCIL REPORTS

Councilmember McGlashan reported that he and Councilmember McConnell attended the SeaShore Transportation Forum. He said the topic was a presentation on the planned addition of

Metro lines. Councilmember McConnell shared that SeaShore authorized a letter to be written to Sound Transit in support of the impact of the refinements to the Sound Transit plans for the 145th Corridor.

5. PUBLIC COMMENT

Bruce Amundson, Shoreline resident, spoke to the Arts portion of the budget. He stated that the minimal funding for public arts is preventing the installation of a significant piece of artwork selected by a committee led by David Francis, Public Art Coordinator. He stated that the purchase was halted due to City concerns over the Public Art Budget. The Public Art Program is overly dependent on the revenue from the 1% for the arts program and he requested an additional \$50,000 from the General Fund to be allocated to the Public Art Program in 2019.

Nancy Morris, Shoreline resident, stated that it is important that people follow the money of who makes donations to whom and encouraged Council and the City of Shoreline to devote the time to research where funding comes from, since it affects the community.

Laethan Wane, Shoreline resident, said the sidewalks on 175th and Meridian are narrow and requested the City perform a safety study of the intersection.

6. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

7. CONSENT CALENDAR

Upon motion by Councilmember McGlashan and seconded by Councilmember Chang and unanimously carried, 7-0, the following Consent Calendar items were approved:

- (a) Approving Minutes of Workshop Dinner Meeting of October 8, 2018**
- (b) Authorizing the City Manager to Enter Into a Transportation Mitigation Agreement with Shoreline Community College**
- (c) Authorizing the City Manager to Execute a Contract with the Johnston Group for Federal Government Relations Services in the amount of \$320,000 for a Period of Up to Five Years**
- (d) Authorizing the City Manager to Execute a Contract with Capitol Strategies for State Government Relations Services in the Amount of \$175,000 for a Period of Up to Five Years**

8. ACTION ITEMS

- (a) Public Hearing on Ordinance No. 842 – 2019-2020 Property Tax and Revenue Sources

Sara Lane, Administrative Services Director, displayed the budget schedule for the remainder of the review period and shared information on ways for the public to view the complete Biennium Budget.

Ms. Lane delivered the presentation. She explained that the \$175 Million biennial budget comes from a variety of sources and gave descriptions. She listed the revenue sources and said the City's General Fund is predominantly funded by General Operating Revenue. She elaborated that Proposed Ordinance No. 842, the 2019 Property Tax Levy, is predicted to generate \$13.3 Million in revenue, which will reduce the Levy rate to \$1.25 in 2019. She listed the allocations for the 2018 Property Tax Levy and explained how property tax is determined in Washington. She said the Sales Tax income that Shoreline receives makes up 21% of the City's Operating Revenue. Ms. Lane described the income provided by Franchise Fees, Utility Contract Fees, Utility Taxes, and the restricted funding from Criminal Justice Funding and the Liquor Excise Tax/Liquor Profits/Marijuana Excise Tax. She explained that the income from Fees/Licenses/Permits changes annually based on the Consumer Price Index and incorporates the City's Cost Recovery objectives. She said the Street Fund is predominantly funded by the Fuel Tax. Ms. Lane stated that the revenue supporting the General Obligation Bond Fund is the Property Tax Excess Levy, which will be retired in 2021. She explained that the Surface Water Utility Fund is primarily funded by Surface Water Fees and she displayed the proposed rate increases. Ms. Lane reported that the Wastewater Utility Fund is budgeted at \$4.9 Million for operation and maintenance of the sewer utility and she reminded Council that the Ronald Wastewater District Board of Commissioners retains all revenues and holds responsibility for the Wastewater CIP and rate setting. She said Capital Fund Revenues include the Vehicle License Fee (restricted to transportation usage), the Real Estate Excise Tax (restricted to projects within the City's Comprehensive Plan, specific public works projects, and debt service), and Grants.

Mayor Hall opened the public hearing and there was no public testimony. He recognized the earlier general comments regarding the budget.

(b) Public Hearing on Ordinance No. 841 - Proposed 2019-2020 Biennium Budget and the 2019-2020 Capital Improvement Plan

Rick Kirkwood, Senior Budget Analyst, presented the information for the public hearing on the Proposed Biennial Budget and Capital Improvement Plan. He shared a graph displaying the resource allocations and elaborated on the major budget appropriations by fund and the operating budget expenditures by function. Mr. Kirkwood explained that the Proposed Capital Improvement Plan primarily supports delivering transportation projects but also includes facilities and parks projects. He said that half of the \$19.1 Million Surface Water Utility Budget supports operations, one third is dedicated to capital projects, and the remainder of the budget supports Debt Service and City Maintenance Facility Rental.

Mayor Hall opened the public hearing and there was no public testimony. He recognized the comments submitted via email and in person regarding the budget.

- (c) Adopting Ordinance No. 847 – Authorizing Acquisition of Real Property for the Purpose of Provision of Sewer Service Utility and Uses Related Thereto by Negotiated Voluntary Purchase, Under Threat of Condemnation, or by Condemnation

Margaret King, City Attorney, presented the Staff Report on Ordinance No. 847 and told Council that Council Rule 3.5 would need to be waived if they take action tonight. She reminded Council that Chapters 35.67 and 35.92 of the Revised Code of Washington (RCW) grant the City the authority to maintain a sewer system and that RCW 8.12 grants the City authority to condemn property for public uses. She reviewed Ordinance No. 844, which authorizes acquisition of property underlying a current pump station. After the passage of this Ordinance, it was determined that it was necessary to acquire a small portion of adjacent land, currently used as a driveway owned by a single owner, to service the sewer system infrastructure. She said the City provided notice of adoption of the Condemnation Ordinance to the owner and their legal counsel. Ms. King stated the retention and acquisition of the interests of the additional property is necessary to protect continued operations of the District’s Sewer System. Ms. King offered that, based on the title report, there is some ongoing investigation as to whether all the property in question is owned by the noticed owner. She said that if additional property acquisition was needed, it would include part of a county road, not a private property.

Mayor Hall opened the floor for public comment and there was none.

Councilmember Scully moved to waive Rule 3.5 and adopt Ordinance No. 847 as presented. The motion was seconded by Councilmember McConnell.

Councilmember Scully said this is a ministerial change, which is necessary to ensure continued access to the pump station. He clarified that if there is private ownership, the owner would be compensated and provided an easement for property access.

Councilmember Roberts asked if proper noticing was done, since a letter received in public comment stated it was not, and what the consequences would be if noticing was not properly handled. Ms. King explained that the portion of the county road mentioned in public comment would not be part of the condemnation.

The motion carried unanimously, 7-0.

- (d) Adopting Ordinance No. 843 – Extending the Expiration Period For the Transportation Impact Fee Exemption For Certain Business Categories

Tricia Juhnke, City Engineer; and Nate Daum, Economic Program Manager; provided the staff presentation. Ms. Juhnke shared the timeline and reminded Council that the Ordinance extends the business exemption to the same list of businesses for five years and has a check-in six months prior to the sunset date of December 31, 2023.

Deputy Mayor Salomon moved to adopt Ordinance No. 843. The motion was seconded by Councilmember McConnell.

Deputy Mayor Salomon reminded Council that the original goal of this exemption had been to find ways to encourage small business development by exempting them from potentially prohibitive Transportation Impact Fees. He stated that Council was unable to find a way to separate small/independent businesses from larger ones in the same category, which is why the exemption includes some businesses who may not need the incentive. He said he feels the policy has been successful and should be continued.

Councilmember Chang said that this decision preceded her time on Council and therefore she has spent time reading up on the process to understand it better. She asked if an applicant came in today for a new construction permit for retail space, whether retail be the entire space or just the bottom floor, would they fit the category of 'general retail' and qualify for the exemption. Mr. Daum replied that they would. Councilmember Chang said she feels smaller businesses are more likely to move into existing spaces, and businesses able to afford new construction are likely to be able to afford to pay the impact fees. She said she wonders if our incentive is competitive with those of neighboring areas and questioned if the City was leaving the revenue on the table with the current model. She asked if the City had considered offering the exemption to all retail businesses except those building new, or if that would negatively impact Shoreline's competitiveness. Mr. Daum replied that that model had not been explored, but it is an idea that could be analyzed if Council was interested.

Councilmember Scully said he agreed that Councilmember Chang has a valid concern and for new construction it might make sense to remove the exemption, since only financially stable businesses would be building new facilities. He said he does not think the data available on how competitive Shoreline is in comparison to neighboring cities would be very reliable and that removing the incentive would hamper business growth. He said he is for the exemption because it supports growth of private development and referred to the abundance of vacant lots and businesses on Aurora Avenue and in North City.

Mayor Hall stated that he would be voting against the Ordinance. He elaborated that his preference is to discontinue the exemption because the City's transportation system is chronically underfunded and these exemptions result in a revenue loss of several hundred thousand dollars. He asked if our commercial vacancy rate was high, and Mr. Daum said it was not. Mayor Hall agreed it would be best if all vacant commercial spaces are filled with businesses but said it is not a factor that would influence his vote.

Deputy Mayor Salomon said he thinks it is already clear that Shoreline is not competitive compared to Lynnwood and Seattle because economic development has continued to be a top goal for many years. He cited the absence of shopping, dining, and entertainment options in the area and said he did not think another study was necessary.

Councilmember Roberts said he supports the Ordinance because it is not about vacancy rates, but more about supporting converted usage, which incurs some of the same costs as new construction. He added that he thinks a developer would pass on any charges for new mixed-use construction to the initial property owner, which would raise the price and potentially preclude purchase by a small-business owner.

Councilmember McGlashan asked if the existing exemption applies when a new building replaces a similar type of business. Ms. Juhnke replied that there was a slight difference depending on the business type. Councilmember McGlashan confirmed with Ms. Juhnke that Council has discretion to reassess efficacy at any time, and Ms. Juhnke said the annual report on Transportation Impact Fees would be shared with Council. Councilmember McGlashan said he supports the Ordinance and believes it removes barriers for small businesses.

Councilmember McConnell said she would appreciate the opportunity to review the annual report and said she sees it as a good reminder to keep the discussion open. She mentioned the low vacancy rate for existing spaces for small businesses and said Shoreline loses revenue opportunities to Lynnwood and Seattle. She stated that while she supports the Ordinance, she is not motivated to renew it again in five years without focused reassessment.

Councilmember Chang shared that while she supports the concept of the exemption and recognizes the deterrent the fees can be for small businesses as they launch, she expressed her concern over the potential for lost revenue with the development anticipated for next year.

The motion carried by a vote of 5-2, with Mayor Hall and Councilmember Chang voting no.

9. STUDY ITEMS

(a) Discussing Ordinance No. 842 – 2019-2020 Property Tax and Revenue Sources

Sara Lane, Administrative Services Director; and Rick Kirkwood, Budget Supervisor; reviewed the earlier presented information on Ordinance No. 842. Ms. Lane reminded Council that the 2019 Levy is projected to be \$13.3 Million, bringing the levy rate down to \$1.25 per \$1,000 valuation.

Ms. Lane referred to Ordinance No. 848, which was not an agenda item but was included in the packet. She explained that it goes along with the Fee Schedule and involves changes attached to the Consumer Price Index or incorporating the cost recovery objectives. She said it makes the application of Engineering News Record Construction Cost Index to Impact Fees consistent.

She displayed information on the Surface Water Utility Fee Assumptions and said the single-family home rate would increase by 15 percent.

(b) Discussing Ordinance No. 841 - Proposed 2019-2020 Biennium Budget and the 2019-2020 Capital Improvement Plan

Ms. Lane displayed the list of expenditure appropriations associated with the Funds covered in the Ordinance. She reminded the Council that the City is projecting strong reserves for 2020.

Ms. Lane introduced Mayor Hall's proposed amendment to the Ordinance, which would reduce General Fund appropriations by \$5,000 and eliminate the Greater Seattle Partners 2019 & 2020

Investment contribution. She reminded Council that any additional amendments were due by November 7, 2018.

Councilmember Roberts expressed concern with how large the City's reserves are. Ms. Juhnke confirmed that the reserves are in excess of the required amount and added that this practice is interpreted very well by bond rating agencies. Councilmember Roberts suggested that where that balance lies should be a topic for future, broader discussion. He said that since the City is asking residents for more and more financially, there should be a guiding policy behind reserve levels. He added that he is likely to submit amendments for small, one-time funding for pedestrian improvements. He said he feels small projects for betterment of the community show residents the City is being a good steward of tax dollars. He shared he intends to submit questions about the Public Art Fund, now that he is aware the reserves could potentially support the delayed installation project. While he understands the importance of maintaining reserves, he would like to discuss how large they should be and how they should be used.

Deputy Mayor Salomon said he believes maintaining high reserves is prudent and fiscally responsible and protects the City in times of financial downturn. He advised caution in using reserves for pet projects and mentioned that the Federal Reserve is raising interest rates, which may slow the economy.

Councilmember Scully asked what the existing City reserve policies are and suggested a robust review of them. He noted King County's reserve policy supports the County for 90 days in all programs. He recognized the validity of Deputy Mayor Salomon's comments but suggested it is important to define what 'high' reserves are. He said he agreed that it is tempting to start spending in boom times, but such decisions would need to be carefully monitored. Ms. Juhnke directed them to the section of the budget book that outlines the City's reserve policies.

Councilmember McConnell said she believes it is always better to be fiscally conservative with reserves. She reflected that the discussion has always centered around the ability to ride out a recession, and the focus has been on building up the reserves. She agreed that it would be imprudent for Councilmembers to reallocate reserves to specific projects, and said she would prefer any reallocations to be part of the budget process. She asked what a bond rating of AA+ means.

Councilmember Chang commented that she is happy to have a conversation about reserve levels. She observed that since the 10-Year Financial Sustainability Plan indicates a point in the future when the City's potential expenditures exceed the forecasted income, it seems having a large reserve forestalls the day of reckoning for a bit longer.

Councilmember McGlashan agreed that a conversation about the policy for reserve levels would be a good idea, although not imperative for this budget cycle. Having been on Council during the recession and seeing City layoffs and services cut back, he said he understands the importance of healthy reserves but also recognizes the need to find a balance that protects a strong bond rating. He suggested that Council look at the CIP to determine projects that may benefit from more funding if the decision is made to reduce the reserve levels.

Mayor Hall reminded Council that there is more than one reason for reserves. He said the liquidity/cash flow reserves are set aside to protect the City in case of a recession, but reserves are also the place the City saves money to do big, sometimes deferred, projects. He recounted that several years ago the City planned to build a new Public Works Utility Yard and was saving money for the project. He said that while land was acquired, the construction did not happen. When it comes time to complete the project, the reserves will be a good resource. He noted that the City has a good bond rating, but there is room for improvement. He recalled a recent meeting the City held with representatives from Standard and Poor's to demonstrate how the City's financial discipline, excellent quality of staff, and clean audits and budgets are good enough to justify an increase in the rating. He said an improvement in the credit rating would save taxpayers a lot of money on projects that require bonds. He concluded that while Council should always look at the reserve policy, he feels that if Council is contemplating significant bond measures for constructing sidewalks, acquiring park land, and building an Community & Aquatics Center, it is an important time to keep money in the reserves. He agreed that increasing funding for programs should be done as policy decisions and not by Councilmembers picking specific projects for funding. He counseled that changing policy would not be appropriate as part of budget approval and should instead be a study item.

Councilmember Roberts offered that since the reserve policy is in the budget itself, the timing and forum was appropriate for the discussion. He said that while the conversation could happen at any point, Council is discussing the budget right now and it is the correct time for revisions. Ms. Lane confirmed that financial policies are adopted with every budget adoption. She suggested that the reserve policy discussion could be brought back for reevaluation as part of the mid-biennium discussion.

Mayor Hall pointed out that the amendment he introduced on discontinuing funding for membership in the Greater Seattle Partners is because he is disappointed in their focus on attracting large corporations to locate here rather than growing local businesses. He said that he is not sure this model is helping the community, in part since Washington State's Higher Education system does not graduate enough engineers and technical professionals to fill the jobs being created in these industries. He elaborated that instead we are creating jobs for people moving here from other states. He mentioned that last year Washington State's population grew by 84,000 because of migration, and by 33,000 from natural population growth. He said that this style of economic development is what is driving the population growth that is creating housing, traffic, and environmental challenges. The rapid rate of the State's human growth is effectively disrupting the ecosystem and displacing orca whales. He concluded that he would rather the City's economic development funding be invested in growing local businesses, working on partnerships with education, creating a sense of place, growing prosperity, and supporting our community.

Councilmember McGlashan said he agreed that the project is not bringing large corporations to Shoreline, but he does not think we have the capacity for businesses of that magnitude. He added that he does see some benefit to the relationship. He believes that as multifamily housing options increase and with Light Rail coming to Shoreline, the City will become more and more attractive as a slightly more affordable option to Seattle, bringing new residents and potentially new small

businesses to Shoreline. He added that he would rely on the City Manager to research the goals of the project and make a recommendation on this budget allocation.

Councilmember Scully commented that he agrees with Mayor Hall's comments. He explained that he is not interested in building a commuter suburb for employees of large businesses in Seattle, and that he is uncertain whether bringing large businesses here has proven or will prove to benefit all citizens, at all economic levels. He said for that reason he supports removing the \$5,000 allocation from the budget.

Councilmember Roberts offered that the discussion is important because Council needs to think about the vision they have for the City and how that fits in with the greater region. He said there was a recent article in the Seattle Times indicating that if the T-Mobile/Sprint merger goes through, T-Mobile is considering moving a portion of business to other locations, as Amazon is doing. He said Council should constantly be thinking about how the region is prospering, and he reminded Council that when headquarters leave a region, some philanthropy leaves too, which decreases the quality of life. For this reason, he feels it is important to preserve the funding in the budget and keep the City's seat at the table but suggested it would be valuable to communicate Shoreline's priorities to the organization and partner with cities with similar philosophies. He concluded saying that giving up membership means losing the opportunity to have a voice that represents our City.

Mayor Hall said he had hoped the partnership would work the way Councilmember Roberts had verbalized. When Council met with Mr. Drewel of the Greater Seattle Partners, Council had been assured that Greater Seattle Partners would be paying attention to those concerns, but as time has passed it has been increasingly difficult to be heard by the organization. He said he believes pulling the money out is the best way to be heard.

Councilmember Roberts said he invited the new Regional Director to come visit Shoreline, and it would be wise to wait a bit and give him a chance. He recognized that Greater Seattle Partners is a new organization and time should be allotted for them to get settled before making any decisions.

Councilmember Chang asked if Councilmember Roberts could describe what the group had been doing in the past six months. Mayor Hall replied that they are just getting off the ground, so the focus has been on building the organization. He mentioned their published materials have a large organization focus on key market sector strategy.

Mayor Hall reflected that, when thinking about the impact of recessions and the City's reserve levels, there has been an amazing boom of economic expansion since 2009. He said that despite the decade of outstanding success with economic development, it is not making the difference in the community that it should and he encouraged continued conversations around it.

Deputy Mayor Salomon said he agrees with the Mayor, and added that growth affects everyone, and there are a lot of people who are not benefitting from the economic growth.

Councilmember McConnell asked for a short staff presentation on the pros and cons of this amendment.

Mayor Hall reiterated the upcoming deadline for getting budget amendments to Staff.

(c) Discussing Ordinance No. 846 – Final 2018 Budget Amendment

Rick Kirkwood provided the staff presentation. He explained the budget amendment request for increasing the appropriations in the City Facility Major Maintenance Fund by \$28,529.00 and indicated that the amendment is scheduled for adoption on November 26, 2018. Council has no questions and agreed to see this amendment on consent at that time.

10. ADJOURNMENT

At 8:37 p.m., Mayor Hall declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of December 28, 2018
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 \$6,901,108.52 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
11/4/18-11/17/18	11/23/2018	81625-81870	15998-16022	72376-72383	\$854,904.12
11/18/18-12/1/18	12/7/2018	81871-82117	16023-16041	72492-72497	\$677,842.51
12/2/18-12/15/18	12/21/2018	82118-82367	16042-16060	72626-72633	\$865,407.91
					<u>\$2,398,154.54</u>

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
11/26/2018	1140	\$31,262.07
12/26/2018	1141	\$11,730.87
		<u>\$42,992.94</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
11/27/2018	72300	72303	\$525.00
11/27/2018	72304	72312	\$24,264.14
11/27/2018	72313	72327	\$1,098,310.66

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
11/27/2018	72328	72332	\$1,169.13
11/27/2018	72333	72353	\$288,943.02
11/27/2018	72354	72375	\$114,338.59
12/5/2018	72384	72399	\$348,722.15
12/5/2018	72400	72414	\$66,198.37
12/5/2018	72415	72426	\$2,656.24
12/5/2018	72427	72439	\$30,786.72
12/5/2018	72440	72451	\$118,410.21
12/5/2018	72452	72458	\$2,526.92
12/13/2018	72459	72473	\$126,786.90
12/13/2018	72474	72476	\$461.20
12/13/2018	72477	72485	\$59,118.59
12/13/2018	72486	72490	\$850.66
12/13/2018	72491	72491	\$7,042.36
12/14/2018	72498	72499	\$62,940.09
12/19/2018	72456	72456	(\$77.25)
12/19/2018	72500	72521	\$141,721.78
12/19/2018	72522	72543	\$102,853.44
12/20/2018	72544	72551	\$1,830.00
12/20/2018	72552	72573	\$48,267.58
12/20/2018	72574	72594	\$1,057,684.40
12/20/2018	72595	72617	\$171,129.60
12/20/2018	72618	72624	\$276,919.26
12/20/2018	72625	72625	\$3,694.53
12/27/2018	72634	72649	\$164,681.26
12/27/2018	72650	72664	\$53,938.73
12/27/2018	72665	72669	\$766.00
12/27/2018	72670	72682	\$51,766.13
12/27/2018	72683	72695	\$30,734.63
			<u>\$4,459,961.04</u>

Approved By: City Manager **DT**

City Attorney **MK**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Enter into an Agreement with the Washington State Transportation Improvement Board for Grant Funding in the Amount of \$3,616,471 for the Westminster Way N and N 155 th Street Intersection Improvements Project
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, City Engineer
ACTION:	<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 the Council authorize the City Manager to execute a contract with Washington State Transportation Improvement Board (TIB) for a \$3,616,471 grant to fund the Right of Way and Construction phases of the Westminster Way N and N 155th Street Intersection Improvements Project. The grant is funded by Washington State fuel tax (see Attachment A for grant agreement) and does not have any federal funds. The project will complete the right-of-way and construction phases of the City’s Westminster Way N and N 155th Street Intersection Improvements Project.

RESOURCE/FINANCIAL IMPACT:

The adopted 2019-2024 Capital Improvement Plan (CIP) budget for the Westminster Way N and N 155th Street Intersection Improvements Project is \$5,768,582. The project has \$528,852 in City funds and is reliant on private donations and grant funding for completion. The private donations have been secured through an agreement with Trammel Crow Residential (TCR) to construct a portion of the project. The TIB grant secures the remaining funding to complete the project.

The 2019-2024 CIP includes a project budget and revenue sources are as follows:

EXPENDITURES

Project Administration:	\$1,068,814
Real Estate Acquisition:	\$159,723
Construction:	\$4,540,045
Total Project Cost	\$5,768,582

REVENUE

General Fund Contribution	\$300,001
Private Donations	\$2,120,000
Future Funding (TIB GRANT)	\$3,120,000
Roads Capital Fund	\$228,581
Total Revenue	\$5,768,582

This grant provides the project with a \$496,471 contingency for the right-of-way and construction phases that was not originally shown in the 2019-2024 CIP.

The grant requires no additional match beyond TCR's contribution and the City's \$528,852, which has been spent during the design phase of the project. All remaining project costs can be reimbursed by the grant.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an agreement Washington State Transportation Improvement Board, to obligate \$3,616,471 in grant funding for the Westminster Way N and N 155th Street Intersection Improvements Project.

Approved By: City Manager ***DT*** City Attorney ***MK***

BACKGROUND

Aurora Square Community Renewal Area

In 2015, the City Council adopted Ordinance No. 705 designating a planned action (Planned Action) for the Aurora Square Community Renewal Area pursuant to the State Environmental Policy Act (SEPA). Ordinance No. 705 can be found at the following link: <http://www.shorelinewa.gov/home/showdocument?id=21860>.

The Planned Action identified mitigation associated with development of the CRA, including 11 transportation projects to support redevelopment of the area. Three projects focused on the need to transform Westminster Way N between N 155th Street to N 160th Street into a more pedestrian-friendly street that provides for additional retail and residential frontage.

To support the redevelopment of the CRA, Council authorized, through the CIP, the Westminster and 155th Intersection project which addresses these three specific projects from the Planned Action:

- Project No. 4: Westminster Way N from N 155th Street to N 160th Street
- Project No. 5: N 157th Street from Westminster Way N to Aurora Avenue
- Project No. 6: Intersection of N 155th Street and Westminster Way N

The design and construction documents are complete and the project is scheduled to be advertised for construction in fall 2019. Construction will begin in spring 2020.

Redevelopment Project at Westminster Way N and N 155th Street

A building permit was submitted for a multifamily development on multiple properties within the CRA which make up the triangle between Westminster Way N, Aurora Avenue N, and N 155th Street. The project, referred to as the Alexan, is under contract to be purchased by Trammell Crow Residential (TCR).

On September 10, 2018, City Council authorized the City Manager to execute a right-of-way improvement phasing agreement (contract No. 9186) with TCR for design and construction of right-of-way improvements associated with the Westminster Way N and N 155th Street Intersection Improvements Project. The staff report can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2018/staffreport091018-7e.pdf>

The agreement with TCR identifies a portion of the City's CIP project that will be designed and constructed by TCR. The estimated construction cost of the portion of work to be constructed by TCR is shown as "Private Donations" in the City's CIP.

DISCUSSION

The City applied to the Washington State Transportation Improvement Board for grant funding through their Urban Arterials program as an economic development project in August 2018. In November 2018, the City was notified it received this grant funding. The grant program is funded through the State's fuel tax. On the grant application the City

showed TCR’s contributions and the City’s funding as match funds for the grant. The City’s funding was spent on the design phase of the project, and no additional City funding is programmed beyond 2018.

The adopted 2019-2024 CIP included \$3,120,000 in “Future Funding.” The receipt of this TIB grant provides this remaining funding for the project. The grant funds will be used for the right-of-way and construction phases of the project.

COUNCIL GOAL(S) ADDRESSED

This project supports Council Goal #1 to strengthen Shoreline’s economic climate and opportunities and supports Council Goal #2 to improve Shoreline’s infrastructure to continue the delivery of highly-valued public services.

RESOURCE/FINANCIAL IMPACT

The adopted 2019-2024 CIP budget for the Westminster Way N and N 155th Street Intersection Improvements Project is \$5,768,582. The project has \$528,852 in City funds and is reliant on private donations and grant funding for completion. The private donations have been secured through an agreement with TCR to construct a portion of the project. This grant secures the remaining funding to complete the project.

The 2019-2024 project budget and revenue sources are as follows:

EXPENDITURES	
Project Administration:	\$1,068,814
Real Estate Acquisition:	\$159,723
Construction:	\$4,540,045
<hr/>	
Total Project Cost	\$5,768,582
REVENUE	
General Fund Contribution	\$300,001
Private Donations	\$2,120,000
<i>Future Funding (TIB GRANT)</i>	<i>\$3,120,000</i>
Roads Capital Fund	\$228,581
<hr/>	
Total Revenue	\$5,768,582

This grant provides the project with a \$496,471 contingency for the right-of-way and construction phases that was not originally shown in the 2019-2024 CIP.

The grant requires no additional match beyond TCR’s contribution and the City’s \$528,852 which has been spent during the design phase of the project. All remaining project costs can be reimbursed by the grant.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an agreement Washington State Transportation Improvement Board, to obligate \$3,616,471 in grant

funding for the Westminster Way N and N 155th Street Intersection Improvements Project.

ATTACHMENTS

Attachment A: TIB Fuel Tax Grant Agreement

Attachment B: Scope of Improvements – City Project



City of Shoreline
8-1-202(007)-1
Westminster Way N
N 155th St to Aurora Ave N

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City of Shoreline
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the Westminster Way N, N 155th St to Aurora Ave N (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of Shoreline, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

TIB hereby grants funds in the amount of \$3,616,471 for the project specified above, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

The Project Scope and Budget are initially described in RECIPIENT'S Grant Application and incorporated by reference into this Agreement. Scope and Budget will be further developed and refined, but not substantially altered during the Design, Bid Authorization and Construction Phases. Any material alterations to the original Project Scope or Budget as initially described in the Grant Application must be authorized by TIB in advance by written amendment.

3.0 PROJECT DOCUMENTATION

TIB requires RECIPIENT to make reasonable progress and submit timely Project documentation as applicable throughout the Project. Upon RECIPIENT'S submission of each Project document to TIB, the terms contained in the document will be incorporated by reference into the Agreement. Required documents include, but are not limited to the following:

- a) Project Funding Status Form
- b) Bid Authorization Form with plans and engineers estimate
- c) Award Updated Cost Estimate
- d) Bid Tabulations
- e) Contract Completion Updated Cost Estimate with final summary of quantities
- f) Project Accounting History

4.0 BILLING AND PAYMENT

The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable



amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed 10 years unless amended by the Parties.

6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:



- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project payments until the requested corrections have been made or the Agreement has been terminated.

9.3 TERMINATION

- a) In the event of default by the RECIPIENT as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which shall be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such action as may be directed by TIB.
- b) In the event of default and/or termination by either PARTY, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.
- c) The rights and remedies of TIB provided in the AGREEMENT are not exclusive and are in addition to any other rights and remedies provided by law.

9.4 TERMINATION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

10.0 USE OF TIB GRANT FUNDS

TIB grant funds come from Motor Vehicle Fuel Tax revenue. Any use of these funds for anything other than highway or roadway system improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9. If Right of Way is purchased using TIB funds, and some or all of the Right of Way is subsequently sold, proceeds from the sale must be deposited into the RECIPIENT's motor vehicle fund and used for a motor vehicle purpose.

11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060. If an increase is denied, the recipient shall be liable for costs incurred in excess of the grant amount. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that maintains the original ratio between TIB funds and total project costs.



12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.



15.0 ENTIRE AGREEMENT

This Agreement, together with the RECIPIENT'S Grant Application, the provisions of chapter 47.26 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the PARTIES and supersedes all previous written or oral agreements between the PARTIES.

16.0 RECORDS MAINTENANCE

The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the Agreement shall be subject at all reasonable times to inspection, review or audit by TIB personnel duly authorized by TIB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Approved as to Form
Attorney General

By:

Signature on file

Guy Bowman
Assistant Attorney General

Lead Agency

Transportation Improvement Board

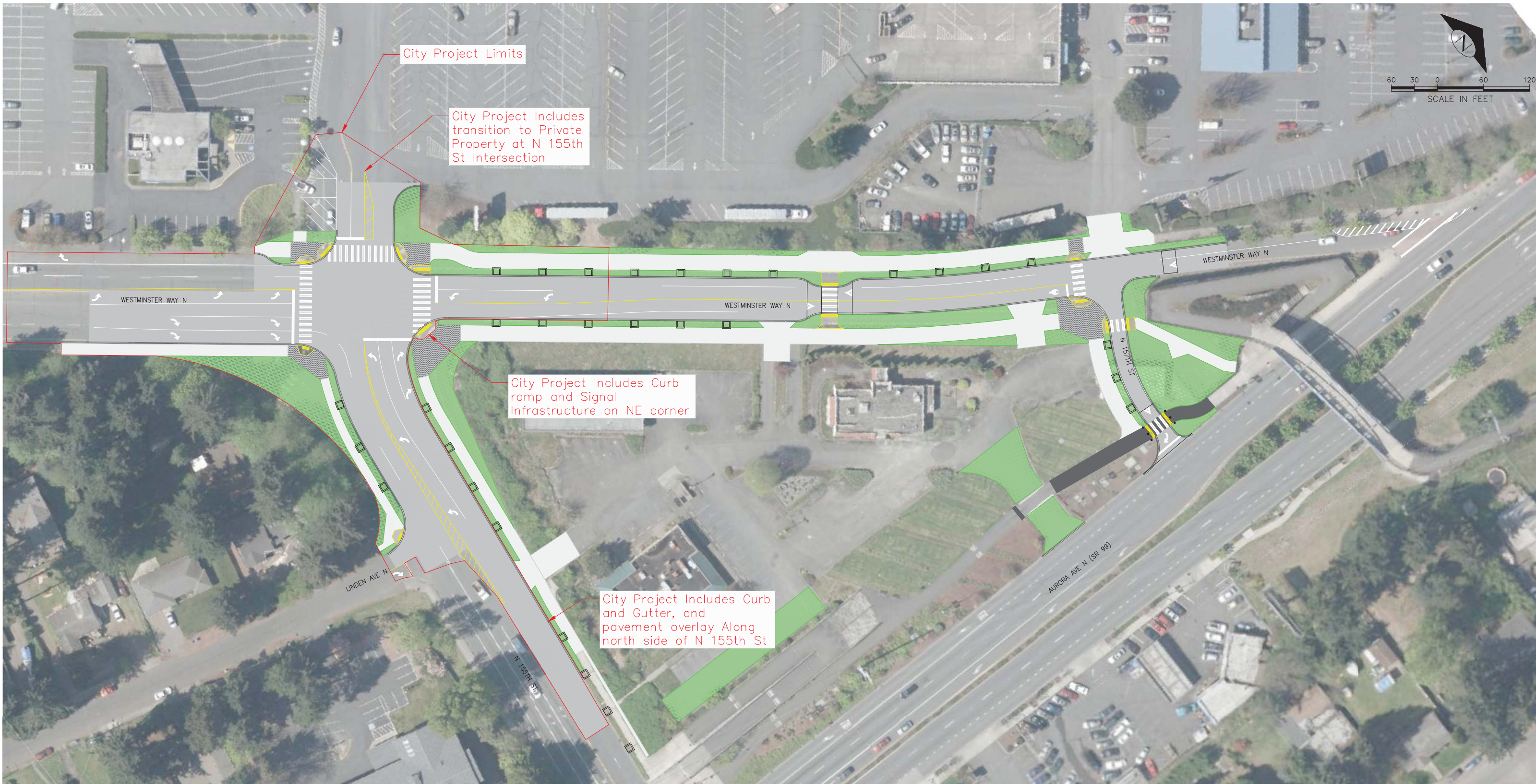
Chief Executive Officer Date

Executive Director Date

Print Name

Print Name

ATTACHMENT B: Scope of Improvements - City Construction Project



City Project to be constructed in Q2 2020

Project Elements, schedule, and limits are approximate.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Enter into a Contract with KPFF Consulting Engineers in the Amount of \$72,444 for the 160 th and Greenwood/Innis Arden Intersection Project
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, City Engineer
ACTION:	<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:

The City's 2019 – 2024 Capital Improvement Plan (CIP) includes \$105,000 for developing a conceptual design to improve the operations of safety of the five-way intersection at N 160th Street, Greenwood Ave N and Innis Arden Way (the Intersection). A vicinity map for the project is included in Attachment A. Developing a conceptual design is needed to inform Shoreline Community College's (SCC) traffic mitigation improvements at the intersection.

SCC is building new student housing on campus. Their traffic analysis shows that upon occupation they will not meet the City's concurrency standards at the Intersection. State law requires them to mitigate within six years of not meeting concurrency.

The City and SCC entered into a Transportation Mitigation Agreement (Contract No. 9219) on November 8, 2018. The Agreement has a section regarding the City's CIP project which includes commitments by the City to select a preferred concept for the intersection by September 2019.

This contract will provide the City with engineering design services needed to develop and select the preferred concept and comply with the City's commitments in Contract No. 9219.

RESOURCE/FINANCIAL IMPACT:

The adopted 2019-2024 CIP budget for the 160th and Greenwood/Innis Arden Intersection Project is \$105,000. This consultant design services contract is budget for up to \$72,444 of this amount. The cost is budgeted through the General Fund.

The 2019-2024 project budget and revenue sources are as follows:

EXPENDITURES

Project Administration:	
Staff and Other Direct Expenses	\$32,556
<i>Consultant Design Contract</i>	<i>\$72,444</i>
<hr/>	
Total Project Cost	\$105,000

REVENUE

General Fund Contribution	\$105,000
<hr/>	
Total Revenue	\$105,000

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an agreement with KPFF Consulting Engineers, for \$72,444 to provide engineering, traffic analysis, and other design consultant services for the 160th and Greenwood/Innis Arden Intersection Project.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

On November 19, 2018 Council approved funding for this project as part of the 2019-2020 Biennial Budget and the 2019-2024 Capital Improvement Plan.

Shoreline Community College (SCC) is building a new student residence hall on campus. They completed a preliminary analysis for the N 160th Street, Greenwood Ave N and Innis Arden Way intersection (the Intersection) in a 2018 Transportation Technical Report. The Transportation Technical Report (TTR) shows that the City's level of service standards will not be met at the Intersection when the student residence hall is occupied in September 2019. The TTR proposed to install a signal at the Intersection to comply with the City's concurrency standards, however, the City's Transportation Master Plan has identified a roundabout as the preferred traffic control device for the Intersection.

On November 5, 2018 Council authorized the City Manager to enter into a Transportation Mitigation Agreement with SCC. The agreement was executed on November 8, 2018 as City contract No. 9219.

Section 3 of the Agreement with SCC outlines SCC's mitigation projects, including improvements at the Intersection. The section includes provisions that:

- SCC will complete mitigation improvements at the Intersection within 6 years of the date of Certificate of Occupancy for the student residence hall; and
- The City will identify a preferred concept for the Intersection by September 2019.

The scope of this project includes:

- Alternatives analysis for a traffic signal and roundabout; and
- Cost estimates for capital costs, operating costs, and public outreach.

The City will work closely with SCC throughout the project to develop a preferred alternative, including plans for funding and construction of the project if the cost of the preferred alternative exceeds the cost estimated for SCCs proposed traffic signal mitigation.

ALTERNATIVES ANALYSIS

On November 8, 2018, a waiver of Request for Qualification (RFQ) was authorized for selecting a design consultant for the CIP project. The request for the waiver was consistent with SMC 2.60.070 Services, Section D.1.c that allows the City Manager to waive the formal RFQ process when the costs of delay in using an RFQ process are likely to outweigh higher quality performance expected from the RFQ process.

Staff utilized the Municipal Research and Services Center (MRSC) Roster to find consultants with strong experience and success in designing roundabouts. Statements of Qualifications (SOQ) were evaluated for the listing of 83 consultant firms obtained from the MRSC roster.

Based on their roundabout design experience and ability to meet the project schedule, KPFF Consulting Engineers was selected as the most qualified firm for this design. There are two primary alternatives regarding the award of this contract:

1. Award the contract to the selected consultant (recommended).
2. Do not award the contract.

Awarding the contract allows the project to move forward; conversely, not awarding the contract would stop or significantly delay the project. Given that the City has an agreement with SCC to select a preferred alternative by September 2019, and that the estimated project duration is 7 months, not awarding the contract is not recommended.

The design will commence once the consultant is under contract. This is currently estimated to occur by January 21, 2018. The selection of a preferred design alternative is expected to be completed approximately seven (7) months after starting. The proposed scope of work and budget are provided as Attachment B.

COUNCIL GOAL(S) ADDRESSED

This project supports Council Goal #2 to improve Shoreline’s infrastructure to continue the delivery of highly-valued public services.

RESOURCE/FINANCIAL IMPACT

The adopted 2019-2024 CIP budget for the 160th and Greenwood/Innis Arden Intersection Project is \$105,000. This consultant design services contract is budget for up to \$72,444 of this amount. The cost is budgeted through the General Fund. The 2019-2024 project budget and revenue sources are as follows:

EXPENDITURES

Project Administration:	
Staff and Other Direct Expenses	\$32,556
<i>Consultant Design Contract</i>	<i>\$72,444</i>
Total Project Cost	\$105,000

REVENUE

General Fund Contribution	\$105,000
Total Revenue	\$105,000

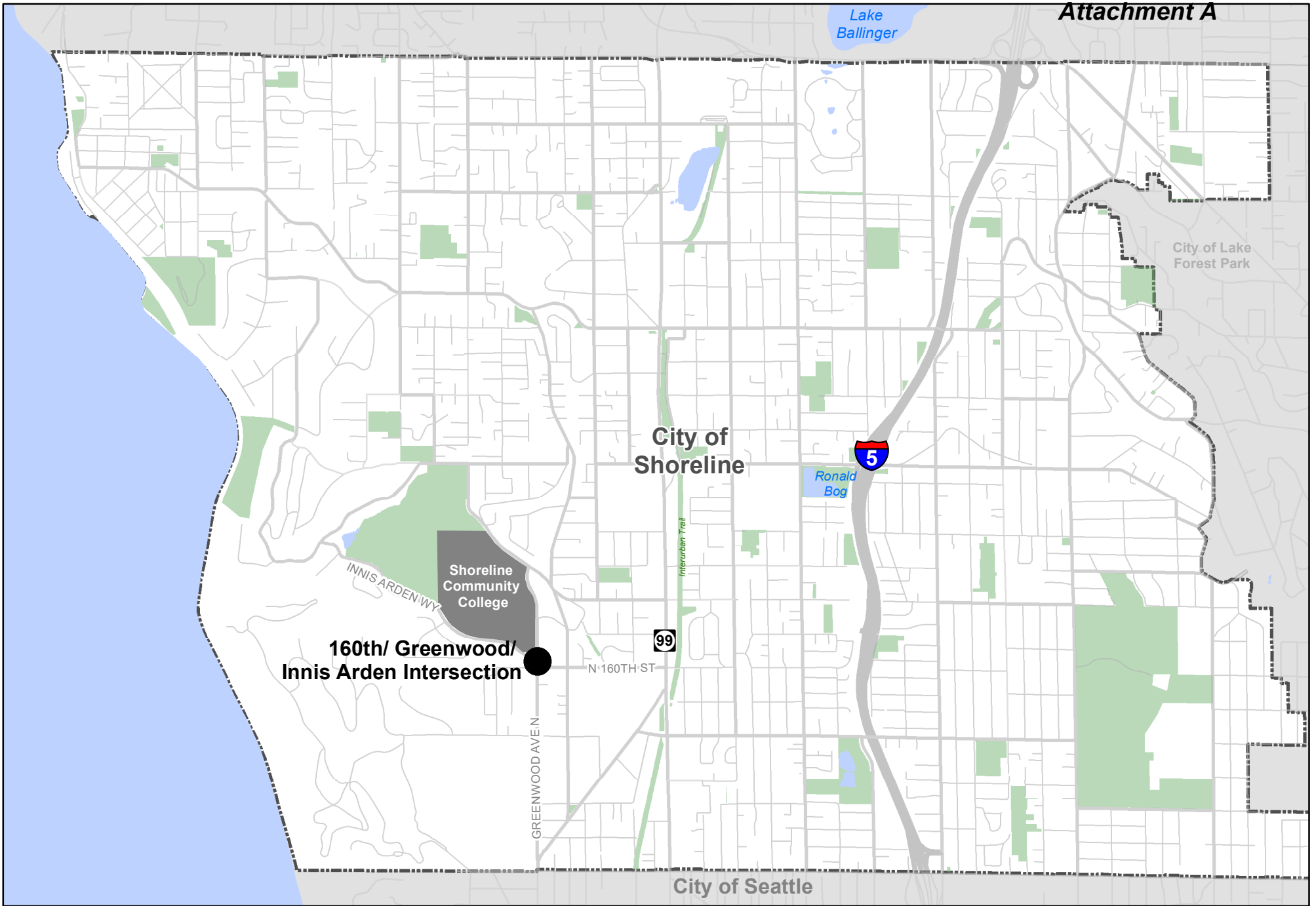
RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an agreement with KPFF Consulting Engineers, for \$72,444 to provide engineering, traffic analysis, and other design consultant services for the 160th and Greenwood/Innis Arden Intersection Project.

ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: 160th and Greenwood/Innis Arden Intersection Preliminary Design Scope of Work and Fee Proposal.



Attachment A - Vicinity Map

N 160th Street, Greenwood Avenue N and N Innis Arden Way

7d-6

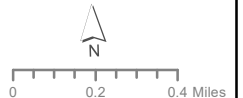




EXHIBIT A

SCOPE OF WORK

160th and Greenwood/Innis Arden Intersection Preliminary Design City of Shoreline

INTRODUCTION

During the term of this professional services agreement (AGREEMENT), KPFF (CONSULTANT) shall perform professional services for the City of Shoreline (CITY) in connection with the following project: **160th and Greenwood/Innis Arden Intersection Preliminary Design (PROJECT)**.

SCOPE OF WORK

This scope of work summarizes the tasks required to provide engineering services to study the intersections of Greenwood Avenue N, N 160th Street, and Innis Arden Way. The work will include preparation and analysis of roundabout design alternatives, followed by development of a 10% design for the preferred alternative. This scope of work includes civil design, traffic analysis, coordination with stakeholders, and public outreach.

PROJECT DESCRIPTION

The Shoreline Community College (SCC) has recently completed a Transportation Technical Report that analyzed traffic impacts to CITY roadways that will result from the future build out of the SCC Master Development Plan. This report indicates that the intersections of Greenwood Avenue N/NW Innis Arden Way and Greenwood Avenue N/N 160th Street S will operate below the CITY's adopted level of service (LOS) standard after the SCC projects are complete. The CITY wants to study this intersection and develop a preferred alternative that will improve the future LOS, safety, and mobility.

The primary goals for the project are:

- Improve safety and mobility of the intersection for all modes.
- Identify a preferred alternative for the intersections of Greenwood Ave N/ N 160th St/ NW Innis Arden Way intersection control. Complete a 10% design for the preferred alternative. The design shall support the projected 2040 volumes shown in the SSC Transportation Technical Report.
- Complete outreach to the community and major stakeholders to inform the selection of a preferred concept.
- Develop detailed cost estimates for signalized and roundabout intersection options. The cost estimates should include all phases including design, right-of-way, and construction.

APPLICABLE STANDARDS

The project shall adhere to applicable federal, state, and local engineering standards including, but not limited to:

SCOPE OF WORK

Greenwood/160th/Innis Arden Roundabout Preliminary Engineering Study

- City of Shoreline’s Engineering Development Manual, 2019 version
- City of Shoreline’s Standard Details, 2019 version
- Shoreline Municipal Code

SCHEDULE

The schedule will be developed in coordination with the CITY. We anticipate a 7-month duration for this project, as shown below:

Task	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.
NTP							
Data Gathering							
Alternative Development							
Open House #1							
10% Design & Cost							
Open House #2							
Finalize 10% Design							

TASK 1: PROJECT MANAGEMENT AND ADMINISTRATION (KPFF)

KPFF shall provide project administration and coordination with the CITY to facilitate efficient progress and timely completion of the project.

TASK 1.1: MONTHLY PROGRESS REPORTING AND INVOICING

Prepare and submit monthly progress reports containing the following:

1. Invoices showing the actual costs; and
2. Status of work performed during work period.

TASK 1.2: MANAGEMENT AND QUALITY CONTROL

KPFF will provide direction and oversight of the project design team to ensure accurate and timely implementation of the work plan and the appropriate coordination of work activities, including the review of each project design team member’s work over the course of the project. This task includes the effort related to providing quality control for the work activities in this scope of work.

TASK 1.3: PROJECT MEETINGS

Project meetings will be held as needed to coordinate with the project team, inform the CITY Project Manager of progress, identify issues, receive direction, and coordinate with key stakeholders. These meetings may be in person at the CITY offices or on phone conference. For scoping purposes, KPFF shall assume a maximum of two (2) CONSULTANT staff will attend four (4) project team meetings and two (2) stakeholder meetings.

Deliverable(s):

- Prepare and submit monthly billings (assume seven).
- Initial project schedule and one update. – Initial project schedule shall be submitted to the CITY at least two (2) working days prior to project kick off meeting for review.
- Meeting notes. – Meeting Notes shall be provided to the CITY within five (5) working days of the meeting.

TASK 2: CIVIL ENGINEERING (KPFF)

TASK 2.1: DATA GATHERING

KPFF will gather, review, and process CAD, GIS, aerials, plans, and traffic studies pertinent to the PROJECT

TASK 2.2: ESTABLISH DESIGN AND EVALUATION CRITERIA

KPFF will prepare and submit a design matrix to the CITY for review and approval. The matrix will identify key design and evaluation criteria for use in the alternative development task.

TASK 2.3: ALTERNATIVE DEVELOPMENT AND ANALYSIS

KPFF will prepare three (3) alternative roundabout concepts with a planning level evaluation matrix and submit to the CITY for review and comments. KPFF will assist the CITY to select a preferred alternative, with possible revisions, for analysis.

TASK 2.4: 10% DESIGN FOR PREFERRED ALTERNATIVE

The 10% design plans for the Preferred Alternative are anticipated to include:

- Proposed horizontal alignments, curb lines, channelization, and pedestrian & bicycle facilities.
- Right-of-Way needs.
- Major utility impacts.
- Preliminary stormwater management assessment.
- Transit facility impacts.

TASK 2.5: COST ESTIMATE

KPFF will develop a cost estimate for the Preferred Alternative and a signalized intersection concept (provided by the CITY). The cost estimate will be based on KPFF's past project experience, WSDOT historical bid analysis, and input from the CITY.

TASK 2.6: DESIGN REPORT

KPFF will create a memo summarizing the findings of the alternative analysis and subsequent development of the 10% design and cost estimate. A single design memo document will be submitted to the CITY.

Assumptions(s):

- The CITY will provide CAD files for the signalized intersection option.
- Three (3) alternatives will be developed by KPFF.
- Alternatives analysis shall include a rough order of magnitude of construction cost for all three (3) alternatives.
- KPFF will meet with the CITY to review, select, and complete a 10% design for one (1) preferred alternative.
- Development of 10% design for the Preferred Alternative will include one round of review by the CITY.
- The cost estimates will be based on WSDOT Bid Item Analysis information for key identifiable items and will use a contingency to account for unknowns.

Deliverable(s):

- Design and Evaluation Criteria.
- Three (3) roundabout alternatives will be prepared on 11x17 sheets and presented to the CITY (PDF and hard-copies, as needed). – Alternatives will be submitted to the CITY for final acceptance two (2) weeks prior to the first Open House.
- Draft 10% design for the Preferred Alternative on 11x17 sheets (PDF, CAD, and hard-copies, as needed). – Draft 10% design will be submitted to the CITY for review two (2) weeks prior to the second Open House. The CITY will provide comments within two (2) weeks after the second Open House.
- Draft Design Memorandum (PDF, Word file, and hard-copies, as needed). – Draft design memo will be submitted to the CITY for review two (2) weeks prior to the second Open House.
- 10% design for the Preferred Alternative on 11x17 sheets (PDF, CAD, and hard-copies, as needed). - 10% design will be submitted to the CITY for final acceptance no later than 7:00am on August 26, 2019, unless otherwise agreed to on the project schedule.
- Cost estimates for the Preferred Alternative and signalized intersection option (PDF, Excel file, and hard-copies, as needed). – Cost Estimates will be submitted to the CITY for final acceptance no later than 7:00am on August 26, 2019, unless otherwise agreed to on the project schedule.
- Final Design Memorandum (PDF, Word file, and hard-copies, as needed). - Final Design Memorandum will be submitted to the CITY for final acceptance no later than 7:00am on August 26, 2019, unless otherwise agreed to on the project schedule.

TASK 3: PUBLIC OUTREACH (KPFF)

KPFF will support the CITY in the preparation and staffing of two (2) Open Houses. KPFF will prepare four (4) boards (up to 22-inch x 34-inch) for each Open House including: plan view/aerial of roundabout alternatives, high level traffic analysis results, and typical sections.

Assumption(s):

- The CITY will prepare and distribute announcements for the Open Houses.
- The CITY and KPFF will coordinate to determine what information should be included on the display boards.
- Up to two (2) CONSULTANT staff will attend the two-hour Open Houses.

Deliverable(s):

- Eight (8) boards for public meetings. Boards for public meetings will be submitted to the CITY for final acceptance one (1) week prior to the public meetings.

TASK 4: TRAFFIC (Fehr & Peers)

TASK 4.1: GENERAL MANAGEMENT

FEHR & PEERS shall perform project administration and management tasks as follows:

Prepare a project management plan to consist of the following items:

- Budget tracking
- File management
- Prepare and submit monthly invoices, including a tabulation of hours expended, broken down by each major task.
- Prepare monthly progress reports summarizing the status of the budget.

TASK 4.2: QA/QC

The FEHR & PEERS shall provide internal quality assurance/quality control (QA/QC) reviews of the following major work elements prior to submittal to KPFF.

TASK 4.3: COMMENT RESOLUTION

The project includes CITY reviews of the project deliverables. FEHR & PEERS shall review comments and provide preliminary responses within 2 weeks of receiving comments or as defined in the project schedule - whichever is sooner.

Deliverable(s):

- Monthly progress report and invoice (electronic)
- Updated project schedules if required (electronic)
- Updated comment response log in MS Excel format (electronic)

TASK 4.4: ESTABLISH DESIGN & EVALUATION CRITERIA

FEHR & PEERS will coordinate with KPFF to establish design criteria and measures of effectiveness for the project and corresponding analysis. KPFF will provide any documentation required for the project with support from FEHR & PEERS. No additional documentation will be provided by FEHR & PEERS.

Assumption(s):

- Traffic data from the Shoreline Community College Transportation Technical Report (October 2018, Transpo Group) will be used in support of the analysis.

Deliverable(s):

- Traffic Analysis Standards for incorporation into Design and Evaluation Criteria described in Task 2.

TASK 4.5: ALTERNATIVE DEVELOPMENT & ANALYSIS

FEHR & PEERS will update the “proof-of-concept” analysis completed and documented in the Greenwood Avenue and 160th/Innis Arden Road Analysis memorandum (October 9th, 2018). The analysis will be updated to include up to two additional roundabout layout alternatives, and one signalized alternative. Analysis years, peak hours, and turning movement volumes will be the same as those originally considered, as specified below:

- Peak Hours:
 - AM Peak Hour
 - Mid-Day Peak Hour
 - PM Peak Hour
- Design Years:
 - Existing (Based on 2018 Traffic Counts)
 - 2040 Design Year

Modeling will be completed in VISSIM for all alternative analysis.

Assumption(s):

- All traffic analysis will be based on the analysis years, peak hours, and turning movement volumes as the used in the “Proof-of-Concept” analysis memo.

- Up to 3 roundabout layouts and 1 signalized layout alternative will be modeled.
- All modeling will be completed in VISSIM.
- VISSIM models shall include the Dayton Ave N and N 160th St Signalized intersection.

Deliverable(s):

- VISSIM Model Files.
- Draft and Final Greenwood Avenue 160th/Innis Arden Avenue Analysis Memorandum.

TASK 4.6: 10% DESIGN FOR PREFERRED ALTERNATIVE

FEHR & PEERS will support KPFF in the development of the 10% design of the preferred roundabout alternative by reporting any lane geometry from the VISSIM Model. This includes storage lane length, approach lane layouts, and circulating lane geometry as needed.

TASK 4.7: COST ESTIMATE

FEHR & PEERS will prepare a planning level Cost Estimate for the signalized alternative. The cost estimate will assume quantities based on the 10% design for the preferred signalized alternative provided by the City of Shoreline. The cost estimate will include assumptions used for quantity estimates and unit prices.

Assumption(s):

- Signalized intersection design will be provided by the CITY.

Deliverable(s):

- 10% Cost Estimate for the signalized intersection alternative.

TASK 4.8: DESIGN MEMORANDUM

FEHR & PEERS will assist KPFF document the design process by providing a summary of the traffic analysis. FEHR & PEERS shall provide a short narrative, not exceeding 1 page, and electronic version of tables to be incorporated into the overall Design Memorandum.

Deliverable(s):

- Traffic narrative and tables will be provided to KPFF for incorporation into the Design Memorandum described in Task 2.

City of Shoreline
 Greenwood/160th/Innis Arden Roundabout Preliminary Engineering Study
 12/19/2018

Fee Proposal Summary:

	Description	KPFF	Fehr & Peers	Total Cost
Task 1	Project Management and Administration	\$ 9,358		\$ 9,358
Task 2	Civil Engineering	\$ 39,077		\$ 39,077
Task 3	Public Outreach	\$ 3,969		\$ 3,969
Task 4	Traffic		\$ 19,240	\$ 19,240
Total Labor Cost by Firm		\$ 52,404	\$ 19,240	\$ 71,644
REIMBURSABLES				
Expenses				Totals
	Reimbursable Expense Subtotal by Firm		\$ 800	\$ 800
Total Project Cost		\$ 52,404	\$ 20,040	\$ 72,444

City of Shoreline
 Greenwood/160th/Innis Arden Roundabout Preliminary Engineering Study
 12/19/2018

Fee Proposal: KPFF

TASK	DESCRIPTION	Principal	Project Manager	Sr. Engineer	Design Engineer	CAD Technician	Admin.	Total Hours	
		Ron Leimkuhler	Nathan Anderson	Mick Monken	Jeff Fellowes	Ken Webber	Vanessa Reed		
Task 1	Project Management								\$ 9,358
1.1	Progress Reports and Invoicing		8				12	20	\$ 2,095
1.2	Team Management & QA/QC	8	8					16	\$ 2,629
1.3	Meeting with Project Stakeholders		8		4			12	\$ 1,544
1.4	Team Meetings		16		8			24	\$ 3,089
Task 2	Civil Engineering								\$ 39,077
2.1	Data Gathering and Review		4		4	8		16	\$ 1,863
2.2	Establish Design and Evaluation Criteria		8	2	8			18	\$ 2,300
2.3	Alternative Development and Analysis		16	4	40	40		100	\$ 11,529
2.4	10% Design for Preferred Alternative		24	4	40	60		128	\$ 14,853
2.5	Cost Estimate for Preferred Alternative and Signalized Option		12		24			36	\$ 4,212
2.6	Design Memo		8	4	24			36	\$ 4,320
Task 3	Public Outreach								\$ 3,969
4.1	Open House Meetings		8		8			16	\$ 1,966
4.2	Open House Preparation & Graphics		2		8	8		18	\$ 2,003
Total Hours		8	122	14	168	116	12	440	
	All Inclusive Hourly Rate	\$188.24	\$140.40	\$167.40	\$105.30	\$110.03	\$81.00		Sub-Totals
	Sub-Total Burdened Labor Cost	\$ 1,506	\$ 17,129	\$ 2,344	\$ 17,690	\$ 12,763	\$ 972		\$ 52,404

REIMBURSABLES

Direct Expenses	Quantity	Unit	Unit Cost	Sub-Totals	Totals
Mileage				\$ -	\$ -
Reprographics				\$ -	\$ -
Travel				\$ -	\$ -
Subcontract				\$ -	\$ -
Total Reimbursables					\$ -
Total Firm Cost					\$ 52,404

City of Shoreline
 Greenwood/160th/Innis Arden Roundabout Preliminary Engineering Study
 12/19/2018

Fee Proposal: FEHR & PEERS

TASK	DESCRIPTION	Principal	Senior Engineer / Planner	Engineer / Planner	Admin.	Total Hours	
		C. Brieland	C. Grgich	S. Keenan	Y. Bettencourt		
Task 4	Traffic						\$ 19,240
4.1	General Management		4		8	12	\$ 1,620
4.2	QA/QC	4	2			6	\$ 1,450
4.3	Comment Resolution		2	2		4	\$ 630
4.4	Establish Design & Evaluation Criteria			4		4	\$ 560
4.5	Alternative Development & Analysis		22	56		78	\$ 11,690
4.6	10% Design for Preferred Alternative		2	4		6	\$ 910
4.7	Cost Estimate for Signalized Alternative		2	8		10	\$ 1,470
4.8	Design Memorandum		2	4		6	\$ 910
							\$ -
Total Hours		4	36	78	8	126	
All Inclusive Hourly Rate		\$275.00	\$175.00	\$140.00	\$115.00		Sub-Totals
Sub-Total Burdened Labor Cost		\$ 1,100	\$ 6,300	\$ 10,920	\$ 920		\$ 19,240

REIMBURSABLES

Direct Expenses	Quantity	Unit	Unit Cost	Sub-Totals	Totals
Project Reproduction Charges	1	LS	\$ 800.00	\$ 800	\$ 800.00
				\$ -	\$ -
				\$ -	\$ -
				\$ -	\$ -
Total Reimbursables					\$ 800
Total Firm Cost					\$ 20,040

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Amend the Intergovernmental Agreement with the King Conservation District for Performance of Conservation Services Program
DEPARTMENT:	Parks, Recreation and Cultural Services
PRESENTED BY:	Eric Friedli, PRCS Director
ACTION:	<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:

On May 5, 2016, the City of Shoreline and the King Conservation District (KCD) executed an Interlocal Agreement for the Performance of Conservation Services to conduct neighborhood level urban forest health assessments and stewardship plans for open spaces in the Ballinger and Innis Arden neighborhoods (Attachment A).

The project management and technical planning services were provided by KCD staff, while project professional services contracts were paid for and coordinated by KCD. The City of Shoreline agreed to have KCD allocate \$31,000 of Shoreline's KCD Assessment/Rates and Charges Collections towards this project.

On October 29, 2018, Council authorized the City Manager to amend the Interlocal Agreement with KCD for Performance of Conservation Services by approving the Addendum to this Agreement (Attachment B). This added \$5,000 to the project budget to be used toward the purchase of native trees and shrubs, bringing the project total to \$36,000.

In order to complete the project, the original budget for the KCD urban forest health management project titled "Neighborhood Urban Forest Stewardship Program" needs to be increased by \$10,000, an additional \$5,000 over what was approved in October 2018, to be used toward the purchase of native trees and shrubs for the community forest health enhancement projects implemented in association with the project. The source of the funding for the additional project cost is the KCD Assessment/ Rates and Charges Collections set aside for projects in partnership with the City.

Tonight, staff requesting that Council authorize the City Manager to amend the Interlocal Agreement with KCD for Performance of Conservation Services to include an additional \$5,000, bringing the project total to \$41,000, by approving the Addendum to this Agreement (Attachment C).

RESOURCE/FINANCIAL IMPACT:

The City of Shoreline agrees to allocate an additional \$5,000 of its KCD Assessment/Rates and Charges Collections towards this project for a total of \$41,000.

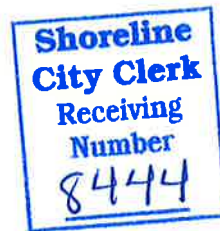
RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute the Addendum to Agreement for Performance of Conservation Services with the King Conservation District to complete urban forest health assessments with stewardship plans in the Ballinger and Innis Arden neighborhoods.

ATTACHMENTS:

- Attachment A: King Conservation District Agreement for Performance of Conservation Services
- Attachment B: King Conservation District Addendum to Agreement for Performance of Conservation Services (first Amendment)
- Attachment C: King Conservation District Addendum to Agreement for Performance of Conservation Services (second Amendment)

Approved By: City Manager **DT** City Attorney **MK**



AGREEMENT FOR PERFORMANCE OF CONSERVATION SERVICES

This Agreement is made between the **King Conservation District Number 9**, a municipal corporation in King County, Washington, located at 1107 SW Grady Way Suite 130 Renton Washington 98057 (referred to herein as "District"), and the City of Shoreline, a municipal corporation in King County, Washington, located at 17500 Midvale Avenue North, Shoreline WA 98133 (referred to herein as "City"), for the purposes set forth herein.

SECTION 1. RECITALS

1.1 Whereas, the District is a special purpose district organized and existing under authority of Chapter 89.08 RCW, which engages in certain activities and programs to conserve natural resources, including soil and water, which activities are declared to protect and promote the health, safety, and general welfare of the people of the state of Washington; and

1.2 Whereas, pursuant to RCW 89.08.400 and/or RCW 89.08.405, King County has authorized and imposed a system of assessments and/or a system of rates and charges to finance the activities and programs of the District; and

1.3 Whereas, pursuant to RCW 89.08.220, RCW 89.08.341 and/or Chapter 39.34 RCW, the District is authorized to enter into agreements with, or to furnish financial or other aid to, municipal entities and agencies (governmental or otherwise), or their designees, or any occupier of lands within the District, in order to carry out and facilitate the activities and programs of the District to conserve natural resources; and

1.4 Whereas, the District and City desire to enter into this Agreement for the purpose of the performance of the conservation projects described in ATTACHMENT A which will be funded by a portion of conservation assessment funds and/or rates and charges funds collected for the District as described in ATTACHMENT B.

SECTION 2. AGREEMENT

2.1 The District agrees to provide the labor and materials necessary in connection with the conservation projects described in ATTACHMENT A in the amount identified in ATTACHMENT B and referred to as the "Project Cost." The District shall not be required to provide labor and materials above the approved Project Costs.

2.2 The District agrees to allocate a portion of the assessment / rates and charges funds received by the District in the amount identified in ATTACHMENT B toward payment of the Project Cost.

SECTION 3. GENERAL PROVISIONS


3.1 The District shall not by virtue of this Agreement acquire any proprietary or governmental interest in the projects described in ATTACHMENT A.

3.2 This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

3.3 This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and may be modified only by an agreement in writing signed by both parties. The parties contemplate that this Agreement may from time to time be modified by written amendment which shall be executed by duly authorized representatives of the parties and attached to this Agreement.


3.4 Each party warrants and represents that such party has full and complete authority to enter into this Agreement and each person executing this Agreement on behalf of a party warrants and represents that he/she has been fully authorized to execute this Agreement on behalf of such party and that such party is bound by the signature of such representative.

3.5 This Agreement shall be effective for the period January 1, 2016 through December 31, 2018. This Agreement shall remain in effect as noted unless terminated by either party by giving thirty (30) days prior written notice to the other party

DISTRICT:
By 
Name RICHARD A. RYON
Title CHAIR, BOARD OF SUPERVISORS
Date 5/5/2016

CITY:
By City of Shoreline
Name Debra Jane Melrose Jarry
Title City Manager
Date 4/25/16

DISTRICT LEGAL COUNSEL:
By _____
Name _____
Title _____
Date _____

CITY ATTORNEY:
By 
Name JULIE AINSWORTH-TAYLOR
Title ASST. CITY ATTORNEY
Date 2/11/16

ATTACHMENT A

City of Shoreline Neighborhood Urban Forest Stewardship Program Project Scope of Work and Timeline

The City proposes working in two distinct neighborhoods (Ballinger and Innis Arden/Richmond Beach/Richmond Highlands) to develop management plans for four (4) public open space/parks and seven (7) private forest reserves, stewardship plans for seven (7) public open space/parks, and develop a community stewardship program in collaboration with community partners.

Proposed work:

1. Forest health assessment and management plans for eleven (11) private and public open spaces in two neighborhoods
2. Stewardship plans for seven public forested open spaces only.
3. Stewardship program to engage the community partners through training and restoration projects throughout ALL open spaces in both neighborhoods and to increase awareness of adjacent property owners' urban forest management

Engaged community partners:

King County Housing Authority, Center for Human Services, Mountains to Sound Greenway Trust, EarthCorps, Innis Arden Club Reserve, Shoreline Community College, Ballinger Neighborhood Association, Richmond Highlands and Richmond Beach Neighborhood Associations

1. Forested Open Space Assessment & Management Plans

March – May 2016

Perform urban forest assessment and develop management plans for **Public** (Brugger's Bog Park - 4 ac., Ballinger Open Space - 2.63 ac., Innis Arden Reserve M - 23 ac., and Strandberg Preserve - 2.58 ac.) and **Private** (Bear, Blue Heron, Boeing Creek, Coyote, Eagle, Grouse and Running Water Reserves in Innis Arden Club ~ 60 acres) forest areas

- Create baseline maps of project sites
- Perform field reconnaissance to note forest composition, structure and health, identify stand or habitat types, note understory vegetation, and presence and occurrence of invasive plant species - including adjacent properties.
- Write a forest management plan to discuss current conditions and provide recommendations for future management for forest health.
- Produce final map to delineate stand or habitat types and identify sensitive areas and invasive species colonies.

2. Stewardship Plans

May - July 2016

Develop stewardship plans for seven public spaces (Ballinger Open Space – 2.63, Boeing Creek Open Space – 4.41, Boeing Creek Park – 33.45, Bruggers Bog – 4.36, Innis Arden Reserve M – 22.94, Richmond Beach Saltwater Park – 32.06, Shoreview Park – 46.65 = 146.5 acres) which entails reference to management plans and identify priority activities (what), recommended party to do the action - partners (who and how), recommended timeline (when).

3. Community/Neighborhood Stewardship Program

August 2016 - 2017

Engage the community of Ballinger, Richmond Highlands and Richmond Beach Neighborhoods for public open space stewardship (and adjacent private property owners). Determine a budget for a community stewardship program; provide outreach and coordination of volunteers, events, and community stewardship training. Coordinate with Mountains to Sound Greenway Trust and EarthCorps.

City of Shoreline Role:

- Coordinate and communicate with community partners regarding the project at each phase.
- Include the community partners at appropriate times to participate in stewardship planning and implementation.
- Meet regularly with KCD staff to ensure project flow and success.
- Provide City staff and resources to the project when needed, within scope.
- Commit a designated amount of KCD-City Partnership funds as agreed upon for the success of the project.
- Be responsible for costs such as restoration materials (including plants), events, and any professional contract work (e.g. hazard tree removal, engineering restoration work).
- Provide social and regular media coverage of the project and activity through the City's normal communication channels.
- Develop/update a City Urban Forest Management Plan that integrates the project components to ensure these efforts are supported and sustained by the City.

ATTACHMENT B

APPROVED PROJECT COSTS

Project costs include project management and technical planning services provided by King Conservation District staff, and professional services contracts coordinated by the District. The total approved project cost and sources of project funding are summarized below:

Summary:

Project Cost	\$82,060.00
KCD UFHM Program Funds	\$51,060.00
Credit against City Allocation	\$31,000.00
Cash Match (if applicable)	None

The final costs of the project may vary depending on the actual cost of the services provided. The District shall not be required to provide labor and materials above the approved Project Costs. The parties agree that a portion of the Project Costs will be funded through a credit against the City's allocation from the King Conservation District Special Assessment and Rates & Charges collections set aside for projects in partnership with the City, which shall not exceed the amount identified above as the "Credit against City Allocation" without the advance written approval of the City. The District will keep the City informed about the actual project costs and the District will coordinate with the City to amend this Agreement to authorize any increase in the approved Project Cost.

Addendum to Agreement for
Performance of Conservation Services

This Addendum to Agreement (“Addendum”) is made between the King Conservation District Number 9, a municipal corporation in King County, Washington, located at 1107 SW Grady Way Suite 130 Renton Washington 98057 (referred to herein as “District”), and the City of Shoreline, a municipal corporation in King County, Washington, located at 17500 Midvale Avenue North, Shoreline WA 98133 (referred to herein as “City”), for the purposes set forth herein.

The purpose of the Addendum is to amend the Agreement for Performance of Conservation Services dated May 5, 2016 by increasing the budget for the KCD urban forest health management project titled *Neighborhood Urban Forest Stewardship Program* by adding \$5,000 to the project budget to be used toward the purchase of native trees and shrubs for the community forest health enhancement projects implemented in association with the project. The source of funding for the additional project cost is King Conservation District Special Assessment and Rates & Charges collections set aside for projects in partnership with the City.

As stated in Attachment B to the Agreement, the originally approved allocation of King Conservation District Special Assessment and Rates & Charges collections to the project is \$31,000. The Addendum increases to \$36,000 the total allocation of KCD collections to the project, denoted as “Credit Against City Allocation”. KCD Urban Forest Health Management funds applied to the project remain the same, and the revised total project cost is increased to \$87,060. The final costs of the project may vary depending on the actual cost of the services provided. The District will keep the City informed about the actual additional costs.

All other terms and conditions of the original Agreement shall remain unchanged and in full force and effect.

CITY

KING CONSERVATION DISTRICT

By _____ By _____

Date: _____ Date: _____

ADDENDUM TO AGREEMENT FOR PERFORMANCE
OF CONSERVATION SERVICES

This Addendum to Agreement (“Addendum”) is made between the King Conservation District Number 9, a municipal corporation in King County, Washington, located at 800 SW 39th Street Suite 150 Renton Washington 98057 (referred to herein as “District”), and the City of Shoreline, a municipal corporation in King County, Washington, located at 17500 Midvale Avenue North, Shoreline WA 98133 (referred to herein as “City”), for the purposes set forth herein.

The purpose of the Addendum is to amend the Agreement for Performance of Conservation Services dated May 5, 2016 by increasing the budget for the KCD urban forest health management project titled *Neighborhood Urban Forest Stewardship Program* by adding \$10,000 to the project budget to be used toward the purchase of native trees and shrubs for the community forest health enhancement projects implemented in association with the project. The source of funding for the additional project cost is King Conservation District Special Assessment and Rates & Charges collections set aside for projects in partnership with the City.

As stated in Attachment B to the Agreement, the originally approved allocation of King Conservation District Special Assessment and Rates & Charges collections to the project is \$31,000. The Addendum increases to \$41,000 the total allocation of KCD collections to the project, denoted as “Credit Against City Allocation”. KCD Urban Forest Health Management funds applied to the project remain the same, and the revised total project cost is increased to \$92,060. The final costs of the project may vary depending on the actual cost of the services provided. The District will keep the City informed about the actual additional costs.

All other terms and conditions of the original Agreement shall remain unchanged and in full force and effect.

CITY

KING CONSERVATION DISTRICT

By _____ By _____

Date: _____ Date: _____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Purchase a Backhoe Loader in the Amount of \$120,753.38
DEPARTMENT:	Administrative Services Department
PRESENTED BY:	Sara Lane, Administrative Services Director Dan Johnson, Fleet & Facilities Manager
ACTION:	<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:

City Council at their November 19, 2018 meeting approved the 2019-2020 Biennial Budget. The 2019 Budget included the purchase of a Backhoe Loader for the Public Works Street Operations Division. Staff is requesting City Council approval to purchase a Caterpillar Model: 420F2 HRC Backhoe Loader estimated to cost \$120,753.38 including Washington State Sales Taxes.

The City’s purchasing policies require City Council authorization for equipment purchases in excess of \$100,000. Staff will be utilizing the existing cooperative purchasing agreement (#00410) with the State of Washington Department of Enterprise Services (DES) to purchase the Caterpillar Backhoe Loader because this purchasing and equipment option provides the best value for the City.

The Caterpillar Backhoe Loader will be purchased from NC Machinery which is an equipment vendor identified on the Washington State DES vendor list. The Backhoe Loader will be used by Public Works Street Operations Division to load and unload materials from trucks and trailers and perform excavation work at various job sites. With the creation of a Right of Way (ROW) Landscape Maintenance Program, the Backhoe Loader will provide the capability needed to support the new Street ROW Program.

RESOURCE/FINANCIAL IMPACT:

The 2019-2020 Budget includes funding to purchase and upfit the Backhoe Loader totaling \$125,000. Once the Backhoe Loader is purchased for an amount of \$120,753.38, City decals and other safety accessories will be installed with the remaining \$4,246.62 budget balance.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to purchase the Caterpillar Model: 420F2 HRC Backhoe Loader in the Amount of \$120,753.38.

Approved By: City Manager **DT** City Attorney **MK**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Authorizing the City Manager to Award an Option to Lease the City Owned 198th Property to Community Psychiatric Clinic for Affordable Housing and Supportive Services
DEPARTMENT: City Manager’s Office
PRESENTED BY: Nathan Daum, Economic Development Manager
ACTION: _____ Ordinance _____ Resolution X Motion
_____ Public Hearing _____ Discussion

PROBLEM/ISSUE STATEMENT:

At the direction of City Council, the City entered into a partnership with King County to develop a request for affordable housing proposals on City-owned property located at 198th and Aurora, the majority of which is surplus property from the Aurora Corridor Project (map provided in Attachment A). A competitive process selected Community Psychiatric Clinic (CPC) as the housing owner and service provider, with Catholic Housing Services (CHS) serving as CPC’s development consultant.

In order to pursue funding for the project in the form of Low Income Housing Tax Credits, CPC requires a lease option as evidence of site control. The proposed lease option is provided as Attachment B. City Council approval is needed to authorize the City Manager to award this lease option to the selected project team.

RESOURCE/FINANCIAL IMPACT:

Tax Parcel #222730-0025 was purchased for \$1,043,200 and Tax Parcel #222730-0030 was purchased for \$1,043,200, for a total of \$2,086,400. These two properties were purchased using federal grant money for the Aurora Corridor Project in 2012. Tax Parcel #222730-0036, purchased for \$225,000 in 2015, was acquired to create a more buildable assemblage when the City was approached by the owners with a compelling offer.

The lease option provides that the City and CPC would enter into a long-term 99-year lease at a rate of one dollar (\$1.00) per year. Staff estimates that the total market value of the three parcels could at least \$2.0 million.

RECOMMENDATION

Staff recommends that the City Council move to authorize the City Manager to award the option to lease the City owned parcels at 198th and Aurora to Community Psychiatric Clinic for the purposes of developing and operating affordable housing and supportive services.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The City owns three parcels of property (Tax Parcels #222730-0025, #222730-0030, and #222730-0036), with a total area of 34,360 square feet at the northeast corner of Aurora Avenue N and N 198th Street. The three parcels together are known as the 198th Property and were bought as part of the Aurora Corridor Project (Attachment A).

Once the Aurora Corridor Project was complete, the City determined it would no longer need these parcels. During the August 8, 2016 meeting, Council discussed what to do with the 198th Property, including leasing the property to a third party. Council directed staff to investigate using the property for affordable housing. The staff report for this discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport080816-9a.pdf>

During the March 6, 2017 meeting, Council discussed a massing study to determine the potential of the site as well as a King County Department of Community and Human Services Development Concept. King County also presented on the potential RFP process to select an affordable housing developer and onsite service provider. The staff report for this discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport030617-8a.pdf>.

King County subsequently conducted the RFP process and chose Community Psychiatric Clinic (CPC) to develop and manage the apartment building with Catholic Housing Services of Western Washington (CHS).

City Council was briefed on what was now called the 198th Affordable Housing Project at the September 24, 2018 dinner meeting. This included meeting and hearing from representatives of both CPC and CHS. The memo for this discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/dinner/092418Dinner.pdf>.

The feasibility study and decision to proceed were complete in late 2018, along with various outreach open houses in the immediate vicinity of the site. The next project deadline is applying for \$19,359,039 in Low Income Housing Tax Credits (LIHTC) in January 2019 for an award in February 2019. Other sources of funding for the project include \$3,500,000 from King County's Veterans, Seniors & Human Services Levy and \$7,567,233 in equity invested by CPC. If successful, construction is estimated to start in October 2019 for a building occupancy of August 2020.

DISCUSSION

In order to pursue the \$19,359,039 in Low Income Housing Tax Credits, CPC requires a lease option as evidence of site control. The project team's deadline for this submission is January 22, 2018. The proposed lease option is provided as Attachment B.

If Council **approves**, Community Psychiatric Clinic will have the necessary agreements in place to submit a complete application for the Tax Credits needed to build the project.

If Council **rejects**, Community Psychiatric Clinic will be ineligible for the Tax Credits needed to fund the project. Since the project requires this funding for design and construction, the project will not move forward as currently intended by City Council.

COUNCIL GOAL(S) ADDRESSED

The 2018-2020 City Council Goals specifically reference this project under “Goal 1: Strengthen Shoreline’s economic climate and opportunities” which states in Action Step Five (**emphasis added**):

“Encourage affordable housing development in Shoreline, including continued promotion of the Property Tax Exemption program, **partnership with King County in the development of affordable housing on the City’s property at Aurora Avenue and N 198th Street**, and identify opportunities for integration of affordable housing at the future community and aquatic center facility.”

RESOURCE/FINANCIAL IMPACT

Tax Parcel #222730-0025 was purchased for \$1,043,200 and Tax Parcel #222730-0030 was purchased for \$1,043,200, for a total of \$2,086,400. These two properties were purchased using federal grant money for the Aurora Corridor Project in 2012. Tax Parcel #222730-0036, purchased for \$225,000 in 2015, was acquired to create a more buildable assemblage when the City was approached by the owners with a compelling offer.

The lease option provides that the City and CPC would enter into a long-term 99-year lease at a rate of one dollar (\$1.00) per year. Staff estimates that the total market value of the three parcels could at least \$2.0 million.

RECOMMENDATION

Staff recommends that the City Council move to authorize the City Manager to award the option to lease the City owned parcels at 198th and Aurora to Community Psychiatric Clinic for the purposes of developing and operating affordable housing and supportive services.

ATTACHMENTS

Attachment A: Parcel map of 198th Property

Attachment B: Proposed Lease Option Agreement

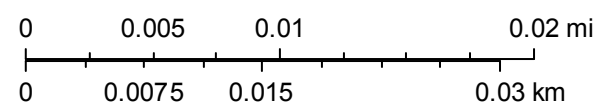
Attachment A



November 15, 2018

1:480

- ⋮ : City Boundary - outline
- Site Address**
- ⊕ Mailable
- ⊖ Location
- Street**
- Outside Shoreline
- Interstate
- Principal Arterial
- Minor Arterial
- Collector Arterial
- Local Primary
- Local Secondary
- ⋮ Tax Parcel



LEASE OPTION AGREEMENT

THIS LEASE OPTION AGREEMENT (“**Lease Option**”) is made and entered into as of the ___ day of _____, 2019 (“**Effective Date**”), by and between THE CITY OF SHORELINE, a Washington municipal corporation (“**Grantor**”), and CPC SHORELINE LLC, a Washington limited liability company, or its successors and assigns (“**Grantee**”). Grantor and Grantee are collectively referred to herein as the “**Parties**” and individually as a “**Party**.”

W I T N E S S E T H:

WHEREAS, Grantor is the owner of that certain real property located in the City of Shoreline, County of King, State of Washington, identified by King County Tax Parcel Nos. 2227300030, 2227300025, and 2227300036, generally located at the intersection of Aurora Avenue North and North 198th Street, as more particularly described on Exhibit A, attached hereto and made a part hereof, including any improvements thereon (“**Property**”).

WHEREAS, the City of Shoreline purchased in fee simple Tax Parcel Nos. 2227300030 and 2227300025 in 2012, conveyed by Statutory Warranty Deed, and purchased in fee simple Tax Parcel No. 2227300036 in 2015, conveyed by Statutory Warranty Deed.

WHEREAS, the City of Shoreline in partnership with King County, issued a Request for Qualifications (“**RFQ**”) entitled *Affordable Modular Housing at Shoreline 198th Site: Analysis, Financing, and Construction*. The RFQ was a joint solicitation to select a qualified team to develop a system-connected affordable housing project using modular construction methods if feasible (“**Project**”).

WHEREAS, Community Psychiatric Clinic (“**CPC**”) was selected to develop and manage the Project with support from Catholic Housing Services. The Grantee is the development subsidiary of CPC for the Project.

WHEREAS, the City of Shoreline is willing to make the Property available to Grantee for the development of system-connected affordable housing with support services.

WHEREAS, Grantee intends to submit an application to the Washington State Housing Financing Commission for an allocation of low-income housing tax credits to finance the development of the Property as an affordable housing project.

WHEREAS, the City of Shoreline desires to partner with the Grantee by granting an option to lease the Property to Grantee for the development of a “system-connected” affordable housing project with support services.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

A. GRANT OF OPTION.

Grantor hereby grants Grantee the exclusive option to lease the Property upon the terms and conditions set forth herein (“**Option to Lease**”).

B. OPTION TO LEASE.

This Option to Lease shall commence on the Effective Date of this Lease Option and shall expire at midnight two hundred forty (240) consecutive calendar days from the Effective Date (“**Option Period**”).

C. DUE DILIGENCE.

1. Grantee’s Obligations:
 - a. In order for Grantee to determine if it will exercise the Option to Lease during the Option Period, Grantee and its authorized contractors, employees, agents, representatives and engineers shall, as of the Effective Date, have the right to enter upon the Property during regular business hours to perform such tests (environmental or otherwise), examinations, an ALTA/ACSM survey in accordance with the requirements of Grantee, investigations, and feasibility studies which Grantee may deem necessary (collectively, the “**Due Diligence Activities**”). For the purpose of this section, regular business hours are Monday through Friday, 8 am to 5 pm Pacific Local Time, not including City-recognized holidays.
 - b. The Grantee shall have one hundred eighty (180) consecutive calendar days from the Effective Date to perform any and all Due Diligence Activities on the Property it deems necessary (the “**Due Diligence Period**”).
 - c. Grantee shall not perform any Due Diligence Activities prior to the Effective Date of this Lease Option.
 - d. Grantee shall comply with all applicable local, state, and federal laws, rules, and ordinances applicable to the Due Diligence Activities, including obtaining, at its own cost, any necessary permits.
 - e. Grantee shall ensure that during the term of this Lease Option that the Due Diligence Activities do not present trip, fall, or other hazards on the Property.
 - f. At least seventy-two (72) hours prior to entering upon the Property, Grantee, or a representative of Grantee, shall provide the City, either in writing or by phone or email, notice of the date and time of entry. At this same time, Grantee, or a representative of Grantee, shall notify the City as to who will be entering upon the Property and which Due Diligence Activities will be performed.
 - g. Grantee shall exercise due care while performing any and all Due Diligence Activities so as not to cause waste or damage to the Property.

At the completion of the Due Diligence Activities, Grantee shall remove any equipment and personal property used in connection with the Due Diligence Activities and shall restore the Property to the same or better condition that existed as of the Effective Date.

- h. Grantee shall be responsible for any damages caused by the acts and/or omissions of the Grantee while on the Property in connection with the Due Diligence Activities, unless solely caused by the negligence or willful misconduct of City or any of its elected officials, officers, employees, agents or volunteers. Grantee and its authorized contractors, employees, agents, representatives and engineers shall indemnify and hold the City and its elected officials, officers, employees, agents, volunteers, successors, and assigns harmless from, and defend the City against, any and all losses, damages, costs, penalties, expenses, liabilities, judgments, liens, suits, claims, or demands relating to or arising out of the Due Diligence Activities conducted on the Property, except to the extent caused by the negligence or willful misconduct of City or any of its elected officials, officers, employees, agents or volunteers. This obligation shall survive the termination of this Lease Option.

2. City's Obligations:

- a. The City will ensure that Grantee is granted access to the Property at the scheduled time(s) that the Due Diligence Activities will be performed. However, the City reserves the right to limit, deny, or reschedule access if, in the City's sole discretion, access would jeopardize the safety and security of City employees or the general public or would unreasonably interfere with a City project.
- b. Within thirty (30) calendar days of the Effective Date, Grantor will deliver to Grantee, copies of all surveys, reports, tests, plans, and studies, if any, pertaining to the Property which Grantor possesses or has previously obtained. Grantor makes no representations or warranties as to the accuracy of any surveys or reports which it may deliver to Grantee.

D. OPTION TO LEASE.

1. Exercising of Option to Lease.

- a. The Option to Lease may be exercised at any time during the Option Period by written notice to the Grantor delivered as provided in Section F Notices.
- b. As soon as reasonably practicable after exercising the Option to Lease but prior to the issuance of any building or development permits for the Project, the Parties shall enter into a lease agreement, the terms and conditions of which shall be mutually agreed to by the Parties, provided, the lease agreement shall, at the minimum, contain the following terms:

- i. Rent. Rental payments for the Property shall be one and no/100 Dollars (\$1.00) per year subject to applicable leasehold excise tax as authorized RCW 82.29A.040 and Chapter 3.25 of the Shoreline Municipal Code.
 - ii. Term. The term of the lease agreement shall be ninety-nine (99) consecutive years from the date of full execution of the lease agreement.
 - iii. Improvements. The lease agreement shall permit the construction of multifamily housing with support services affordable to households earning no more than 80 percent of the area median income (“AMI”) for King County, Washington, with preference for households earning no more than 50 percent of the AMI for King County. The cost of construction and maintenance for all improvements shall be the sole responsibility of Grantee.
 - iv. Condition of Property. The lease agreement shall provide that the Grantee accepts the Property “as is, where as” and that the Grantor has no obligation to remedy any physical or environmental conditions of the Property so as to accommodate Grantee’s improvements.
2. Intent Not to Exercise Option to Lease.
At any time prior to the expiration date of the Option Period, the Grantee may deliver written notice to the Grantor of Grantee’s intent not to exercise the Option to Lease as provided in Section F Notices.
3. Failure to Act.
If Grantee fails to exercise the Option to Lease or to send notice of its intent not to exercise the Option to Lease as provided in this Section then, this Lease Option shall terminate at the end of the Option Period set forth in Section B and shall have no further force and effect except, however, that such termination shall not amend, alter, or modify the rights and obligations of the Parties under Section D(1)(h) hereof, the terms of which shall survive the termination of this Lease Option.
4. Grantor’s Right to Terminate.
The Grantor reserves the right to terminate this Lease Option for cause upon thirty (30) calendar days written notice to the Grantee as provided in Section I Notices.
5. Responsibility for Costs.
 - a. Regardless of whether Grantee exercises the Option to Lease, sends notice of its intent not to exercise the Option to Lease, or fails to act, Grantee

remains solely liable for all costs and expenses incurred by it in making the determination whether or not to exercise the Option to Lease.

- b. Grantor shall not be entitled to any monetary compensation if Grantee determines not to exercise the Option to Lease or fails to exercise the Option to Lease.

E. INSURANCE.

1. Grantee shall procure and maintain the following insurance coverage during the term of this Lease Option:

Commercial General Liability. Grantee agrees that it will, at its own expense, procure and maintain Commercial General Liability insurance covering premises, operations, independent contractor's liability and damages for personal injury and property damage. Coverage shall be in amounts not less than \$1,000,000 per occurrence and \$2,000,000 general aggregate. A Certificate of Insurance will be provided by Grantee indicating that the City is included as an Additional Insured on the policy(ies) and Grantee shall provide thirty (30) calendar days prior written notice to the City of any cancellation of the required policy(ies), where there is no intent to timely acquire a new policy.

2. Grantee shall require its contractors, agents, representatives, and engineers to maintain the same coverage during the period of time the contractor, agent, representative, or engineer is performing work or services on behalf of Grantee in relationship to the Property.

F. NOTICES.

Any notice required under this Lease Option will be in writing, addressed to the appropriate party at the address which appears below (as modified in writing from time to time by such party), and given personally, by registered or certified U.S. mail, return receipt requested, by facsimile or by a nationally recognized overnight courier service. All notices shall be effective upon the date of receipt.

Nathan Daum
City of Shoreline
17500 Midvale Avenue N
Shoreline, WA 98133-4905
(206) 801-2218
Email ndaum@shorelinewa.gov

Doug Crandall
CPC Shoreline LLC c/o Community Psychiatric Clinic

11000 Lake City Way NE
Seattle, WA 98125
Email dcrandall@cpcwa.org

G. MISCELLENEOUS

1. **Governing Law and Venue.**
This Lease Option shall be construed and enforced in accordance with the laws of the State of Washington. Venue of any suit between the parties arising out of this Lease Option shall be King County Superior Court.
2. **Public Records.**
The Grantor is a public agency subject to Washington's Public Records Act, chapter 42.56 RCW, and all records produced by either Party in connection with this Lease Option may be deemed a public record as defined in the Public Records Act and that if Grantor receives a public records request, unless a statute exempts disclosure or a court order precluding disclosure has been issued, the Grantor must disclose the record to the requestor.
3. **Severability.**
Any provision or part of this Lease Option held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the Grantor and Grantee, who agree that the Lease Option shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.
4. **Entire Agreement.**
This Lease Option contains the entire agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this Lease Option, shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the Lease Option. Proposed changes which are mutually agreed upon shall be incorporated by written amendment to this Lease Option.
5. **Captions.**
The titles of sections or any other parts of this Lease Option are for convenience only and do not define or limit the contents.
6. **Counterpart Originals.**
This Lease Option may be executed in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of

which shall constitute one agreement. The execution of one counterpart by a Party shall have the same force and effect as if that Party had signed all other counterparts.

- 7. Authority to Execute.
Each person executing this Lease Option on behalf of a Party represents and warrants that he or she is fully authorized to execute and deliver this Lease Option on behalf of the Party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Lease Option and to undertake the actions contemplated herein and that this Lease Option is enforceable in accordance with its terms.

This Lease Option Agreement is executed by:

CITY OF SHORELINE

CPC SHORELINE LLC

By: Community Psychiatric Clinic
Its: Manager

By: _____
Name: Debbie Tarry
Title: City Manager
Date: _____

By: _____
Name: Douglas Crandall
Title: Chief Executive Officer
Date: _____

Approved as to form:

By: _____
Attorney for City of Shoreline

Exhibit A
City of Shoreline Property

Tax Parcel 2227300025

Lot 5, Echo Lake Park, according to the plat thereof recorded in Volume 23 of Plats, page 8, records of King County, Washington.

Tax Parcel 2227300030

Lot 6, Echo Lake Park, according to the plat thereof recorded in Volume 23 of Plats, page 8, records of King County, Washington.

Tax Parcel 2227300036

South 150 feet of tract seven (7), Echo Lake Park, according to plat thereof recorded in Volume 23 of Plats, page(s) 8, records of King County, Washington.

All parcels are subject to:

All easements, restrictions, reservations, covenants, rights, and agreements of record.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Ordinance No. 839 – Amending the Shoreline Municipal Code to Expand the Deep Green Incentive Program (DGIP)
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Miranda Redinger, AICP, Senior Planner
ACTION:	<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:

In September 2013, Council adopted the [Climate Action Plan](#) (CAP), which committed Shoreline to reducing greenhouse gas (GHG) emissions 25% by 2020, 50% by 2030, and 80% by 2050 (below 2007 levels).

As part of the CAP’s implementation Council adopted Ordinance No. 706 on March 16, 2015, which created a mandate that all new development in the Mixed-Use Residential (MUR) zones surrounding future light rail stations must achieve a 4-Star level of certification from Built Green, the green building program for the Master Builders Association of King and Snohomish Counties. On April 17, 2017, Council adopted Ordinance No. 760, which created the Deep Green Incentive Program (DGIP). The DGIP was based on Seattle’s Living Building Challenge Ordinance and meant to encourage deeper levels of green building than were mandated in station subareas throughout the city.

The green building mandate in station subareas drastically increased the number of Built Green registered projects in Shoreline. There were 168 projects registered in 2018. However, the DGIP has been in place for a year-and-a-half and is just receiving its first application. Since the mandate was working much more effectively than the incentive program, Council asked staff to consider expanding the mandate to commercial zones when they adopted their 2018-2020 Priority Recommendations to implement the CAP.

City staff and the Planning Commission studied the expanding green building regulations to commercial zoning. The Planning Commission and staff recommendation has evolved to now consider expanding the green building incentive rather than the mandate.

RESOURCE/FINANCIAL IMPACT:

There is no direct cost to expanding this program, although adding a fourth tier to the Deep Green Incentive Program would allow for a 25% reduction in permit fees for Built

Green 4-Star and Passive House Institute US (PHIUS+) projects in areas outside of the Mixed-Use Residential (MUR) zones.

RECOMMENDATION

No action is required at this time. Staff recommends that Council discuss potential expansion of the Deep Green Incentive Program as recommended by the Planning Commission and provide guidance necessary to amend Ordinance No. 839 (Attachment A) for potential adoption on February 4, 2019.

Approved By: City Manager ***DT*** City Attorney ***MK***

BACKGROUND

In September 2015, Council discussed Priority Recommendations to implement the Climate Action Plan (CAP) and determined that staff should pursue the following initiatives during the 2016-2019 timeframe:

- Adopt a Living Building Challenge Ordinance and other incentives for “net zero” development (this became the [Deep Green Incentive Program, SMC 20.50.630](#));
- Examine feasibility of District Energy in areas that are likely to undergo redevelopment, focusing on the 185th Street Station Subarea as the case study (this became a [Climate Action Analysis](#) for the subarea); and
- Conduct a Solarize campaign.

By the end of 2017, staff had fully or substantially completed each of the 2016-2019 Priority Recommendations, including an update to the [Sustainable Shoreline](#) website that tracks indicators of sustainability. Therefore, Council needed to select a new set of recommendations to prioritize for implementation over the next few years.

On October 30, 2017, Council identified the following 2018-2020 Priority Recommendations:

- Achieve citywide Salmon-Safe certification (2018);
- Explore expanding green building regulations to commercial zoning (2018);
- Encourage retrofits of existing buildings to use water and energy more efficiently, and to fuel-switch from heating oil and natural gas to electric heat pump or other less carbon-intensive technologies (2019); and
- Implement recommendations from the Climate Action Analysis for the 185th Street Station Subarea (2020).

The staff report for the October 30, 2017 meeting is available here:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport103017-8c.pdf>

At its 2018 Strategic Planning Retreat on March 16-17, 2018, the City Council amended Goal #2, Action Step #4 to account for these new priorities (**emphasis** added):

Goal #2- Improve Shoreline's infrastructure to continue the delivery of highly-valued public services:

- *Action Step #4- Implement the 2018-2020 Priority Environmental Strategies, including achievement of citywide Salmon-Safe certification, **consideration of expanding green building mandates**, and appointment of a stakeholder committee to evaluate and develop a recommendation on the implementation of recommendations from the Climate Action Analysis for the 185th Street Station Subarea.*

The green building mandate in station subareas drastically increased the number of Built Green registered projects in Shoreline. There were 168 projects registered in 2018. Conversely, the Deep Green Incentive Program (DGIP) has been in place for a year-and-a-half and is just receiving its first application. Since the mandate was working much more effectively than the incentive program, Council asked staff to consider

expanding the mandate to commercial zoning when they adopted their 2018-2020 Priority Recommendations to implement the CAP.

Process

On August 2, 2018, the Planning Commission discussed various options for expanding the green building mandate to commercial zoning. The staff report for that meeting is available here: <http://www.shorelinewa.gov/home/showdocument?id=39436>.

The Commission was specifically asked to consider the following:

- Should the green building mandate be extended to commercial zoning?
 - If so, in which commercial zoning categories should the mandate apply?
 - Mixed Business (MB); and/or
 - Town Center (TC); and/or
 - Community Business (CB); and/or
 - Neighborhood Business (NB)
 - If so, which certification protocols are appropriate to fulfill the requirement?
 - Built Green 4-Star; and/or
 - Passive House Institute US; and/or
 - Leadership in Energy and Environmental Design (LEED) Gold; and/or
 - Others?

The Commission did not reach consensus on a recommendation and requested staff solicit additional input from green building certification agencies, the City's Economic Development Manager, and market-rate developers to inform a continued discussion.

The Commission considered this issue again at its September 6, 2018 meeting, and based on the further research, the staff recommendation changed. Rather than expanding the green building mandate, staff proposed expanding the Deep Green Incentive Program (DGIP), Subchapter 9, SMC 20.50, by adding a fourth tier to include incentives for Built Green 4-Star and PHIUS+ projects in areas outside of MUR zoning. The staff report for the September 6 meeting is available here: <http://www.shorelinewa.gov/home/showdocument?id=40690>.

The Commission held a public hearing on October 18, 2018 and made a recommendation to Council to adopt an expansion to the DGIP as shown in Attachment A, Exhibit A to this staff report. The staff report for the October 18 hearing is available here: <http://www.shorelinewa.gov/home/showdocument?id=41043>.

Due to a procedural issue, the Commission held a second public hearing on December 6, 2018. No changes were made to the Commission recommendation. The staff report for the December 6 hearing is available here: <http://www.shorelinewa.gov/home/showdocument?id=41431>.

Programs

Throughout the process of development of the DGIP, which was adopted in April 2017, the Commission and Council were presented with information about different certification agencies and programs. The agencies and programs are listed below, and

Attachment B provides a detailed description of each program (referred to as protocols), including comparisons between certification processes and areas of emphasis. The descriptions in Attachment B were commissioned by the King County Cities Climate Collaboration (K4C) as part of a package to help jurisdictions administer green building programs.

Note that Tier 1 programs are more ambitious than Tier 3 programs and are therefore rewarded with greater incentives in Shoreline's DGIP.

The [International Living Future Institute](#) (ILFI) administers three (3) programs that are currently included in the DGIP:

1. Living Building Challenge (Tier 1)
2. Petal Recognition (Tier 2)
3. Zero Energy (Tier 3 when combined with [Salmon-Safe](#) certification)

[Built Green](#) administers three (3) programs that are currently included in the DGIP or mandated in the MUR zones:

1. Emerald Star (Tier 2)
2. 5-Star (Tier 3)
3. 4-Star (required in MUR zones)

[US Green Building Council](#) (USGBC) administers one (1) program that is currently included in the DGIP:

1. LEED Platinum (Tier 3)

[Passive House Institute US](#) (PHIUS) was not included in the 2017 DGIP, although the Commission expressed interest in the program. Council direction to consider expanding the green building mandate was an opportunity to re-examine how this certification option could be included. In addition to adding the PHIUS+ certification to the proposed Tier 4, staff recommends adding PHIUS+ Source Zero with a companion Salmon-Safe certification to Tier 3 of the DGIP. Additional information on PHIUS, since the certification was not extensively described in previous staff reports, is included here:

In previous discussions and drafts of regulatory language for this project, the certifying organization was often referred to by the acronym PHIUS, while the certification program was truncated to Passive House. The appropriate name for the certification is PHIUS+. PHIUS also offers a net zero program, called PHIUS+ Source Zero. The latter is comparable to the ILFI Zero Energy certification, which is currently eligible for Tier 3 of the DGIP if paired with a Salmon Safe certification.

PHIUS+ Source Zero is an additional recognition that project teams can pursue after achieving PHIUS+ targets. Source Zero extends from the PHIUS+ Standard, which develops numerical energy targets based on a robust analysis of local climate and construction costs. Achieving PHIUS+ means dramatically reducing demand. Achieving PHIUS+ Source Zero means meeting the small remainder with on-site renewable energy. This holistic view pursues both radical load reduction and clean energy production, allowing faster convergence toward the goal of eliminating carbon emissions from building energy.

DISCUSSION

Considerations to Expand the Deep Green Incentive Program

Cost Benefit Analysis

To understand the effect of expanding the green building mandate (or incentives) from the MUR zoning districts to commercial zoning districts and provide for different certification options, the City contracted with Rushing Co. to perform an analysis comparing three (3) green building protocols (LEED, Built Green, and Passive House, aka PHIUS+) against a code-compliant baseline project. The final report and appendices are included as Attachment C.

The baseline project is the Shoreline Apartments building currently under construction at the corner of N 175th Street and 15th Avenue NE (the site of the former Post Office). This project was chosen because it is a mixed-use structure, similar to what could be built in MB or CB zoning throughout the city, and because it utilizes the 2015 WA State Energy Code.

Part of the evaluation includes side-by-side paths for compliance for each of four (4) building protocols (three green building and one code-compliant baseline). These include:

- a. A list of strategies for compliance, i.e. a LEED checklist (appendices to Attachment C);
- b. Evaluation of comparable levels of certification;
- c. Rough order of magnitude (ROM) costs of each path;
- d. Design and construction impacts of each path; and
- e. Environmental performance benefits of each path.

Market-Rate Developer Feedback

Planning and Economic Development staff engaged several developers with current or potential projects in Shoreline to understand how a green building mandate in commercial zones could impact their decision about whether or not to build locally.

Attachment D is a letter from Merlone Geier, potential developer of the Community Renewal Area at Shoreline Place (site of Central Market and former Sears). The attached memo conveys their points directly, but the bullets below summarize conversations that staff had with them and other developers.

- A common assumption is that using green building techniques instead of conventional building techniques simply reduces the level of profit for a developer. However, a mandate for green building can actually burden the land to the extent that the current use might be more profitable than redevelopment, which could either preclude or delay upgrading the site.
- Redevelopment of sites, particularly large sites like Shoreline Place, would represent a significant improvement in environmental performance over the existing 1960's development without further green building mandates. This is because new development would be required to conform to the 2015 Energy Code, the Department of Ecology's Low-Impact Development standards, and the

Shoreline Municipal Code's frontage improvements and landscaping requirements. New codes and requirements result in building and site design that performs significantly better than when the sites were originally built out.

- If sites become burdened with mandates, to the extent that redevelopment is not feasible, Shoreline would not realize the environmental benefits of newer construction and the Shoreline community would not realize the benefits of an updated commercial center, mixed-use or senior housing, or other uses that have been envisioned for various sites.
- The market may soon be due for another correction and financing for new construction projects may become more competitive. Some financial institutions currently do not place a premium on green building and may even consider innovative building techniques a risk.
- Commercial tenants have specific needs based on their use (for example, a commercial kitchen has different design considerations and water usage than a retail store), so often site developers build the shell of a building and work with prospective tenants to finish the space to suit their specifications.
- It has not been demonstrated that commercial tenants are willing to pay higher rent or construction costs based on projected utility savings.
- Retail tenants often source their own fixtures and buy in bulk so a local building code requiring unique specifications adds cost and complexity to the lease-up process.
- A number of factors, including competition from online retailers, are putting additional financial pressure on brick and mortar stores.

Green Building Certification Agency Feedback

Following the August 2, 2018 Commission meeting, staff requested feedback regarding program equivalency between Built Green 4-Star, PHIUS+, and LEED Gold from K4C, Built Green, and PHIUS. Below are some salient points from those conversations:

- Data from Rushing's Comparative Analysis showed that LEED Gold certification was significantly less expensive (and also less environmentally beneficial with regard to reduced carbon emissions) than either 4-Star or PHIUS+. Therefore, a developer seeking the least-cost option would be more likely to choose LEED Gold than the other two eligible programs to fulfill a mandate.
- Both LEED Gold and 4-Star protocols are more holistic and consider a wider range of criteria than PHIUS+. However, PHIUS's focus on energy performance leads to greater conservation than the more holistic protocols. In terms of program equivalency, this means it is still not a direct "apples to apples" comparison.
- Some jurisdictions require both LEED Gold and PHIUS certifications for construction of their own new facilities to achieve deep carbon reductions in addition to non-toxic materials, water conservation, and improved site design.
- PHIUS+ certification could be conditioned to include a companion Salmon-Safe certification, in the same way that ILFI's Zero Energy projects are currently required to in order to achieve Tier 3 incentives.
- Because the Evergreen Sustainable Development Standard is the green building protocol required for affordable housing and public school projects that utilize State funding, it might create a burden to also require those projects to attain a

dual certification in order to fulfill a green building mandate. This could reduce the ability of housing providers that are reliant on State funding to build projects near future light rail stations.

- Seattle City Light offers incentives for projects that go above what is required by code. However, their incentives do not apply if a project is mandated to achieve such performance, regardless of whether a Building, Energy, or Development Code created the mandate.

Green Building Mandate Versus Incentive in Different Zones

Whether or not requiring green building certification in certain zoning designations while incentivizing it in others would be justifiable and advisable became a primary question that needed to be resolved before any recommendations could be made. One factor to consider is whether different conditions exist in areas with Mixed-Use Residential zoning as opposed to commercial zoning. As an example, it is illustrative to compare Mixed-Use Residential 70-foot height limit (MUR-70') and Mixed Business (MB).

MUR zoning was adopted exclusively in the light rail station subareas. MB zoning is found almost exclusively along Aurora Avenue N. There are similarities between the two zones, but different factors drive development in each of these areas and, as such, different uses may be predominant and different market forces may be at play.

The height limit in both of these zones is 70 feet and the allowable use mix is relatively similar. Common construction types are referred to as “five over one” or “five over two” because five (5) stories of wood-framing are generally built over one (1) or two (2) levels of concrete. These developments tend to feature retail or office space on the ground-floor level with apartments above. This style is likely to be built in both the MUR-70' and MB zones.

Since traffic volumes and high-capacity transit access are critical in analyzing market demand for various types of uses, such as hotels or office buildings, it is important to differentiate between the primary drivers in each area. Aurora Avenue N is automobile-oriented and the north/south orientation means that lots of commuters travel this corridor daily. This creates favorable exposure for businesses and easy access for customers. The RapidRide lanes and proximity to the Interurban Trail also provide amenities to attract residents that do not own cars. Explosive growth in Seattle, City investment in improvements, and other economic and market factors also influence demand in this area.

In the light rail station subareas, the primary amenity driving growth will be the construction of Lynnwood Link light rail stations, expected to be operational in 2024. MUR zones were designed to promote a variety of housing styles and neighborhood-serving businesses. The transit orientation of these zones is meant to encourage alternatives to automobile dependence.

An important distinction between the MB and MUR-70' zoning designations is that regardless of whether the housing market corrects or the retail market contracts, the light rail stations will still create demand for housing and business growth in the area. The City used capital investments like stormwater and multi-modal transportation

improvements to encourage private market investment along the primary retail corridor of Aurora Avenue instead of increasing development capacity or expanding allowable uses. Incentives, like reduced cost to develop because frontage improvements already existed, focused on economic development and establishment of businesses that residents desire. Redevelopment of this area will depend heavily on real estate market trends, including pressures on brick and mortar retailers.

In contrast, the City significantly increased development capacity in light rail station subareas but conditioned it so that new buildings would contain features desired by the community, namely affordability and energy and water conservation. The focus was on creating a sustainable community with regard to environmental stewardship, social equity, and economic development. Redevelopment of this area will be tied directly to anticipated light rail service.

While economic development incentives exist along the Aurora Corridor and in the light rail station subareas (like Planned Actions in Town Center and the station subareas that eliminate the need for additional environmental analysis), a mandate in commercial zoning may preclude or delay development, whereas this does not seem to be hampering redevelopment in station subareas.

In fact, the MUR zoning mandate has drastically increased the number of 4-Star registrations to 168 for 2018. This is in contrast to zero (0) registrations from 2010-2015, five (5) in 2016, and seven (7) in 2017.

Even though the DGIP has been in effect for over a year-and-a-half, the City has just received its first application for the program. Additional financial incentives or code departures provided by a fourth tier of incentives may encourage developments along Aurora Avenue, and elsewhere in the city, to consider building green.

Staff Conclusions and Recommendation

Based on the considerations summarized above and in consultation with the City Manager's Office, staff came to the following conclusions:

- Greater environmental benefit could be realized by planned redevelopment of large commercial sites than by potentially precluding or delaying such projects in an effort to gain even greater environmental performance.
- It is still desirable to encourage large commercial sites to build to a standard that requires greater attention to energy and water conservation, materials selection, context of place and site, operations and maintenance, transportation options, and equity and inclusion than the current building and development codes. However, it might be more effective to encourage such better design through expanded incentives rather than mandates.
- It would be justifiable to mandate a level of green building in MUR zoning while incentivizing it in other zoning designations within the city. This is based on different market forces pertaining to the impending arrival of light rail service and concurrent upzoning that significantly increased development capacity within these areas.
- It would be acceptable to have one level of incentives that rewards holistic and energy-centric protocols equally because, while the City values more holistic

programs and built most of the incentive program around this criterion, the Council also set specific targets to reduce emissions, and buildings are a primary source of carbon pollution.

- Commercial projects built in MUR zones should not be excluded from the green building requirement because the City does not offer a program option to fulfill it. (Built Green only certifies residential and mixed-use projects.)
- Affordable housing projects and the non-profit agencies that build them should not be excluded from developing in the MUR zones because the Evergreen Sustainable Development Standard is not an option to fulfill the mandate and dual certification could be prohibitively expensive.

Proposed Regulatory Changes

Parking Reduction

On September 6, the Commission supported the change to expand the incentive program rather than the mandate and suggested one additional revision.

With regard to parking, Shoreline Municipal Code (SMC) 20.50.400 outlines potential reductions available through the DGIP (see below). Tier 1 is eligible for a 50% reduction, Tier 2 is eligible for a 35% reduction, and Tier 3 is eligible for a 20% reduction. Adding another tier that followed the pattern of decreasing the available reduction by 15% per tier would only leave a 5% parking reduction for Tier 4.

One potential option to make a parking reduction incentive more meaningful would be to make it cumulative. SMC 20.50.400(A) Reductions to minimum parking requirements articulates multiple ways to achieve a parking reduction, but SMC 20.50.400(F)&(G) specify that reductions may not be combined. The Commission supported the staff proposal of amending SMC 20.50.400(G) to remove reference to the DGIP.

The Commission further suggested that SMC 20.50.400(G), in its entirety, should be deleted, which would allow for affordable housing parking reductions to be combined with other parking reductions. The relevant portions of text from SMC 20.50.400 are below. Note that no changes are proposed to sections A or E, but these are included because they are relevant to SMC 20.50.400(G). A new change is proposed for SMC 20.50.400(F) that would allow parking reductions for the DGIP to be combined with those for proximity to light rail stations. Additional discussion and examples of how this could impact the number of required stalls in several areas of the city follows the code language.

Parking Reduction Code Amendments

The following proposed code amendments address these recommendations:

SMC 20.50.400- Reductions to minimum parking requirements

A. Reductions of up to 25 percent may be approved by the Director using a combination of the following criteria:

1. On-street parking along the parcel's street frontage.
2. Shared parking agreement with nearby parcels within reasonable proximity where land uses do not have conflicting parking demands. The

number of on-site parking stalls requested to be reduced must match the number provided in the agreement. A record on title with King County is required.

3. Parking management plan according to criteria established by the Director.
 4. A City approved residential parking zone (RPZ) for the surrounding neighborhood within one-quarter mile radius of the subject development. The RPZ must be paid by the developer on an annual basis.
 5. A high-capacity transit service stop within one-quarter mile of the development property line with complete City approved curbs, sidewalks, and street crossings.
 6. A pedestrian public access easement that is eight feet wide, safely lit and connects through a parcel between minimally two different rights-of-way. This easement may include other pedestrian facilities such as walkways and plazas.
 7. City approved traffic calming or traffic diverting facilities to protect the surrounding single-family neighborhoods within one-quarter mile of the development.
 8. Retention of at least 20 percent of the significant trees on a site zoned MUR-70'.
 9. Replacement of all significant trees removed on a site zoned MUR-70' as follows:
 - a. One existing significant tree of eight inches in diameter at breast height for conifers or 12 inches in diameter at breast height for all others equals one new tree.
 - b. Each additional three inches in diameter at breast height equals one additional new tree, up to three trees per significant tree removed.
 - c. Minimum Size Requirements for Replacement Trees under This Provision. Deciduous trees shall be at least one and one-half inches in caliper and evergreens six feet in height.
- B. A project applying for parking reductions under the Deep Green Incentive Program may be eligible for commercial and multi-family projects based on the intended certification they intend to achieve. No parking reductions will be eligible for single-family projects. Parking reductions are not available in R-4 and R-6 zones. Reductions will be based on the following tiers:
1. Tier 1 – Living Building or Living Community Challenge Certification: up to 50% reduction in parking required under SMC 20.50.390 for projects meeting the full International Living Future Institute (ILFI) program criteria;
 2. Tier 2 – Living Building Petal or Emerald Star Certification: up to 35% reduction in parking required under 20.50.390 for projects meeting the respective ILFI or Built Green program criteria;
 3. Tier 3 - LEED Platinum, 5-Star, or ~~Net Zero Energy Building~~ Salmon Safe, or PHIUS+ Source Zero/Salmon Safe Certification: up to 20% reduction in parking required under 20.50.390 for projects meeting the respective US Green Building Council, Built Green, ~~or~~ ILFI, PHIUS and/or Salmon Safe program criteria.
 4. Tier 4- PHIUS+ or 4-Star Certification: up to 5% reduction in parking required under 20.50.390 for projects meeting the respective PHIUS or Built Green program criteria.

E. Reductions of up to 50 percent may be approved by the Director for the portion of housing providing low income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development.

F. A parking reduction of 25 percent may be approved by the Director for multifamily development within one-quarter mile of the light rail station. These parking reductions may not be combined with parking reductions identified in subsections A, B and E of this section.

~~G. Parking reductions for affordable housing or the Deep Green Incentive Program may not be combined with parking reductions identified in subsection A of this section.~~

Parking Reduction Examples

Proposed revisions to the DGIP would create an incentive for 4-Star and PHIUS+ certifications, while these programs would be mandatory in MUR zoning. Therefore, it is important to examine how parking reductions would be applied in various scenarios. It is also necessary to examine different scenarios to evaluate the effect of allowing affordable housing parking reductions to be cumulative.

Below, please find several examples of potential parking requirements for a theoretical 100-unit building, based on different zones, certification programs, and levels of affordability. For the first two (2), the “a” scenario is a more likely development (assuming 4-Star [Tier 4 or mandatory] certification and 20% affordable units targeted towards households making 70% of Area Median Income [AMI], which is the minimum State requirement to participate in Property Tax Exemption program). The “b” scenario supposes a more ambitious project (assuming an Emerald Star [Tier 2] certification and 20% affordable units targeted towards 60% AMI, which would make a project eligible for reductions under SMC 20.50.400). For the sake of simplicity, all affordable units are assumed to be studios and one-bedrooms.

For each scenario, the analysis assumes that 75 of the units are studios and one-bedrooms (.75 parking stalls required per unit), while 25 of the units are two-bedrooms (1.5 parking stalls required per unit). With no reductions, such a building would be required to build **94** parking stalls, four (4) of which would need to be accessible for people with disabilities. Because the requirement for accessible stalls is a Building Code requirement, not the Development Code, and is tied to units, overall parking reductions do not change the number of required accessible stalls.

It should also be noted that each of the potential reductions below are “up to”, so each of the scenarios illustrate a maximum parking reduction, not an automatic one.

Example 1a: 4-Star project in Mixed Business zoning within a quarter mile of a RapidRide stop on Aurora Avenue, 20% of units affordable to 70% AMI

- Eligible reductions:
 - 5% reduction through DGIP Tier 4 per SMC 20.50.400(B)(4) and SMC 20.50.630(E)(3)(b)(iv)
 - 25% reduction for proximity to high-capacity transit service per SMC 20.50.400(A)(5)

- **Note that this would need to be combined with at least one other criteria from SMC 20.50.400(A).*

- Total number of required stalls: **68**

Example 1b: Emerald-Star project in Mixed Business zoning within a quarter mile of a RapidRide stop on Aurora Avenue, 20% of units affordable to 60% AMI.

- Eligible reductions
 - 35% reduction through DGIP Tier 2 per SMC 20.50.400(B)(2) and SMC 20.50.630(E)(3)(b)(ii)
 - 25% reduction for proximity to high-capacity transit service per SMC 20.50.400(A)(5)
 - **Note that this would need to be combined with at least one other criteria from SMC 20.50.400(A).*
 - 50% reduction for 20% of units per SMC 20.50.400(E)

- Total number of required stalls: **42**

Example 2a: 4-Star project in Mixed-Use Residential-45' zoning within a quarter mile of light rail station, 20% of units affordable to 70% AMI

- Eligible reductions:
 - 25% reduction for proximity to light rail station per SMC 20.50.400(F)

- Total number of required stalls: **71**

Example 2b: Emerald Star project in Mixed-Use Residential-45' zoning within a quarter mile of light rail station, 20% of units affordable to 60% AMI

- Eligible reductions:
 - 35% reduction through DGIP Tier 2 per SMC 20.50.400(B)(2) and SMC 20.50.630(E)(3)(b)(ii)
 - 25% reduction for proximity to light rail station per SMC 20.50.400(F)
 - 50% reduction for 20% of units per SMC 20.50.400(E)
- Total number of required stalls: **42**
- If this project also met a combination (two [2] or more) of the criteria in 20.50.400(A), and this was allowed to be cumulative (by striking the entire last sentence in SMC 20.40.500[F]), it could be eligible for an additional 25% reduction. Under this scenario, the total number of required stalls would be **32**.

Example 3: Emerald Star project in Mixed-Business zoning within a quarter mile of a RapidRide stop on Aurora Avenue, 100% of units affordable to below 60% AMI

- Eligible reductions:
 - 35% reduction through DGIP Tier 2 per SMC 20.50.400(B)(2) and SMC 20.50.630(E)(3)(b)(ii)
 - 25% reduction for proximity to high capacity transit per SMC 20.50.400(A)(5)
 - **Note that this would need to be combined with at least one other criteria from 20.50.400(A).*
 - 50% reduction for 100% of units per SMC 20.50.400(E)
- Total number of required stalls: **24**

Parking Reduction Staff Conclusions and Recommendation

- Allowing cumulative parking reductions may encourage developers to take advantage of the DGIP citywide.

- In light rail station subareas, allowing projects to further reduce parking if they target housing affordability for 60% AMI as opposed to 70% AMI could encourage deeper levels of affordability.
- However, allowing green and affordable projects to further reduce parking by an additional 25% for fulfilling requirements in SMC 20.50.400(A) may be too great a reduction for the benefits.
- In areas within a quarter mile of RapidRide on Aurora Avenue, projects would need to fulfill an additional requirement from SMC 20.50.400(A) to be able to utilize proximity to transit to further reduce parking, which could provide additional amenities.
- To achieve the greatest reduction possible, a project would need to be almost entirely affordable to households making 60% or less of AMI, achieve an ambitious level of green building, be in proximity to transit, and fulfill an additional criterion from SMC 20.40.500(A). Staff believes that it is worthwhile to create an option to support such a project, which would likely be through a non-profit or agency affordable housing provider.

Compliance with minimum standards (SMC 20.50.630(F))

When the original DGIP was adopted in April 2017, there was an interest in trying to make all programs within each tier as comparable as possible. However, one of the primary differences between Built Green and International Living Future Institute programs is that Built Green uses energy and water *modeling* for 4- and 5-Star certifications, whereas ILFI requires a *performance* period and analyzes actual use before awarding any certification. Built Green staff offered to perform additional post-occupancy analysis for 5-Star projects applying through the DGIP to make the programs more comparable, which is reflected in SMC 20.50.630(F) below.

However, if the DGIP expands to also include 4-Star citywide, and this encourages additional project registrations, Built Green staff is concerned that they will not have the capacity to perform the additional analysis. PHIUS also uses modeling rather than performance, and shares concerns about staff capacity to commit to additional work for Shoreline that is outside of their standard process.

Staff recommends striking letter “b” from the code language below and relying on the modeling procedures currently used by Built Green and PHIUS, which according to recent studies by both organizations are very reliable at predicting performance. In fact, the studies revealed that buildings are performing better than modeled.

SMC 20.50.630(F)

7. No later than two years after issuance of a final Certificate of Occupancy for the project, or such later date as requested in writing by the owner and approved by the Director for compelling circumstances, the owner shall submit to the Director the project’s certification demonstrating how the project complies with the standards contained in this subsection. Compliance must be demonstrated through an independent certification from ILFI, ~~Built Green~~, or USGBC/Green Building Cascadia Institute (GBCI). A request for an extension to this requirement must be in writing and must contain detailed information about the need for the extension.

- a. For projects pursuing ILFI certification (Living Building Challenge, Living Community Challenge, Petal Recognition, or Net Zero Energy Building), performance-based requirements such as energy and water must demonstrate compliance through certification from ILFI within the two-year timeframe noted above.
- ~~b. For projects pursuing Built Green certification post-occupancy compliance must be demonstrated with analysis proving 12 consecutive months of net zero energy performance and/or 70% reduction in occupant water use. It is the owner's responsibility to submit utility information to Built Green so analysis can be conducted and shown to the Director.~~
- c. For projects pursuing LEED certification, the applicant or owner must show proof of certification by way of the final LEED Construction Review report and LEED Certificate issued by USGBC/GBCI.

Next Steps

February 4, 2019 – Council adoption of proposed Ordinance No. 839

SUMMARY

Mandating a level of green building in MUR zoning while incentivizing it in other zoning designations within the city appears to be justifiable based on different market forces, the impending arrival of light rail service, and concurrent upzoning that significantly increased development capacity within these areas. Commercial projects built in MUR zones should not be excluded from the green building requirement because the City does not offer a program option to fulfill it. Affordable housing projects should not be excluded from developing in the MUR zones because it could be prohibitively expensive.

The current DGIP consists of a tiered system that rewards projects based on the stringency of the certification a project seeks to attain. Eligibility for benefits is currently structured by the following level of certification protocol:

- Tier 1 – Living Building Challenge or Living Community Challenge;
- Tier 2 – Emerald Star or Petal Recognition; or
- Tier 3 – LEED Platinum, 5-Star, or Zero Energy plus Salmon-Safe.

Staff recommends that an expanded incentive program be organized as follows:

- Tier 1- Living Building Challenge or Living Community Challenge;
- Tier 2- Emerald Star or Petal Recognition;
- Tier 3- LEED Platinum, 5-Star, Zero Energy plus Salmon Safe, or PHIUS+ Source Zero plus Salmon Safe; or
- Tier 4- PHIUS+ or 4-Star.

Updates to the development code to support cumulative parking reductions may encourage developers to take advantage of the DGIP citywide.

RESOURCE/FINANCIAL IMPACT

There is no direct cost to expanding this program, although adding a fourth tier to the Deep Green Incentive Program would allow for a 25% reduction in permit fees for Built Green 4-Star and Passive House Institute US (PHIUS+) projects in areas outside of the Mixed-Use Residential (MUR) zones.

RECOMMENDATION

No action is required at this time. Staff recommends that Council discuss potential expansion of the Deep Green Incentive Program as recommended by the Planning Commission and provide guidance necessary to amend Ordinance No. 839 (Attachment A) for potential adoption on February 4, 2019.

ATTACHMENTS

- Attachment A: Ordinance No. 839
- Attachment A, Exhibit A: Proposed Development Code Amendments
- Attachment B: Green Building Rating Systems Overview
- Attachment C: Comparative Analysis of Green Building Protocols
- Attachment D: Merlone Geier Memo

ORDINANCE NO. 839

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CHAPTERS 20.20, 20.30 AND 20.50 OF THE SHORELINE MUNICIPAL CODE TITLE 20, THE UNIFIED DEVELOPMENT CODE, TO EXPAND THE DEEP GREEN INCENTIVE PROGRAM.

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, Shoreline Municipal Code (SMC) Title 20 is the Unified Development Code setting forth the zoning and development regulations for the City; and

WHEREAS, on April 17, 2017, the City Council adopted Ordinance 760 establishing a Deep Green Incentive Program to encourage the development of buildings that meet the criteria for sustainable certification through a variety of incentives; and

WHEREAS, certain portions of these green building regulations are mandated in the Mixed Use Residential (MUR) zones of the City's Light Rail Station Subareas; and

WHEREAS, on August 2, 2018, the Shoreline Planning Commission considered Planning Staff's recommendation to expand the green building mandate to commercial zoning districts throughout the City; and

WHEREAS, subsequently, Planning Staff solicited input from stakeholders and determined that rather than expanding the green building mandate incentives would be provided for projects outside of the MUR zoning districts; and

WHEREAS, on September 6, 2018, the Planning Commission considered Planning Staff's revised recommendation; and

WHEREAS, on October 18, 2018, the Shoreline Planning Commission held a public hearing on the proposed amendments so as to receive public testimony and concurred with Planning Staff's recommendation for incentives outside of the MUR zoning districts; and

WHEREAS, the City provided public notice of the amendments and the public hearing as provided in SMC 20.30.070; 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 environmental impacts of the amendments resulted in the issuance of a Determination of Non-Significance (DNS) issued on November 15, 2018 pursuant to the State Environmental Policy Act (SEPA); and

WHEREAS, to ensure procedural compliance with SEPA, the Shoreline Planning Commission held a second public hearing on December 6, 2018 and affirmed its October 18, 2018 recommendation; and

WHEREAS, on January 14, 2019, the City Council held a study session on the proposed amendments as recommended by the Planning Commission; and

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 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;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Chapters 20.20, 20.30, and 20.50 of Title 20 of the Shoreline Municipal Code, Unified Development Code are 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 FEBRUARY 4, 2019.

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2019

Effective Date: , 2019

Exhibit A to Ordinance No. 839

**Amendments to Shoreline Municipal Code Title 20
Chapters 20.20, 20.30, and 20.50**

20.20.016 D definitions.

Deep Green- refers to an advanced level of green building that requires more stringent standards for energy and water use, stormwater runoff, site development, materials, and indoor air quality than required by the Building Code. With regard to the Deep Green Incentive Program, this definition is divided into tiers based on certification programs as follows:

- Tier 1- International Living Future Institute's (ILFI) Living Building Challenge™ or Living Community Challenge™;
- Tier 2- ILFI's Petal Recognition™ or Built Green's Emerald Star™; and
- Tier 3- US Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) Platinum™₂₂; Built Green's 5-Star™₂₂; or ILFI's ~~Net~~ Zero Energy Building™ (NZEB) or Passive House Institute US's (PHIUS)+Shift Zero™, in combination with Salmon Safe™ where applicable.
- Tier 4- Built Green's 4-Star™ or PHIUS+™.

20.30.080 Preapplication meeting.

A preapplication meeting is required prior to submitting an application for any project requesting departures through the Deep Green Incentive Program to discuss why departures are necessary to achieve certification through International Living Future Institute, Built Green, US Green Building Council, Passive House Institute US, or Salmon Safe programs. A representative from the prospective certifying agency(ies) will be invited to the meeting, but their attendance is not mandatory. If the project would not otherwise require a preapplication meeting, the fee for the preapplication meeting will be waived.

20.30.297 Administrative Design Review (Type A).

1. Administrative Design Review approval of departures from the design standards in SMC 20.50.220 through 20.50.250 and SMC 20.50.530 through 20.50.610 shall be granted by the Director upon their finding that the departure is:
 - a) Consistent with the purposes or intent of the applicable subsections; or
 - b) Justified due to unusual site constraints so that meeting the design standards represents a hardship to achieving full development potential.
2. Projects applying for the Deep Green Incentive Program by certifying through ~~for certification under~~ the Living Building or Community Challenge, Petal Recognition, Emerald Star, LEED-Platinum, 5-Star, 4-Star, PHIUS+, PHIUS+ Source Zero/Salmon Safe, or ~~Net Zero Energy Building~~/Salmon Safe programs may receive departures from development standards under SMC 20.40, 20.50, 20.60, and/or 20.70 upon the Director's finding that the departures meet A and/or B above, and as further described under 20.50.630. Submittal documents shall include proof of enrollment in the programs listed above.

20.40.046(D) Mixed-Use Residential Zones

~~D. Four Star Built Green construction is required all MUR zones.~~ Construction in MUR zones must achieve green building certification through one of the following protocols: Built Green 4-Star or PHIUS+. If an affordable housing or school project is required to certify through the Evergreen Sustainable Development Standard, this protocol shall fulfill the requirement.

20.50.400 Reductions to minimum parking requirements.

B. A project applying for parking reductions under the Deep Green Incentive Program may be eligible ~~for commercial and multi-family projects based on the intended certification they intend to achieve. No parking reductions will be eligible for single-family projects.~~ Parking reductions are not available in R-4 and R-6 zones. Reductions will be based on the following tiers:

1. Tier 1 – Living Building or Living Community Challenge Certification: up to 50% reduction in parking required under 20.50.390 for projects meeting the full International Living Future Institute (ILFI) program criteria;
2. Tier 2 – Living Building Petal or Emerald Star Certification: up to 35% reduction in parking required under 20.50.390 for projects meeting the respective ILFI or Built Green program criteria;
3. Tier 3 - LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or Net Zero Energy Building/Salmon Safe Certification: up to 20% reduction in parking required under 20.50.390 for projects meeting the respective US Green Building Council, Built Green, PHIUS, or ILFI and/or Salmon Safe program criteria.
4. Tier 4- PHIUS+ or 4-Star: up to 5% reduction in parking required under 20.50.390 for projects meeting the PHIUS or Built Green program criteria.

C. In the event that the Director approves reductions in the parking requirement, the basis for the determination shall be articulated in writing.

D. The Director may impose performance standards and conditions of approval on a project, including a financial guarantee.

E. Reductions of up to 50 percent may be approved by the Director for the portion of housing providing low income housing units that are 60 percent of AMI or less as defined by the U.S. Department of Housing and Urban Development.

F. A parking reduction of 25 percent may be approved by the Director for multifamily development within one-quarter mile of the light rail station. These parking reductions may not be combined with parking reductions identified in subsections A, B, and E of this section.

~~G. Parking reductions for affordable housing or the Deep Green Incentive Program may not be combined with parking reductions identified in subsection A of this section.~~

Subchapter 9: 20.50.630 – Deep Green Incentive Program (DGIP)

A. **Purpose.** The purpose of this section is to establish an incentive program for Living and Deep Green Buildings in the City of Shoreline. The goal of the DGIP is to encourage development that meets the International Living Future Institute's (ILFI) Living Building Challenge™, Living Community Challenge™, Petal Recognition™, or Net-Zero Energy Building™ (NZEB) programs; Built Green's Emerald Star™ or 5-

Star™, or 4-Star™ programs; the US Green Building Council's (USGBC) Leadership in Energy and Environmental Design™ (LEED) Platinum program; Passive House Institute US™'s PHIUS+ or PHIUS+Source Zero programs; and/or the Salmon Safe™ program by:

1. encouraging development that will serve as a model for other projects throughout the city and region resulting in the construction of more Living and Deep Green Buildings; and
2. allowing for departures from Code requirements to remove regulatory barriers.

B. Project qualification.

1. Application requirements. In order to request exemptions, waivers, or other incentives through the Deep Green Incentive Program, the applicant or owner shall submit a summary demonstrating how their project will meet each of the requirements of the relevant certification program, such as including an overall design concept, proposed energy balance, proposed water balance, and descriptions of innovative systems.
2. Qualification process. An eligible project shall qualify for the DGIP upon determination by the Director that it has submitted a complete application pursuant to SMC 20.30.297 Administrative Design Review, and has complied with the application requirements of this subsection.
3. The project must be registered with the appropriate third-party certification entity such as the International Living Future Institute, Built Green, US Green Building Council, Passive House Institute US, or Salmon Safe.
4. Projects requesting departures under the DGIP shall meet the current version of the appropriate certification program, which will qualify them for one of the following tiered packages of incentives:
 - a. Tier 1 - Living Building Challenge or Living Community Challenge Certification: achieve all of the Imperatives of the ILFI programs;
 - b. Tier 2 – Emerald Star or Petal Certification: satisfy requirements of Built Green program or three or more ILFI Petals, including at least one of the following- Water, Energy, or Materials; ~~or~~
 - c. Tier 3- LEED Platinum, 5-Star, PHIUS+ Source Zero plus Salmon Safe, or ~~NZEB~~ plus Salmon Safe: satisfy requirements of the respective USGBC, Built Green, PHIUS, ~~or ILFI~~, and/or Salmon Safe programs. The addition of Salmon Safe certification to PHIUS+ Source Zero or NZEB projects is not required for detached single-family projects; or
 - d. Tier 4- PHIUS+ or 4-Star: achieve all requirements of the PHIUS or Built Green programs.

C. Director's determination. All Shoreline Deep Green Incentive Program projects are subject to review by the Director under Section 20.30.297. Any departures from the Shoreline Development Code (SMC Title 20) must be approved by the Director prior to submittal of building permit application.

D. Incentives. A project qualifying for the Shoreline Deep Green Incentive Program will be granted the following tiered incentive packages, based on the certification program for which they are applying:

1. A project qualifying for Tier 1 - Living Building Challenge or Living Community Challenge may be granted a waiver of up to 100% City-imposed pre-application and permit application fees. A project qualifying for Tier 2 – Emerald Star or Petal Recognition may be granted a waiver of up to 75% of City-imposed application fees. A project qualifying for Tier 3 – LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or NZEB/Salmon Safe may be granted a waiver of up to 50% of City-imposed application fees. A project qualifying for Tier 4- PHIUS+ or 4-Star may be granted a waiver of up to 25% of City-imposed application fees.
2. Projects qualifying for the DGIP may be granted a reduced Transportation Impact Fee based on a project-level Transportation Impact Analysis.
3. Departures from Development Code requirements when in compliance with SMC 20.50.630(E).
4. Expedited permit review without additional fees provided in SMC Chapter 3.01

E. Departures from Development Code requirements. The following requirements must be met in order to approve departures from Development Code requirements:

1. The departure would result in a development that meets the goals of the Shoreline Deep Green Incentive Program and would not conflict with the health and safety of the community. In making this recommendation, the Director shall consider the extent to which the anticipated environmental performance of the building would be substantially compromised without the departures.
2. A Neighborhood Meeting is required for projects departing from standards in the R-4 or R-6 zones.
3. Departures from the following regulations may be granted for projects qualifying for the Shoreline Deep Green Incentive Program:
 - a. SMC 20.50.020. Residential density limits
 - i. Tier 1 – Living Building Challenge or Living Community Challenge Certification: up to 100% bonus for the base density allowed under zoning designation for projects meeting the full Challenge criteria;
 - ii. Tier 2 – Emerald Star or Living Building Petal Certification: up to 75% bonus for the base density allowed under zoning designation for projects meeting the program criteria;
 - iii. Tier 3 - LEED Platinum, 5-Star, or PHIUS+ Source Zero/Salmon Safe or NZEB/Salmon Safe Certification: up to 50% bonus for the base density allowed under zoning designation for projects meeting the program criteria;
 - iv. Tier 4- PHIUS+ or 4-Star: up to 25% bonus for the base density allowed under zoning designation for projects meeting the program criteria.

Minimum lot size of 10,000 square feet is required in all zones with a density maximum in order to request a density bonus. Density bonus is

not available in R-4 and R-6 zones. Any additional units granted would be required to be built to the same green building standard as the first.

- b. SMC 20.50.390. Parking requirements (not applicable in R-4 and R-6 zones):
 - i. Tier 1 – Living Building Challenge or Living Community Challenge Certification: up to 50% reduction in parking required under 20.50.390 for projects meeting the full Challenge criteria;
 - ii. Tier 2 – Emerald Star or Living Building Petal Certification: up to 35% reduction in parking required under 20.50.390 for projects meeting the program criteria;
 - iii. Tier 3 - LEED Platinum, 5-Star, PHIUS+ Source Zero/Salmon Safe, or NZEB/Salmon Safe Certification: up to 20% reduction in parking required under 20.50.390 for projects meeting the program criteria.
 - iv. Tier 4- PHIUS+ or 4-Star Certification: up to 5% reduction in parking required under 20.50.390 for projects meeting the program criteria.
- c. Lot coverage standards, as determined necessary by the Director;
- d. Use provisions, as determined necessary by the Director
- e. Standards for storage of solid-waste containers;
- f. Standards for structural building overhangs and minor architectural encroachments into the right-of-way;
- g. Structure height bonus up to 10 feet for development in a zone with height limit of 35 feet. Height bonus is not available in R-4, R-6, R-8, and MUR-35' zones. Structure height bonus up to 20 feet for development in a zone with a height limit of 45 feet or greater; and
- h. A rooftop feature may extend above the structure height bonus provided in SMC 20.50.020 or 20.50.050 if the extension is consistent with the applicable standards established for that rooftop feature within the zone.

F. Compliance with minimum standards.

- 1. For projects requesting departures, fee waivers, or other incentives under the Deep Green Incentive Program, the building permit application shall include a report from the design team demonstrating how the project is likely to achieve the elements of the program through which it intends to be certified.
- 2. For projects applying for an ILFI certification (Tiers 1, 2, or 3), after construction and within six (6) months of issuance of the Certificate of Occupancy, the applicant or owner must show proof that an LBC Preliminary Audit has been scheduled; such as a paid invoice and date of scheduled audit. After construction and within twelve months of issuance of Certificate of Occupancy, the applicant or owner must show a preliminary audit report from ILFI demonstrating project compliance with the Place, Materials, Indoor Air Quality, and Beauty/Inspiration Imperatives that do not require a performance period.
- 3. For projects aiming for Built Green Emerald Star (Tier 2), ~~or~~ 5-Star (Tier 3), or 4-Star (Tier 4) certification, after construction and within six (6) months of issuance of the Certificate of Occupancy, the applicant or owner must show proof that the

project successfully met Built Green certification by way of the Certificate of Merit from the program.

4. For projects pursuing LEED certification (Tier 3), the applicant or owner must show, after construction and within six (6) months of issuance of the Certificate of Occupancy, that the project has successfully completed the LEED Design Review phase by way of the final certification report.
5. For projects pursuing PHIUS+ (Tier 4) or PHIUS+ Source Zero certification (Tier 3), the applicant or owner must show, after construction and within six (6) months of issuance of the Certificate of Occupancy, that the project has successfully obtained the PHIUS+ or PHIUS+ Source Zero certification.
6. For projects pursuing Salmon Safe certification (Tier 3 in conjunction with NZEB or PHIUS+ Source Zero when applicable), the applicant or owner must show, after construction and within six (6) months of issuance of the Certificate of Occupancy, that the project has successfully obtained the Salmon Safe Certificate.
7. No later than two years after issuance of a final Certificate of Occupancy for the project, or such later date as requested in writing by the owner and approved by the Director for compelling circumstances, the owner shall submit to the Director the project's certification demonstrating how the project complies with the standards contained in this subsection. Compliance must be demonstrated through an independent certification from ILFI, ~~Built Green~~, or USGBC/Green Building Cascadia Institute (GBCI). A request for an extension to this requirement must be in writing and must contain detailed information about the need for the extension.
 - a. For projects pursuing ILFI certification (Living Building Challenge, Living Community Challenge, Petal Recognition, or ~~Net-Zero Energy Building~~), performance based requirements such as energy and water must demonstrate compliance through certification from ILFI within the two year timeframe noted above.
 - ~~b. For projects pursuing Built Green certification post-occupancy compliance must be demonstrated with analysis proving 12 consecutive months of net zero energy performance and/or 70% reduction in occupant water use. It is the owner's responsibility to submit utility information to Built Green so analysis can be conducted and shown to the Director.~~
 - c. For projects pursuing LEED certification, the applicant or owner must show proof of certification by way of the final LEED Construction Review report and LEED Certificate issued by USGBC/GBCI.
8. If the Director determines that the report submitted provides satisfactory evidence that the project has complied with the standards contained in this subsection, the Director shall send the owner a written statement that the project has complied with the standards of the Shoreline Deep Green Incentive Program. If the Director determines that the project does not comply with the standards in this subsection, the Director shall notify the owner of the aspects in which the project does not comply. Components of the project that are included in order to

comply with the minimum standards of the Shoreline Deep Green Incentive Program shall remain for the life of the project.

9. Within 90 days after the Director notifies the owner of the ways in which the project does not comply, or such longer period as the Director may allow for justifiable cause, the owner may submit a supplemental report demonstrating that alterations or improvements have been made such that the project now meets the standards in this subsection.
10. If the owner fails to submit a supplemental report within the time allowed pursuant to this subsection, the Director shall determine that the project has failed to demonstrate full compliance with the standards contained in this subsection, and the owner shall be subject to penalties as set forth in subsection 20.30.770.



7/12/2018

Green Building Rating Systems Overview

GreenTools Task 6 | King County-Cities Climate Collaboration (K4C)

About: This document provides an overview of the intricacies of green building rating systems, including LEED, Built Green, Salmon-Safe, Passive House, Living Building Challenge, and the Evergreen Sustainable Development Standard. It should be noted that rating systems continuously evolve, and this document stands as a snapshot in time for the version that was current at the time of this document's publication.

Audience: Plans Reviewers/Examiners, Inspectors, Permit Technicians, and Building Officials/Directors in King County.

LEED BD+C - Leadership in Energy and Environmental Design Building Design and Construction: New Construction v4

Administered by: US Green Building Council (USGBC) & Green Business Certification Institute (GBCI)

About:

- The most widely used green building rating system in the world.
- Applies to buildings that are being newly constructed or going through a major renovation. While this overview focuses on the New Construction pathway, BD+C also provides guidance for Core & Shell, Schools, Retail, Hospitality, Data Centers, Warehouses & Distribution Centers, and Healthcare.

Most significant shift from “typical” / WA State Energy Code:

- Most “typical”, code compliant projects comply with LEED BD+C prerequisites
- Incremental improvements to design and construction processes and materials selection

What makes it green? This rating system provides sustainable solutions to address:

<input checked="" type="checkbox"/> Land Management	<input checked="" type="checkbox"/> Energy	<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Habitat	<input checked="" type="checkbox"/> Building Materials	<input type="checkbox"/> Equity & Inclusion	<input checked="" type="checkbox"/> Health & Wellness
<input type="checkbox"/> Food Access	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Emergency & Disaster Prep	<input type="checkbox"/> Aesthetic

Market Sectors:

<input type="checkbox"/> Residential: Single Family	<input type="checkbox"/> ADU/DADU
<input type="checkbox"/> Residential: Multi-Family (Low-Rise)	<input checked="" type="checkbox"/> Residential: Multi-Family (High-Rise)
<input checked="" type="checkbox"/> Commercial: Office	<input checked="" type="checkbox"/> Commercial: Retail
<input checked="" type="checkbox"/> Hospitality	<input checked="" type="checkbox"/> Institutional: Government
<input checked="" type="checkbox"/> Institutional: Education (University)	<input checked="" type="checkbox"/> Educational: K-12
<input checked="" type="checkbox"/> Arts & Culture	<input type="checkbox"/> Landscape & Public Realm
<input checked="" type="checkbox"/> Healthcare & Laboratory	<input checked="" type="checkbox"/> Data Facilities
<input checked="" type="checkbox"/> Manufacturing	<input type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Warehouse	<input type="checkbox"/> Renovation

Certification Levels: Certified (40-49 points), Silver (50-59 pts), Gold (60-79 pts), Platinum (≥ 80 pts)

Minimum Project Requirements: Project must include a minimum of 1,000 square feet of gross floor area. Project must meet mandatory measures (prerequisites) and earn at least 40 total points.

Certification Process:

1. Confirm minimum program requirements & prerequisites
2. Register project with USGBC
3. Establish project goals and develop LEED Scorecard
4. Track project strategies
5. Compile documentation
6. Perform Quality Assurance Review

7. Submit to USGBC documentation
8. Certification granted by GBCI (*typically 6 months – 1 year following C of O*) and/or appeal credits

Other LEED Rating Systems:

- LEED-Homes - Applies to single family homes, low-rise multi-family (one to three stories), mid-rise multi-family (four to six stories) and high rises (above 6 stories, with LEED Provider's permission); includes Homes and Multifamily Low-rise and Multifamily Midrise.
- LEED-ID+C (Interior Design and Construction) – Applies to projects that are a complete interior fit-out; includes Commercial Interiors, Retail and Hospitality.
- LEED-ND (Neighborhood Development) – Applies to new land development projects or redevelopment projects containing residential uses, nonresidential uses, or a mix. Projects can be at any stage of the development process, from conceptual planning to construction; includes Plan and Built Project.
- LEED-O+M (Building Operations and Maintenance) – Applies to existing buildings that are undergoing improvement work or little to no construction; includes Existing Buildings, Schools, Retail, Hospitality, Data Centers, and Warehouses & Distribution Centers.
- <https://new.usgbc.org/leed>

Glossary:

LEED Scorecard – A tool that tracks project LEED progress. A preliminary score is recommended as a first step.

US Green Building Council (USGBC) – author of the LEED protocol.

Green Business Certification Institute (GBCI) – the third-party institution that reviews project certification documentation and awards certification.

Resources:

LEED Reference Guide for Building Design and Construction (v4)

Administrator Contact Information:

<https://www.usgbc.org/articles/getting-started-bdc>

Built Green

Administered by: Master Builders Association (MBA) of King and Snohomish Counties

About:

- Local Green Building Program: Developed in partnership with King County, Snohomish County, and other government agencies in Washington State.
- It was originally founded in 1999. Since then, over 32,000 projects have been certified.
- 52% of new homes in Seattle & 32% of new homes in King County were Built Green in 2016.

Most significant shift from “typical” / WA State Energy Code (WSEC):

- Built Green 3-Star requires the building energy model to show 10% better performance than WSEC OR two additional R406/C406 measures.
- Built Green 4-Star requires the building energy model to show 20% better performance than WSEC.

What makes it green? This rating system provides sustainable solutions to address:

<input checked="" type="checkbox"/> Land Management	<input checked="" type="checkbox"/> Energy	<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Transportation
<input type="checkbox"/> Habitat	<input checked="" type="checkbox"/> Building Materials	<input type="checkbox"/> Equity & Inclusion	<input checked="" type="checkbox"/> Health & Wellness
<input type="checkbox"/> Food Access	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Emergency & Disaster Prep	<input type="checkbox"/> Aesthetic

Market Sectors:

<input checked="" type="checkbox"/> Residential: Single Family	<input checked="" type="checkbox"/> ADU/DADU
<input checked="" type="checkbox"/> Residential: Multi-Family (Low-Rise)	<input type="checkbox"/> Residential: Multi-Family (High-Rise)
<input type="checkbox"/> Commercial: Office	<input type="checkbox"/> Commercial: Retail
<input type="checkbox"/> Hospitality	<input type="checkbox"/> Institutional: Government
<input type="checkbox"/> Institutional: Education (University)	<input type="checkbox"/> Educational: K-12
<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Landscape & Public Realm
<input type="checkbox"/> Healthcare & Laboratory	<input type="checkbox"/> Data Facilities
<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Transportation
<input type="checkbox"/> Warehouse	<input checked="" type="checkbox"/> Renovation

Certification Levels: 3-Star, 4-Star, 5-Star, Emerald Star (project demonstrates it will achieve net zero energy use & 70% reduction in average water consumption through modeled projections).

Minimum Project Requirements: Fulfill required action items for targeted level of certification.

Certification Process:

1. Enroll project
2. Hire a verifier: track green features, compile documentation & photograph pertinent items
3. Sign checklist, verifier submits certification packet
4. Built Green reviews documentation
5. Certification granted by Built Green (*typically 1 month – 1 year following C of O*)

Other Built Green Rating Systems:

- **Single Family/Townhome** – Applies to single family and townhome projects.
- **Remodel** – Applies to home remodel projects.
- **Communities** – Applies to community-scaled projects.

Glossary:

Eco-Cool Remodel Tool – An online visual tool that provides guidance on how to develop your home remodel project. Provides insight into the green features of a Built Green home.

Resources:

- Built Green Multi-family Handbook (version 2017)
- Built Green Multi-family Checklist (version 2017)
- Built Green Single-family & Townhome Handbook (version 2017)
- Built Green Single-family & Townhome Checklist (version 2017)
- Built Green Remodel Handbook (version 2017)
- Built Green Remodel Checklist (version 2017)

Administrator Contact Information:

builtin@mbaks.com

<https://www.builtgreen.net/>

Salmon-Safe Urban Standards (v2.0)

Founded by: Pacific Rivers

About:

- A certification for lands that prioritize protecting water quality and habitat restoration in Oregon, Washington, California, and British Columbia.
- 95,000 acres of farm and urban lands have been certified.
- Growers & manufacturers that use Salmon-Safe standards can get a label for dairy products, produce, poultry, eggs, meat, and wine.

Most significant shift from “typical”:

- Requires project sites to strive towards zero detectable particulates in runoff.

What makes it green? This rating system provides sustainable solutions to address:

<input checked="" type="checkbox"/> Land Management	<input type="checkbox"/> Energy	<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Habitat	<input checked="" type="checkbox"/> Building Materials	<input type="checkbox"/> Equity & Inclusion	<input checked="" type="checkbox"/> Health & Wellness
<input checked="" type="checkbox"/> Food Access	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Emergency & Disaster Prep	<input type="checkbox"/> Aesthetic

Market Sectors:

<input type="checkbox"/> Residential: Single Family	<input type="checkbox"/> ADU/DADU
<input checked="" type="checkbox"/> Residential: Multi-Family (Low-Rise)	<input checked="" type="checkbox"/> Residential: Multi-Family (High-Rise)
<input checked="" type="checkbox"/> Commercial: Office	<input checked="" type="checkbox"/> Commercial: Retail
<input checked="" type="checkbox"/> Hospitality	<input checked="" type="checkbox"/> Institutional: Government
<input checked="" type="checkbox"/> Institutional: Education (University)	<input checked="" type="checkbox"/> Educational: K-12
<input checked="" type="checkbox"/> Arts & Culture	<input checked="" type="checkbox"/> Landscape & Public Realm
<input checked="" type="checkbox"/> Healthcare & Laboratory	<input checked="" type="checkbox"/> Data Facilities
<input checked="" type="checkbox"/> Manufacturing	<input checked="" type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Warehouse	<input checked="" type="checkbox"/> Renovation

Certification Levels: Salmon-Safe Certified (*full compliance or nothing*)

Minimum Project Requirements: Contact Salmon-Safe for eligibility, meet all Core & Context Specific Standards (if the project site has a wetland or stream within the site boundary).

Certification Process:

1. Contact Salmon-Safe for eligibility
2. Preliminary screening is conducted
3. Site assessment and conceptual planning review
4. Salmon-Safe issues Phase 1 Recommendations
5. Submit design and planning documentation related to habitat conditions
6. Salmon-Safe issues Phase 2 Recommendations

7. Upon initial documentation submission, a building can be certified within 5 – 8 weeks (*typically as early as 100% Design Development as a “conditional” certification where the owner must commit to wrapping up specific documentation before the next review period [in 5 years]*)

Other Salmon-Safe Rating Systems:

- Salmon-Safe Vineyards
- Salmon-Safe Farms
- Salmon-Safe Corporate & University Campuses
- Salmon-Safe Infrastructure
- Salmon-Safe Parks & Natural Areas
- Salmon-Safe Golf Courses

Glossary:

Wetlands – Areas that are saturated by ground or surface water at a frequency and duration sufficient to support hydric soils and vegetation typically adapted for life in hydric soil conditions. Wetlands are regulated at the federal, state and local levels. - Salmon-Safe Urban Standard (v2.0)

Resources:

Salmon-Safe Urban Standard v2.0 (May 2018)

Administrator Contact Information:

dan@salmonsafe.org

<https://salmonsafe.org/get-certified/>

PHIUS+ 2015

Administered by: Passive House Institute United States (PHIUS), peer-reviewed by U.S. DOE

Note: PHIUS+ 2018 gets published Sept-Oct 2018.

About:

- Projects that pursue this standard have extremely airtight envelopes, continuous insulation, often triple-paned windows, minimal space conditioning, and optimize natural heating/cooling techniques (e.g. solar).
- Given that this protocol is not just for homes, the term ‘passive building’ is becoming more commonplace.

Most significant shift from “typical” / WA State Energy Code (WSEC):

- **Air tightness requirement** is five times greater than WSEC. Requires continuous air barriers and a rigorous threshold for the ASTM E779 fan pressure test.
- **Source energy limit** per person – enhanced insulation and windows [e.g. roof assembly target R-81 (WSEC requires R-49). Wall assembly above-grade target R-39 (WSEC stipulates R-21 for wood frame construction), triple paned windows]
- **Strict space conditioning criteria** (newer heating and ventilation systems are typically required to comply (e.g. Energy Recovery Ventilation [ERV])).

What makes it green? This rating system provides sustainable solutions to address:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Land Management | <input checked="" type="checkbox"/> Energy | <input type="checkbox"/> Water | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Habitat | <input checked="" type="checkbox"/> Building Materials | <input type="checkbox"/> Equity & Inclusion | <input type="checkbox"/> Health & Wellness |
| <input type="checkbox"/> Food Access | <input type="checkbox"/> Operations & Maintenance | <input type="checkbox"/> Emergency & Disaster Prep | <input type="checkbox"/> Aesthetic |

Market Sectors:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Residential: Single Family | <input checked="" type="checkbox"/> ADU/DADU |
| <input checked="" type="checkbox"/> Residential: Multi-Family (Low-Rise) | <input checked="" type="checkbox"/> Residential: Multi-Family (High-Rise) |
| <input checked="" type="checkbox"/> Commercial: Office | <input checked="" type="checkbox"/> Commercial: Retail |
| <input checked="" type="checkbox"/> Hospitality | <input checked="" type="checkbox"/> Institutional: Government |
| <input checked="" type="checkbox"/> Institutional: Education (University) | <input checked="" type="checkbox"/> Educational: K-12 |
| <input checked="" type="checkbox"/> Arts & Culture | <input type="checkbox"/> Landscape & Public Realm |
| <input checked="" type="checkbox"/> Healthcare & Laboratory | <input checked="" type="checkbox"/> Data Facilities |
| <input checked="" type="checkbox"/> Manufacturing | <input type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Warehouse | <input checked="" type="checkbox"/> Renovation |

Certification Level(s): PHIUS+ Certified Passive House (*full compliance or nothing*)

Minimum Project Requirements: MERV 8 filtration required for all ventilation systems, as well as ducted heating/cooling systems. Single family homes must pursue DOE’s Zero Energy Ready Home program & ENERGY STAR for Homes.

Certification Process:

1. Conduct pre-process paperwork, sign PHIUS+ certification contract
2. Create project in PHIUS+ Certified Projects Database, project may begin uploading certification documentation
3. Conduct Quality Assurance and Quality Control (QA/QC) on-site verification
4. Explore performance-based incentives via DOE's Zero Energy Ready Home program & ENERGY STAR for Homes.
5. Upload final certification documentation
6. Certification awarded by PHIUS (*typically 3 – 6 months following C of O*)
 - a. Note: pre-certification includes: preliminary energy model and SDs/50% DDs (4-6 months review period)

Other PHIUS Rating Systems:

- N/A

Glossary:

Passive Design – design that uses site and climate specific strategies to maintain occupant comfort and optimizes energy performance

Resources:

PHIUS+2015 Passive Building Standard North America – Certification Guidebook v1.1 (March 2017)

Administrator Contact Information:

certification@passivehouse.us

312-561-4588

www.phius.org

Living Building Challenge (v3.1)

Administered by: International Living Future Institute (ILFI)

About:

- Known to be the world’s most aspirational green building standard, this protocol encourages projects to strive for closed-loop systems (using only on-site resources).
- Certification is awarded based upon successful performance, after 12 months of continuous occupancy.

Most significant shift from “typical” / WA State Energy Code:

- **Energy Petal** – 105% of the building energy needs* on a net annual basis must be supplied by on-site renewables.
- **Water Petal** – 100% of building water needs* must be sourced on-site. Greywater and blackwater* must be treated on-site.
- **Materials Petal** – All building materials and products* must be vetted for the Red List.
*Exceptions apply

What makes it green? This rating system provides sustainable solutions to address:

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Land Management | <input type="checkbox"/> Energy | <input type="checkbox"/> Water | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Habitat | <input type="checkbox"/> Building Materials | <input type="checkbox"/> Equity & Inclusion | <input type="checkbox"/> Health & Wellness |
| <input type="checkbox"/> Food Access | <input type="checkbox"/> Operations & Maintenance | <input type="checkbox"/> Emergency & Disaster Prep | <input type="checkbox"/> Aesthetic |

Market Sectors:

- | | |
|--|--|
| <input type="checkbox"/> Residential: Single Family | <input type="checkbox"/> ADU/DADU |
| <input type="checkbox"/> Residential: Multi-Family (Low-Rise) | <input type="checkbox"/> Residential: Multi-Family (High-Rise) |
| <input type="checkbox"/> Commercial: Office | <input type="checkbox"/> Commercial: Retail |
| <input type="checkbox"/> Hospitality | <input type="checkbox"/> Institutional: Government |
| <input type="checkbox"/> Institutional: Education (University) | <input type="checkbox"/> Educational: K-12 |
| <input type="checkbox"/> Arts & Culture | <input type="checkbox"/> Landscape & Public Realm |
| <input type="checkbox"/> Healthcare & Laboratory | <input type="checkbox"/> Data Facilities |
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Warehouse | <input type="checkbox"/> Renovation |

Certification Levels: Zero Energy, Petal (Water, Energy, or Materials emphasis), and Living (**full compliance or nothing**)

Minimum Project Requirements:

Zero Energy Certification: Combustion is not allowed (some exceptions apply).
Petal & Living Certification: Projects may only be built on previously developed land (some exceptions apply). If pursuing the ‘Energy Petal’ or ‘Living’, combustion is not allowed (some exceptions apply).
Imperative 20 Inspiration + Education is also required.

Certification Process:

1. Confirm the project's Living Transect & Imperative 01 Limits to Growth compliance
2. Register the project
3. Compile documentation
4. *Submit preliminary audit documentation
5. After 12 consecutive months of utility bills that proves the project's performance, submit final audit documentation
6. Certification awarded by ILFI if all requirements are met (*typically 3-6 months following C of O for Materials Petal and 14 months-3 years following C of O for Living, Energy, and Water Petal*)

Other ILFI Rating Systems:

- Zero Carbon
- Living Community Challenge
- Living Product Challenge
- Living Food Challenge

Glossary:

Petal – The seven categories that organize the Living Building Challenge program.

Imperative – The seven categories (or “Petals”) are further broken into sub-categories called “Imperatives”. There is a total of twenty Imperatives.

Living Transect – Inspired by the work of Duany Plater-Zyberk who created the New Urbanism Transect model, the Living Transect is a way to define density and how land is used.

Dialogue - The official online forum to request clarifications and exceptions to certification requirements.

Red List – A list of the 22 worst-in-class chemicals prevalent in the building industry.

Resources:

Living Building Challenge Standard v3.1

Place Petal Handbook v3.1

Water Petal Handbook v3.1

Energy Petal Handbook v3.1

Health & Happiness Petal Handbook v3.1

Materials Petal Handbook v3.1

Equity Petal Handbook v3.1

Beauty Petal Handbook v3.1

Administrator Contact Information:

lbc.support@living-future.org

206-223-2028

<https://living-future.org/lbc/>

ESDS – Evergreen Sustainable Development Standard (v3.0.1)

Administered by: Washington State Department of Commerce

About:

- Required of all affordable housing projects receiving capital funds from the Washington State Housing Trust Fund.

Most significant shift from “typical” / WA State Energy Code (WSEC):

- Affordable housing multi-family buildings greater than three stories must obtain an additional C406 WA State Energy Code measure or demonstrate an additional 4% reduction in energy use compared to code.
- Affordable housing single family homes, duplexes, townhomes or multi-family buildings under three stories must obtain one additional 2015 WSEC R406.3 Energy Credit or demonstrate an additional 7% reduction in energy use compared to code.

What makes it green? This rating system provides sustainable solutions to address:

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Land Management | <input type="checkbox"/> Energy | <input type="checkbox"/> Water | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Habitat | <input type="checkbox"/> Building Materials | <input type="checkbox"/> Equity & Inclusion | <input type="checkbox"/> Health & Wellness |
| <input type="checkbox"/> Food Access | <input type="checkbox"/> Operations & Maintenance | <input type="checkbox"/> Emergency & Disaster Prep | <input type="checkbox"/> Aesthetic |

Market Sectors:

- | | |
|--|--|
| <input type="checkbox"/> Residential: Single Family | <input type="checkbox"/> ADU/DADU |
| <input type="checkbox"/> Residential: Multi-Family (Low-Rise) | <input type="checkbox"/> Residential: Multi-Family (High-Rise) |
| <input type="checkbox"/> Commercial: Office | <input type="checkbox"/> Commercial: Retail |
| <input type="checkbox"/> Hospitality | <input type="checkbox"/> Institutional: Government |
| <input type="checkbox"/> Institutional: Education (University) | <input type="checkbox"/> Educational: K-12 |
| <input type="checkbox"/> Arts & Culture | <input type="checkbox"/> Landscape & Public Realm |
| <input type="checkbox"/> Healthcare & Laboratory | <input type="checkbox"/> Data Facilities |
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Warehouse | <input type="checkbox"/> Renovation |

Certification Levels: ESDS Compliant

Minimum Project Requirements: A minimum of 50 points are required for certification of new construction.

Certification Process:

1. Create Evergreen Application Checklist
2. Housing Trust Fund (HTF) Application review
3. HTF awarded (*typically when the design is complete and prior to breaking*)

4. Evergreen Project Plan approved
5. Coordinate with the Third Party Verifier
6. Third Party Verifier initial oversight
7. Evergreen Binder assembled
8. HTF contract executed, voucher request
9. Project completion - formal compliance awarded (*typically 1-6 months following C of O*)

Other ESDS Rating Systems:

- N/A

Glossary:

Sponsor – The development manager and the property/asset manager of the project.

Evergreen Coordinator – Typically the independent sustainability consultant.

Third Party Verifier – The individual(s) hired by the Department of Commerce who are responsible for conducting on-site inspections to verify compliance with the Evergreen Sustainable Development Standard. See Chapter 2, Section 207.5 of the Housing Trust Fund Handbook for specific requirements of the Third-Party Verifier. - Per page 123 of the ESDS Manual

Evergreen Application Checklist – Project Sponsors are required to submit this checklist when applying to the Housing Trust Fund.

Resources:

Evergreen Sustainable Development Standard v3.0.1 (updated 2/2018)

Administrator Contact Information:

sean.harrington@commerce.wa.gov

360-725-2995

<http://www.commerce.wa.gov/building-infrastructure/housing/housing-trust-fund/housing-trust-fund-evergreen-sustainable-development/>

Comparative Analysis of LEED, Built Green, & Passive House

FINAL - September 2018



Shoreline Apartments

Image courtesy of VIA Architecture

PREPARED FOR:



17500 Midvale Ave N
Shoreline, WA 98133-4905
206-801-2700
www.shorelinewa.gov

SUBMITTED BY:

RUSHING

1725 Westlake Ave N
Suite 300
Seattle, WA 98109
(206) 285-7100
www.rushingco.com

Table of Contents

Introduction	1
Goals of Study	2
Executive Summary	2 - 3
Analysis Assumptions	4
Sample Project Data	4
Green Building Protocol Overview	5 - 6
Protocol Comparison	7 - 10
List of Appendices	11

Introduction

When the Shoreline City Council adopted the Climate Action Plan in 2013, they joined King County and other cities in the region by committing to reduce community greenhouse gas emissions 80% by 2050, with an interim target of 50% by 2030. To reduce emissions from new buildings, the City adopted mandatory green building standards in the Mixed-Use Residential (MUR) zoning surrounding two future light rail stations, and a Deep Green Incentive Program to encourage the highest standard for green building citywide.

The Shoreline City Council has directed staff to consider an expansion of the current green building mandate for MUR zoning to also include commercial zoning within the city. This analysis provides a comparison of one code compliant baseline development project against three green building protocols– Built Green 4-Star, Leadership in Energy and Environmental Design (LEED) for Homes Gold, and Passive House Certification. The analysis includes Rough Order of Magnitude (ROM) costs to better understand implications for design and construction, in addition to quantifying environmental performance benefits of the various protocols.

See **Appendix 1 Glossary of Terms** for definitions. A Term included in the Glossary is identified by an underline.

Goals of Study

- Establish a protocol comparison based on a sample project, the **Shoreline Apartments** project at 17233 15th Ave NE, Shoreline, WA.
- Using the sample project, evaluate the following levels of sustainability compliance using the following tools and metrics:
 - **Code Compliance:** 2015 Washington State Energy Code (WSEC) & 2015 Uniform Plumbing Code (UPC) with Washington State Amendments
 - **Prescriptive, point-based green building protocols:**
 - **LEED for Homes Multi-Family Midrise, Gold:** must achieve a minimum **60 points** with a recommended 5-point buffer. See the *LEED for Homes Scorecard* (Appendix 2)
 - **Built Green Multi-Family, 4-Star:** must achieve a minimum **400 points (60 points** from Sections 2-5 with a recommended 7-point buffer in each Section). See the *Built Green Scorecard* (Appendix 3).
 - **Performance-based green building protocol:**
 - **Passive House:** not tracked using a scorecard. Compliance approved through on-site verification and building performance. See the *Passive House Strategies List* (Appendix 4).
 - Soft Costs & Hard Costs ROM (Rough Order of Magnitude)
 - Design & Construction Impacts

Executive Summary

This evaluation indicates the following high-level comparison metrics for the pursuit of a code compliant building, LEED for Homes Midrise Gold, Built Green 4-Star and Passive House certification.

Protocol/Approach	Environmental Benefits	ROM Costs to achieve compliance	Significant Design Features & Impacts
Code Compliance	Baseline: varies by project	Sample Building: \$34.24 million (construction costs) unknown at this time (<u>soft costs</u>)	<i>Energy Baseline (code minimum):</i> Includes two C406 Measures <i>Water Baseline (code minimum):</i> Water closets (toilets): 1.6 gpf (gallons per flush) Showerheads: 2.5 gpm (gallons per minute) Private lavatory faucets: 2.2 gpm Kitchen lavatory faucets: 2.2 gpm

Protocol/Approach	Environmental Benefits	ROM Costs to achieve compliance	Significant Design Features & Impacts
LEED for Homes Multi-Family Midrise Target: Gold	Energy: 0-10% ↓ CO₂ emissions annually¹ Water: 1.55 million gallons ↓ annually² Health/Materials: “Building green using LEED... enables us all to live, learn, work and play in environments that enhance human health both indoors and outdoors.” ³	\$275,000-325,000 0.8 – 0.9% additional cost ⁴	Miscellaneous design and construction adjustments, e.g. design charrette, General Contractor LEED training, 3 rd party energy modeling, <u>commissioning</u> , duct leakage testing, blower door testing between each unit.
Built Green Multi-Family Target: 4-Star	Energy: 75-85% ↓ CO₂ emissions annually¹ Water: 2.08 million gallons ↓ annually² Health/Materials: “Built Green believes the market can act as a powerful force to improve environmental and health outcomes.” ⁵	\$600,000-2,200,000 1.7 – 6.4% additional cost ⁴	Substantial energy saving design strategies/systems to meet 4-Star prerequisite: 20% better than WA State Energy Code (WSEC). Miscellaneous design and construction adjustments, e.g. 3 rd party energy modeling and <u>commissioning</u> .
Passive House	Energy: 85-95% ↓ CO₂ emissions annually¹ Water: 0 gallons ↓ annually Health/Materials: Similarly, to their high comfort standards, Passive House buildings also provide a healthy and quiet indoor environment. ⁶	\$960,000-1,700,000 2.8 – 4.9% additional cost ⁴	Enhanced insulation, triple pane glazing, continuous air barrier, air infiltration. Five times better than the 2015 Washington State Energy Code (WSEC), ERVs (<u>Energy Recovery Ventilators</u>).

¹ Estimates based on the 2015 Washington State Energy Code and transition to all electric systems. Based on 2016 data, Seattle City Light is powered by 92% renewable energy (hydro and wind). Seattle City Light is the City of Shoreline’s electricity service provider. seattle.gov/light/Fuel_Mix.

² Water estimate includes low flow fixtures and excludes process water.

³ Benjamin, Heather. *LEED Enhances Human Health*. 17 Aug 2017. usqbc.org/articles/leed-enhances-human-health.

⁴ Rough order of magnitude calculation based on baseline building valuation of \$34.24 million for average construction costs. Protocol increased costs based on both hard costs and soft costs.

⁵ Built Green Values, Market Focus: builtgreen.net

⁶ International Passive House Association. *What are the benefits of Passive House buildings?* 01 Feb 2017. blog.passivehouse-international.org/benefits-passive-house-buildings

Analysis Assumptions

- **Location:** Project is in the City of Shoreline, density is like the sample project (i.e. projects which do not have density, access to transit, and community resources nearby would need to be evaluated differently).
- **Unit Size:** All residential units are below 1200 square feet.
- **Combustion Uses:** Gas fireplace is EPA Certified and installed with doors. Gas hot water heaters are designed and installed with closed combustion.
- **This study has been conducted by selecting credits in each rating system which are:**
 1. **In reference project (sample building)** given the information provided in the 09.20.2017 Permit Submittal Plan Set, as provided by the City of Shoreline. Given the scope of this study and broad applicability to typical project typologies, the baseline building project team was not consulted to verify extrapolations.
 2. **Typical** to design and construction for buildings of this type and within the jurisdiction of the City of Shoreline
 3. **Lowest cost and minimal time impact** to the design, design team, and contractor

Sample Project Data

Basic Information	Systems	Fixtures & Appliances	Cost
<p>Location: Shoreline, WA Type: 2 buildings, 5 stories, wood framed construction/post-tension slab Total gross combined building area: 200,000 sf Units: 243 units Lot size: 1.85 acres Parking: 270 spaces, 2 levels below grade parking WSEC & UPC: 2015</p>	<p>Common areas: Variable Refrigerant Flow (VRF) Units: Cove heaters, trickle vents, whole house fans Domestic hot water: Gas condensing water heaters</p>	<p>Toilets: 1.28 gpf (gallons per flush) Showers: 2 gpm (gallons per minute) Lavatories: 1.5 gpm Refrigerators / Dishwashers / Clothes Washers: ENERGY STAR</p>	<p>Construction Valuation: \$34.24 M Soft Costs: unknown at this time</p>

Green Building Protocol Overview

This section provides a high-level overview of each protocol. (■ - sustainable solutions available in this category, □ - sustainable solutions not available in this category)

LEED for Homes Multi-Family Midrise v4

Administered by: US Green Building Council (USGBC) & Green Business Certification Institute (GBCI)

About:

- The most widely used green building rating system in the world.
- Applies to midrise multi-family (four to six stories). LEED for Homes is also applicable to single family homes, low-rise multi-family (one to three stories), and high rise (above 6 stories, with LEED Provider’s permission).

Most significant shift from “typical” / WA State Energy Code (WSEC):

- Blower door testing between units
- Energy Prerequisite - 5% improvement over the baseline building performance rating based on ASHRAE Standard 90.1-2010, Appendix G (with errata).

What makes it green? This rating system provides sustainable solutions to address:

- | | | | |
|---|--|--|---|
| <input checked="" type="checkbox"/> Land Management | <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Water | <input checked="" type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Habitat | <input checked="" type="checkbox"/> Building Materials | <input type="checkbox"/> Equity & Inclusion | <input checked="" type="checkbox"/> Health & Wellness |
| <input type="checkbox"/> Food Access | <input checked="" type="checkbox"/> Operations & Maintenance | <input type="checkbox"/> Emergency & Disaster Prep | <input type="checkbox"/> Aesthetic |

Built Green Multi-Family v2017

Administered by: Master Builders Association (MBA) of King and Snohomish Counties

About:

- Local Green Building Program: Developed in partnership with King County, Snohomish County, and other government agencies in Washington State.
- It was originally founded in 1999. Since then, over 32,000 projects have been certified.
- 52% of new homes in Seattle & 32% of new homes in King County were Built Green in 2016.

Most significant shift from “typical” / WA State Energy Code (WSEC):

- Built Green 3-Star requires the building energy model to show 10% better performance than WSEC OR two additional R406/C406 measures.
- Built Green 4-Star requires the building energy model to show 20% better performance than WSEC.

What makes it green? This rating system provides sustainable solutions to address:

- | | | | |
|---|--|--|---|
| <input checked="" type="checkbox"/> Land Management | <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Water | <input checked="" type="checkbox"/> Transportation |
| <input type="checkbox"/> Habitat | <input checked="" type="checkbox"/> Building Materials | <input type="checkbox"/> Equity & Inclusion | <input checked="" type="checkbox"/> Health & Wellness |
| <input type="checkbox"/> Food Access | <input checked="" type="checkbox"/> Operations & Maintenance | <input type="checkbox"/> Emergency & Disaster Prep | <input type="checkbox"/> Aesthetic |

PHIUS+ 2015

Administered by: Passive House Institute United States (PHIUS), peer-reviewed by U.S. Department of Energy (DOE)

Note: PHIUS+ 2018 gets published Sept-Oct 2018.

About:

- Projects that pursue this standard have airtight envelopes, continuous insulation, often triple-paned windows, minimal space conditioning, and optimize natural heating/cooling techniques (e.g. passive solar).
- Given that this protocol is not just for homes, the term ‘passive building’ is becoming more commonplace.

Most significant shift from “typical” / WA State Energy Code (WSEC):

- **Air tightness requirement** is five times greater than WSEC. Requires continuous air barriers and a rigorous threshold for the ASTM E779 fan pressure test.
- **Source energy limit** per person – enhanced insulation and windows [e.g. roof assembly target R-81 (WSEC requires R-49). Wall assembly above-grade target R-39 (WSEC stipulates R-21 for wood frame construction), triple paned windows]
- **Strict space conditioning criteria** (newer heating and ventilation systems are typically required to comply (e.g. Energy Recovery Ventilation [ERV])).

What makes it green? This rating system provides sustainable solutions to address:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Land Management | <input checked="" type="checkbox"/> Energy | <input type="checkbox"/> Water | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Habitat | <input checked="" type="checkbox"/> Building Materials | <input type="checkbox"/> Equity & Inclusion | <input type="checkbox"/> Health & Wellness |
| <input type="checkbox"/> Food Access | <input type="checkbox"/> Operations & Maintenance | <input type="checkbox"/> Emergency & Disaster Prep | <input type="checkbox"/> Aesthetic |

Protocol Comparison: Climate, Ecology & Health

One Star (★) if protocol does not go beyond code requirements or provides minimal opportunity. Maximum five stars (★★★★★) awarded if protocol provides a great opportunity to greatly exceed code or typical practices. Note: The sample building used in this study may not take advantage of all opportunities to incorporate these comprehensive environmental benefits, based on credits selected to achieve certification threshold.

Benefit	Code Compliance	LEED for Homes Gold	Built Green 4-Star	Passive House
Land Management (Preservation of land)	★	★★	★★★	★
Energy (CO ₂ emissions reduction)	★	★ 0-10% CO ₂ emissions reduced / year	★★★ 75-85% CO ₂ emissions reduced / year	★★★★★ 85-95% CO ₂ emissions reduced / year
Water (Potable water reduction)	★	★★ 1.55 million gallons reduced / year	★★ 2.08 million gallons reduced / year	★ 0 gallons reduced / year
Transportation (CO ₂ reduction)	★	★★	★★★	★
Habitat (Developing sites that support ecosystems)	★	★★	★	-
Building Materials (Improve indoor air quality & reduce exposure to toxins)	★	★★★	★★★	★★
Building Materials (Local & recycled)	-	★★★★	★★★	-
Equity & Inclusion (Ensure all are welcome & have a voice)	★	★★	★★	★
Health & Wellness (Physical & mental health)	★	★★	★★★	★★
Food Access (Access to healthy food)	-	★	★	-
Operations & Maintenance (Education & stewardship)	★	★★	★★	-
Emergency & Disaster Preparation (Resilience)	★	★	★	★
Aesthetic (Beauty)	-	★	★	-

Protocol Comparison: Costs

Impact	Code Compliance	LEED for Homes Gold	Built Green 4-Star	Passive House
Soft Costs	<p>Baseline: varies by project</p> <p><i>Code does <u>not</u> require:</i></p> <ul style="list-style-type: none"> Facilitate an integrated design process (e.g. all disciplines coordinate efforts at the concept/schematic phase) Conduct preliminary energy modelling Ensure the durability of the project (e.g. additional moisture and pest control measures & inspections) Conduct additional systems inspections Provide homeowner education 	<p>SUB-TOTAL: \$170,000-200,000</p> <ul style="list-style-type: none"> Registration & Certification: \$10,000 LEED On-Site Verification: \$40,000 IPc1 - Integrated Project Planning: Trades Training: \$4,000 IPc1 - Integrated Project Planning: Design charrette: \$6,000 EAp1 - Energy Modeling: \$30,000 EAp1 - Fundamental <u>Commissioning:</u> \$35,000 EAp1 – Duct leakage, ventilation & exhaust testing: \$15,000-\$30,000 EAp3 - O&M + Homeowner Education: \$5,000 MRc1 – Durability Verification: \$4,000 EQp7 - Blower Door Testing & Thermal Enclosure Verification: \$15,000 EQc6 – Garage pressure testing: \$5,000 	<p>SUB-TOTAL: \$120,000 - \$200,000</p> <ul style="list-style-type: none"> Registration & Certification ~ \$10,000 Built Green Consulting & Verification: \$40,000 3.2 – <u>Commissioning:</u> \$35,000 3.10 – Energy Modeling: \$35,000 	<p>SUB-TOTAL: \$160,000 - \$200,000</p> <ul style="list-style-type: none"> Registration & Certification: \$30,000 Passive House Consultant: \$50,000 <u>Commissioning:</u> \$35,000 Passive House Modeling: \$45,000
Hard Costs	<p>Baseline: varies by project</p>	<p>SUB-TOTAL: \$105,000-125,000</p> <ul style="list-style-type: none"> EQp7 - Potential additional sealing/caulking to meet blower door test threshold: \$20,000-40,000 EQc7 – <u>No Added Urea Formaldehyde (NAUF):</u> \$40,000 	<p>SUB-TOTAL: \$360,000-\$860,000</p> <ul style="list-style-type: none"> 3.10 – Advanced hot water heat recovery: e.g. Sewer thermal heat recovery or heat pumps: \$300,000-\$800,000 5.52 – RECs (Renewable Energy Credits): \$10,000 	<p>SUB-TOTAL: \$770,000-\$1,800,000</p> <ul style="list-style-type: none"> Air tightness requirement of 0.05 CFM50 and 0.08 CFM75 per square foot of gross envelope (WSEC requires 0.40 CFM75). Requires continuous air barriers and a rigorous threshold for the ASTM E779 fan pressure test. Advanced sealing measures: General Contractor estimate required.

Impact	Code Compliance	LEED for Homes Gold	Built Green 4-Star	Passive House
<p>Hard Costs <i>Continued</i></p>		<ul style="list-style-type: none"> IDc4 – 6 EV charging stations: \$45,000 	<ul style="list-style-type: none"> 2.70 – 1 EV charging station: \$8,000 4.18, 4.19 – <u>No Added Urea Formaldehyde (NAUF)</u>: \$40,000 	<ul style="list-style-type: none"> Source energy limit: 6200 kWh per person per year Roof Assembly target R-81 (WSEC stipulates R-49 for in-roof insulation; R-38 for above-deck insulation) Wall Assembly above-grade target R-39 (WSEC stipulates R-21 for wood frame construction). Requires either deeper studs and/or adding exterior, continuous insulation. Triple paned windows: \$70,000 - \$150,000 (\$3 - \$5/SF) Space Conditioning: Non-standard mechanical systems are typically required to comply (e.g. Energy Recovery Ventilation [ERV], possible heat-pump heating): \$700,000-\$1,400,000
<p>TOTAL ROM COSTS</p>	<p>Baseline</p>	<p>TOTAL: \$275,000-325,000</p>	<p>TOTAL: \$480,000-\$1,060,000</p>	<p>TOTAL: \$930,000-2,000,000</p>
<p>Notable* Design/ Construction Impacts (*not all inclusive)</p>	<p>Baseline (Two 2015 WSEC C406 Measures)</p>	<ul style="list-style-type: none"> Design charrette Trades Training – GC LEED training Highly reflective roof surface (e.g. TPO) and/or green roof All plantings 18” from exterior walls WaterSense certified and low-flow plumbing fixtures –1.75gpm showerheads, 1.5gpm lavatory faucets ENERGY STAR appliances – dishwasher, clothes washer, refrigerators Sub-metered irrigation 	<ul style="list-style-type: none"> Advanced energy efficiency measures to comply with 20% better than WSEC Highly reflective roof surface (e.g. TPO) and/or green roof TPO or built up bitumen roof to reduce water pollutants WaterSense certified and Low-flow plumbing fixtures –1.75gpm showerheads, 1.5gpm lavatory faucets, 1.28gpf toilets ENERGY STAR appliances – dishwasher, clothes washer, refrigerators 	<ul style="list-style-type: none"> Attention to building geometry – less complicated perimeter (e.g. rectangle or L-shape) will be more efficient for thicker insulation & infiltration mitigation Enhanced R-value walls and roof Triple Pane Glazing Continuous air barrier - reduced air infiltration allowance Decreased rentable square footage, with thicker envelope if on a zero-lot line project Mechanical systems sizing will go down compared to typical practice

Impact	Code Compliance	LEED for Homes Gold	Built Green 4-Star	Passive House
<p>Notable* Design/ Construction Impacts (*not all inclusive) <i>Continued</i></p>		<ul style="list-style-type: none"> • ENERGY STAR Portfolio Manager utility tracking • Clothes washers: Steel hose + ¼ turn shut off • Shower/bath: greenboard • All tropical wood – FSC • Aggregate within 100 miles, insulation with 25% recycled content • CO sensors in all spaces adjacent to garage / ductwork outside fire rated envelope of garage (or soffit'ed) • ENERGY STAR plus occupancy sensors, humidistat or timers on all bath fans • <u>Walk-off mats</u> at main entries and all walk-up units • Garage pressure testing • <u>No added urea formaldehyde - NAUF</u> • 14 preferred parking spaces (hybrids) • 6 EV charging stations 	<ul style="list-style-type: none"> • <u>No added urea formaldehyde – NAUF</u> • ENERGY STAR Portfolio Manager utility tracking – energy & water use • 1 EV charging station • Exterior lighting design – meet light pollution requirements 	
<p>Number of Projects in Shoreline</p>	<p>Baseline</p>	<p>11</p>	<p>5</p>	<p>0-1</p>

Appendix

1. Glossary of Terms
2. LEED for Homes Scorecard
3. Built Green Scorecard
4. Passive House Strategies List

Appendix 1 - Glossary of Terms

Comparative Analysis of LEED, Built Green, & Passive House

Commissioning - the process of verifying, in new construction, all (or some, depending on scope) of the subsystems for mechanical (HVAC), plumbing, electrical, fire/life safety, building envelopes, interior systems, co-generation, utility plants, sustainable systems, lighting, wastewater, controls, and building security to achieve the owner's project requirements as intended by the building owner and as designed by the building architects and engineers.

Energy Recovery Ventilators - the energy recovery process of exchanging the energy contained in normally exhausted building or space air and using it to treat (precondition) the incoming outdoor ventilation air in residential and commercial HVAC systems.

Hard Costs - include expenses *directly* related to the physical construction a building, including tangible assets that you need to acquire to complete your construction project. These costs cover the materials that go into buildings, including cement, drywall, carpet, sod grass; and labor for grading, site excavation, landscaping, and carpentry.

No Added Urea Formaldehyde (NAUF) – refers to products and materials that do not include the permanent adhesive created by the resin of urea and formaldehyde.

Occupancy Sensors - an indoor motion detecting devices used to detect the presence of a person to automatically control lights or temperature or ventilation systems.

Rough Order of Magnitude (ROM) - an estimation of a project's level of effort and cost to complete. A ROM estimate takes place very early in a project's life cycle — during the project selection and approval period and prior to project initiation in most cases.

Soft Costs - include expenses *indirectly* related to construction of a building. Soft costs include architectural, engineering, financing, and legal fees, and other pre- and post-construction expenses.

Thermoplastic Polyolefin (TPO) - refers to polymer/filler blends usually consisting of some fraction of a thermoplastic, an elastomer or rubber, and usually a filler. Outdoor applications such as roofing frequently contain TPO because it does not degrade under solar UV radiation, a common problem with nylons.

Walk-off Mats - used to describe an entire category of commercial floor mats that either scrape or wipe debris from the under soles of shoes.



LEED for Homes V4 Midrise Project Checklist | 07.25.2018 | Project Goal: Gold

☐ - Known additional cost from baseline

Appendix 2



Yes	Likely	Unlikely	No	65	7	31	12	PROJECT TOTALS pre-certification estimates	Certification Thresholds: Certified 40 points Silver 50 points Gold 60 points Platinum 80+
-----	--------	----------	----	-----------	----------	-----------	-----------	---	--

Yes	Likely	Unlikely	No	Max. Points
2	0	0	0	2
Integrated Design				
2				2
Credit 1 Integrated Project Planning				

Yes	Likely	Unlikely	No	Max. Points
14	0.5	0.5	0	15
Location and Transportation				
Y				Req'd
Prereq 1 Floodplain Avoidance				
8			-	8
Credit 1 Site Selection				
3				3
Credit 2 Compact Development				
1.5	0.5			2
Credit 3 Community Resources				
1.5		0.5		2
Credit 4 Access to Transit				

Yes	Likely	Unlikely	No	Max. Points
4	0	3	0	7
Sustainable Sites				
Y				Req'd
Prereq 1 Construction Activity Pollution Prevention				
Y				Req'd
Prereq 2 No Invasive Plants				
2				2
Credit 1 Heat Island Reduction				
		3		3
Credit 2 Rainwater Management				
2				2
Credit 3 Non-Toxic Pest Control				

Yes	Likely	Unlikely	No	Max. Points
7	1	2	0	10
Water Efficiency				
Y				Req'd
Prereq 1 Water Metering				
3	1	2		6
Credit 1 Indoor Water Use				
4				4
Credit 2 Outdoor Water Use				

Yes	Likely	Unlikely	No	Max. Points
19	2	15	4	37
Energy and Atmosphere				
Y				Req'd
Prereq 1 Minimum Energy Performance				
Y				Req'd
Prereq 2 Energy Metering				
Y				Req'd
Prereq 3 Education of the Homeowner, Tenant or Bldg Manager				
17	2	8	4	30
Credit 1 Annual Energy Use				
		7		5
Credit 2 Efficient Hot Water Distribution				
2				2
Credit 3 Advanced Utility Tracking				

Yes	Likely	Unlikely	No	Max. Points
4	0	1	6	9
Materials and Resources				
Y				Req'd
Prereq 1 Certified Tropical Wood				
Y				Req'd
Prereq 2 Durability Management				
1				1
Credit 1 Durability Management Verification				
1		1	5	5
Credit 2 Environmentally Preferable Products				
2			1	3
Credit 3 Construction Waste Management				

Yes	Likely	Unlikely	No	Max. Points
10.0	0	7.5	1.5	18
Indoor Environmental Quality				
Y				Req'd
Prereq 1 Ventilation				
Y				Req'd
Prereq 2 Combustion Venting				
Y				Req'd
Prereq 3 Garage Pollutant Protection				
Y				Req'd
Prereq 4 Radon-Resistant Construction				
Y				Req'd
Prereq 5 Air Filtering				
Y				Req'd
Prereq 6 Environmental Tobacco Smoke				
Y				Req'd
Prereq 7 Compartmentalization				
1		2		3
Credit 1 Enhanced Ventilation				
1		0.5	1.5	2
Credit 2 Contaminant Control				
1		2		3
Credit 3 Balancing of Heating and Cooling Distribution Systems				
2		3		3
Credit 4 Enhanced Compartmentalization				
1				2
Credit 5 Enhanced Combustion Venting				
1				1
Credit 6 Enhanced Garage Pollutant Protection				
3				3
Credit 7 Low Emitting Products				
1				1
Credit 8 No Environmental Tobacco Smoke				

Yes	Likely	Unlikely	No	Max. Points
3	3	0	0	6
Innovation				
Y				Req'd
Prereq 1 Preliminary Rating				
1				1
Credit 1 Exemp Perf - LTc2.5 Bike Storage & Network				
1				1
Credit 1 Exemp Perf - Design Charrette or Trades Training				
	1			1
Credit 1 Pilot Credit - Food Production (3800sf on roof)				
1				1
Credit 1 Innovation Credit - Green Vehicles or alternative				
	1			1
Credit 1 Green Power and Carbon Offsets				
	1			1
Credit 2 LEED AP Homes				

Yes	Likely	Unlikely	No	Max. Points
2	0	2	0	4
Regional Priority				
1		1		1
Credit 1 SSc3 Nontoxic Pest Control				
1				1
Credit 2 WEc2 Outdoor Water Use				
	-			1
Credit 3 EAc1 Annual Energy Use				
		1		1
Credit 4 MRc3 Construction Waste Management				
			1	1
Credit 5 EQc1 Enhanced Ventilation				



Appendix 3

Please indicate:
 Preliminary checklist
 (for own or verifier's use)
 Final checklist
 (for certification review)

Multi-Family Residential New Construction Certification Checklist

Company Name	City of Shoreline Apartments - analysis of the potential for Built Green 4-Star Certification
Project Address	Baseline Building - 17233 15th Ave NE, Shoreline, WA
Number of Units	243

Last updated March 13, 2018

REQUIRED CREDITS

Action Item No.	Possible Points	Credit	Total Points	Comments
THREE-STAR REQUIREMENTS (300 points minimum)				
	<i>required</i>	Built Green assumes building meets local code regulations	★	GOOD
	<i>required</i>	Third-party verification	★	Sustainability consultant fulfills requirements
	<i>required</i>	Achieve a minimum of 50 points from sections 2-5	★	IN PROGRESS
Energy	<i>required</i>	All spot exhaust fans must be ENERGY STAR (See Action Item 3-50)	★	GOOD - LIKELY IN BASELINE BLDG
Energy	<i>required</i>	Install ENERGY STAR refrigerators, dishwashers and clothes washers (if provided by builder) (See Action Items 3-42, 3-47, 3-48)	★	GOOD - IN BASELINE BLDG
Energy	<i>required</i>	Ventilation system flow rates are tested and within 20% of design flows. Controls and settings are consistent with design	★	IN PROGRESS
Energy	<i>required</i>	Building modeled to have 10% better performance than the Washington State Energy Code cycle under which the project is permitted OR achieves additional credits in Section R406 (two credits) or C406 (two options) (above the WSEC requirements) (See Action Items 3-1 and 3-2)	★	IN PROGRESS
IAQ	<i>required</i>	Use only low-VOC/low-toxic interior paints, primers, and finishes for ALL surface areas (See Action Item 4-15)	★	GOOD - LIKELY IN BASELINE BLDG
IAQ	<i>required</i>	Do not install a wood-burning fireplace inside unit or building	★	GOOD
Materials	<i>required</i>	Post jobsite recycling plan on site and maintain at least two bins (one for waste, one for recyclables)	★	GOOD - LIKELY IN BASELINE BLDG
Materials	<i>required</i>	Recycle all clean wood, cardboard, new gypsum scrap, metal, asphalt paving/brick/concrete, electronics, and batteries (See Action Item 5-6, 5-25)	★	GOOD - LIKELY IN BASELINE BLDG
Materials	<i>required</i>	Use no endangered species or old growth wood (See Action Item 5-36)	★	GOOD - LIKELY IN BASELINE BLDG

FOUR-STAR REQUIREMENTS (400 points minimum)

	<i>required</i>	Meet 3-Star requirements	★	IN PROGRESS
	<i>required</i>	Achieve a minimum of 60 points from sections 2-5	★	IN PROGRESS
Site & Water	<i>required</i>	Amend disturbed soil with compost to a depth of min. 10 inches to restore soil environmental functions (See Action Item 2-16)	★	GOOD - LIKELY IN BASELINE BLDG
Site & Water	<i>required</i>	Landscape with plants appropriate for site topography and soil types, emphasizing use of plants with low watering requirements (drought tolerant) (See Action Item 2-41)	★	GOOD - LIKELY IN BASELINE BLDG
Site & Water	<i>required</i>	Install ALL bathroom faucets with gpm 1.5 or less, must be WaterSense labelled	★	NOT IN BASELINE PROJECT
Site & Water	<i>required</i>	Install ALL showerheads with 1.75 gpm or less, must be WaterSense labelled (See Action Item 2-50)	★	NOT IN BASELINE PROJECT
Site & Water	<i>required</i>	Install ALL toilets with 1.28 gpf or less average flush rate, must be WaterSense labelled (See Action Item 2-54)	★	NOT IN BASELINE PROJECT
Energy	<i>required</i>	Building modeled to have 20% better performance than the Washington State Energy Code cycle under which the project is permitted (See Action Item 3-1)	★	IN PROGRESS
Energy	<i>required</i>	Set up automatic energy benchmarking in Portfolio Manager and share data with Built Green	★	GOOD - LIKELY IN BASELINE BLDG
Energy	<i>required</i>	Design for solar readiness (See handbook for details)	★	GOOD - LIKELY IN BASELINE BLDG
Energy	<i>required</i>	80% of installed lighting shall be high efficacy AND listed on an approved "Qualified Products List" (See Action Item 3-40)	★	NOT IN BASELINE PROJECT
IAQ	<i>required</i>	Provide track-off mats, carpets, and/or shoe grates at principle entryways to building (See Action Item 4-69)	★	NOT IN BASELINE PROJECT
IAQ	<i>required</i>	Use CARB II and/or NAUF composite wood products for indoor applications	★	NOT IN BASELINE PROJECT
IAQ	<i>required</i>	Provide range exhaust hood directly over cooking appliance. Exhaust hood shall vent directly to the exterior of the building. General kitchen exhaust or recirculating hoods shall not meet this requirement.	★	GOOD - LIKELY IN BASELINE BLDG
Materials	<i>required</i>	Achieve minimum recycling rate of 50% by weight (See Action Items 5-13 through 5-29)	★	GOOD - LIKELY IN BASELINE BLDG

FIVE-STAR REQUIREMENTS (600 points minimum)				
	required	Meet 4-Star requirements	★	
	required	Achieve a minimum of 90 points from sections 2-5	★	
Site & Water	required	Install ALL bathroom faucets with gpm 1.0 or less, must be WaterSense labelled (See Action Item 2-48)	★	
Site & Water	required	Install ALL showerheads with gpm 1.5 or less, must be WaterSense labelled (See Action Item 2-50)	★	
Site & Water	required	Install ALL toilets with 1.1 gpf or less average flush rate, must be WaterSense labelled (See Action Item 2-54)	★	
Site & Water	required	Manage 50% of stormwater on site	★	
Energy	required	Building modeled to have 30% better performance than the Washington State Energy Code cycle under which the project is permitted (See Action Item 3-1)	★	
Energy	required	Install solar PV producing 150 kWh for every 1000 sq ft OR install solar hot water producing 500 kBtu for every 1000 sq ft (See Action Items 3-54 and 3-55)	★	
IAQ	required	All hard surface flooring must contain no orthophthalates (See Action Item 4-22)	★	
IAQ	required	All carpet must contain no fly ash (See Action Item 4-26)	★	
Materials	required	Achieve a minimum recycling rate of 90% of waste by weight	★	

NET ZERO ENERGY LABEL (OPTIONAL)				
	required	Meet any star-level requirements plus point minimum	★	
Energy	required	Demonstrate net zero energy performance over the course of a year	★	
Energy	required	Provide an energy performance disclosure waiver	★	

Check items included this project to qualify for a BUILT GREEN star rating. 2017 version

QUALIFYING CREDITS				
Action Item No.	Possible Points	Credits	Total Points	Comments
SECTION 1: BUILT GREEN TEAM				
1-1	1-10	Use Built Green member subcontractors, vendors, service providers, and real estate agents		
1-2	5	a) Incorporate Built Green early in the design by conducting an eco-charrette with the development team and owner to determine Built Green features to be included in the project b) Identify team member roles and how they relate to various phases of green lot design, prep and development c) Create a mission statement that includes the project's goals and objectives		
1-3	1	Provide all documentation/copies to third-party verifier electronically	1	
BUILT GREEN TEAM SECTION TOTALS			1	

SECTION 2: SITE & WATER				
SITE PROTECTION				
Overall				
2-1	10	Build on an infill lot to take advantage of existing infrastructure and reduce development of virgin sites	10	
2-2	10	Build in a planned Built Green development or certified Built Green Community		
2-3	20	Build on a greyfield or brownfield site	20	
2-4	30	Create a Low Impact Development as defined in handbook		
2-5	5-25	Meet or exceed City of Seattle's Green Factor standards (point tiers in handbook)		NA for projects outside of Seattle
2-6	1-5	Bonus points: Use of Green Factor where it is not part of the project's jurisdictional development requirements	3	LIKELY, LA to do calc
2-7	20	For each acre of development, set aside an equal amount of land as a conservation easement or transfer of development rights		
Subtotal			33	
Protect Site's Natural Features				
2-8	3	Avoid soil compaction by limiting heavy equipment use to building footprint and construction entrance		
2-9	3	Preserve existing native vegetation as landscaping (min. 25% preserved)		
2-10	1-5	Retain trees on site (1 pt per 20% preserved)		
2-11	10 or 12 or 15	Restore percentage of site outside the footprint for the life of the building (10%, 20%, 30%)		
Subtotal			0	
Protect Natural Processes On-Site				
2-12	2	Install and maintain temporary erosion control devices that significantly reduce sediment discharge from the site beyond code requirements		
2-13	3	Use compost to stabilize disturbed slopes during construction		
2-14	2 or 5	Retain all native topsoil in-situ, or stockpile and protect from erosion	2	
2-15	3	Balance cut and fill, while minimizing change to original topography		
2-16	4	Amend disturbed soil with compost to a depth of min. 10 inches to restore soil environmental functions	4	
2-17	2	Replant or donate removed vegetation for immediate reuse		
2-18	2	Use plants salvaged from another site		
2-19	3	Grind land clearing wood and stumps for reuse on site		
2-20	10 or 20 or 30	Manage specified percentage of stormwater from roof and site on site by 60%, 80%, or 100%		
Subtotal			6	

Hardscapes				
2-21	5 or 10 or 15	Design to achieve 50%, 75%, or 90% effective pervious surface outside of building footprint		
2-22	10 or 15 or 25	Install vegetated roof system (e.g. green roof) to reduce impervious surface on 25%, 50%, or 90%+ of total roof surface		
2-23	1	Integrate landscaping with parking area beyond code		
Subtotal			0	
Reduce Urban Heat Island Effect				
2-24	5	Install an ENERGY STAR Qualified roof	5	
2-25	5	Provide shading for 30% of hardscapes by using landscape, landscape features, or overhangs		
2-26	5	For all exterior hardscape, including surface parking, use only light-colored pavement for 90% of project area (Solar Reflective Index of .28 or better)		
Subtotal			5	
Eliminate Water Pollutants				
2-27	1	Wash out concrete trucks in slab or pavement subbase areas, or use washout boxes		
2-28	3	Establish and post clean up procedures for spills to prevent illegal discharges	3	
2-29	1	Reduce hazardous waste through good jobsite housekeeping	1	
2-30	2	Construct tire wash, establish and post clean up protocol for use		
2-31	2	Use slow release organic fertilizers to establish vegetation	2	LIKELY
2-32	2	Use less toxic form release agent	2	LIKELY
2-33	8-10	Use non-toxic (10 pts) or low-toxic (8 pts) outdoor materials for all landscaping	8	LIKELY
2-34	5	Use only "Low Hazard" pesticides and herbicides for landscape installation and in Operations & Maintenance Plan		
2-35	5	Do not use galvanized metal, EPDM, or PVC roofing materials		
2-36	2	Use a modified bitumen built-up or TPO membrane roof	2	
2-37	5	No clearing or grading during wet weather periods (November - April)		
2-38	40 or 50	On-site wastewater treatment for greywater only (40 pts) or for blackwater and greywater (50 pts), min. 50% captured		
Subtotal			18	
WATER CONSERVATION				
Outdoor Conservation				
2-39	2	Mulch landscape beds with 4 inches of organic mulch	2	
2-40	3-12	Limit use of turf grass, or use no turf grass (3 pts per 25%)	9	
2-41	5	Landscape with plants appropriate for site topography and soil types, emphasizing use of plants with low watering requirements (drought tolerant)	5	
2-42	2	Install sub-surface or drip systems for irrigation with controls for each zone, including weather or soil moisture-based modulation	2	
2-43	5	Install a WaterSense irrigation system		
2-44	3	Irrigation system commissioned by a professional to ensure no leaks, efficient system		
2-45	10	Install landscaping that requires no potable water for irrigation whatsoever after initial establishment period (approximately 2 years)		
2-46	5-20	Install rainwater collection system (cistern) that reduces water consumption for irrigation (5 pts for each 25% of irrigation needs met by cistern)		
2-47	50	Provide 100% of building and landscaping water use with captured precipitation or reused water purified without the use of chemicals		
Subtotal			18	
Indoor Conservation				
2-48	1-3	Install ALL bathroom faucets with 1.0 gpm (1 pt), 0.5 gpm or less (3 pts), must be WaterSense labelled		
2-49	3	Install ALL kitchen faucets with 1.8 gpm or less	3	
2-50	5-7	Install ALL showerheads with 1.75 gpm (5 pts), 1.5 gpm or less (7 pts), must be WaterSense labelled	5	1.75 gpm showerheads & WaterSense - NOT IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
2-51	10	Stub-in plumbing to use greywater for toilet flushing (must test for leaks)		
2-52	20	Use greywater or rainwater for toilet flushing		
2-53	3	Provide water sub-metering for each unit	3	
2-54	4-12	Install WaterSense labelled toilets (1.28 gpf = 4 pts, 1.1 gpf = 8 pts, 0.8 gpf = 12 pts. All toilets must comply.)	4	1.28 gpf toilets & WaterSense - NOT IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
2-55	4	Install no-cartridge waterless urinals or 1/8 gallon urinals and 1.28 gpf maximum (WaterSense if not flushometer) toilets in all common areas		
2-56	3-5	Limit pipe volume between water heat source and furthest fixture. Pipe run should store no more than than 0.5 gallons (3 pts) or 0.3 gallons (5 pts)		
Subtotal			15	
Eliminate Water Pollutants				
2-57	1	Do not install garbage disposal		
Subtotal			0	
DESIGN ALTERNATIVES				
2-58	10	Follow comprehensive integrated design plan for site and structure (as described in the handbook)		
2-59	5	Provide community common areas accessible to all building occupants	5	
2-60	2	Take advantage of parking reduction credits that are available in your jurisdiction		
2-61	5 or 10	Provide structured parking within the proposed building footprint at a 50% minimum or 100%	10	
Subtotal			15	

TRANSPORTATION				
2-62	15	Create a Transit-Oriented Development		
2-63	4	Build within ¼ miles of a transit stop or Park and Ride	4	
2-64	15	Create a mixed-use building	15	NOT IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
2-65	6-10	Provide subsidized bus passes (25% or 50% subsidized)		
2-66	2	Provide bicycle lockers or bicycle storage beyond code		
2-67	2	Provide bus shelters		
2-68	6-12	Provide dedicated parking spots for carpool or car-share vehicles (6 pts for first stall above code, 2 pts for each additional)		
2-69	2	Provide a link to community trails		
2-70	5-20	Provide EV charging station (5 pts for one station, 3 pts for each additional)	5	
Subtotal			24	
BENCHMARKING				
2-71	5	Commit to annual benchmarking of building water consumption using ENERGY STAR Portfolio Manager and to sharing this information with Built Green	5	
2-72	7	Install a prominent water use display in high traffic common area		
Subtotal			5	
EXTRA CREDIT/INNOVATION for Site and Water				
2-73	1-10	Extra credit / innovation for Site and Water		
Subtotal			0	
SITE & WATER TOTAL			139	

SECTION 3: ENERGY				
ENERGY IMPROVEMENT				
3-1	1-70	Document energy improvements beyond code using approved energy modeling software (1 pt per % improvement above code)	20	HOLD FOR NOW - 20 pt automatically w 4-star 20% better performance modelled req'd
3-2	1-20	Document building improvements beyond code using a prescriptive approach (see handbook for how to calculate points)		HOLD FOR NOW
3-3	50	Bonus points: build a net zero energy building that draws zero outside power or fuel on a net annual basis		
Subtotal			20	
SYSTEMS COMMISSIONING				
3-4	5 or 10 or 15	Provide Fundamental Commissioning of building systems (see handbook for point tiers)	10	
Subtotal			10	
AIR SEALING				
3-5	3	Airtight drywall approach for framed structures		
3-6	10	Use airtight building method, such as SIP or ICF for all walls		
3-7	3	Eliminate or airtight seal all air pathways between floors and units		
3-8	5	Use a dense packed blown-in wall insulation system		
3-9	5 or 10 or 15	Conduct blower door test for the whole building with results better than base code requirement (see handbook for point tiers)		
Subtotal			0	
PASSIVE DESIGN FEATURES				
3-10	6 or 12	Passive solar: three of the below strategies (6 pts), or five (12 pts)		
3-10a		East/west orientation		
3-10b		Optimal glazing - majority within 22 degrees of due south		
3-10c		Proper overhang sizing		
3-10d		Glazing with Solar Heat Gain Coefficient of less than .40		
3-10e		Natural shading on south side (trees)		
3-11	7	Model solar design features using approved modeling software		
3-12	2	Operable window area greater than code		
Subtotal			0	
HEATING/COOLING				
Distribution				
3-13	3	Install ENERGY STAR ceiling fans in all units - minimum one per unit	3	
3-14	5 or 10	Third-party total duct leakage performance test (see handbook for point tiers)		
3-15	2	All ducts are in conditioned space	2	
3-16	3	Locate heating/cooling equipment inside the conditioned space		
Subtotal			5	
Controls				
3-17	2	Install programmable thermostats for all individual heating zones	2	
3-18	1	Provide separate switching for bathrooms fan/heat lamp and fan/light combination fixtures	1	GOOD - LIKELY IN BASELINE BLDG
3-19	3	Provide electricity and/or natural gas direct metering for each unit	3	
3-20	5	Install heat systems with separate zones for sleeping and living areas (not including electric resistance heating)		
3-21	3	Black or smart switches in all units for turning off associated outlets		
Subtotal			6	
Heat Recovery				
3-22	5 or 10	Install a heat recovery ventilator (HRV) or an energy recovery ventilator (ERV)		
3-23	10	If HRV or ERV installed, commission and make sure system is balanced, includes fan power		
Subtotal			0	

Space Heating/Cooling Equipment				
3-24	3 or 5 or 8	Select heat pumps with performance better than ENERGY STAR (see handbook for point tiers)		
3-25	2-4	Select heating system efficiency (natural gas): 96% AFUE (2 pts) or 96% AFUE + Variable Speed/ECM blower motor (4 pts)	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
3-26	3	Select ENERGY STAR heating/cooling equipment		
3-27	2	No gas fireplaces, or use direct vent gas or propane hearth product (AFUE rating)	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
3-28	5	Do not install infrastructure for temporary/portable air conditioners	5	
Subtotal			9	
WATER HEATING				
Overall				
3-29	5	Install drainwater heat recovery system (DHR)		
3-30	2	Install whole building "smart" variable-speed recirculation pump		
3-31	2 or 4	Install ultra-high efficiency central (gas) water heater with 92% (2 pts) or 96% (4 pts) thermal efficiency	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
3-32	2	Install the water heater inside the heated space (electric, direct vent, or sealed venting only)	2	
3-33	8	Install one or more Heat Pump Water Heaters with EF 2.0 or greater		
3-34	25	Install a centralized Heat Pump or Reverse Cycle Chiller to heat the domestic hot water		
Subtotal			4	
Distribution				
3-35	10	Insulate all hot water recirculation lines		
3-36	1	Install heat traps on cold inlet pipes at hot water storage tank		
Subtotal			0	
LIGHTING				
Natural Light				
3-37	1	Light-colored interior finishes	1	
Subtotal			1	
Efficient Lighting				
3-38	1-2	Install lighting dimmer, photo cells, timers, and/or motion detectors for high efficiency fixtures - common areas and in-unit lighting		
3-39	2	Install motion detectors for minimum 90% of exterior fixtures		
3-40	2 or 5 or 7	Install high efficacy lighting that is listed on an approved "Qualified Products List" (see handbook for point tiers)		
3-41	5	Avoid excessive outdoor light levels while maintaining adequate light for security and safe access, meet IESNA Levels	5	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
Subtotal			5	
APPLIANCES				
3-42	2	Install ENERGY STAR clothes washers in all units	2	IN BASELINE PROJECT
3-43	3	Install ENERGY STAR clothes washers in common laundry facilities instead of in each unit		
3-44	1	Install ENERGY STAR clothes dryers in all units		
3-45	2	Install ENERGY STAR clothes dryers in common laundry facilities instead of in each unit		
3-46	5	Provide clotheslines to each tenant and "wet room" or outside space in unit or common area for hang drying clothes		
3-47	1	Install an ENERGY STAR dishwasher in all units	1	IN BASELINE PROJECT
3-48	2 or 4	Install ENERGY STAR, or better, refrigerator in all units	2	IN BASELINE PROJECT
3-49	2	Install induction cooktop in all units	2	IN BASELINE PROJECT
3-50	2	Install ENERGY STAR exhaust fans in all units, with fan sone rating of 0.3 or less at or above the design CFM		
Subtotal			7	
ALTERNATIVE ENERGY				
3-51	7	Participate in the local utility's electricity program for renewable electricity sources (covers minimum 25% of energy used)		
3-52	4	Develop incentive program for tenants to purchase Green-e certified RECs		
3-53	1	Solar-powered or low-voltage walkway or outdoor area lighting		
3-54	5-25	Install photovoltaic system (excluding solar hot water): 5 pts for 300 W/1000 sq ft and 5 pts for each additional 150 W/1000 sq ft.		
3-55	5-25	Install solar thermal for space heating or hot water: 5 pts for 1000 kBtu/1000 sq ft and 5 pts for each additional 500 kBtu/1000 sq ft		
Subtotal			0	
BENCHMARKING				
3-56	5	Include provisions in tenant leases releasing utility consumption and billing data to building owner and authorized agents		
3-57	10	Commit to performing a post-occupancy comparison of modeled vs. actual energy performance and to sharing with Built Green		
Subtotal			0	
EXTRA CREDIT/INNOVATION for Energy				
3-58	1--10	Extra credit / innovation for Energy		
Subtotal			0	
ENERGY TOTAL			67	

SECTION 4: HEALTH & INDOOR AIR QUALITY**OVERALL**

4-1	5	Builder or architect certified to have taken a minimum 8 hour IAQ training approved by Program Manager		
4-2	15	Certify building under an IAQ program approved by Program Manager		
4-3	1	Building is designated non-smoking	1	
Subtotal			1	

JOBSITE OPERATIONS				
4-4	1	Use less-toxic cleaners	1	
4-5	1	Require workers to use VOC-safe masks when applying VOC containing wet products and N-95 dust masks when generating dust	1	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-6	1-5	Take measures during construction operations to avoid moisture problems later (see handbook for examples; 1 pt per action)	5	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-7	2-4	Take measures to avoid problems due to construction dust (see handbook for point tiers)	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-8	3	Ventilate during all new wet finish applications	3	
4-9	2	No use of unvented combustion heaters during construction	2	
4-10	3	Clean duct, furnace, and filter thoroughly before occupancy	3	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-11	3	Institute a jobsite anti-idling program for construction vehicles	3	
4-12	3-12	Use non-diesel alternative fuels in construction equipment: electricity, propane, or natural gas (3 pts per 25% of equipment using alternative fuels)		
4-13	4	Require healthy jobsite plan for workers' compliance	4	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-14	4	Implement construction management plan to ensure healthy jobsite plan is implemented optimally and adhered to	4	
Subtotal			28	
LAYOUT AND MATERIAL SELECTION				
4-15		Inside the building envelope use only low-VOC products for various applications when wet-applied on site:		
4-15a	2	Tiling	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-15b	2	Framing	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-15c	4	Flooring	4	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-15d	4	Plumbing	4	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-15e	2	HVAC	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-15f	2	Insulating	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-15g	2	Drywalling	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-16	3	Use urea formaldehyde-free insulation or Greenguard Gold certified insulation product	3	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-17	1	Do not install insulation or carpet padding that contains brominated flame retardant (BFR)		
4-18	3	Use plywood and composites of exterior grade that is NAF, NAUF, or ULEF (for interior use)	3	
4-19	5	Use only shelving, window trim, door trim, base molding, etc., that is NAF, NAUF, or ULEF	5	
4-20	5	Install cabinets made with board that is NAF, NAUF, or ULEF and has low-toxic finish		
4-21	1	Use pre-finished flooring		
4-22	5	Use hard surface flooring without orthophthalate plasticizers		
4-23	10	No carpet in units		
4-24	2	Limit use of carpet to one-third of unit's square footage	2	
4-25	1	If installing carpet system (carpet, pad, and adhesive), specify and use CRI Green Label Plus or Greenguard certified products	1	
4-26	5	If installing carpet system (carpet, pad, and adhesive), specify and use carpet that does not contain fly ash filler in backing		
4-27	1	If using carpet, install by dry method		
4-28	1	Install low pile or less allergen-attracting carpet and pad	1	
4-29	2	Install untreated natural fiber carpet		
4-30	1	Avoid carpet in environments where it can get wet (kitchen, bathroom, near entries)	1	
4-31	50	Select materials such that the building is free from all of the materials and chemicals listed in the handbook. Please discuss with Program Manager before claiming this point		
Subtotal			34	
MOISTURE CONTROL				
Overall				
4-32	5	Use Building Envelope Consultant during design		
4-33	5	Envelope inspection at various stages of envelope installation by a qualified professional		
4-34	1	Grade to drain away from buildings	1	
Subtotal			1	
Roof				
4-35	6 or 10	Provide 2:12 (9.5 degree) pitch sloped roof surface -for at least 50% of roof (6 pts), or 100% (10 pts)		
Subtotal			0	

Walls - Above Grade				
4-36	3	Provide continuous air- and weather resistive barrier installed to manufacturer's requirements		
4-37	3	Use prefabricated, liquid applied, or self-adhering flashing at siding transitions and penetrations		
4-38	6	Install rainscreen siding		
4-39	3	In wood-framed structures, use low-toxic mold-inhibitor product		
Subtotal			0	
Below Grade				
4-40	3	For slab on grade, use 10 mil polyethylene vapor barrier or equivalent performance, directly under slab	3	
4-41	2	Perform moisture test for any slab on grade prior to installing any finish to manufacturer's specifications		
4-42	2	Install mechanical ventilation system to control moisture in crawl space		
4-43	1	Install a rigid perforated footing drain at foundation perimeter, not connected to roof drain system	1	
4-44	3	Install moisture management system for below grade walls beyond code, i.e., drainage mat	3	
Subtotal			7	
Openings				
4-45	1	Properly seal building openings and penetrations against moisture and air leaks	1	
4-46		Install additional moisture control measures:		
4-46a	5	sill pans with back dams or slope at windows	5	
4-46b	3	door pans with back dams at doors	3	
4-46c	5	sill flashing extending up sides of windows	5	
4-46d	3	threshold protection at doors	3	
4-46e	1	metal head flashing at windows	1	
4-46f	1	metal head flashing at doors	1	
4-46g	1	min. 18" overhangs at entryways	1	
4-47	3	Provide hose testing or negative pressurization testing to pre-installed sample of each window type to test assembly for moisture control protection - ASTM E1105 or equal		
Subtotal			20	
AIR DISTRIBUTION AND FILTRATION				
4-48	2	No stud or joist cavities used for air conveyance	2	
4-49	2	Do not install electronic, metal mesh, horse hair, or non-pleated fiberglass filters		
4-50	1	Make sure air intakes are placed to avoid intake from air pollutant sources (beyond code)		
4-51	1	No parking within 40 feet of building air intakes	1	
4-52	2 or 5	Use effective media air filter, ensuring the HVAC system is designed for the static pressure drop of the filter: MERV 8 (2 pts) or MERV 12+ (5 pts)	2	
4-53	2	Install operable windows in all occupied spaces, minimum 4% of floor area		
4-54	2	Install CO ₂ detectors in community rooms		
4-55	2	Demand controlled ventilation in all rooms designed for high occupancy		
4-56	10	Utilize a balanced ventilation approach (supply + exhaust/return) in residential units		
Subtotal			5	
HVAC EQUIPMENT				
4-57	1	Design to ensure accessibility of all system components	1	
4-58	1	Design to prevent standing water in ducted HVAC systems	1	
4-59	3	Commission all spot ventilation fans in all units		
4-60	1	Use heating system controls that are free of mercury	1	
4-61	1	Range exhaust hoods shall be ENERGY STAR rated and have a maximum flow rate less than or equal to 300 cfm		
4-62	2	Install an automatic fan control with 20-minute delay timer, motion sensor, or humidistat for bath exhaust fans	2	
4-63	2	Install quiet bath exhaust fan with smooth ducting, minimum 4 inch, with a fan sone rating of .3 or less at or above the design CFM		
4-64	1	No sound insulation or other fibrous materials installed inside ducting		
4-65	3	Install sealed combustion heating and hot water equipment	3	
4-66	3 or 5	Compartmentalization testing of sampling of units (see handbook for point tiers)		
Subtotal			8	
HEALTH AND INDOOR AIR QUALITY				
4-67	1	Install biodegradable carbon filter at sink		
4-68	1	Install showerhead filter in all units, include information in the tenant handbook		
4-69	3	Provide track-off mats, carpets, and/or shoe grates at principle entryways to building	3	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
4-70	2	Provide a shoe removal and storage area at the entrance to each unit		
4-71	1	Do not install gas-burning appliances inside unit or building		
4-72	1	Install floor drain or catch basin with drain under washing machines (and condensing/heat pump dryers if applicable)		
4-73	1-2	Use radon resistant construction using EPA standards (passive) (1 pt) or test for radon and install active system after building is complete (2 pts)	1	
Subtotal			4	
EXTRA CREDIT / INNOVATION for Health and Indoor Air Quality				
4-74	1-10	Extra credit / innovation for Health and Indoor Air Quality		
Subtotal			0	
HEALTH & INDOOR AIR QUALITY TOTAL			108	

SECTION 5: MATERIALS EFFICIENCY				
OVERALL				
5-1	10 or 15 or 20	Design and build for deconstruction concept - 50% (10 pts), 75% (15 pts), or 90% (20 pts)		
5-2	1-5	Eliminate materials and systems that require finishes or finish materials on a minimum of 100 square feet in common areas (1 pt per 100 sqft)		
Subtotal			0	
JOBSITE OPERATIONS				
5-3	1	Provide weather protection for stored and installed materials	1	
5-4	15	Purchase a one-time carbon offset to account for carbon footprint of materials, minimum of 50% of project footprint		
5-5	2	Use suppliers who offer reusable or recyclable packaging		
Subtotal			1	
REDUCE				
5-6	5	Implement comprehensive construction waste reduction and management plan	5	
5-7	5-20	Reduce total waste generated on site (see handbook for point tiers)		
Subtotal			5	
REUSE				
5-8	15-30	Use deconstruction to dismantle and reuse existing building components on site (see handbook for point tiers)		
5-9	1	Sell, give away, or reuse wood scraps, lumber and land clearing debris		
5-10	1	Donate, sell, or give away reusable finish items		
5-11	1-20	Reuse salvaged materials (1 pt per material, examples listed in handbook)		
5-12	1-20	Use salvaged lumber, 1 pt per 100 board feet		
Subtotal			0	
RECYCLE				
Source Separation Recycling - if points are claimed here, none may be claimed under Commingle Recycling				
5-13	1	Recycle cardboard by source separation, 90% minimum recycling rate		
5-14	2	Recycle metal scraps by source separation, 90% minimum recycling rate		
5-15	5	Recycle clean scrap wood and broken pallets by source separation, 90% minimum recycling rate		
5-16	2	Recycle package wrap and pallet wrap by source separation, 90% minimum recycling rate		
5-17	3	Recycle drywall by source separation, 90% minimum recycling rate		
5-18	2	Recycle concrete/asphalt rubble, masonry materials, or porcelain by source separation, 90% minimum recycling rate		
5-19	1	Recycle paint by source separation, 90% minimum recycling rate		
5-20	4	Recycle asphalt roofing by source separation, 90% minimum recycling rate		
5-21	2	Recycle carpet padding by source separation, 90% minimum recycling rate		
5-22	2	Recycle carpet by source separation, 90% minimum recycling rate		
5-23	1	Recycle glass by source separation, 90% minimum recycling rate		
5-24	3	Recycle land clearing and yard waste, food waste, soil and sod by source separation, 90% minimum recycling rate		
5-25	3	Recycle electronics and batteries		
5-26	1	Provide bin for miscellaneous household waste	1	
Subtotal			1	
Commingle Recycling - if points are claimed here, none may be claimed under Source Separation Recycling				
5-27	10	Send at least 90% of jobsite recyclables (by weight excluding concrete) to an approved commingled recycling facility with 50% recycling rate	10	
5-28	18	Send at least 90% of jobsite recyclables (by weight excluding concrete) to an approved commingled recycling facility with 75% recycling rate	18	MAY NOT BE IN BASELINE PROJECT, BUT COULD BE FOR OTHERS WITHIN JURISDICTION
5-29	24	Send at least 90% of jobsite recyclables (by weight excluding concrete) to an approved commingled recycling facility with 90% recycling rate		
Subtotal			28	
DESIGN AND MATERIAL SELECTION				
Overall				
5-30	1	Use standard dimensions in design of structure	1	
5-31	10	Design and install recycling stations on each floor, including a maintenance service plan	10	
5-32	8	Design and install food waste management system on each floor, including a maintenance service plan	8	
5-33	1-3	Install materials with longer life cycles		
5-34	1-10	Install locally/regionally produced materials (1 pt per material)	5	
5-35	2-6	Use rapidly renewable building materials and products made from plants harvested within a ten-year cycle or shorter (2 pts per material)		
5-36	3	Use no endangered species or old growth wood	3	
5-37	3	Use no PVC, CPVC, or ABS piping for plumbing or sprinklers within the building envelope		
Subtotal			27	

Framing				
5-38	2	Create detailed take-off and provide as cut list to framer		
5-39	2	Use central cutting area or cut packs	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
5-40	6 or 10	Use dimensional lumber that is third-party certified sustainably harvested wood that meets the Tier 1 (10 pts) or Tier 2 (6 pts) requirements outlined in the handbook, 50% minimum		
5-41	4 or 7	Use sheathing that is third-party certified sustainably harvested wood that meets the Tier 1 (7 pts) or Tier 2 (4 pts) requirements outlined in the handbook, 50% minimum		
5-42	3 or 5	Use beams that are third-party certified sustainably harvested wood that meets the Tier 1 (5 pts) or Tier 2 (3 pts) requirements outlined in the handbook, 50% minimum		
5-43	6	Use factory framed wall panels (panelized wall construction)		
5-44	5	Use advanced wall framing - 24-inch OC, with double top plate		
5-45	3	Use engineered structural products and use no 2xs larger than 2x8, and no 4xs larger than 4x8		
5-46	4-8	Use structural insulated panels (SIPs) (see handbook for point tiers)		
5-47	5	Use insulated concrete forms (ICFs)		
5-48	1	Use finger-jointed framing material (e.g. studs)		
5-49	8	Use Cross Laminated Timber in place of steel or concrete		
Subtotal			2	
Foundation				
5-50	6	Use fly ash or blast furnace slag for 25% by weight of cementitious materials for all concrete		
5-51	2	Use recycled concrete, asphalt, or glass cullet for base or fill		
Subtotal			0	
Sub-Floor				
5-52	1	Use recycled content sub-floor		
Subtotal			0	
Finish Floor				
5-53	2	If using vinyl flooring, use product with recycled content	2	
5-54	4	No vinyl flooring		
5-55	1	Use recycled content carpet pad	1	
5-56	2	Use recycled content carpet	2	
5-57	2 or 4	Use replaceable carpet tile for 50% of carpeted area (2 pts) or 100% of carpeted area (4 pts) (minimum of 50 sqft)		
5-58	5	If using tile, use hard surface tile that is 40% recycled content		
5-59	5	Use natural linoleum		
5-60	3 or 5	Use flooring that is third-party certified sustainably harvested wood for at least 50% of hard surface flooring (see handbook for point tiers)		
5-61	1	Use spot repairable floor finish		
Subtotal			5	
Interior Walls				
5-62	2	Use drywall with a minimum of 95% recycled content synthetic gypsum or 10% if non-synthetic gypsum		
5-63	2 or 3	Use recycled or "reworked" paint and finishes on main surfaces or all surfaces		
Subtotal			0	
Ceilings				
5-64	1	If installing acoustical ceiling tiles, select a recycled content product		
Subtotal			0	
Windows				
5-65	8	Use all wood, composite, or fiberglass windows		
Subtotal			0	
Trim				
5-66		If using wood trim:		
5-66a	2 or 3	Use trim that is third-party certified sustainably harvested wood, 50% minimum (see handbook for point tiers)		
5-66b	3	Use finger-jointed or MDF trim with no added urea formaldehyde, 90% minimum		
5-66c	1 or 2	Use wood veneers that are third-party certified sustainably harvested woods, 50% minimum (see handbook for point tiers)		
Subtotal			0	
Cabinetry and Counters				
5-67		For cabinets:		
5-67a	1 or 2	Use third-party certified sustainably harvested wood for at least 75% of cabinet casework (see handbook for point tiers)		
5-67b	3	Use recycled-content cabinet casework for at least 75% of all casework		
5-67c	1	Use cabinet casework and shelving made with agricultural fiber that is NAUF, NAF, or ULEF for at least 75% of all cabinetry		
5-68	1 or 4	Use resource efficient countertop material in lobby/reception areas (1 pt) or in all areas (4 pts)		
Subtotal			0	
Roof				
5-69	2	Use recycled content roofing material		
5-70	2	Use a modified bitumen built-up roof		
5-71	5	Protect at least 90% of built-up and membrane roofing with ballast, pavers, or vegetated roof systems		
Subtotal			0	
Insulation				
5-72	4	All cavity insulation to have a minimum of 40% post-consumer recycled content		
5-73	5	Use environmentally friendly foam building products (CFC-, HFC-, HCFC-free)		
Subtotal			0	

Exterior Walls				
5-74	2	Use recycled content sheathing (OSB does not apply)		
5-75	3	Use exterior cladding with reclaimed or recycled material on at least 20% of solid wall surface		
5-76	4	No vinyl siding or exterior trim	4	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
5-77	3	Use 50-year siding product (minimum 20% of solid wall surface)		
5-78	3 or 5	Use wood siding that is third-party certified sustainably harvested wood on at least 20% of solid wall surface (see handbook for point tiers)		
Subtotal			4	
Other Exterior				
5-79	2 or 3	Use 100% recycled content HDPE or lumber that is third-party certified sustainably harvested wood for decking and porches (see handbook for point tiers)		
5-80	2	Use post-consumer recycled content plastic lumber for decking		
5-81	5	If lumber is used, use no pressure treated lumber		
Subtotal			0	
BENCHMARKING				
5-82	5	Commit to annual tracking of building trash using ENERGY STAR Portfolio Manager and to sharing with Built Green		
Subtotal			0	
EXTRA CREDIT / INNOVATION for Materials Efficiency				
5-83	1-10	Extra credit / innovation for Materials Efficiency		
Subtotal			0	
MATERIALS EFFICIENCY TOTAL			73	

SECTION 6: OPERATION, MAINTENANCE & TENANT EDUCATION				
6-1	7	Provide educational materials designed for the public that highlight the green building features and their performance that are included in the project	7	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-2	5	Prepare an environmentally friendly operations and maintenance plan for common area facilities	5	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-3	5	Prepare an environmentally friendly landscape operations and maintenance plan	5	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-4	6	Develop and provide a building-wide food waste disposal strategy		
6-5	7	Require tenants to sign an energy consumption data release form (if separately metered)		
6-6	5	Require tenants to sign a water consumption data release form (if separately metered)		
6-7	7	Conduct training sessions for maintenance staff and/or residents	7	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-8	5	Give individual feedback to all tenants about their energy consumption in comparison to others and/or building average		
6-9		Provide tenants with materials including information on:		
6-9a	1	Where to dispose of food waste (compost)	1	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-9b	1	Where to dispose of recycleables	1	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-9c	1	General practices to conserve water and energy	1	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-9d	1	Transportation options and resources	1	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-9e	3	EVs, their benefits, and where to charge them	3	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-9f	2	Green features and benefits of the buildings	2	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
6-9g	3	Maintenance checklists for their unit	3	MAY NOT BE IN BASELINE PROJECT, BUT LIKELY FOR OTHERS WITHIN JURISDICTION
OPERATION, MAINTENANCE & TENANT EDUCATION TOTAL			36	

PROJECT SUMMARIES	
SECTION 1: BUILT GREEN TEAM	1
SECTION 2: SITE & WATER	139
SECTION 3: ENERGY	67
SECTION 4: HEATH & INDOOR AIR QUALITY	108
SECTION 5: MATERIALS EFFICIENCY	73
SECTION 6: OPERATION, MAINTENANCE & TENANT EDUCATION	36
GRAND TOTAL	
	424

Appendix 4 - Passive House Strategies

Comparative Analysis of LEED, Built Green, & Passive House

- **Air Tightness Requirement:** 0.05 CFM50 and 0.08 CFM75 per square foot of gross envelope (WSEC requires 0.40 CFM75). Requires continuous air barriers and a rigorous threshold for the ASTM E779 fan pressure test. Advanced sealing measures: General Contractor estimate required.
- **Source Energy Limit:** 6200 kWh per person per year.
- **Roof Assembly:** target R-81 (WSEC stipulates R-49 for in-roof insulation; R-38 for above-deck insulation).
- **Wall Assembly:** above-grade target R-39 (WSEC stipulates R-21 for wood frame construction). Requires either deeper studs and/or adding exterior, continuous insulation.
- **Space Conditioning:** non-standard mechanical systems are typically required to comply (e.g. Energy Recovery Ventilation [ERV], possible heat-pump heating): Attention to building geometry – less complicated perimeter (e.g. rectangle or L-shape) will be more efficient for thicker insulation & infiltration mitigation.
- **Materials:** thicker/denser insulation, triple pane glazing, additional sealing and thermal bridging strategies, and additional shading strategies.
- **Resources:**
 - <http://www.phius.org/phius-2015-new-passive-building-standard-summary>
 - *PHIUS+ Certification for Multifamily Performance Requirements (v2.0)*
 - http://www.phius.org/PHIUSPlus2015docs/PHIUS-Plus_Multifamily-Certification-Standard-v2.1.pdf

August 28, 2018

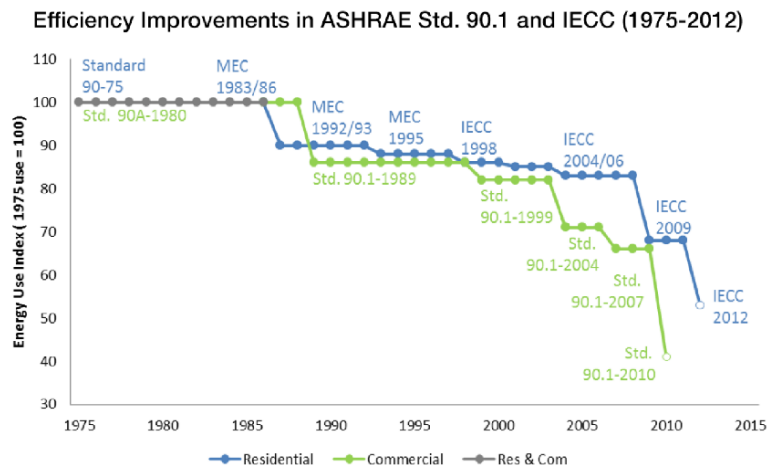
Miranda Redinger, Senior Planner
Planning & Community Development
City of Shoreline
17500 Midvale Ave N.
Shoreline, WA 98133

Dear Miranda,

Thank you for the opportunity to share our perspectives regarding Green Building Practices and their application in the City of Shoreline. While the majority of our comments are specifically made in reference to our Shoreline Place redevelopment, the principles and concepts apply to the City of Shoreline as a whole.

For more than 25 years our partnership has acted as an owner, operator and developer of more than 25 million square feet of retail and retail driven mixed-use projects on the west coast. We are not a merchant builder which means that we have a perspective that extends across the lifecycle of an asset. It is with this experience in mind that we share the following observations regarding Green Building Practices:

1. Our experience suggests that incentivizing thoughtful, well-planned redevelopment of existing, obsolete infrastructure and inefficient improvements results in the most significant sustainability gains for a municipality.
2. Current building code, storm water regulations and mechanical, electrical and plumbing (MEP) code provisions dictate green building practices and standards. As these building codes have been updated and adopted with the increased technological advancements and policy goals for environmental sustainability, the initiatives that were once optional are now effectively mandated as shown below.



3. The adopted Washington State Energy Code exceeds the minimum requirements of USGBC LEED v4 (<https://new.usgbc.org/leed-v4>) and mandates new construction be at least 60 percent more efficient than the existing structures on site (<https://www.energycodes.gov/adoption/states/washington>).
4. These widely adopted standards that extend throughout the building industry supply chain reflect responses to market demand and supply constraints while addressing policy objectives. As a result, these “baseline” standards in the energy code capture the largest percentage of efficiency gains, especially when properties are actually redeveloped. Modern building materials and construction are inherently more efficient than in the past.
5. Given the built-out nature of Shoreline, commercial development of any kind involves the redevelopment of existing land use. Current code and regulatory standards are much more stringent than those applied to existing sites developed 40-50 years ago. Indeed, many standards such as storm water management did not even exist 40-50 years ago.
6. Many well intentioned policy makers lack sufficient feedback at the asset level to recognize and celebrate the significant gains achieved through redevelopment of existing inefficient buildings and infrastructure, which when combined with planning policies such as mass transit and Transit Oriented Development (TOD), are the most significant forces behind sustainability in the built environment.
7. In regards to Green Building Practices, it is important for policy makers to take note of the fact that due to the existing sustainability requirements mandated within the building code, the current discussions about Green Buildings are really about the small remainder of incremental improvements that could potentially be achieved but are often less impactful than the existing mandates on an incremental basis (when compared against the prospect of an older project not being redeveloped for example).
8. These final increments are expensive and often not reasonably achieved from a physical or operational stand point. The unintended consequence of pursuing these incremental gains through public policy and mandates related to Green Building Practices can often result in a stifling of redevelopment. For example, if a project is mandated to comply with a program or standard to reduce water usage below a certain benchmark, an unintended consequence may be a lack of necessary infrastructure for certain water dependent restaurants or businesses to operate, thereby rendering the program counter-productive.
9. Over-regulation including policies that do not deliver quantifiable returns on investment tend to stifle redevelopment by increasing costs and creating greater complexity and risk with little or no economic benefit.
10. Since the benefits of these incremental gains are typically found in operational efficiencies (utility bills), end users rather than the developers (typically not the end users themselves) must be willing and able to pay for these incremental costs.
11. End users may not accept additional cost or operation and maintenance (O&M) implications of “additional” green mandates especially when the incremental gains above the already mandatory building

code measures are not noticeable and the cost associated with the mandated standards are already incorporated into the project cost.

12. Additional regulations are also typically not cost or economic cycle sensitive, creating greater obstacles when the economy is weak or construction costs are inflationary.
13. The largest gains on sustainability are transportation related, thus TOD with public transportation investments or infill redevelopment around existing land uses and infrastructure investments are the true keys to successful sustainability implementation. These investments result in the highest rate of return on environmental sustainability rather than focusing on achieving the last increments of sustainability at the risk of disincentivizing the former through redevelopment.
14. There are also challenges with the implementation of Green Building programs. With various standards, metrics and green systems they do not tend to work well together (the exception being LEED and Energy Star).
15. As well intended green building initiatives and mandates have proliferated, a cottage industry has formed competing to differentiate themselves. Because there is no one-size-fits-all program, various niche programs have formed. Oftentimes they are so complex that a municipality or participating developer are required to hire a costly consultant to navigate the paperwork for compliance and certification.
16. While fee waiver incentives serve to acknowledge the cost impact of the additional regulation, the proportional cost is rarely recovered due to the actual soft costs to navigate, comply and certify under the programs. O&M expenses are also rarely captured in offset evaluations or payback analyses.
17. For the vast majority of property types and markets, certifying LEED or other green programs represents substantial costs with little benefit.
18. These programs are especially burdensome on smaller scale commercial redevelopment as dictated by smaller parcels that are already challenging and risky to redevelop to begin with. Given an added layer of risk and process many non-institutional developers would just as soon pass on an opportunity to redevelop if a green building mandate exists.
19. The City has invested considerable resources in trying to create incentives for redevelopment, particularly in the CRA. The added regulation would act as a disincentive, running counter to these investments especially when the construction cost environment is high and the green building mandates in the building code are already in place.
20. Encouraging redevelopment acts as a catalyst for the implementation of planning policies such as the Aurora Square Community Renewal Area.
21. Redevelopment of the former Sears, for example, will result in a healthier, more sustainable environment through implementation of the mandated building code requirements in addition to the provision for a

new Town Green and a walkable neighborhood with new retail and restaurant spaces and excellent access to transit.

22. If redevelopment of the Sears were disincentivized, for example, there would be relatively minor improvements to the Sears building to allow it to be leased for 10 – 20 years, with the result being an expansive surface parking lot with no storm water control and inefficient building systems remaining in place.

If Shoreline has a competitive advantage in relation to adjacent communities, it is our recommendation that Shoreline maintain that advantage by not imposing additional cost and regulatory requirements.

Respectfully,



James Gwilliam
Vice President, Development



Barron Caronite, PE
Director, Land Development



Glenn Goodman
Director, Design & Construction

cc: Debbie Tarry, City Manager
Paul Cohen, Planning Manager
Nathan Daum, Economic Development

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Resolution No. 433 - Revising the Employee Handbook
DEPARTMENT:	Human Resources
PRESENTED BY:	John Norris, Assistant City Manager
ACTION:	<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:

The Employee Handbook (“Handbook”) contains the City’s personnel policies and practices. The Handbook was last comprehensively updated in 2017. The proposed updates outlined in proposed Resolution No. 433 (Attachment A) are in response to updating the “Standby and Call Back Policy,” an administrative policy established in 2011 and recently approved for update by the City Manager in December 2018.

To ensure consistency with this updated Policy, staff conducted a review of the Handbook and identified the need for three modifications:

- Defining “Fit for Duty,”
- Amending the Standby Procedures, and
- Increasing the minimum hours from two (2) to three (3) hours an employee is paid when called back to work from standby.

Tonight, Council is scheduled to discuss proposed Resolution No. 433, which provides for this Handbook update. Proposed Resolution No. 433 is currently scheduled to be adopted on January 28, 2019.

RESOURCE/FINANCIAL IMPACT:

The increase from the minimum of two to three hours an employee is paid when called back to work from standby is approximately \$3,000-\$6,000 per year. This estimate is based on assuming 80 callbacks per year being under three hours but more than the existing two-hour minimum for Code Enforcement/Customer Response Team, Ronald Wastewater, and Streets Crews. For reference, the Code Enforcement/Customer Response Team was called back to work for about 80 calls per year between 2008-2018.

RECOMMENDATION

No action is required as this item is for discussion purposes only. However, when this item is brought back for Council action, currently scheduled for January 28, 2019, staff recommends that Council adopt Resolution No. 433 to update the Employee Handbook.

Approved By: City Manager *DT* City Attorney *MK*

BACKGROUND

The Employee Handbook (“Handbook”) contains the City’s personnel policies and practices. The Handbook was last comprehensively updated in 2017 and adopted via Resolution No. 407. This current Handbook is attached to this staff report as Attachment B.

The City has an administrative policy, the Standby and Callout Services Policy, which was originally adopted in 2011 (City Clerk Receiving No. 6651). The Customer Response Team (CRT) reorganization to include all code enforcement under one team gave the City an opportunity to review how the City meets the policy of providing 24 hour/day, 7 day/week, first responders to emergency issues not requiring a fire, police, or medical (911) response. The result of this review was an update to the Standby and Callback Policy.

Updates to the Standby and Callback Policy include:

- Expanding the number of responders from three to twelve by adding the Public Works Streets Crew to the rotation;
- Removing the Code Enforcement/Customer Response Team (CECRT) supervisor from the rotation;
- Contracting with an answering service to provide triage for non-business hours calls; and
- Transitioning from a pager to a cellular phone for use by the employee on standby.

The City Manager approved the updated Policy in December 2018.

DISCUSSION

The update of the Standby and Callback Policy necessitates nominal amendments to the Employee Handbook to maintain consistency between the Handbook and the updated Policy. These amendments are shown in Exhibit A to Attachment A. After a staff review, only three modifications were needed – the addition of a new definition, updates to standby procedures, and the modification of minimum callback hours.

Fit for Duty

Definitions: N. Fit for duty. Physically and mentally capable of safely performing the essential functions of the job.

Being Fit for Duty was never formally defined in the Handbook. This definition gives employees the expectation of how they should report to work in order to complete their job responsibilities safely. The updated Standby and Callout Services Policy requires employees to be Fit for Duty for the entire period of their standby shift, so the City needed to define this term, and staff felt the most appropriate place for this definition is in the Handbook.

Standby Procedures

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~~ cellular phone so that they may be reached to conduct official business. 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~~ must make every attempt to report to work within 60 minutes, but no later than within 90 minutes of notification. 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.

The Standby Procedures section of the Handbook currently references the use of a pager, which is being discontinued under the new Standby and Callback Policy. This section is being updated accordingly so that it is in alignment with the new Policy. As well, staff is recommending that the requirement to report to work within an hour be changed to 90 minutes. This reporting time is more realistic for staff and is also in alignment with the Policy. Both the Handbook and the Standby and Callback Policy do state however that employees must make every attempt to report to work within 60 minutes but provides some additional time if this is not feasible.

Minimum Callback Hours

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

Staff completed an analysis of Shoreline's comparable cities standby and callback procedures and staff compensation. Eleven of the 13 cities with data available to City staff pay staff a minimum of three hours when standby staff is called back to work. Given this review, staff is comfortable making this recommendation to increase the minimum number of hours for callback.

RESOURCE/FINANCIAL IMPACT

The increase from the minimum of two to three hours an employee is paid when called back to work from standby is approximately \$3,000-\$6,000 per year. This estimate is based on assuming 80 callbacks per year being under three hours but more than the existing two-hour minimum for Code Enforcement/Customer Response Team, Ronald Wastewater, and Streets Crews. For reference, the Code Enforcement/Customer Response Team was called back to work for about 80 calls per year between 2008-2018.

RECOMMENDATION

No action is required as this item is for discussion purposes only. However, when this item is brought back for Council action, scheduled for January 28, 2019, staff recommends that Council adopt Resolution No. 433 to update the Employee Handbook.

ATTACHMENTS

Attachment A: Resolution No. 433

Attachment A, Exhibit A: Employee Handbook Revisions

Attachment B: Current Employee Handbook as Adopted by Resolution No. 407

RESOLUTION NO. 433

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON
ADOPTING REVISIONS TO PERSONNEL POLICIES SET FORTH IN
THE EMPLOYEE HANDBOOK RELATED TO THE STANDBY AND
CALLBACK POLICY.**

WHEREAS, the City Council has provided for benefits and working conditions in the Employee Handbook which sets forth the City's personal policies; and

WHEREAS, the Employee Handbook was last comprehensively updated in 2017 with the adoption of Resolution No. 402, with additional amendments adopted via Resolution No. 407; and

WHEREAS, in 2011, the City's Standby and Call-Out Services Policy, Policy No. 6651, was administratively adopted and this Policy has recently been revised and updated by the City Manager, and is now titled Standby and Callback Services Policy; and

WHEREAS, these revisions and updates require amendments to certain portions of the Employee Handbook so as to be consistent with the newly updated Policy; and

WHEREAS, on December 10, 2018, the City Council discussed the proposed revisions to the Employee Handbook and have given full consideration to the proposed revisions;

**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 set forth in Exhibit A.

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.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this resolution or its application to any person or situation be found unconstitutional or invalid for any reason by any court of competent, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED BY THE CITY COUNCIL ON JANUARY 28, 2019.

Will Hall, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk

**RESOLUTION NO. 433
EXHIBIT A**

SECTION II DEFINITIONS is amended as follows:

N. Flex-Time Fit for duty.

~~A work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director.~~ Physically and mentally capable of safely performing the essential functions of the job.

N O. 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.

O P. Immediate Family

Unless defined otherwise in these policies, immediate family is:

- A spouse or domestic partner.
- A child, parent or sibling of the employee, employee's spouse or domestic partner.
 - o Child includes adopted, biological, foster, grand, step, child of a legal guardian or a person standing in loco parentis or a de facto parent; regardless of age or dependency status.
 - o Parent includes adoptive, biological, foster, grand, step and a person who was a legal guardian or stood in loco parentis or was a de facto parent.
 - o Sibling includes adopted, biological, foster, or step.

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.)

P Q. Insubordination

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

Q R. Intern

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

R S. In Loco Parentis

A person who acts in the place of a parent with legal responsibility to take on some of the functions and responsibilities of a parent.

S T. Non-Exempt Employee

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

T U. Normal Pay

Pay for scheduled hours of work at 1.0 (one) times the hourly rate of pay.

U V. 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.

W W. Separation from Service

Any case where employment ends through death, retirement, resignation, layoff or otherwise a termination of employment.

W X. 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.

X Y. 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.

Y Z. 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.

Z AA. Transfer

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

AA BB. 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 15th Avenue N.E.

North Maintenance Facility, 19547 25th Ave NE

Richmond Highlands Recreation Center: 16544 Fremont Avenue N

Shoreline Pool: 19030 1st Avenue N.E.

Spartan Recreation Center: 202 NE 185th Street

BB CC. 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.

CC DD. 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.

**Section V General Working Conditions and Personnel Administration,
Subsection D Standby is amended as follows:**

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~~ cellular phone so that they may be reached to conduct official business. 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~~ must make every attempt to report to work within 60 minutes, but no later than within 90 minutes of notification. 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.

**Section V General Working Conditions and Personnel Administration,
Subsection E Callback is amended as follows:**

E. Callback

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



EMPLOYEE HANDBOOK

Last updated: 06/12/2017
Council Resolution 407

Contents

- I. INTRODUCTION8**

- II. APPLICABILITY AND AUTHORITY8**
 - A. Applicability 8**
 - B. At Will 8**
 - C. Local, State or Federal Law..... 8**
 - D. Authority..... 8**

- III. DEFINITIONS9**
 - A. Anniversary Date 9**
 - B. Break in Service..... 9**
 - C. Callback..... 9**
 - D. City..... 9**
 - E. City Manager 9**
 - F. Core Hours 9**
 - G. Demotion 9**
 - H. De Facto Parent 9**
 - I. Department Director 9**
 - J. Domestic Partner 9**
 - K. Drugs 10**
 - L. Employment Status Definitions 10**
 - 1. Regular Full Time 10
 - 2. Regular Part Time 10
 - 3. Limited Term 10
 - 4. Extra Help..... 10
 - M. Exempt Employee 11**
 - N. Flex-Time..... 11**
 - O. Immediate Family..... 11**

- P. Insubordination..... 12**
- Q. Intern 12**
- R. In Loco Parentis..... 12**
- S. Non-Exempt Employee 12**
- T. Normal Pay 12**
- U. Promotion..... 12**
- V. Separation from Service..... 12**
- W. Standby 12**
- X. Step Increase Date..... 12**
- Y. Time in Paid Status..... 12**
- Z. Transfer 12**
- AA. Work Location..... 12**
- BB. Work Week 13**
- CC. Y-Rating..... 13**

- IV. EMPLOYMENT POLICIES13**
 - A. Recruitment and Selection..... 13**
 - 1. External and Internal Recruitment 13
 - 2. Internal Recruitment Only 13
 - B. Reference Checking 14**
 - C. Subpoenas and Depositions 14**
 - D. Prohibited Political Activities – Code of Ethics, Appendix A..... 14**
 - 1. Use of City Resources, Property, Authority and Influence..... 14
 - 2. Coercion 15
 - 3. Elected Office, Commission or Board Service..... 15
 - 4. Conflict of Interest 15
 - E. Prohibited Personal Gain - Code of Ethics, Appendix A..... 15**
 - F. Employee Orientation..... 16**
 - 1. Orientation Period for Initial Hire..... 16
 - 2. Orientation Period for Promoted or Transferred Employees 16
 - G. Equal Employment Opportunity 17**

- H. Prohibition of Employee Harassment..... 17
- I. Discrimination Complaint Procedure 17
- J. Employment of Immediate Family 18
- K. Personnel Files 19
- L. Reporting Improper Governmental Action..... 19
- M. Outside Employment 21

- V. GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION23
 - A. Working Hours 23
 - B. Breaks..... 23
 - 1. Lunch and Rest Breaks 23
 - 2. Lactation Breaks..... 23
 - C. Overtime 23
 - D. Standby 23
 - E. Callback..... 24
 - F. Compensatory Time 24
 - G. Twelve Hour Shift..... 24
 - H. Inclement Weather 26
 - I. Performance Evaluations 26
 - J. Classification and Compensation Plan 26
 - 1. Job Classification 27
 - 2. Classification Review 27
 - 3. Steps and Increases 28
 - 4. Starting Rates of Pay 28
 - 5. Promotion 28
 - 6. Transfer..... 28
 - 7. Demotion 29
 - 8. Y-Rating 29
 - 9. Pay Schedule..... 29
 - 10. Out of Class Pay 29
 - K. Garnishment..... 29
 - L. Employee Training and Development 30
 - M. Educational Reimbursement Program 30

- N. Reasonable Accommodation..... 30**

- VI. BENEFITS31**
 - A. Group Insurance 31**
 - B. Social Security Replacement Plan..... 32**
 - C. 457 Plan..... 32**
 - D. Retirement..... 32**
 - E. Vacation..... 32**
 - 1. Accrual Table 32
 - 2. Carryover Maximum..... 32
 - 3. Carryover Exceptions 33
 - 4. Forfeiture 33
 - 5. Requesting Vacation..... 33
 - 6. Separation from Service..... 33
 - F. Management Leave..... 34**
 - G. Holidays..... 34**
 - 1. Observed Holidays..... 34
 - 2. Personal Days 35
 - 3. Holidays for Reason of Faith or Conscience..... 35
 - H. Sick Leave – Regular and Limited Term Employees 35**
 - 1. Purpose..... 35
 - 2. Use of Sick Leave 35
 - 3. Conversion of Vacation to Sick Leave 36
 - 4. Maximum Balance..... 36
 - 5. Separation from Service..... 36
 - 6. Rehired 36
 - 7. On-the-job Injury..... 36
 - I. Sick Leave – Extra Help Employees 37**
 - 1. Accrual and Eligibility to Use Sick Leave..... 37
 - 2. Maximum Carryover..... 37
 - 3. Separation from Service..... 37
 - 4. Rehired within Twelve Months 37
 - 5. On-the-job Injury..... 37
 - J. Donated Leave 37**
 - 1. Criteria 38
 - 2. Donation 38
 - 3. Value of Leave..... 38
 - 4. Treatment of Leave Remaining..... 38
 - 5. No Cash Out 38
 - K. Family Leave under FMLA..... 38**
 - 1. Length of Family Leave and Eligibility..... 38

- 2. Reasons for Taking Leave 38
- 3. Definitions 39
- 4. Intermittent Leave 40
- 5. Paid Leave before Unpaid Leave 40
- 6. Advance Notice 40
- 7. Medical Certification 41
- 8. Periodic Reporting 41
- 9. Health Insurance 41
- 10. Other Insurance 41
- 11. Couples Employed by the City 41
- 12. Determining Leave Availability 42
- 13. Special Rule for Leave Related to Pregnancy 42
- 14. Return Rights after Family Leave 42

- L. Supplemental Paid Family Leave 42**
 - 1. Eligibility 42
 - 2. Benefit Amount 43
 - 3. Benefit Period, Frequency, and Concurrency 43
 - 4. Job Protection and Health Benefits 44
 - 5. Procedure for Requesting Supplemental Paid Family Leave 44
 - 6. Time Recording 44

- M. Spousal Military Deployment Leave under Washington State Law 44**

- N. Medical Leave of Absence (non FMLA) 45**

- O. Leave of Absence Without Pay 45**

- P. Continuation of Benefits 45**

- Q. Bereavement Leave 45**

- R. Court and Jury Duty Leave 46**

- S. Military Leave 46**
 - 1. Military Training 46
 - 2. Active Duty Military Service 46

- T. Victims of Domestic Violence Leave 47**

- VII. STANDARDS OF EMPLOYEE CONDUCT 48**
 - A. Personal Appearance and Demeanor 48**
 - B. Absenteeism and Tardiness 48**
 - C. Solicitations and Distribution of Literature 48**
 - D. Drug-Free Workplace 48**
 - E. Safety 50**

- F. Weapons..... 50**
- G. Workplace Violence 50**
- H. Tobacco and Vaping Free Workplace..... 51**
- I. General Conduct..... 51**
- J. Searches of Property..... 51**
- K. Corrective Action Procedure 51**
 - 1. Progressive Discipline 51
 - 2. Pre-Disciplinary Hearing. 53
- L. Complaint Resolution Procedure 53**
 - 1. Resolving Conflict Informally 53
 - 2. Resolving Conflict Formally 53

- VIII. SEPARATION FROM EMPLOYMENT.....54**
- A. Resignation 54**
- B. Unauthorized 3 Day Absence..... 54**
- C. Separation Procedures..... 54**
- D. Layoff (Reduction in Force) 55**
 - 1. Notice 55
 - 2. Order of Layoff..... 55
 - 3. Options..... 55
 - 4. Layoff Support 55
 - 5. Severance 55
 - 6. Rehire List 55

- IX. CLOSING STATEMENT56**

- X. APPENDIX A - CODE OF ETHICS57**

- XI. CITY OF SHORELINE EMPLOYEE HANDBOOK ACKNOWLEDGMENT.....59**

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. De Facto Parent

A person who has had their parental rights and responsibilities determined by a court as to a child for whom they are not the legal parent, whether biological, adoptive or otherwise.

I. 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.

J. 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.

K. 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.

L. 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.

M. 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.

N. 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.

O. Immediate Family

Unless defined otherwise in these policies, immediate family is:

- A spouse or domestic partner.
- A child, parent or sibling of the employee, employee's spouse or domestic partner.
 - Child includes adopted, biological, foster, grand, step, child of a legal guardian or a person standing in loco parentis or a de facto parent; regardless of age or dependency status.
 - Parent includes adoptive, biological, foster, grand, step and a person who was a legal guardian or stood in loco parentis or was a de facto parent.
 - Sibling includes adopted, biological, foster, or step.

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.)

P. Insubordination

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

Q. Intern

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

R. In Loco Parentis

A person who acts in the place of a parent with legal responsibility to take on some of the functions and responsibilities of a parent.

S. Non-Exempt Employee

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

T. Normal Pay

Pay for scheduled hours of work at 1.0 (one) times the hourly rate of pay.

U. 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.

V. Separation from Service

Any case where employment ends through death, retirement, resignation, layoff or otherwise a termination of employment.

W. 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.

X. 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.

Y. 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.

Z. Transfer

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

AA. 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 15th Avenue N.E.

North Maintenance Facility, 19547 25th Ave NE
Richmond Highlands Recreation Center: 16544 Fremont Avenue N
Shoreline Pool: 19030 1st Avenue N.E.
Spartan Recreation Center: 202 NE 185th Street

BB. 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.

CC. 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. Subpoenas and Depositions

Sometimes an employee may receive a notice that they are being subpoenaed regarding City business, such as being required to give a deposition. If an employee receives such a notice directly, the employee is to immediately notify the City Attorney's office. The City Attorney's office will assist the employee in preparing for the deposition and will accompany the employee to the deposition, providing the appropriate support for the employee during the deposition as provided by court rule and law.

D. 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.

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.

E. 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.

F. 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.

G. 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 IV.I, Discrimination Complaint Procedure.

H. 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.

I. 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.

J. 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.

K. 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.

L. 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:

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

M. 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 VII.L 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 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.

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. Observed holidays are:

New Year's Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving	4 th 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 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 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 – 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. Rehired

Employees who are rehired within twelve months of a separation in service shall have their unused sick leave balance restored.

7. 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. Sick Leave – Extra Help Employees

This section becomes effective January 1, 2018.

Extra Help employees perform work that is seasonal, variable, intermittent, or part time for a few hours each week; their sick leave benefit is based on actual hours worked.

1. Accrual and Eligibility to Use Sick Leave

Employees will accrue one hour of sick leave for every forty hours worked.

Beginning on the ninetieth calendar day after being hired, employees may use accrued sick leave for an illness or disability that requires the employee to be absent from their scheduled work hours. The illness or disability may be their own or that of an immediate family member.

2. Maximum Carryover

The maximum unused sick leave that may be carried over from one calendar year to the next is forty hours.

3. Separation from Service

Sick leave hours are not cashed out upon separation from service and may not be used to extend employment beyond the last scheduled day of work.

4. Rehired within Twelve Months

Employees who are rehired within twelve months shall have their unused sick leave balance restored and will have satisfied their eligibility to use sick leave as required in section one of this policy.

5. 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 pay for scheduled hours of work. If an employee is awarded time loss payments for a period that the employee has already used sick leave, the employee shall submit the L & I check to Finance and 'buy back' the equivalent amount of sick leave used. While on time loss, the employee's pay may not exceed the employee's normal pay when not on time loss.

J. 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.

K. 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.

L. 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 an FMLA qualifying event that documents the need 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 a year, calculated on a rolling 12 month period from the start of the supplemental paid family leave.

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.

M. 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.

N. 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.

O. 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.

P. 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.

Q. 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.

R. 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.

S. 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.

T. 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:

Attachment B

- 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. Prior to a decision to terminate an employee, a pre-disciplinary hearing must be held.

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion; these also require a pre-disciplinary hearing before the decision is made.

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.

XI. CITY OF SHORELINE EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I understand that the information contained in the Employee Handbook represents guidelines only and that the City reserves the right to modify, amend or terminate these policies at any time.

I understand that these policies are not a contract of employment, express or implied, or a guarantee of employment for any specific duration between me and the City and I should not view it as such.

I acknowledge receipt of these policies and have read and understand their contents.

Employee's
Signature

Date

Printed Name
