



SHORELINE CITY COUNCIL REGULAR MEETING

Monday, January 9, 2023

7:00 p.m.

Council Chamber · Shoreline City Hall

<https://zoom.us/j/95015006341>

Phone: 253-215-8782 · Webinar ID: 950 1500 6341

	<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. APPROVAL OF THE AGENDA		
4. REPORT OF THE CITY MANAGER		
5. COUNCIL REPORTS		
6. PUBLIC COMMENT		

The City Council provides several options for public comment: in person in the Council Chamber; remote via computer or phone; or through written comment. Members of the public may address the Council during regular meetings 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 comments are being recorded.



Sign up for In-Person Comment the night of the meeting. *In person speakers will be called on first.*



[Sign up for Remote Public Comment.](#) *Pre-registration is required by 6:30 p.m. the night of the meeting.*



[Submit Written Public Comment.](#) *Written comments will be presented to Council and posted to the website if received by 4:00 p.m. the night of the meeting; otherwise, they will be sent and posted the next day.*

7. CONSENT CALENDAR		7:20
(a) Approval of Minutes of Special Meeting of November 14, 2022	<u>7a1-1</u>	
Approval of Minutes of Special Meeting of November 28, 2022		
Approval of Minutes of Regular Meeting of November 28, 2022		
Approval of Minutes of Regular Meeting of December 5, 2022		
(b) Approval of Expenses and Payroll as of December 30, 2022 in the Amount of \$11,090,563.25	<u>7b-1</u>	
(c) Action on Resolution No. 505 - Amending the Council Rules of Procedure	<u>7c-1</u>	
(d) Authorize the City Manager to Execute Contract with David Evans & Associates, Inc. in the Amount of \$271,825 for Engineering Design Services for the N 175 th Street Sanitary Sewer Replacement Project	<u>7d-1</u>	

- (e) Authorize the City Manager to Execute a Contract with Reid Middleton, Inc. in the Amount of \$298,000 for Design of the 160th & Greenwood/Innis Arden Roundabout Project 7e-1
- (f) Authorize the City Manager to Execute three Contracts with BHC Consultants, CWA Consultants and West Coast Code Consultants for On Call Building Plan Review Services, Each in the Amount of \$125,000 7f-1
- (g) Authorize the City Manager to Execute Amendment No. 5 with The Blueline Group, LLC in the Amount of \$120,000 for On-Call Development Review 7g-1
- (h) Authorize the City Manager to Execute an Amendment to the Contract with TCF Architecture, LLC for additional Services During Construction for the Ballinger Maintenance Facility Project in an Amount Not to Exceed \$100,000 7h-1
- (i) Authorize the City Manager to Execute Contract with David Evans & Associates, Inc. in the Amount of \$153,075 for Engineering Design Services for the City of Shoreline Lift Station 15 Conceptual Design 7i-1

8. STUDY ITEMS

- (a) Discussion of Resolution No. 503 - Amending the Employee Handbook 8a-1 7:20
- (b) Discussion of Ordinance No. 978 – Amending SMC Chapter 2.20 Planning Commission, Chapter 2.55 Parks, Recreation and Cultural Services Board, and Chapter 2.70 Compensation and Salary Commission to Provide Compensation for City Boards and Commissions 8b-1 7:45
- (c) Discussion of Ordinance No. 979 - Amending SMC Chapter 2.55 Park, Recreation, and Cultural Services Board to Reflect Department Name, Term Limits, and other Housekeeping Amendments 8c-1 8:05

9. ADJOURNMENT 8:25

Any person requiring a disability accommodation should contact the City Clerk's Office at 206-801-2230 in advance for more information. For TTY service, call 206-546-0457. For up-to-date information on future agendas, call 206-801-2230 or visit the City's website at shorelinewa.gov/councilmeetings. Council meetings are shown on the City's website at the above link and on Comcast Cable Services Channel 21 and Zply Fiber 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.

DOWNLOAD THE ENTIRE CITY COUNCIL PACKET FOR JANUARY 9, 2023



[LINK TO STAFF PRESENTATIONS](#)



[LINK TO PUBLIC COMMENT RECEIVED](#)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Proclamation Declaring January 16, 2023, as Dr. Martin Luther King Jr. Day in the City of Shoreline		
DEPARTMENT:	Community Services		
PRESENTED BY:	Sunil Tolton, Diversity and Inclusion Coordinator		
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

PROBLEM/ISSUE STATEMENT:

In 1983 President Ronald Reagan signed a bill designating the third Monday of January as a federal holiday to honor Reverend Dr. Martin Luther King, Jr., one of the most important civil rights leaders who fought to end racial segregation through nonviolent action.

Born on January 15, 1929, Rev. Dr. Martin Luther King, Jr. skipped both 9th and 11th grades and graduated from high school at the age of fifteen. He attended Morehouse College in Atlanta, where his father and grandfather graduated and studied theology in Pennsylvania at Crozer Theological Seminary. He met and married his wife Coretta Scott in Boston in 1953 and graduated from Boston University with his doctorate in 1955.

As pastor of the Dexter Avenue Baptist Church in Montgomery, Alabama, Rev. Dr. King served as a member of the executive committee of the National Association for the Advancement of Colored People (NAACP) and was selected to lead the Montgomery Bus Boycott of 1955, which lasted 382 days and resulted in the end of segregation on buses. Following the victory from the Montgomery Bus Boycott, 60 ministers and civil rights activists founded the Southern Christian Leadership Conference (SCLC) in 1957 and elected Rev. Dr. King as president, which increased his national presence in support of nonviolent protests, Black voter registration drives, and community organizing efforts.

In 1963, images of Black children being brutally attacked with police dogs and water hoses in Birmingham, Alabama were broadcast nationally highlighted the terrors of racial injustice and Rev. Dr. King's "Letter from a Birmingham Jail" explained the rationale for direct action as necessary for change. On August 28, 1963, Rev. Dr. King gave his famous "I Have a Dream" speech at the historic March of Washington with over 200,000 people present. The demonstrations and increased national awareness of racial injustice led to the Civil Rights Act of 1964 which ended segregation in public places and banned employment discrimination. The calls for racial justice also enabled

Congress to pass the 1965 Voting Rights Act which prohibits racial discrimination in voting.

In following years, Rev. Dr. King became a vocal opponent of the Vietnam War and worked to unite all in a multiracial coalition with the “Poor Peoples Campaign” to address poverty, unemployment, and advocate for economic justice. Tragically, he was murdered on April 4, 1968, in Memphis, Tennessee, where he had arrived to support a sanitation workers’ strike.

Rev. Dr. King will forever be heralded as an eloquent champion for civil rights despite the constant criticism, threats on his life, and imprisonment that he and his family endured. In 1964 Rev. Dr. King became the youngest person at the time to receive the Nobel Peace Prize at the age of 35. Guided by his Christian faith and influenced by the teachings of nonviolence by Mahatma Gandhi, Rev. Dr. Martin Luther King, Jr. inspired the nation and the world to fight for justice and end racial discrimination through direct action rather than passively allowing injustices to persist.

In recognition of his service, King County was officially renamed in his honor on April 19, 2005, when Washington Governor Christine Gregoire signed Senate Bill 5332 into law. This step finalized a process that began in 1986 when the King County Council passed a motion to name the county after Martin Luther King, Jr.

RECOMMENDATION

Staff recommends that the Mayor announce the issuance of the proclamation.

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



PROCLAMATION

WHEREAS, Reverend Dr. Martin Luther King, Jr., born on January 15, 1929, devoted his life to advancing equality, social justice, and opportunity for all through nonviolence; and

WHEREAS, the Reverend Dr. King called upon all to challenge "man's hostility to man," stating that all people "are tied in an escapable network of mutuality, tied in a single garment of destiny " and that whatever affects one directly, affects everyone indirectly; and

WHEREAS, to achieve Reverend Dr. King's "Beloved Community," there is no true justice without equality; and

WHEREAS, each of us can and must work to make our communities better by undoing individual, institutional, and structural racism through examining and changing our behaviors, beliefs, and policies; and

NOW, THEREFORE, I, Keith Scully, Mayor of the City of Shoreline, on behalf of the Shoreline City Council, do hereby proclaim January 16, 2023, as

MARTIN LUTHER KING JR. DAY

And encourage all residents to work to end racism and fight for justice for all.

Keith Scully, Mayor

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, November 14, 2022
5:45 p.m.

Conference Room 440 - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Scully, Deputy Mayor Robertson, and Councilmembers McConnell, Mork, Pobee, and Ramsdell

ABSENT: Councilmembers Roberts

STAFF: Assistant City Manager John Norris, and Intergovernmental Programs Manager, Jim Hammond

GUESTS: Representative Cindy Ryu
Representative Lauren Davis, and
State Lobbyist Debora Munguia

At 5:56 p.m., the special meeting was called to order by Mayor Scully. All Councilmembers were present except for Councilmember Roberts.

148th Street Non-Motorized Bridge

Mayor Scully explained the situation related to funding for the 148th Street Non-Motorized Bridge. He stated that while funding was acquired for the bridge, the Washington State Department of Transportation (WSDOT) ranked the project too far in the future. Intergovernmental Program Manager, Jim Hammond, affirmed that \$7 million from the State has been allocated as future funding for the project. Even so, he pointed out that the City is in a good position to advocate to move forward with development and he suggested that additional revenue can be utilized for urgent and time-sensitive projects.

Representative Cindy Ryu asked about State versus Federal funding sources for the pedestrian bridge and Mr. Hammond explained that there are several funding sources. King County and Sound Transit are contributing funding in addition to \$7 million from the State of Washington. About \$6 million is expected from federal programs and revenue from transportation impact fees will also go towards the project. Overall, the project cost is estimated to be \$39 million. Mr. Hammond highlighted that the bridge would make 70 acres of land walkable to the light rail station. He said with the mandatory affordability requirements, 10 to 20% of housing units in the area will be affordable to people in the 60 to 70% of AMI range. 30,000 units are projected for the station area. Mr. Hammond stated that the City would like to see funding for the project in the State's 2023-2025 budget.

Representative Ryu asked how much more is added to the route for pedestrians and bikers without the bridge. Mr. Hammond answered that approximately seven to eight blocks will be

added through a high traffic area which can be a challenging route. Assistant City Manager, John Norris, advised that a over a quarter or half mile walk can be a big deal when deciding to travel by car or foot to the light rail station. Mr. Hammond concluded that if the project cannot be delivered in a reasonable time frame, all of the funding including anything already spent would have to be paid back to the original funders with additional escalation cost.

Crisis Receiving Center

Mayor Scully suggested setting up a monthly or bimonthly forum to exchange information with Representative Davis on this Crisis Center, as she has a lot of history and knowledge on this issue. Deputy Mayor Robertson said there have been no developments on the siting of the Crisis Center since the last meeting of the North King County Coalition on Homelessness. Mr. Hammond commented that the proposed provider, Connections, are still in lease negotiations for their proposed location in north King County.

Local Community Projects

Mayor Scully made an ask for restroom restoration in local parks. Mr. Norris explained that the initial funding for this project only covered half of the cost due to construction cost inflation. There are four parks that still need major restroom maintenance. Representative Davis stated many other entities are experiencing this same situation with cost escalation and people will be receptive to that.

Mayor Scully also made a request for design funds for three parks. He explained the land has been purchased but the parks have not been developed into a usable community space. Representative Davis asked about the City's parks bond funding and Mayor Scully responded that the bond is doing a tremendous amount for the 12 total parks. Mr. Norris commented that the ask will be for supplemental funding. He said eight parks are currently in design and additional funding is available for park acquisition and design.

The Blake Decision

Mayor Scully asked the representatives about their thoughts on the Blake Decision and how to deal with substance abuse issues in the community. Representative Davis stated that imposing negative consequences on those with substance abuse disorder does not work according to the Diagnostic and Statistical Manual of Mental Disorders. She added that very few individuals went to drug court or received some form of treatment. And, with a felony, it is very difficult for individuals to secure employment and housing. Representative Davis said the Law Enforcement Assisted Diversion (LEAD) program is successful but has not been implemented statewide due to bureaucracy and funding. Individuals continue to be subject to the criminal code but now have various options such as community court. Under RCW 71.05, individuals may be subject to a civil commitment, involuntary treatment, or assisted outpatient treatment.

Mayor Scully commented that he does not see the difference between an involuntary treatment-based modality in the civil system versus an involuntary treatment-based modality in the criminal system. Representative Davis said the difference is in handcuffing versus intervening when there is a significant threat to life. She stated that 90% of individuals will be responsive to a LEAD model. What needs to be decided is what can be done for the 10%.

Councilmember Pobee expressed dissatisfaction with the service level provided by King County. Representative Davis explained that funding is provided to Behavioral Health Administration Organizations who are responsible for contracting services and running the program. Councilmember Mork asked if Council could do something to help and Representative Davis suggested getting the partner-cities together and contacting the Behavioral Health Administration about the urgency of the recovery navigator program.

Fircrest Campus

Regarding the Fircrest campus, Representative Ryu explained that 400 units of housing are being proposed on the property along with a resource center in conjunction with the Department of Social and Health Services (DSHS). DSHS and the Department of Natural Resources are considering potential locations for housing due to a 125,000-unit deficit of affordable housing in the State. Representative Ryu asked for Council's official support for the development of Fircrest in alignment with her vision of the campus. Mayor Scully expressed concern with community opposition and Representative Ryu stated that the resource center is planned to appeal to the community.

Councilmember Pobee asked how housing will be made affordable and Representative Ryu stated that it is a trust requirement. She said by working to lower the area median income (AMI) requirement, housing on the property can be made affordable permanently. The vision is for the King County Housing Authority to develop and manage the 12-acre site. Mayor Scully stated that affordable housing is something that is going to have to be done publicly and Representative Ryu advised that minimizing land cost makes it possible.

Mr. Norris asked if there will be a legislative ask for Fircrest in the upcoming 2023 legislative session and Representative Ryu stated that development is still in the planning stages. Deputy Mayor Robertson asked if open space will be planned for public use and Representative Ryu confirmed that the space will be created.

At 6:52 p.m., Mayor Scully declared the meeting adjourned.

Kendyl Hardy, Deputy City Clerk

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, November 28, 2022
5:45 p.m.

Conference Room 440 - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Scully, Deputy Mayor Robertson, and Councilmembers McConnell, Mork, Pobe, Ramsdell, and Roberts

ABSENT: None

STAFF: City Manager Bristol Ellington
Assistant City Manager John Norris
City Clerk Jessica Simulcik Smith

At 5:47 p.m., the special meeting was called to order by Mayor Scully. All Councilmembers were present.

Assistant City Manager, John Norris, reviewed potential topics for the 2023 Council Strategic Planning Workshop that were previously identified by Councilmembers. He asked Council to confirm this list and identify any other topics of interest. Staff will work on putting together staff reports, policy position papers, expert panels, and other necessary reports for the workshop. He then asked Council if they wish to hold the workshop and the Lodge at Saint Edward Park and continue to use Allegra Calder of Berk Consulting for facilitation. Councilmembers agreed on the location and facilitator and suggested the following topics also be considered:

1. **Age Friendly Community:** Analyze Seattle’s program to increase access to supportive housing, social outlets, employment, and more for all ages.
2. **Climate Change:** To discuss possible action items and a staff workplan to accelerate the implementation of climate action.
3. **Communication Program Goals and Strategies:** Take a comprehensive look at the program and discuss if a reallocation of resources is necessary.
4. **Community Land Trust:** Explore options to build below 30% AMI affordable housing.
5. **Community Solar:** Looks at ways to increase access to solar energy.
6. **Deterrents from Vandalism:** Consider the use of cameras and other measures to protect public property and art from damage, particularly for the Interurban Pedestrian Bridges.
7. **Electric Utility Service:** Examine the possibility, implications, and implementation of switching electric utility service to Snohomish County Public Utility District.
8. **Ground Floor Commercial Spaces:** Evaluate feedback from the pilot regulations for commercial spaces in multifamily buildings and explore expanding the program. It was noted that there is not much data available yet to study the impact of the mandate.
9. **Renter Protection Regulations:** Review protections in place for renters at the State level, consider if additional regulations are needed, and discuss enforcement mechanisms.
10. **School Zone Cameras:** Discuss the use of traffic cameras in school zones and other areas of high concern.

11. **Tree Planting.** Look into establishing a program to plant trees across the City.
12. **Vision Zero.** Look for easy projects to complete that will drive down injuries involving road traffic.

When discussing the potential topics for a speaker panel, Councilmembers agreed they would like to hear from safety experts on the topics of law enforcement, court proceedings, and program implementation.

City Clerk, Jessica Simulcik Smith, explained that Council reviews its Rules of Procedure annually to discuss amendments suggested by Councilmembers and staff throughout the year. This evening, staff is interested in Council's feedback on amendments related to HB 1329 amending the Open Public Meeting Act, roll call voting, and remote participation.

Ms. Simulcik Smith explained HB 1329 encourages jurisdictions to continue allowing remote participation now that meetings are back to a physical location. She said much of what is recommended by the legislation is already being done. Amending the Rules of Procedures would show Council's commitment to providing for remote attendance.

There was concern raised that the use of the word "shall" in the sentence "the meeting shall also be made available for remote attendance" would be problematic if there was an issue with the technology. Staff concurred and offered an amendment that would allow the meeting to still take place if there was a technology issue preventing the City from providing for remote attendance.

She then asked if Council would like to continue with roll call voting or revert to voting all at once. A Councilmember commented that the current Rules allow for both voting options and should not be changed. Council agreed to continue with roll call voting.

Now that Council has been holding hybrid meetings for six months, Ms. Simulcik Smith asked if the Rules related to Remote Attendance still fit their needs. Councilmembers responded that the current rules are adequate. Referring to Rule B.3, a Councilmember suggested the Mayor or Deputy Mayor be able to designate a presiding officer if the Mayor or Deputy Mayor are present but unable to preside.

Ms. Simulcik Smith reviewed changes to the meeting minutes to shorten their length and increase readability. She confirmed oral comments are summarized in the minutes and a link is provided to view written comments from the public online. Mr. Norris clarified that comments directly related to agenda items are posted online while others are handled internally. Councilmembers expressed satisfaction with the minutes and documentation of public comment.

Moving on to proclamations, Ms. Simulcik Smith went over the proclamations issued in 2022 and the proclamations proposed to be issued in 2023. There were questions from Council about the value of the proclamations and the work involved with locating sponsors for them. Mr. Norris said proclamations provide awareness and highlight interests of staff and the community. He explained a member of the public may be present to accept one when there is a strong connection to the proclamation.

A Councilmember commented that the proclamation process is good as it is and staff should not have to beat the bush to find someone to accept a proclamation. It was suggested that proclamations be shared on social media and a visual of the proclamation be shown at the meeting to increase their meaningfulness. Council requested that staff bring back a list of proposed proclamations where there is a strong champion behind the effort.

At 6:46 p.m., Mayor Scully declared the meeting adjourned.

Kendyl Hardy, Deputy City Clerk

DRAFT

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

The purpose of these minutes is to capture a high-level summary of Council's discussion and action. This is not a verbatim transcript. Meeting video and audio is available on the [City's website](#).

Monday, November 28, 2022
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Scully, Deputy Mayor Robertson, Councilmembers Ramsdell, Mork, McConnell, and Roberts

ABSENT: Councilmember Pobe

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present except for Councilmember Pobe.

Deputy Mayor Robertson moved to excuse Councilmember Pobe for personal reasons. The motion was seconded and passed by unanimous consent.

3. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

4. REPORT OF THE CITY MANAGER

Bristol Ellington, City Manager, reported on various City meetings, projects, and events.

5. COUNCIL REPORTS

Mayor Scully announced the Severe Winter Shelter in Shoreline is entirely volunteer run and he shared where information can be found to volunteer.

6. PUBLIC COMMENT

The Council heard comments from the public from approximately 7:05 p.m. to 7:11 p.m. Written comments were also submitted to Council prior to the meeting and are available on the [City's website](#).

Charity Mendenhall, Bothell resident, said the COVID Recovery Funds for Human Services has been a great help in the community.

Tom McCormick, Shoreline resident, expressed concern with the public’s ability to provide input on the Hearing Examiner’s recommendation regarding the rezone located at 18821 Aurora Avenue N.

7. CONSENT CALENDAR

Upon motion by Deputy Mayor Robertson, seconded, and unanimously carried 6-0, the following Consent Calendar items were approved:

(a) **Approval of Minutes of Regular Meeting of November 14, 2022**

(b) **Approval of Expenses and Payroll as of November 10, 2022 in the Amount of \$5,532,540.91**

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
10/2/22 - 10/15/22	10/21/2022	105074-105293	17975-17985	87116-87125	\$1,064,210.42
10/2/22 - 10/15/22	10/28/2022			WT1299- WT1300	\$117,751.08
10/16/22 - 10/29/22	11/4/2022	105294-105517	17986-17996	87252-87256	\$657,929.45
10/16/22 - 10/29/22	11/9/2022			WT1302- WT1303	\$118,569.50
					\$1,958,460.45

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
11/2/2022	WT1301	\$7,003.94
11/9/2022	WT1304	\$20,063.69
		\$27,067.63

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
11/1/2022	87126	87155	\$774,808.92
11/1/2022	87156	87179	\$115,030.30

		123 void checks for unclaimed	
11/2/2022	property		(\$4,261.10)
11/8/2022	87180	87180	\$79.69
11/8/2022	87181	87181	\$86.86
11/9/2022	87182	87215	\$1,217,589.73
11/9/2022	87216	87248	\$1,322,359.39
11/9/2022	86160	86160	(\$45.71)
11/9/2022	87249	87249	\$45.71
11/9/2022	87250	87250	\$117,204.32
11/9/2022	87251	87251	\$4,114.72
			<u>\$3,547,012.83</u>

(c) Adoption of the 2023 State Legislative Priorities

8. ACTION ITEMS

- (a) Action on Ordinance No. 975 - 2022 Comprehensive Plan Annual Docket Amendments to the Shoreline Comprehensive Plan

Senior Planner, Steve Szafran stated the Comprehensive Plan Docket is a list of six proposed amendments that were collected during 2021. The Planning Commission reviewed the Docket on September 1 and October 6, 2022 and recommends approval of Amendment Nos. 1, 4, and 6, and recommends Amendment No. 5 be studied in 2023-2024 and considered as part of the 2024 Major Update. The Hearing Examiner reviewed Amendment No. 3 on September 27, 2022 and recommends approval.

Deputy Mayor Robertson moved adoption of Ordinance No. 975, which would accept the Planning Commission’s recommendation for amending the Comprehensive Plan as set forth in Amendment Nos. 1, 4 and 6, direct staff to incorporate the study of Amendment No. 5 into the 2024 major update of the Comprehensive Plan, and accept the Hearing Examiner’s recommendation to amend the Comprehensive Plan and the Official Zoning Map as set forth in Amendment No. 3. The motion was seconded.

Mayor Scully reminded Council of the Appearance of Fairness Doctrine and asked if there were any ex parte communications to disclose other than the ones that were disclosed on November 14. There no further ex parte communications disclosed.

There was a question on whether the entire park and ride will go away and who makes the decision on the number of parking spots required at the site. Mr. Szafran responded that the TOD Feasibly Study shows commuter parking will still exist. Whether it’s structured or surface level is still to be determined. Ms. King added that zoning will dictate parking requirements.

The main motion passed unanimously 6-0.

9. STUDY ITEMS

(b) Discussion of Updated Interlocal Agreement (ILA) with the King County Regional Homelessness Authority

Community Services Manager, Bethany Wolbrecht-Dunn introduced King County Regional Homelessness Authority's Sub-Regional Planning Manager, Alexis Mercedes Rinck and announced they will be presenting the updated proposed KCRHA Interlocal Agreement (ILA). The ILA is between Shoreline, Lake Forest Park, Kenmore, Bothell, Woodinville and KCRHA. Council last discussed this agreement on August 15, 2022, and since then staff has worked with all parties to update the ILA to reflect feedback from all the cities. She recapped Council's comments and concerns and reviewed how the ILA has been updated to reflect their feedback. She concluded stating KCRHA is aiming to have this agreement in place by January 1, 2023.

Councilmembers expressed appreciation for all the work that has been done to get to this point. They acknowledged that homelessness is a challenge for our entire region that will not be solved overnight, but establishing this program feels hopeful and will start to make a difference.

Councilmembers had questions about whether the \$1.20 per capita share minimum would increase and why the ILA has a 2026 termination date with automatic renewals thereafter but no budgeting beyond 2026. Ms. Wolbrecht-Dunn replied that the per capita share would not increase, but the amount Shoreline pays could go up if the population increases. Ms. Mercedes Rinck added that there is no budget for 2027 and beyond because it is contingent on the development of a North King County Sub-Regional Plan which will include informed estimates on what it will cost to address homelessness. She said additional language could be added to the ILA to acknowledge future year investments.

It was pointed out that this is not the first attempt at a regional response to homelessness, and the City would want to have an out if the intended results are not being realized. Ms. Wolbrecht-Dunn confirmed there are numerous outs and, if there is a future amendment to the ILA that Shoreline does not like, there is a termination clause that can be used.

Mayor Scully asked if there were any objections to the ILA returning on the Consent Calendar, and after hearing none, he stated it would come back on Consent.

(c) Discussion of the Use of COVID Recovery Funds for Human Services in 2023

Community Services Manager, Bethany Wolbrecht-Dunn, explained the COVID Recovery Funds were made possible through the American Rescue Plan Act Funds. From this, Council reserved \$2,110,000 for human services which has so far resulted in 1.4 FTEs for limited term community support specialists and programs for emergency support, investment in services, and strengthening civic connections. Ms. Wolbrecht-Dunn pointed out some of the impacts of the funding including direct support and agency support. But she stressed that needs remain high, and these services are expected to be needed in the future.

Ms. Wolbrecht-Dunn highlighted the following service recommendations for 2023:

- Maintain programs within the "Investment in Services" category
- Scale back support from Holiday Baskets and additional grocery card programs

- Increase flexible financial support for Shoreline Community Care
- Add support for the Hopelink Food Program
- Support for the Housing Outreach Worker through June 30, 2023
- Carryover funds from the Love Your Community Grant and Hotel Voucher programs into 2023

Questions were asked about the flexible financial support eligibility criteria and on the roadblocks with the hotel vouchers. Ms. Wolbrecht-Dunn said staff is looking to be a partner in the financial eligibility process to be able to bring in their experience. She added that individuals would need to present evidence of a need and income qualification. Responding to the hotel voucher question, she explained an agreement must be made with the hosting hotel and legal challenges need to be worked out in terms of risk management.

A Councilmember expressed a desire for funds to go to organizations that specialize in dispensing funds and who align with the City's values. They asked if the community will be served as intended with the reduction of gift and grocery cards. Ms. Wolbrecht-Dunn said the recommendation was in response to a large increase in requests from Hopelink. It is staff's intention to utilize Hopelink's more advanced infrastructure to meet community needs.

It was asked if funds are still available to broaden the reach of mental health programs for those who have been pulled out of school. Ms. Wolbrecht-Dunn stated there are many opportunities for these programs. Funding is available from the Best Start for Kids Grant and funds have been set aside for potential programs in 2024 along with the funds from the Human Services Strategic Plan.

(d) Discussion of Ordinance No. 976 - Compost Procurement Ordinance Pursuant to ESSHB 1799 for Use of Compost in Public Projects

Administrative Services Director, Sara Lane, stated Ordinance No. 976 will amend Shoreline Municipal Code 2.60 to incorporate changes regarding composting in public projects. She reported that jurisdictions will be mandated to consider and prioritize locally produced compost with possible exceptions for timing and price of its use in a project. Ms. Lane added the use of compost must be reported and the City will provide community education on the value of composting. She stated the changes align with the City's current environmental policies and pointed out the benefits of composting. Jurisdictions are required to adopt a compost procurement ordinance by January 1, 2023 in accordance with RCW 43.19A.

It was asked if this provision has been considered for private projects as well as public. Ms. Lane said she could come back with an answer. A Councilmember expressed a desire to add the topic of reducing food waste to the 2023 Council Strategic Planning Workshop.

10. ADJOURNMENT

At 8:00 p.m., Mayor Scully declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

DRAFT

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF REGULAR MEETING

The purpose of these minutes is to capture a high-level summary of Council's discussion and action. This is not a verbatim transcript. Meeting video and audio is available on the [City's website](#).

Monday, December 5, 2022
7:00 p.m.

Council Chambers - Shoreline City Hall
17500 Midvale Avenue North

PRESENT: Mayor Scully, Councilmembers Ramsdell, Mork, McConnell, Pobee and Roberts

ABSENT: Deputy Mayor Robertson

1. CALL TO ORDER

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

2. FLAG SALUTE/ROLL CALL

Upon roll call by the City Clerk, all Councilmembers were present except for Deputy Mayor Robertson.

Councilmember Pobee moved to excuse Deputy Mayor Robertson for personal reasons. The motion was seconded and passed by unanimous consent.

3. APPROVAL OF THE AGENDA

The agenda was approved by unanimous consent.

4. REPORT OF THE CITY MANAGER

Bristol Ellington, City Manager, reported on various City meetings, projects, and events.

5. COUNCIL REPORTS

Councilmember McConnell said she attended a meeting of the SeaShore Transportation Forum where they worked on updating their legislative agenda for 2023 and heard a presentation by WSDOT on virtual coordination.

Councilmember Roberts mentioned available positions on regional boards and committees for the Sound Cities Association and encouraged folks to apply.

Mayor Scully invited interested persons to get involved with regional governance committees with Sound Cities Association.

6. PUBLIC COMMENT

The Council heard comments from the public from approximately 7:10 p.m. to 7:18 p.m. Written comments were also submitted to Council prior to the meeting and are available on the [City's website](#).

Alan Coburn, Shoreline resident and President of the Auxiliary Communication Service, spoke about the significance of the Comprehensive Emergency Management Plan and recommended the procedure be tested.

William Dwyer, Shoreline resident, commented on the communication strategy for the Comprehensive Emergency Management Plan. He requested staff revisit the concept of communication hubs.

7. CONSENT CALENDAR

Upon motion by Councilmember Mork, seconded, and unanimously carried 6-0, the following Consent Calendar items were approved:

- (a) Approval of Minutes of Special Meeting of October 24, 2022
- (b) Authorize the City Manager to Execute Contract Amendment with Fehr & Peers in the Amount of \$443,350 for the Transportation Master Plan Update
- (c) Approval of the Comprehensive Emergency Management Plan for 2022-2027
- (d) Authorize the City Manager to Execute an Agreement with King County Flood Control District Awarding Grant Funds for the Hidden Lake Dam Removal Phase 2 Project
- (e) Authorize the City Manager to Execute a Contract with Exeltech Consulting, Inc. in the Amount of \$204,939.16 for the Aurora Avenue Median Islands, Turn-pockets, Landscape and Bioretention Beds and Irrigation Retrofit Project
- (f) Authorize the City Manager to Execute a Contract with the Law Office of Sarah Roberts for Prosecution Services
- (g) Authorize the City Manager to Transfer Ownership of Two Fleet Vehicles, One from the Equipment Rental Fund to the Surface Water Utility Fund and One from the Surface Water Utility Fund to the Equipment Rental Fund
- (h) Approval of Multi-Family Tax Exemption Program Contract with Shoreline TOD Multifamily, LLC located at 108 NE 145th Street

- (i) Authorizing the City Manager to Execute a Contract with Blueline Group, LLC in the Amount of \$157,749 for Construction Management and Inspection Services for the Midblock Crossing & Citywide Rectangular Rapid Flashing Beacons and Radar Speed Signs Project

8. ACTION ITEMS

- (a) Public Hearing and Action on Resolution No. 498 - Surplus Designation of the Excess Property Acquired by the 145th Corridor (Phase 1) Project located at 14509 3rd Avenue N

Interim Public Works Director, Tricia Juhnke, reviewed Resolution No. 498 to apply a surplus designation to excess MUR-70' property acquired by the 145th Corridor (Phase 1) Project. Located at 14509 3rd Avenue N, 11,640 sf of property is available for surplus and requires Council authorization for surplus and sale. Staff recommend a negotiated sale with conditions for a temporary construction easement to facilitate construction of the 145th Corridor and Interchange Improvements. Proceeds from a sale will be put towards Phase 2 of the 145th Corridor Project.

Ms. Juhnke provided an overview of SMC 3.55 which contains the policies and procedures required for the sale and disposal of surplus property and stated staff believes the property's highest value is to sell to the adjacent property owner for development. Ms. Juhnke emphasized the sensitive timing for surplus of this property as a developer has shown interest in purchasing it in order to adjoin parcels. She warned a delay could impact the developer's interest and possibly result in an inability to surplus if other parcels aggregate and redevelop.

Per Council's direction, Ms. Juhnke said staff investigated the use of the property as a park or open space. The findings show an opportunity to create open space within the MUR-70' zone and protect the natural area. However, the cons outweigh the pros with using the land for a park as the area is small, parking may not be available, the proximity of another park nearby, and concerns regarding noise and vandalism. The purchase of adjacent parcels to add to a park area was considered and estimated to cost about \$4 million and would limit the opportunity for nonresidential redevelopment. Ms. Juhnke highlighted an opportunity to require affordable housing as a condition of sale. Staff anticipate this would reduce the value of the property and potential for nonresidential development. She reported that the do-nothing option, to keep the property as a part of the roadway right-of-way, would need to be further review by WSDOT.

Ms. Juhnke clarified the property's funding constraints as it was purchased with State funds. She stated proceeds from a sale would need to go back into another Connection Washington project or other transportation project. If retained by the City and used as a park or for affordable housing, the City would need to identify the land under the National Environmental Policy Act and compensate the State or provide funding to another eligible project.

Mayor Scully opened the public hearing.

David Cohanim, Seattle resident and representative of Synergy Construction, commented that the parcel could be put to its highest use as a part of a larger development with the adjacent properties.

Mayor Scully closed the public hearing.

Councilmember Mork moved to approve Resolution No. 498. The motion was seconded.

Councilmembers asked questions about the impetus for surplusing the land, what would happen if the City held on to the property, and if holding on to it would cause delays for Phase II of the 145th Corridor Project. They also inquired about the logistics for turning the property into open space or a park, and for requiring affordable housing to be built on it. Ms. Juhnke and Ms. King explained that complete parcel acquisitions were required for the Corridor Project and the City had always planned on surplusing the excess land to fund Phase II of the project. If the City holds on to the land, it must pay fair market value back to WSDOT for it or put the money back into the transportation dedicated fund. Ms. King added the property could also be surplused with conditions for affordable housing, but again the City would need to pay back value. Ms. Juhnke said she would like to confirm with WSDOT and funding partners before confirming these as options.

Councilmember Pobe stated he does not want the property to be surplused as he prefers it stay an open space because the residents in the area deserve a friendly and green environment to live in. Councilmember Roberts agreed. He acknowledged the parcel is not an ideal location for open space but there is no chance to keep mature trees if the site is developed. He said his preference is to get more questions answered before making a decision.

Mayor Scully and Councilmembers Ramsdell, Mork, and McConnell all agreed residents in MUR-70 deserve to see trees and that more park land is needed but expressed hesitancy in keeping this land as open space due to its proximity to the freeway and the high cost of the land. It was noted there are better locations of surplus property to turn into a park and that it would be nice to see retail at this site due to its proximity to light rail.

The motion passed 4-2 with Councilmembers Roberts and Pobe voting against.

9. STUDY ITEMS

(a) Council Overview on Snow and Ice Event Planning and Operations

Utilities & Operations Manager, Lance Newkirk, stated the guiding principle for operations is to be prepared for snow and ice events. He said Snow School is held annually for staff to gain classroom and field training on managing snow and ice events. A Snow Boss coordinates a unified response to the events and draws from several departments and external agencies to address objectives during an event. Mr. Newkirk mentioned challenges with planning and scheduling for an event given the uncertainty of the weather and staffing challenges. He noted due to climate change, staff are preparing for increased volumes of snow in the future. At the conclusion of an event, staff discuss strengths and weaknesses from the event to make

improvements and staff make sure equipment and supplies are ready to be used again when needed.

Mr. Newkirk said providing support to restore downed utilities is a priority and he shared a map of priority and secondary service areas that were selected based on volume of traffic. An additional high priority service is to plow various City facilities, sidewalks, parks, and bus routes. Mr. Newkirk noted residential areas have the lowest volume and received limited service based on the event. The challenge with plowing residential areas is the obstacles on the streets such as parked, stuck, or sliding cars and pedestrians. To help the City better provide service, Mr. Newkirk shared public safety tips and encouraged citizens to prepare for winter driving. Another service, he added, is providing severe weather emergency shelter and outreach to unhoused people.

Mr. Newkirk explained the Ballinger Maintenance Facility serves as the base for the snow and ice response and several improvements are coming, including covered salt storage, increased liquid deicer storage, salt brine generation, and an additional liquid deicer tank and spray equipment. He brought attention to the negative impacts to the environment from the use of products used to deice the roads. To mitigate the impacts of chemical products, a consultant has been brought on to evaluate ice control practices in addition to staff participation in specialized training.

Questions were raised about the effectiveness of liquid deicer versus salt and sand, and on the response for steep hills. Mr. Newkirk explained liquid deicer is effective down to 15 degrees and salt only down to 23 degrees. He added snow and ice bond to the road during freeze and frost cycles and the City's is not equipped to break that kind of bond, resulting in a road closure on steep hills.

A Councilmember asked about the strategy behind plowing neighborhoods. Mr. Newkirk said plowing on residential streets is deployed as efficiently as possible but is often dictated by the specific weather event. The Snow Boss may coordinate with the School District to coordinate plowing along school bus routes but the routes do not always line up. Mr. Newkirk pointed out that sand is made available at Hamlin Park for community use. He will discuss with the emergency management coordinator for more neighborhood-based snow responses.

A question was brought up about staff's response for sidewalks in an event and Mr. Newkirk confirmed there are limitations in equipment and resources that make it challenging to attend to some sidewalk areas. The Councilmember encouraged staff to look into what is needed to adequately address sidewalks. A public information campaign on how to ask for help in hazardous areas was brought up as an idea to increase access to service.

It was also suggested staff revisit how to approach community members and commercial businesses regarding the requirement to clear the sidewalk around their property. Mr. Newkirk advised that the cost benefit for enforcing the requirement does not work out, but staff could improve compliance with an educational campaign.

10. ADJOURNMENT

At 8:45 p.m., Mayor Scully declared the meeting adjourned.

Jessica Simulcik Smith, City Clerk

DRAFT

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of December 30, 2022
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 \$11,090,563.25 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
11/13/22 - 11/26/22	12/2/2022	105741-105964	18005-18011		\$508,136.01
11/27/22 - 12/10/22	12/16/2022	105965-106187	18012-18017		\$545,435.96
Q3 2022 L&I	12/19/2022			WT1307	\$63,653.87
Q3 2022 ESD	12/22/2022			WT1308	\$31,231.55
12/11/22 - 12/24/22	12/30/2022	106188-106400	18018-18033		\$555,823.44
					<u>\$1,704,280.83</u>

***Wire Transfers:**

Expense Register Dated	Wire Transfer Number	Amount Paid
		<u>\$0.00</u>

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
11/30/2022	87375	87396	\$969,859.33
11/30/2022	87397	87418	\$699,537.14
11/30/2022	87419	87427	\$24,830.88
12/8/2022	87428	87463	\$1,710,233.84
12/8/2022	87464	87464	\$85,339.75
12/8/2022	87465	87491	\$98,705.81
12/8/2022	87492	87492	\$6,587.01
12/8/2022	87493	87493	\$1,125.82
12/21/2022	87494	87503	\$1,167,283.21
12/21/2022	87504	87529	\$453,728.88
12/21/2022	87530	87555	\$2,337,631.12
12/22/2022	87556	87565	\$72,295.84
12/22/2022	87566	87588	\$119,145.44
12/22/2022	87589	87620	\$1,072,280.00
12/28/2022	87621	87633	\$63,912.89
12/29/2022	87634	87651	\$64,292.55
12/29/2022	87652	87670	\$434,537.49
12/29/2022	87671	87671	\$4,955.42
			<u>\$9,386,282.42</u>

Approved By: City Manager **BE**

City Attorney **MK**

Council Meeting Date: January 9, 2023

Agenda Item: 7(c)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Action on Resolution No. 505 - Amending the Council Rules of Procedure
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Jessica Simulcik Smith, City Clerk
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

The City Council Rules of Procedure (Rules) were initially adopted by the Council in 2002 and are for the sole benefit of Councilmembers to assist in the orderly conduct of Council business. Periodically, Council reviews and discusses amendments to its Rules that reflect current business practice, change a process, provide clarity and consistency to an existing rule, or fix grammar.

On November 28, 2022, Council discussed potential amendments to its Rules related to recent changes to the Open Public Meeting Act, Chapter 42.30 RCW, regarding the location of meetings and remote attendance. Following this discussion, Council requested that staff incorporate Council's feedback into Proposed Resolution No. 505 (Attachment A) for action tonight. The proposed edits are shown in Attachment A, Exhibit A with additions in underline and deletions in ~~strikethrough~~.

RESOURCE/FINANCIAL IMPACT:

There are no resources or financial impacts in amending the Council Rules of Procedure.

RECOMMENDATION

Staff recommends that Council adopt proposed Resolution No. 505.

Approved by: City Manager **BE** City Attorney **MK**

BACKGROUND

The City Council's Rules of Procedure were initially adopted by Council Resolution No. 183 on February 11, 2002, and have been amended on multiple occasions, most recently in November 2021 via [Resolution No. 485](#). In order to amend the Council Rules, the Council adopts a Resolution that outlines the proposed rule changes.

At Council's November 28, 2022, Workshop Dinner Meeting, staff presented potential amendments to the Council Rules related to recent changes to the Open Public Meeting Act, Chapter 42.30 RCW, and asked Council questions about other housekeeping items. The staff report for this discussion can be accessed at the following link:

[November 28, 2022, Shoreline City Council Special Meeting Packet](#).

DISCUSSION

On November 28, 2022, Council discussed potential amendments to its Rules related to recent updates to the Open Public Meeting Act, Chapter 42.30 RCW, regarding the use of technology to increase meeting accessibility and participation from the public and to allow remote meetings without a physical location during an emergency or while under an emergency declaration. Council expressed support for moving forward with the amendments presented in the November 28, 2022, Memorandum with two revisions that are detailed in this Discussion Section. Proposed Resolution No. 505, Exhibit A, reflects these revisions.

Amendment to Section 5. Council Meetings.

Councilmember Roberts pointed out the proposed amendment to Sections 5.1 and 5.5 in the November 28 Memo stated, "The meeting shall also be made available for remote attendance online," and that the use of the word "shall" in this sentence would prevent a Council meeting from occurring if there was an issue with the technology that allowed for remote attendance. Staff agrees with his interpretation and proposes the following amendment to address this:

5.1 All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). All Regular Meetings, Special Meetings, and Workshop Dinner Meetings of the Council shall be open to the public.
Opportunities for remote attendance by the public at Regular and Workshop Dinner Meetings will also be provided.

For all meetings at which remote attendance is provided, if a technology issue prevents the City from providing for remote attendance this shall not prevent such a meeting from convening or continuing due to the technology issue.

Amendment to 5.13 Remote Attendance.

It was noted that if the Mayor or Deputy Mayor were both attending a Council meeting remotely and therefore not able to physically preside over that meeting, they should be allowed to select another Councilmember to be the temporary presiding officer without

having to follow Rule 2.3 A where the Council elects a temporary presiding officer. Staff proposes the following amendment to address this:

B. Remote Attendance Requirements:

In order to effectively preside over the meeting, the Presiding Officer needs to be physically present at the meeting, unless the entire Council is remote. The Mayor may attend the meeting remotely with the Deputy Mayor or another Councilmember presiding over the meeting from the physical meeting location. The Mayor or Deputy Mayor may select, without a vote of the Council, one of the Councilmembers to act as a temporary Presiding Officer.

Other Housekeeping Amendments

Proposed Resolution No. 505, Exhibit A, contains several other housekeeping amendments, which are summarized as follows:

- Update to Table of Contents.
- Change “consent agenda” to “Consent Calendar” to match the actual title.
- Correct outdated citations to Rule 3.2(B), which as of November 1, 2021, is now Rule 3.3.
- Remove the word “online” in reference to videoconferencing application as telephonic participation is also available.
- Remove quotations where they are not needed or it is unclear why they are being used.

Tonight’s Council Discussion

Tonight, staff is requesting that Council review and consider adoption of the proposed amendments set forth in Attachment A, Exhibit A.

RESOURCE/FINANCIAL IMPACT

There are no resources or financial impacts in amending the Council Rules of Procedure.

RECOMMENDATION

Staff recommends that Council adopt proposed Resolution No. 505.

ATTACHMENTS

Attachment A: Proposed Resolution No. 505

Attachment A, Exhibit A: Amended Council Rules of Procedure

RESOLUTION NO. 505

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON,
AMENDING COUNCIL RULES OF PROCEDURE RELATING TO
LOCATION OF MEETINGS AND REMOTE ATTENDANCE, AND
OTHER HOUSEKEEPING ITEMS.**

WHEREAS, Chapter 35A.12.120 RCW gives the City Council of each code city the power to set rules for conducting its business within the provisions of Title 35A RCW; and

WHEREAS, the City Council has amended its Rules of Procedure (“Rules”) multiple times, most recently on November 1, 2021, by Council Resolution No. 485; and

WHEREAS, in 2022, with the passage of Engrossed Substitute House Bill 1329, the State Legislature amended the Open Public Meetings Act, chapter 42.30 RCW (OPMA), to modernize and update the OPMA to reflect technological advances, such as electronic methods to efficiently conduct the business of government remotely, how meetings will be handled in the event of an emergency, and to increase the ability of the public to observe and participate in public meetings through remote access; and

WHEREAS, the City Council has reviewed its Rules and desires to amend provisions of the Rules to reflect the amendments to the OPMA so as to provide for opportunities for remote attendance by the public at regular and workshop dinner meetings; to allow remote meetings without a physical location during an emergency or while under an emergency declaration; and to provide clarity and consistency within the Rules;

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

Section 1. Amendments. The Council Rules of Procedure are amended as set forth in Exhibit A attached hereto.

Section 2. Effective Date. This Resolution shall go into effective upon its passage by the City Council.

PASSED BY THE CITY COUNCIL ON JANUARY 9, 2023

Mayor Keith Scully

ATTEST:

Jessica Simulcik Smith, City Clerk

**RULES OF PROCEDURE
Resolution No. 183**

TABLE OF CONTENTS

SECTION 1. AUTHORITY

1.1 Intent of Policies 1
1.2 Effect/Waiver of Rules 1

SECTION 2. COUNCIL ORGANIZATION

2.1 Swearing In 1
2.2 Election of Mayor and Deputy Mayor 1
2.3 Duties of Officers 2
2.4 Appointments to Boards and Commissions 2
2.5 Filling a Council Vacancy 3

SECTION 3. AGENDA PREPARATION

3.1 Role of City Clerk 4
3.2 Placement of Items on the Agenda 4
3.3 Placement of Items on Agenda Planner 4
3.4 Format for Staff Reports 4
3.5 Agenda Item Priority 4
3.6 Readings for Ordinances 45

SECTION 4. CONSENT CALENDAR

4.1 Establishment of Consent Calendar 5
4.2 Adoption of Consent Calendar 5
4.3 Removal of Item from Consent Calendar 5

SECTION 5. COUNCIL MEETINGS

5.1 Open Public Meetings 5
5.2 Meeting Cancellation 56
5.3 Regular Meetings 6
5.4 Community Group Presentations 6
5.5 Workshop Dinner Meetings 7
5.6 Executive Sessions 78
5.7 Special Meetings 8
5.8 Emergency Meetings 8
5.9 Meetings Place while under Declaration of Emergency 8
5.10 Notice of Meetings, Public Hearings 8
5.11 Quorum 8
5.12 Attendance, Excused Absences 89

5.13 Remote Attendance.....9

5.14 General Decorum..... **910**

5.15 Forms of Address..... 10

5.16 Seating Arrangement 10

5.17 Dissents and Protests 10

5.18 Request for Written Motions..... 10

5.19 Confidentiality..... 10

5.20 Conflict of Interest, Appearance of Fairness **4011**

5.21 Adjournment..... **4011**

5.22 Responsibilities of City Clerk..... 11

5.23 Attendance of Officers or Employees 11

SECTION 6. PUBLIC TESTIMONY

6.1 Regular Meetings 11

6.2 Rules for Public Hearings.....12

6.3 Group Representation 12

6.4 Quasi-Judicial Items, Public Comment During Election Season 12

6.5 Recognition by Presiding Officer **4213**

6.6 Identification of Speakers **4213**

6.7 Instructions for Speakers..... **4213**

6.8 Timekeeper, Donation of Speaking Time.. **4213**

6.9 Forms for Comment **4213**

6.10 Public Comment Protocols..... **4213**

SECTION 7. MOTIONS

7.1 Voice Votes 13

7.2 Motions that do not Receive or Require Seconds 13

7.3 Tie Votes 13

7.4 Nature of Motion..... 13

7.5 Discussion Following a Motion 13

7.6 Council Consensus 13

7.7 Withdrawal of Motions **4314**

7.8 Motion to Table..... **4314**

7.9 Motion to Postpone to a Time Certain **4314**

7.10 Motion to Postpone Indefinitely **4314**

7.11 Motion to Call for the Question 14

7.12 Motion to Amend 14

7.13 Repetition of the Motion Prior to Voting 14

7.14 Voting..... 14

7.15 ~~Prohibition of Abstentions~~ **Recusal** 14

7.16 Silence 14

7.17 Prohibition of Voting by Proxy 14

7.18 Close of Discussion..... **4415**

7.19 Motion to Reconsider **4415**

7.20 Questions of Interpretation **4415**

SECTION 8. ITEMS REQUIRING FOUR VOTES..... 15

SECTION 9. COUNCIL REPRESENTATION

9.1 Expression of Personal Opinion 15
9.2 Support of Official Positions 15
9.3 Correspondence..... 15
9.4 Use of City Letterhead..... 15
9.5 Controversial Communications..... 15
9.6 Direction to Staff..... **1516**

SECTION 10. SUSPENSION AND AMENDMENT OF RULES

10.1 Suspension of Rules **1516**
10.2 Amendment of Rules..... **1516**

Section 1. Authority.

- 1.1 These rules constitute the official rules of procedure for the Shoreline City Council. In all decisions arising from points of order, the Council shall be governed by the current edition of Robert's Rules of Order, a copy of which is maintained in the office of the Shoreline City Clerk.
- 1.2 These rules of procedure are adopted for the sole benefit of the members of the City Council to assist in the orderly conduct of Council business. These rules of procedure do not grant rights or privileges to members of the public or third parties. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Council act.

Section 2. Council Organization.

- 2.1 New Councilmembers shall be sworn in by a judge or the City Clerk.
- 2.2 Election of Mayor and Deputy Mayor.
 - A. The Council shall elect a Mayor and Deputy Mayor for a term of two years.
 - B. The motion to elect the Mayor and Deputy Mayor will be placed on the agenda of the first meeting of even-numbered years.
 - C. In the event the Mayor is unable to serve the remainder of the term, a new Mayor shall be elected at the next meeting. In the event the Deputy Mayor is unable to serve the remainder of the term, a new Deputy Mayor shall be elected at the next meeting.
 - D. The election of the Mayor shall be conducted by the City Clerk. No one Councilmember may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for Mayor takes place in the order nominations were made. Only affirmative votes for Mayor shall be given and Councilmembers will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four affirmative votes), the Clerk will declare that nominee elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote. Upon election, the Mayor will

conduct the election for Deputy Mayor following the same process.

- E. A super majority vote (five votes) shall be required to approve a motion to remove the Mayor or Deputy Mayor from office for cause.

2.3 Duties of Officers.

- A. The Mayor, or in the Mayor's absence, the Deputy Mayor, shall be the Presiding Officer of the Council and perform the duties and responsibilities with regard to conduct of meetings and emergency business. In the absence of both the Mayor and the Deputy Mayor, the Council shall elect one of the members to the Council to act as a temporary Presiding Officer.
- B. It shall be the duty of the Presiding Officer to:
1. Call the meeting to order.
 2. Keep the meeting to its order of business.
 3. Control discussion in an orderly manner.
 - a. Recognize every Councilmember who wishes to have an opportunity to speak.
 - b. Permit audience participation at the appropriate times.
 - c. Require all speakers to speak to the question and to observe the rules of order.
 4. State each motion before it is discussed and before it is voted upon.
 5. Put motions to a vote and announce the outcome.
- C. The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Council by any member.
- D. The Presiding Officer may at their discretion call the Deputy Mayor or any Councilmember to take over as Presiding Officer so they may make a motion or for other good cause.
- E. The Mayor shall appoint Councilmembers to boards and committees that are not otherwise specified by the National League of Cities, Association of Washington Cities, or King County/Sound Cities Association.
- F. The Mayor shall appoint Councilmembers to ad hoc City Council subcommittees such as interview panels. Prior to appointment, the Mayor shall solicit interest from Councilmembers for their preferred appointments. The appointment list may be referred to the full Council pursuant to Rule 3.2(A) or ~~(B)~~ 3.3.

2.4 Appointments to Boards and Commissions.

The Council will use the following process in managing the appointment of

individuals to Boards and Commissions.

- A. In closed session, the ad hoc subcommittee of Councilmembers gathers and reviews the applications, and determines which applicants will be interviewed.
- B. Subcommittee members inform the City Manager which applicants they plan to interview so that the City Manager can inform the other Councilmembers. If any Councilmember feels strongly that someone not on the interview list should be interviewed, that Councilmember may make this known to the City Manager to relay to the subcommittee.
- C. "Notice" is then given to the public that the subcommittee shall conduct interviews of the "finalists."
- D. In open public meetings, the subcommittee interviews the "finalists." Ground rules will govern the conduct of the meetings and be communicated to all participants. These ground rules will notify audience members that they will not be asked to comment during the meeting, and must not do or say anything that creates the impression that they support or oppose any candidate.
- E. In a closed meeting the subcommittee members review the findings from the interviews and reach consensus on whom to recommend that the full Council appoint.
- F. In a regular public meeting of the Council, the subcommittee's recommendations are made an agenda item and discussed by the Council. Each Councilmember will have the ability to support, oppose, or amend the list of candidates proposed by the ad hoc committee. The recommendations will not be part of the "consent agenda Consent Calendar" to ensure a full and thorough vetting of the subcommittee's recommendations. The Council will vote to appoint new members to the board or commission.

2.5 Filling a Council Vacancy.

- A. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure by which the vacancy will be filled, and an application form.
- B. The City Manager's Office will draw up an application form to aid the Council's selection of the new Councilmember.

- C. Those candidates selected by Council will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing the names; in order to make the interviews fair, applicants will be asked to remain outside the Council Chamber while other applicants are being interviewed. Applicants will be asked to answer questions posed by each Councilmember during the interview process. The interview process will be designed to be fair and consistent. Each candidate will then be allowed two (2) minutes for closing comments. Since this is not a campaign, comments about other applicants will not be allowed.
- D. The Council may recess into Executive Session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

Section 3. Agenda Preparation.

- 3.1 Upon direction by the City Manager, the City Clerk will prepare an agenda for each Council Meeting specifying the time and place of the meeting and setting forth a brief general description of each item to be considered by the Council. The agenda is subject to review by the Presiding Officer.
- 3.2 An item for a Council meeting may be placed on the agenda of a specific meeting date by any of the following methods:
 - A. Majority vote or consensus of the Council.
 - B. By the City Manager.
 - C. By the Mayor, or Deputy Mayor when acting in the absence of the Mayor.
- 3.3 Any two Councilmembers may place an item on the List of Pending Agenda Items on the Council's Agenda Planner by making the request in writing to the City Manager or City Clerk. The names of the requesting Councilmembers shall be indicated on the Agenda Planner and set forth in the staff report supporting the agenda item. In coordination with the Mayor and Deputy Mayor, the City Manager will determine the timing for when the item will be scheduled on a specific agenda. Unless waived by the requesting Councilmembers, the item must be scheduled on a specific agenda within 60 days of making the request.
- 3.4 Staff reports shall be in a standard format approved by the City Council.
- 3.5 Agenda items will be prioritized in the following order of importance: 1) items scheduled for statutory compliance; 2) advertised public hearings; 3) continued items from a prior meeting and 4) items scheduled for convenience.

- 3.6 Ordinances scheduled for Council action will generally receive three readings (with the exception of items that have had a public hearing before the Planning Commission).
- A. The first reading will be the scheduling of the item on the Council Agenda Planner by title or subject. If reasonably possible the item should be listed on the Agenda Planner at least two weeks prior to the second reading. The Mayor or City Manager may authorize exceptions for items of an emergency or unexpected nature requiring immediate action.
 - B. The second reading will be scheduled for review and discussion by the City Council. Items of a routine nature may bypass this meeting and be scheduled directly to a Consent Calendar. In such cases Council shall, by motion, waive the second reading as part of the adopting motion.
 - C. The third reading will be Council review and action at a subsequent meeting.

Section 4. Consent Calendar.

- 4.1 The City Manager, in consultation with the Presiding Officer, shall place matters on the Consent Calendar which: (a) have been previously discussed by the Council, or (b) based on the information delivered to Councilmembers by the administration, can be reviewed by a Councilmember without further explanation, or (c) are so routine or technical in nature that passage is likely.
- 4.2 The motion to adopt the Consent Calendar shall be non-debatable and have the effect of moving to adopt all items on the Consent Calendar.
- 4.3 Since adoption of any item on the Consent Calendar implies unanimous consent, any member of the Council shall have the right to remove any item from the Consent Calendar. Councilmembers are given an opportunity to remove items from the Consent Calendar after the motion is made and seconded to approve the agenda. If any matter is withdrawn, the Presiding Officer shall place the item at an appropriate place on the agenda for deliberation at the current or future Council Meeting.

Section 5. Council Meetings.

- 5.1 All Council Meetings shall comply with the requirements of the Open Meetings Act (RCW Section 42.30). All Regular Meetings, Special Meetings, and Workshop Dinner Meetings of the Council shall be open to the public.
Opportunities for remote attendance by the public at Regular and Workshop Dinner Meetings will also be provided.

For all meetings at which remote attendance is provided, if a technology issue

prevents the City from providing for remote attendance this shall not prevent such a meeting from convening or continuing due to the technology issue.

- 5.2 Any Council Meeting may be canceled by a majority vote or consensus of the Council. The Mayor or Deputy Mayor may cancel a Council Meeting for lack of agenda items.
- 5.3 The Council shall hold **Regular Meetings** on Mondays of each week at 7:00 p.m. in the Council Chamber of the Shoreline City Hall, located at 17500 Midvale Avenue N, Shoreline, Washington. Should any meeting date occur on a legal holiday, the meeting shall be canceled. There will be no Regular Meetings between December 15th and the end of the year.
- A. Order of Business for Regular Meetings. The order of business shall be as follows:
- Regular Meeting (7:00 p.m.)
1. Call to Order
 2. Flag Salute, Roll Call
 3. Approval of the Agenda
 4. Report of the City Manager
 5. Council Reports
 6. Public Comment, as set forth in Section 6.1(A)
 7. Consent Calendar
 8. Action Items: The following procedures shall be used:
 - a. Introduction of item by Clerk staff
 - b. Presentation by staff
 - c. Public Hearings, if any noticed
 - d. Council motion to move adoption of legislation
 - e. Council discussion and possible action
 9. Study Items: The following procedure shall be used:
 - a. Staff reports
 - b. Council discussion
 10. Executive Session, if needed
 11. Adjournment
- 5.4. The Council shall make available at one meeting of each month, a **Community Group Presentation**. The order of business shall omit Council Reports and include Community Presentations following the Consent Calendar. The intent of the presentations is to provide a means for non-profit organizations to inform the Council, staff and public about their initiatives or efforts in the community to address a specific problem or need. The presentations are available to individuals who are affiliated with a registered non-profit organization. In order to schedule the presentation, two Councilmembers under Rule 3.2(B) 3.3 must sponsor the request. The presentations shall be limited to 30 minutes, with approximately 15 minutes for the presentation and 15 minutes for questions.

Guidelines for presentations include:

- A. Each organization or agency may complete a request form and submit it to the City Manager's Office. The blank form shall be available on the City's website and from the City Clerk's Office.
 - B. For planning purposes, the presentation must be scheduled on the agenda planner at least four (4) weeks in advance of the meeting date requested.
 - C. Information and sources used in the presentation should be available in hard copy or electronically for reference.
 - D. Up to three (3) members of the organization are invited to participate.
 - E. The presentation must support the adopted position/policy of the organization.
 - F. The presentation should be more than a general promotion of the organization. The information presented should be about specific initiatives/programs or planning that the organization is doing which is relevant to Shoreline residents and government.
 - G. Presentations shall not include:
 - 1. Discussion of ballot measures or candidates.
 - 2. Issues of a partisan or religious nature.
 - 3. Negative statements or information about other organizations, agencies or individuals.
 - 4. Commercial solicitations or endorsements.
- 5.5 The Council shall hold **Workshop Dinner Meetings** on the second and fourth Monday of each month at 5:45 p.m. in Conference Room 303 of Shoreline City Hall, located at 17500 Midvale Avenue N, Shoreline, Washington. Should any meeting occur on a legal holiday, the meeting shall be canceled. There will be no Workshop Dinner Meetings between December 15 and the end of the year.
- A. Workshop Dinner Meetings will be informal meetings for the purpose of meeting with other governmental agencies and officials such as the School District, utility districts, Fire District, neighboring city officials, regional organizations, Shoreline-Lake Forest Park Arts Council, Transit, etc., and other agencies and topics as deemed appropriate by the City Council or City Manager. Workshop Dinner Meetings may also be used by the Council to conduct Executive Sessions.
 - B. No final votes may take place at Workshop Dinner Meetings, however, the Council may provide administrative direction to staff by consensus or vote.

The agenda for these meetings will be appended to the Regular Meeting agenda and posted and distributed in the same manner as the Regular Meeting agenda.

- 5.6 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. Any final action by Council must be taken at an open session.
- 5.7 **Special Meetings** may be held by the Council subject to notice requirements prescribed by State law. Special Meetings may be called by the Mayor, Deputy Mayor, or any four Councilmembers by written notice delivered to each member of the Council at least twenty-four hours before the time specified for the proposed meeting. The notice of such Special Meetings shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. The order of business for Special Meetings may follow Section 5.3(A). Public comment for Action Items will follow the procedure found in Section 6.1. **Special Meetings will be at a time and place as Council directs.**
- 5.8 An **Emergency Meeting** is a special Council meeting called without the 24-hour notice. It deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor with the consent of a majority of Councilmembers. The minutes will indicate the reason for the emergency. **Emergency Meetings will be at a time and place as Council directs and can include a remote meeting without a physical location.**
- 5.9 ~~**Special Meetings and Emergency Meetings** will be at a time and place as Council directs.~~
Meetings while under Declaration of Emergency. After the declaration of an emergency by a local, state, or federal government, Council may direct that all its meetings be held remotely without a physical location; or at a physical location where physical attendance by some or all members of the public is limited due to the declared emergency.
- 5.10 The City shall comply with the provisions of RCW 35A.12.160. The public shall receive notice of upcoming public hearings through publication of such notice in the City's official newspaper at least ten (10) days prior to the hearing.
- 5.11 At all Council Meetings, a majority of the Council (four members) shall constitute a quorum for the transaction of business. In the absence of a quorum, the

members present may adjourn that meeting to a later date.

- 5.12 A Councilmember may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for their inability to attend. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the City Manager, who shall convey the message to the Mayor. Following roll call, the Presiding Officer shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. This motion shall be nondebatable. Upon passage of such motion by a majority of Councilmembers present, the absent Councilmember shall be considered excused and the Clerk will make an appropriate notation in the minutes. Councilmembers who do not follow the above process will be considered unexcused and it shall be so noted in the minutes. A motion to excuse a Councilmember may be made retroactively at the next meeting.
- 5.13 Remote Attendance. The Council recognizes the benefits of full attendance of its members at regular, special, and emergency meetings and expects Councilmembers attend meetings in-person. However, remote attendance by a Councilmember who is not able to physically be present, whether for all or part of a meeting, is allowed as needed subject to the following:

- A. Notice: A Councilmember shall contact the Mayor and the City Clerk no later than three hours prior to the Council meeting for which they will attend remotely or 15 minutes prior to an emergency meeting. If the Councilmember is unable to contact the Mayor, the Councilmember shall contact the City Manager, who shall convey the message to the Mayor/Presiding Officer.

After the City Clerk has called the roll at a meeting, the Presiding Officer shall indicate any Councilmember attending remotely. If joining after roll call, the Presiding Officer shall note the time the Councilmember joined and, if before adjournment, when the Councilmember left. The City Clerk will document both the remote attendance and times of attendance, if applicable, in the minutes.

B. Remote Attendance Requirements:

1. Remote attendance by a Councilmember shall be through the City's approved **online** videoconferencing application.
2. A Councilmember's camera should be turned on when participating in the meeting.
3. In order to effectively preside over the meeting, the Presiding Officer needs to be physically present at the meeting, unless the entire Council is remote. The Mayor may attend the meeting remotely with the Deputy Mayor or another Councilmember presiding over the meeting from the physical meeting location. **The Mayor or Deputy Mayor may select, without a vote of the Council, one of the Councilmembers to act as a temporary**

Presiding Officer.

4. A Councilmember attending remotely will be marked present, counting towards a quorum and can vote during the meeting as if they were physically present.
5. A Councilmember attending remotely must be able to hear public comment or testimony and staff's presentation in real time.
6. A Councilmember may attend an executive session or closed session remotely if the conditions in this subsection are met.

5.14 **General Decorum.**

- A. While the Council is in session, the Councilmembers must preserve order and decorum. A Councilmember shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disrupt any member while speaking nor refuse to obey the orders of the Council or the Presiding Officer, except as otherwise provided in these Rules.
 - B. Any person making disruptive, impertinent, slanderous or threatening remarks while addressing the Council shall be asked to leave the Council Chambers by the Presiding Officer and barred from further audience before the Council for that meeting. If the person is participating in the meeting remotely, the Presiding Officer shall ask the City Clerk to remove them from the **online** videoconferencing application.
- 5.15 At all **Regular Meetings**, the Mayor shall be addressed as "Mayor (surname)", the Deputy Mayor shall be addressed as "Deputy Mayor (surname)", and members of the Council shall be addressed as "Councilmember (surname)."
- 5.16 At all Council Meetings except Workshop Dinner Meetings, the Mayor shall sit at the center of the Council, and the Deputy Mayor shall sit at the right hand of the Mayor. Other Councilmembers are to be seated in a manner acceptable to Council. If there is a dispute, seating shall be in position order.
- 5.17 Any Councilmember shall have the right to express dissent from or protest against any ordinance or resolution of the Council and have the reason therefore entered in the minutes.
- 5.18 Motions shall be reduced to writing when required by the Presiding Officer or any Councilmember. All resolutions and ordinances shall be in writing.
- 5.19 Councilmembers should keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered to be exempt from disclosure under the Revised Code of

Washington. If a Councilmember unintentionally discloses Executive Session discussion with another party, that Councilmember shall make full disclosure to the City Manager and/or the City Council in a timely manner.

- 5.20 Prior to commencement of discussion of a quasi-judicial item, the Presiding Officer will ask if any Councilmember has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Councilmember from participating in the decision-making process. If it is deemed by the Councilmember, in consultation with the City Attorney, that it is warranted, the Councilmember should step down and not participate in the Council discussion or vote on the matter. The Councilmember shall leave the Council Chamber while the matter is under consideration.
- 5.21 Council meetings shall adjourn no later than 10:00 p.m. The adjournment time established thereunder may be extended to a later time certain upon approval of a motion by a majority of the Council. Any Councilmember may call for a "Point of Order" to review agenda priorities.
- 5.22 The City Clerk or an authorized Deputy City Clerk shall attend all Council meetings. If the Clerk and the Deputy Clerk are absent from any Council meeting, the City Manager shall appoint a Clerk Pro Tempore. The minutes of the proceedings of the Council shall be kept by the City Clerk and shall constitute the official record of the Council.
- 5.23 Any City officer or employee shall have the duty when requested by the Council to attend Council Meetings and shall remain for such time as the Council may direct. The City Manager will work with City officers or employees to determine whether they will attend Council Meetings in-person or remotely.

Section 6. Public Testimony.

6.1 Regular Meetings.

- A. Members of the public may address the City Council in-person in the Council Chambers or remotely through the telephone or online at the beginning of any Regular Meeting under Agenda Item 6 "Public Comment." During the "Public Comment" portion of the meeting, individuals may speak to agenda items or any other topic except those scheduled for a Public Hearing or pertaining to a quasi-judicial action. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak each speaker will be allocated two (2) minutes. The total public comment period under Agenda Item 6 will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period. Individuals appearing in-person wishing to speak to agenda items must sign up prior to the start of Agenda Item 6 and will be

called to speak first, generally in the order in which they have signed. Individuals participating remotely wishing to speak to agenda items must sign up thirty (30) minutes prior to the start of the meeting and will be called on after in-person speakers, 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, with in-person attendees being called on first and remote attendees next. If time is available, the Presiding Officer may call for additional in-person and remote unsigned speakers.

- B. If during a Regular Meeting an Action Item is before the Council for the first time and is not part of the consent agenda Consent Calendar, public comment for that item will follow the staff report but precede Council review. Individuals may speak for three (3) minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak each speaker will be allocated two (2) minutes. The total public comment period for the agenda item will be no more than 30 minutes. The order in which speakers are called on is the same as outlined in Rule 6.1.A.

6.2 Public Hearings.

The following rules shall be observed during any public hearing:

- A. Individuals will be allowed three (3) minutes to speak.
- B. The Presiding Officer may allow additional time for receipt of written testimony when needed.
- C. Prior to closing the hearing, the Presiding Officer shall inquire if there are any additional speakers, in-person or remote, other than those that have signed up and previously spoken, and if there are they shall be allowed to testify.
- 6.3 When large numbers of people are signed up to speak on the same topic, the Presiding Officer may request individuals not to provide repetitive comments of those previously provided by other individuals but, rather, to simply state they agree with the comments of the other speaker(s) on a topic.
- 6.4 Public testimony authorized in Section 6.1 may not include comments or information on any quasi-judicial matter pending before the City Council, or on any topic for which Council has closed the public record. During election season, which starts when a candidate officially files their candidacy with the State or a county election office and runs through the election, no person may use public comment to promote or oppose any candidate for public office. Promoting a candidate for public office includes announcing a candidacy for public office,

- mentioning a specific campaign, or wearing a visible campaign button at the speaker's podium.
- 6.5 No person shall be allowed to address the Council while it is in session without the recognition of the Presiding Officer.
 - 6.6 Persons testifying shall identify themselves for the record as to name, city of residence and any organization represented.
 - 6.7 An instruction notice for speakers will be provided. Speakers will be advised by the Presiding Officer that their testimony is being recorded.
 - 6.8 The Clerk shall be the timekeeper for all public testimony. Time cannot be donated by one speaker to another.
 - 6.9 Printed forms shall be made available at all Council Meetings to allow for written testimony to Council.
 - 6.10 Speakers will not be permitted to present testimony via electronic methods (e.g. PowerPoint or screen sharing). Speakers attending in-person may utilize visual aids. Hardcopies of all materials may be submitted to the City Clerk to distribute to the Council.

Section 7. Motions.

- 7.1 Unless otherwise provided for by statute, ordinance, resolution, or these Rules of Procedure, all votes shall be taken by voice, except that at the request of any Councilmember, a random roll call vote shall be taken by the City Clerk.
- 7.2 Prior to discussion of an Action Item, a Councilmember should make a motion, which is seconded by another Councilmember, on the topic under discussion. If the motion is not seconded, it dies. Some motions do not require a second: nominations, withdrawal of a motion, request for a roll call vote, and point of order.
- 7.3 In case of a tie vote on any motion, the motion shall be considered lost.
- 7.4 Motions shall be clear and concise and not include arguments for the motion.
- 7.5 After a motion has been made and seconded, Councilmembers may discuss their opinions on the issue prior to the vote. If they wish to do so, they may state why they will vote for or against the motion.
- 7.6 When the Council concurs or agrees with an item that does not require a formal motion, the Presiding Officer will summarize the Council's consensus at the conclusion of the discussion.

- 7.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- 7.8 A motion to table is nondebatable. It requires a majority to pass. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future meeting, at which time discussion can continue. If an item is tabled, it cannot be reconsidered at the same meeting.
- 7.9 A motion to postpone to a specific time is debatable, is amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The motion being postponed must be considered at a later time in the same meeting or a specific future meeting.
- 7.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting. It requires a majority to pass. The merits of the main motion may be debated.
- 7.11 A motion to call for the question shall close debate on the main motion and is nondebatable. This motion must receive a second and fails without a two-thirds (2/3) vote. Debate is reopened if the motion fails.
- 7.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- 7.13 When the discussion is concluded, the motion maker, Presiding Officer, or City Clerk, shall repeat the motion prior to voting.
- 7.14 The City Council votes on the motion as restated. If the vote is unanimous, the Presiding Officer shall state that the motion has been passed unanimously according to the number of Councilmembers present, such as "7-0" or "6-0." If the vote is not unanimous, the Presiding Officer shall state the number of Councilmembers voting in the affirmative and the number voting in the negative and whether the motion passes or fails.
- 7.15 If a Councilmember has a conflict of interest or an appearance of fairness question under State law, the Councilmember may recuse themselves from the issue and shall leave the Council Chamber during discussion and voting on the issue. That Councilmember shall be considered absent when voting occurs.
- 7.16 If a Councilmember is silent on a vote, it shall be recorded as an affirmative vote. If a Councilmember abstains, it shall be recorded as an abstention and not included in the vote tally.
- 7.17 No vote may be cast by proxy.

- 7.18 Once the vote has been taken, the discussion is closed. It is not necessary for Councilmembers to justify or explain their vote. If they wish to make their positions known, this should happen during the discussion preceding the vote.
- 7.19 After the question has been decided, any Councilmember who voted with the prevailing side may move for a reconsideration of the motion. The motion for reconsideration must be made at the same or next regular meeting.
- 7.20 The City Attorney, in consultation with the City Clerk, shall decide all questions of interpretations of these policies and procedures and other questions of a parliamentary nature which may arise at a Council meeting. All cases not provided for in these policies and procedures shall be governed by the current edition of Robert's Rules of Order. In the event of a conflict, these Council rules of procedure shall prevail.

Section 8. Items Requiring Four Votes.

The passage of any ordinance, grant or revocation of franchise or license, any resolution for the payment of money, any approval of warrants, and any resolution for the removal of the City Manager shall require the affirmative vote of at least a majority of the whole membership of the Council (four votes) [RCW 35A 13.170 and 35A.13.120].

Section 9. Council Representation.

- 9.1 Councilmembers who meet with, speak to, or otherwise appear before a community group or another governmental agency or representative must clearly state if their statement reflects their personal opinion or if it is the official stance of the City, or if this is the majority or minority opinion of the Council.
- 9.2 When Councilmembers represent the City or attend meetings in an official capacity as Councilmember, they must support and advocate the official City position on an issue, not a personal viewpoint.
- 9.3 Once the City Council has taken a position on an issue, all official City correspondence regarding the issue will reflect the Council's adopted position.
- 9.4 City letterhead shall not be used for correspondence of Councilmembers representing a dissenting point of view from an official Council position.
- 9.5 As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, shall be distributed to the full Council so that Councilmembers may be made aware of the impending publication.

- 9.6 If the Council, in Executive Session, gives direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue.

Section 10. Suspension and Amendment of Rules.

- 10.1 Any provision of these rules not governed by State law or City ordinance may be temporarily suspended by a majority vote of the Council.
- 10.2 It is the intent of the City Council that the rules of procedure be periodically reviewed as needed. These rules may be amended, or new rules adopted, by a majority vote of the Council, provided that the proposed amendments or new rules shall have been distributed to Council at least one week prior to such action.

Amended by Resolution No. 196
Amended by Resolution No. 205
Amended by Resolution No. 224
Amended by Resolution No. 244
Amended by Resolution No. 255
Amended by Motion, Dec. 7, 2009
Amended by Resolution No. 295
Amended by Resolution No. 296
Amended by Resolution No. 298
Amended by Resolution No. 299
Amended by Resolution No. 306
Amended by Resolution No. 310
Amended by Resolution No. 326
Amended by Resolution No. 334
Amended by Resolution No. 344
Amended by Resolution No. 380
Amended by Resolution No. 381
Amended by Resolution No. 422
Amended by Resolution No. 445
Amended by Resolution No. 470
Amended by Resolution No. 485
Amended by Resolution No. 505

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute Contract 10565 with David Evans & Associates, Inc. in the Amount of \$271,825 for Engineering Design Services for the N 175th Street Sanitary Sewer Replacement Project.
DEPARTMENT:	Public Works
PRESENTED BY:	Samuel Supowit, Wastewater Systems 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 175th Street Corridor Improvements Project (175th Corridor Project) will widen the roadway and construct pedestrian and cyclist improvements from Stone Avenue N to I-5, and improve the intersection at N 175th Street and Meridian Avenue N. The 175th Corridor Project is currently at the 60% design stage, with the first phase of construction expected to start by 2025.

Recent sanitary sewer modeling results revealed a need to improve capacity of the sewer system within the 175th Corridor Project area. Staff determined the best approach to design the new sewer infrastructure along the Corridor is to initiate a new consulting contract and conducted an administrative selection for David Evans & Associates, Inc., (DEA) to provide design services.

RESOURCE/FINANCIAL IMPACT:

The N 175th Street Sanitary Sewer Replacement Project is fully funded by Wastewater funds under the Wastewater Capital Improvement Program (CIP), including this proposed consulting contract amount of \$271,825 and subsequent construction effort estimated to cost between \$1.5 million and \$2 million.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with David Evans & Associates Inc. in the amount of \$271,825 for engineering design services for the City of Shoreline N 175th Street Sanitary Sewer Replacement.

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

BACKGROUND

DEA, the City's on-call wastewater engineering consultant, updates the sewer system hydraulic model when the City receives permit requests from developers. The model is used to predict the impact of developments to the system, which is then used to prioritize pipeline replacement projects. Portions of the N 175th St sewer main pipes in N 175th corridor already flow full during the winter, and others are anticipated to be overcapacity between 2022 and 2024 as a result of development. The N 175th St sewer main between I-5 and Meridian is anticipated to receive new flow from several apartment complexes in development along N 185th Street. The addition of hundreds of new housing units upstream will put a strain on the collection system along 175th, necessitating replacement/upsizing of pipelines.

The 175th Corridor project is at 60% design status. It is currently anticipated that construction on the road may not begin until 2025, after the time that the hydraulic model indicates sewer pipes in this area may be overcapacity. To prevent digging up the new road after it is constructed, the 175th sewer main should either be improved during or prior to construction of the 175th Corridor project.

DISCUSSION

DEA has been the long time District Engineer for Ronald Wastewater District. While the assumption has been completed, DEA still provides critical support to the City on hydraulic modeling, capital project design and other activities. Based on DEAs history, knowledge, and the project schedule, staff has administratively selected DEA to perform the design of this project.

The contract with DEA is being presented to Council tonight for review and approval. Contract work will begin in early 2023 and the 100% design deliverable is expected within approximately 12 months of contract execution. Scope of Work and contract fees are provided under Attachment A. The contract will have four phases: survey, preliminary design, final design, and bidding support.

The alternative is to not award this contract which would lead to two options:

1. Do not proceed with the design and do not make the improvements to the sewer line, which may result in the line being over capacity in the next 2-5 years.
2. Issue a formal Request for Qualifications (RFQ) and potentially select a different consultant to perform the design. This process would take several months and would delay the start of the design which could jeopardize the completion of the work prior to the N 175th St corridor project.

By awarding this contract, the project will be coordinated with the design of the 175th Corridor project.

COUNCIL GOAL(S) ADDRESSED

This item implements City Council Goal No 2, and is directly related to Action Step12:

Goal 2. Continue to deliver highly-valued public services through management of the City's infrastructure and stewardship of the natural environment.

Action Step 12. Complete 90% design of the N 175th Street Corridor Project from Interstate-5 to Stone Avenue N

RESOURCE/FINANCIAL IMPACT

The N 175th Street Sanitary Sewer Replacement Project is fully funded by Wastewater funds under the Wastewater Capital Improvement Program (CIP), including this proposed consulting contract amount of \$271,825 and subsequent construction effort estimated to cost between \$1.5 million and \$2 million.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with David Evans & Associates Inc. in the amount of \$271,825 for engineering design services for the City of Shoreline N 175th Street Sanitary Sewer Replacement.

ATTACHMENTS

Attachment A: Scope of Work



DAVID EVANS
AND ASSOCIATES INC.

November 23, 2022

Ms. Tricia Juhnke
The City of Shoreline
Interim Public Works Director
17500 Midvale Ave N
Shoreline, Washington 98133
tjuhnke@shorelinewa.gov (via email only)

*RE: City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering Design Services - Scope of Work **DRAFT***

Dear Ms. Juhnke,

We are grateful for the opportunity to continue our relationship with The City of Shoreline (City) and appreciate your interest in David Evans and Associates, Inc. (DEA) providing Consultant Civil Engineering Design Services for delivery of the City's N 175th Street Sanitary Sewer Replacement project (Project).

We are pleased to present the following scope of work for your review.

UNDERSTANDING

The City is the owner and operator of the sanitary sewer system generally within the City right-of-way. Also, the City is presently in the design stages of a capital improvement project to improve the roadway along the N 175th Street corridor generally between Aurora Avenue and Interstate 5; the 175th Street Corridor Project (Corridor).

There are City sanitary sewer facilities located within the boundaries of the impending Corridor project. The associated sewer works facilities (Facilities) are located generally within the project boundaries within the N 175th Street and Meridian Ave N rights-of-way. Some of these Facilities have been identified by the City's Sanitary Sewer Operations and Maintenance (O&M) department as needing replacement due to pipe condition concerns (pipe sags, slipped and/or broken joints, and other pipe condition concerns). Some of the Facilities have also been identified as candidates for replacement due to future capacity concerns as a result of the City's latest hydraulic sewer model iteration, which has been updated since the City's 2021 Comprehensive Sewer Plan (refer to our Hydraulic Sewer Model 2022 Update package of technical memorandums for information on the updates made to the sewer model). Because the Facilities have been identified as having both O&M and future capacity concerns, coupled with the upcoming roadway Corridor project, the City has chosen to replace the Facilities. The Project can be prepared to be released in conjunction with the Corridor project or as a standalone sanitary sewer project.

The key drivers for the Project are the need to address O&M and future capacity concerns of the Facilities and the construction of the Corridor project. It has been reported to us during meetings regarding the Corridor project that the City sees value in performing any upgrades required in the near-future to the Facilities to be performed in conjunction with the Corridor Project to reduce risk

City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering Design Services - Scope of Work

of future disturbance to the improvements installed with the Corridor project. However, it was reported that the City would like the flexibility to release the Project as a standalone sanitary sewer project.

Preliminary discussions indicate the Project will replace, and may relocate, the following segments of sanitary sewer main that range from 8” to 24” in size:

G4055 to G4056	G4051 to G4052	F4100 to F4114
G4056 to G4049	G4052 to G3002	F4113 to F4114
G4049 to G4050	G4045 to G4046	F4099 to F4100
G3001 to G4049	G4046 to F4100	F4098 to F4099
G4048 to G4050	G3002 to G3003	F4097 to F4098
G4050 to G4051	F4114 to G4052	F4088 to F4098

These segments are located in N 175th Street generally between I-5 and Meridian Ave N, in Meridian Ave N adjacent to Ronald Bog Park and in Meridian Ave N between N 175th Street and N 177th Street, with larger diameter pipe and upgraded structures and appurtenances.

It is not yet known if the Project will be administered as a standalone project or if the Project will be incorporated into the first phase of the Corridor project. This Scope and Fee Estimate is presented in a fashion that allows the Project to be bid as a standalone sanitary sewer project or incorporated into the aforementioned roadway project.

The overall Project Team (Team) and anticipated roles are as follows:

- City Project Manager: Leif Johansen, P.E., or Laura Reiter, P.E., or Sam Supowit, Ph.D., P.E., The City of Shoreline
- Consultant Project Manager: Scott Christensen, P.E., DEA
- Consultant Project Lead: Tucker Collins, P.E., DEA
- Consultant Quality Control: Rodney Langer, P.E., DEA

As the Consultant, DEA will provide civil engineering design of site demolition, temporary erosion and sediment control (TESC), and sanitary sewer system replacement. DEA will also perform/provide technical specification preparation, cost estimate preparation, and bid administration support. Milestones: 30% drawing set and AACE Class 3 cost estimate; 60% drawing set, technical specifications, and AACE Class 2 cost estimate; 90% drawing set, technical specifications, and AACE Class 1 cost estimate; and 100% construction plans, technical specifications, and final engineer’s estimate.

The anticipated scope of work for DEA to provide Consultant Civil Engineering Design Services is summarized directly below and outlined in detail in the following section:

1. Project Management and Administration
2. Data Acquisition and Review
3. Permitting Support
4. Preliminary Design
5. Design
6. Bidding support
7. Management reserve

SCOPE OF WORK – Consultant Civil Engineering Design Services

The following summarizes the scope of work that DEA anticipates under our role of Consultant.

Please note that this proposal is based on design of replacement of the pipe segments listed above and that additional segments of sewer main to be replaced will be cause for an amendment to the scope and budget for this task.

Given the ongoing Covid-19 related restrictions and DEA's goal of efficient resource use, some meetings will be videoconference / teleconference and all deliverables (memo, letters, reports, RFP, etc.) will be provided electronically through email and cloud repository exchange.

TASK 1. PROJECT MANAGEMENT AND ADMINISTRATION

DEA will perform project management, invoicing and schedule updates, coordination, and closeout tasks related to the execution of this scope of work.

1.1. Planning and Milestone Development

Work for this task includes time for project planning and milestone development, schedule development and related earned value management which commenced in late July of 2022 and completes on the date of this Scope.

1.2. Kickoff meeting

Work for this task includes time for one kickoff meeting attended by the DEA project team as listed above. This task covers cost of labor hours associated with organizing and attending the kickoff meeting in person at the Shoreline City Hall and via video teleconference (Zoom or Teams).

1.3. Invoicing and schedule updates

Work for this task includes managing project scope, schedule, and budget, and providing monthly invoices and status reports, and periodic schedule updates.

1.4. DEA team coordination and management

Work for this task includes internal DEA design meetings and other coordination and management related to design.

1.5. Project Coordination – City of Shoreline

Work for this task includes design meetings and other coordination including correspondence via in-person, email, telephone and internet-based meetings related to design with the City of Shoreline. Work for this task also includes one (1) site visit attended by DEA personnel.

1.6. Project coordination – Roadway Designer (allowance, as needed)

Work for this task includes design meetings and other coordination including correspondence via in-person, email, telephone and internet-based meetings related to design with the City of Shoreline's Corridor project design team regarding information related to sewer location (relocation) and interference between sewer and Corridor project improvements. Work for this task also includes one (1) site visit attended by DEA personnel.

City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering Design Services - Scope of Work

1.7. Subconsultant coordination

Work for this task includes coordination with the subconsultants for location of existing utilities for data acquisition and design basemap preparation. Work includes subcontracting negotiations and related coordination and scheduling utility locate work.

1.8. Closeout

Work for this task includes internal project closeout procedures for final billing and invoicing and final records review, completion checks and filing.

Assumptions:

- Duration to complete scope is approximately fourteen and a half (14.5) months (from contract execution to contract end date).
- Site visits will be attended by members of the DEA project team listed above and recruited from within DEA during the Project.
- Site visits will be four (4) hours each with an additional two (2) hours for preparation and debrief of site visits

Deliverables:

Monthly project invoices and progress updates for the duration of the scope.

TASK 2. DATA ACQUISITION AND REVIEW

DEA will perform tasks related to data acquisition, review, and incorporation of acquired data into project design. This task includes site visits, topographic survey, preparation of utility locate maps and potholing plans, requesting existing utility information from utility providers within the project area and reviewing and incorporating the acquired data into the project design.

2.1. Site Visits

Work for this task includes two (2) site visits for existing site investigation from the design team.

2.2. Topographic Survey

Work for this task includes preparation of a Topographic Survey to support design of the Project. The coordinate basis for the survey will be NAD 83/91 Washington North and elevations will be based on Vertical Datum NAVD 88. DEA will obtain location of the following improvements with elevations:

- Existing structures and finish floor elevations.
- Edge of asphalt, gravel, and other surface improvements.
- Any fences or retaining walls.
- Catch basins, culverts, wells, sewer/septic manholes, fire hydrants, valve boxes, power poles, and other utilities which are observable from surface exploration that effect the Project.
- Trees 12” or greater in diameter.
- Survey markers.

*City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering
Design Services - Scope of Work*

2.3. Utility Locate Maps and Potholing Plans

Work for this task includes preparation of maps to be utilized for utility locate request; these maps will be showing project area and boundaries of the area for utilities to be located. We do not anticipate potholing for existing utilities to be performed as a part of design.

2.4. Utility Data Requests

Work for this task includes coordination and requests to COSH and other third-party utilities with facilities in the project area for existing utility information. Work for this task also includes that needed to generate utility and base maps.

2.5. Utility Locates

Work for this task includes coordination and execution of utility locates in the project area for design purposes. It is anticipated that a third-party utility locate service will be subcontracted through DEA.

2.6. Data Review

Work for this task includes engineer review of information acquired from tasks 2.1 to 2.5. for compilation into a Project design basemap including existing utilities and existing surface improvements.

Assumptions:

- Topographic survey will be limited to the area needed for design of this Project and includes the full width of right of way at the location of the sewer segments listed in the Understanding section above. Distance from centerline of right of way to edge of right of way is 30' to 40' for the majority of the alignment and survey will extend 50' maximum from right of way centerline.
- City to provide coordination and assistance regarding site access and access to facilities.
- Exclusion of resolution of physical encroachments/occupation that may be disclosed by field survey.
- Exclusion of discovery of easements or other matters materially affecting the property which are not disclosed by the title report.
- Utility locate service for all franchise facilities will be provided by DEA or their subcontractor prior to DEA survey.
- A published and acceptable benchmark exists within 1/2 mile of the project, and within 250 total vertical feet.
- Site visits will be attended by members of the DEA project team listed above and recruited from within DEA during the Project.
- Site visits will be four (4) hours each with an additional two (2) hours for preparation and debrief of site visits

Deliverables:

- None. Information retrieved from the work in this task to be included in other deliverables.

City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering Design Services - Scope of Work

TASK 3. PERMITTING SUPPORT

DEA will perform tasks to support the City's permitting efforts related to the project.

3.1. Environmental Permitting Support

Work for this task includes preparation of a technical memorandum requesting categorical exemption from other environmental permitting requirements. This task may also include the following, as directed:

- Preparation of a SEPA checklist for transmittal to the City for their use and preparation of a Determination of Non-significance.
- Preparation of Construction Stormwater General Permit (CSWGP) application form and supporting documents for transmittal to the City for their use and submittal to Washington Department of Ecology.

Deliverables:

- Populated SEPA Checklist (as needed)
- Populated CSWGP application (as needed)
- Technical memorandum requesting categorical exemption from other environmental permitting requirements

Assumptions:

- The Project will be exempt from all environmental permitting requirements on the grounds of the project type being defined as existing utility maintenance other than the SEPA process and the CSWGP.

TASK 4. PRELIMINARY DESIGN

DEA will complete the preliminary civil engineering plans and supporting technical information for the cover sheet, supporting information sheet and plan and profile sheet for City review. The general notes and accompanying legend, abbreviations, pipe schedule, vicinity maps, etc. will be presented in support of the rest of the preliminary civil engineering design. DEA will also prepare a preliminary construction cost estimate based on the preliminary civil engineering plans.

4.1. Basemap Preparation

Work for this task includes compiling the collected existing utility base maps, correlating with the surveyed utilities and preparing a utility base map. Work for this task also includes incorporating the utility basemap into the topographic survey of existing improvement to create the Project's design basemap.

4.2. Preliminary 30% Design

Work for this task includes preparation of the 30% design drawings to include a cover sheet, sheet index, general notes, legend, abbreviations, pipe schedule, vicinity map, existing site map, demolition plan, and plan and profile sheets for submittal to the City. Work for this task also includes preparation of a 30% OPCC/AACE Class 3 cost estimate for submittal to the City.

Deliverables:

- 30% Design Plans
- 30% OPCC/AACE Class 3 Cost Estimate

Assumptions:

- AutoCAD Civil 3D version 2019 will be used to generate the base map.
- The City will not review the base map prior to the preliminary design deliverable.
- The work for this task includes the DEA internal project quality management plan, quality control practices, and implementation of quality reviews of project deliverables prior to submittal to the City, as needed.
- 30% design drawings will exclude details.
- 30% design submittal will exclude specifications.

TASK 5. DESIGN

DEA will complete the civil engineering plans, engineer's construction cost estimate and technical specification for City use and issue for public bid. The sheets will include a cover sheet, supporting technical information sheet, existing conditions sheet, demolition plan sheet, temporary erosion and sediment control plans and details sheets, sanitary sewer plan and profile sheets and sanitary sewer details sheets. DEA will also prepare an engineer's construction cost estimate based on the civil engineering plans. DEA will also prepare a specification to include special provisions and technical specifications.

5.1. 60% Design

Work for this task includes preparation of the 60% design drawings to include a cover sheet, sheet index, general notes, legend, abbreviations, pipe schedule, vicinity map, existing site map, demolition plan, temporary erosion and sediment control plan and details sheet, and sanitary sewer plan and profile sheets and sanitary sewer details sheets for submittal to the City. The general notes and accompanying legend, abbreviations, pipe schedule, vicinity maps, etc. will be presented in support of the rest of the civil engineering design. The demolition plans and details will present an overview of the existing infrastructure to be removed or abandoned. The TESC plan will present temporary stormwater management measurements to be employed during construction, and will include details, notes, sequencing, and site-specific items. The sanitary sewer plans, profiles and details will present the design of the sewer main replacement and associated structures and appurtenance improvements. Work for this task also includes preparation of a 60% OPCC/AACE Class 2 cost estimate for submittal to the City. Work for this task also includes preparation of 60% specifications to include special provisions and technical specifications in WSDOT format for submittal to the City.

5.2. 90% Design

Work for this task includes preparation of the 90% design drawings to include a cover sheet, sheet index, general notes, legend, abbreviations, pipe schedule, vicinity map, existing site map, demolition plan, temporary erosion and sediment control plan and details sheet, and sanitary sewer plan and profile sheets and sanitary sewer details sheets for submittal to the City. The general notes and accompanying legend, abbreviations, pipe schedule, vicinity maps, etc. will be presented in support of the rest of the civil engineering design. The demolition plans and details will present an overview of the existing infrastructure to be removed or abandoned. The TESC plan will present temporary stormwater management measurements to be employed during construction, and will include details, notes, sequencing, and site-specific items. The

*City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering
Design Services - Scope of Work*

sanitary sewer plans, profiles and details will present the design of the sewer main replacement and associated structures and appurtenance improvements. Work for this task also includes preparation of a 90% OPCC/AACE Class 1 cost estimate for submittal to the City. Work for this task also includes preparation of 90% specifications to include special provisions and technical specifications in WSDOT format for submittal to the City.

5.3. 99% Check Set

Work for this task includes preparation of the 99% design drawings to include a cover sheet, sheet index, general notes, legend, abbreviations, pipe schedule, vicinity map, existing site map, demolition plan, temporary erosion and sediment control plan and details sheet, and sanitary sewer plan and profile sheets and sanitary sewer details sheets for submittal to the City. The general notes and accompanying legend, abbreviations, pipe schedule, vicinity maps, etc. will be presented in support of the rest of the civil engineering design. The demolition plans and details will present an overview of the existing infrastructure to be removed or abandoned. The TESC plan will present temporary stormwater management measurements to be employed during construction, and will include details, notes, sequencing, and site-specific items. The sanitary sewer plans, profiles and details will present the design of the sewer main replacement and associated structures and appurtenance improvements. Work for this task also includes preparation of 99% specifications to include special provisions and technical specifications in WSDOT format for submittal to the City.

5.4. 100% Design Bid Package

Work for this task includes preparation of the 100% design drawings to include a cover sheet, sheet index, general notes, legend, abbreviations, pipe schedule, vicinity map, existing site map, demolition plan, temporary erosion and sediment control plan and details sheet, and sanitary sewer plan and profile sheets and sanitary sewer details sheets for submittal to the City for bidding. The general notes and accompanying legend, abbreviations, pipe schedule, vicinity maps, etc. will be presented in support of the rest of the civil engineering design. The demolition plans and details will present an overview of the existing infrastructure to be removed or abandoned. The TESC plan will present temporary stormwater management measurements to be employed during construction, and will include details, notes, sequencing, and site-specific items. The sanitary sewer plans, profiles and details will present the design of the sewer main replacement and associated structures and appurtenance improvements. Work for this task also includes preparation of a 100% Engineer's cost estimate for submittal to the City for bidding. Work for this task also includes preparation of 100% specifications to include special provisions and technical specifications in WSDOT format for submittal to the City for bidding.

Deliverables:

- 60% Design Plans
- 60% Specifications
- 60% OPCC/AACE Class 2 Cost Estimate
- 90% Design Plans
- 90% Specifications
- 90% OPCC/AACE Class 1 Cost Estimate
- 99% Check Set
- 100% Bid Package

*City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering
Design Services - Scope of Work*

Assumptions:

- AutoCAD Civil 3D version 2019 will be used to generate the design drawings.
- Sheet counts are provided in separate spreadsheet attached hereto.
- City review time of deliverables is anticipated to be four weeks or less per review cycle.
- The work for this task includes the DEA internal project quality management plan, quality control practices, and implementation of quality reviews of project deliverables prior to submittal to the City, as needed.
- The City will provide a geotechnical report that analyzes soils beneath the proposed sewer facilities, specifically addresses sewer facility construction and gives constraints for dewatering, shoring, foundation materials and backfill materials, at a minimum.
- Specifications will be WSDOT standard specifications with special provisions customized to the project.

TASK 6. BIDDING SUPPORT

DEA will provide the City with bidding administration support including addenda preparation, request for information review and response preparation, request for substitution review and response, pre-bid meeting coordination and attendance and bid opening support.

6.1. Addenda preparation

Work for this task includes preparing and submitting to the City for issuance bid package addenda prior to bid opening.

6.2. RFI and RFS review and response preparation

Work for this task includes review RFIs and RFSs submitted by potential project bidders and preparing and submitting to the City for issuance RFI and RFS responses prior to bid opening.

6.3. Pre-Bid Meeting

Work for this task includes coordinating and attending an on-site pre-bid meeting with the DEA's project team, the City's project team (including Corridor project team), and potential bidders.

6.4. Bid Opening

Work for this task includes attending the bid opening at City Hall, reviewing all bids for accuracy and preparing and distributing the certified tabulation of bids received.

Deliverables:

- Addenda
- RFI and RFS responses
- Certified Tabulation of Bids Received

Assumptions:

- A maximum of three (3) addenda
- A maximum of three (3) RFIs
- A maximum of three (3) RFSs
- The pre-bid meeting will be attended by all DEA project personnel listed above.
- The pre-bid meeting will be four (4) hours with an additional two (2) hours for preparation and debrief of meeting
- The bid opening will be attended by all DEA project personnel listed above.

*City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering
Design Services - Scope of Work*

- The bid opening will be four (4) hours with an additional two (2) hours for preparation and debrief of meeting.

TASK 7. MANAGEMENT RESERVE

DEA will hold ten percent (10%) of the estimated fee estimate total in reserve for unforeseen costs and contingencies. These funds shall only be utilized with written authorization by the City Project Manager.

SCHEDULE

The estimated schedule, including City review time, is outlined below:

January 10, 2022	Assumed date of City of Shoreline notice to proceed
January 17, 2022	Kickoff meeting
May 1, 2023	30% Plans
August 1, 2023	60% Plans, Special Provisions, and Cost Estimate
October 13, 2023	90% Plans, Special Provisions, and Cost Estimate
January 5, 2024	100% Bid Package
February 1– March 15, 2024	Bidding Support

BUDGET

For the scope of work outlined above, DEA proposes the following not to exceed fee of:

		BUDGET
TASK 1.	PROJECT MANAGEMENT AND ADMINISTRATION	\$35,940.00
TASK 2.	DATA ACQUISITION AND REVIEW	\$35,580.00
TASK 3.	PERMITTING SUPPORT	\$6,740.00
TASK 4.	PRELIMINARY DESIGN	\$25,715.00
TASK 5.	DESIGN	\$130,255.00
TASK 6.	BIDDING SUPPORT	\$11,520.00
TASK 7.	MANAGEMENT RESERVE	\$24,575.00
	Expenses	\$1,500
	TOTAL	\$271,825.00

(Expenses include costs for mileage including but not limited to survey, site visits, and meetings and include cost for reproduction of materials including but not limited to plans, specifications and figures.)

*City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering
Design Services - Scope of Work*

PROJECT SHEET LIST

Section	Number	Name	30% deliverable	60%/90%/100% deliverables
G	001	Cover, Sheet Index	x	x
G	002	Symbols, legend, abbreviations	x	x
G	003	General notes		x
V	101	Existing Site Conditions	x	x
V	102	Existing Site Conditions	x	x
C	001	Demo Plan	x	x
C	002	TESC plans		x
C	101	Sanitary Sewer plan and profile F4088-F4098, F4098-F4099	x	x
C	102	Sanitary Sewer plan and profile F4097-F4098	x	x
C	103	Sanitary Sewer plan and profile F4099-F4100, F4100-F4114	x	x
C	104	Sanitary Sewer plan and profile F4045-F4046, F4046-F4100	x	x
C	105	Sanitary Sewer plan and profile F4113-F4114	x	x
C	106	Sanitary Sewer plan and profile F4114-G4052, G4052-G4051	x	x
C	107	Sanitary Sewer plan and profile G4051-G4050, G4050-G4048, G4050-G3001	x	x
C	108	Sanitary Sewer plan and profile G4050-G4056	x	x
C	109	Sanitary Sewer plan and profile G4056-G4055	x	x
C	110	Sanitary Sewer plan and profile G4052-G3002	x	x
C	111	Sanitary Sewer plan and profile G3002-G3003	x	x
C	501	TESC notes and details		x
C	502	Civil details		x
C	503	Civil details		x
C	504	Civil details		x
C	505	Civil details		x
C	506	Civil details		x

City of Shoreline N 175th Street Sanitary Sewer Replacement - Consultant Civil Engineering Design Services - Scope of Work

Thank you again for this opportunity to work with you as the Consultant on the delivery of the City's Project. We truly appreciate your consideration, and we look forward to continuing our relationship with you and the City of Shoreline.

Sincerely,

DAVID EVANS AND ASSOCIATES, INC.

Tucker Collins, P.E.
Civil Engineer III

Scott Christensen, P.E.
Project Manager

Encl: Consultant Civil Engineering Design Services Fee Estimate (1 page)



DAVID EVANS
AND ASSOCIATES INC.

Project Fee Estimate The City of Shoreline N 175th Street Corridor Sanitary Sewer Replacement
David Evans and Associates, Inc. Estimated Labor Consultant Civil Engineering Design Services

Project Ref:	NA
Date:	11/23/2022
Prepared By:	THCO / SXCH

Task/Subtask (1)	Estimate of Effort												Labor		
	Personnel Positions and Est. Hours												Total Hours	Total Est. Fee	
	Project Manager	Project Engineer	Design Engineer	CAD/GIS Technician	Admin. Assistant	Survey Manager	Public Land Surveyor	Survey Technician II	Survey Technician I	Two Person Field	Admin. Assistant	Subcontractor			
\$ 240.00	\$ 170.00	\$ 140.00	\$ 135.00	\$ 100.00	\$ 210.00	\$ 180.00	\$ 110.00	\$ 100.00	\$ 220.00	\$ 100.00	\$ 135.00				
1	Project Management and Administration	84	74	0	0	32	0	0	0	0	0	0	0	190	\$35,940.00
1.1	Planning & Milestones	8	12			4								24	\$4,360.00
1.2	Kickoff meeting	6	6											12	\$2,460.00
1.3	Invoicing & schedule updates	24	4			24								52	\$8,840.00
1.4	DEA Team coordination and management	12	12			4								28	\$5,320.00
1.5	Project Coordination - City of Shoreline	12	12											24	\$4,920.00
1.6	Project Coordination - Roadway Designer	12	12											24	\$4,920.00
1.7	Subconsultant coordination	2	2											4	\$820.00
1.8	Closeout	8	14											22	\$4,300.00
2	Data Acquisition and Review	20	56	0	8	0	4	16	0	30	48	2	20	204	\$35,580.00
2.1	Site visits	12	12											24	\$4,920.00
2.2	Topographic survey						4	16			30		2	100	\$17,480.00
2.3	Utility locate maps and potholing plans	4	16		4									24	\$4,220.00
2.4	Utility data requests		12											12	\$2,040.00
2.5	Utility locates (APS)												20	\$2,700.00	
2.6	Data review	4	16		4									24	\$4,220.00
3	Permitting Support	8	22	0	8	0	0	0	0	0	0	0	0	38	\$6,740.00
3.1	Environmental permitting support	8	22		8									38	\$6,740.00
4	Preliminary Design	28	76	0	45	0	0	0	0	0	0	0	0	149	\$25,715.00
4.1	Base map preparation	4	14		9									27	\$4,555.00
4.2	30% design	24	62		36									122	\$21,160.00
5	Design	132	371	0	263	0	0	0	0	0	0	0	0	766	\$130,255.00
5.1	60% design	48	132		88									268	\$45,840.00
5.2	90% design	48	132		88									268	\$45,840.00
5.3	99% check set plans	24	71		60									155	\$25,930.00
5.4	100% bid package	12	36		27									75	\$12,645.00
6	Bidding Support	18	36	0	8	0	0	0	0	0	0	0	0	62	\$11,520.00
6.1	Addenda	2	12		4									18	\$3,060.00
6.2	RFIs and RFQs	4	12		4									20	\$3,540.00
6.3	Pre-bid meeting	6	6											12	\$2,460.00
6.4	Bid opening	6	6											12	\$2,460.00
7	Management Reserve	29	64	0	33.2	4	1	2	0	3	5	1	2	140.9	\$24,575.00
7.1	Management reserve (10%)	29	63.5	0	33.2	3.2	0.4	1.6	0	3	4.8	0.2	2	140.9	\$24,575.00
	Total	319	699	0	365.2	36	5	18	0	33	53	3	22	1487.9	\$270,325.00

Estimated Direct Expenses	
Mileage and Production	\$1,500
Total	\$1,500

Project Fee Estimate Summary and Total	
Total Estimated Labor	\$270,325.00
Total Estimated Expenses	\$1,500.00
Total Fee Estimate	\$271,825.00

Notes and Assumptions:

- See detailed Scope of Work dated November 23, 2022
- Hours and Rates shown are approximate, actual hours and rates will be based on assigned staffing and may decrease or increase. However, DEA will not exceed the Total Fee Estimate without the client's written authorization.
- The DEA project manager may transfer budget between tasks or from estimated expenses to labor and vice versa, with the City project manager's written permission and as the DEA project manager may determine as appropriate. Work will be billed on a time and expense basis, subject to the limit of the not-to-exceed Total Fee Estimate value.
- Client shall be responsible for direct payment of all permit, agency review, advertisement, service or other project expenses not expressly included in the Project Fee Estimate and/or Scope of Work.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a Contract with Reid Middleton Inc. in the Amount of \$298,000 for Design of the N 160 th Street & Greenwood Avenue North/North Innis Arden Way Roundabout 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:

As an outcome of permitting for Shoreline Community College’s (SCC) new residence hall constructed in 2019, SCC was required to construct traffic mitigation improvements at the intersection of 160th & Greenwood/Innis Arden. Pursuant to a 2018 Transportation Mitigation Agreement (Agreement) between SCC and the City, SCC made a \$2,083,000 payment to the City to fund a City capital improvement project to construct a roundabout at the intersection. An Agreement provision requires that construction of the intersection improvements be completed by 2025.

In August 2022, the City issued RFQ 10410 to solicit design consultant interest in final design of a roundabout at the 160th & Greenwood/Innis Arden intersection. The City received statements of qualification from four consultants and Reid Middleton was selected as the consultant most qualified to design the project. Tonight, the City Council is being requested to authorize the City Manager to execute a contract with Reid Middleton, Inc. for this design work.

RESOURCE/FINANCIAL IMPACT:

This project is fully funded by developer contributions. The following table summarizes the project budget for the design phase of the work:

EXPENDITURES

Project Administration (Staff and Other Direct Expenses)	\$118,000
Reid Middleton Design Contract	\$298,000
Construction Management	\$118,000
Right of Way	\$80,000
Construction	\$1,581,000
Public Art Funding	\$16,000
<hr/> Total	<hr/> \$2,211,000

REVENUE

Shoreline Community College Contribution	\$2,083,000
Developer Contribution	\$34,000
<hr/>	
Total	\$2,211,000

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute a contract with Reid Middleton, Inc. for \$298,000 to provide engineering design consultant services for the North 160th Street & Greenwood Avenue North/North Innis Arden Way Roundabout Project.

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

BACKGROUND

Shoreline Community College (SCC) built a new student residence hall on campus in 2019. Prior to construction of the residence hall, SCC 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) showed that the City's level of service standards would not be met at the Intersection after the student residence hall is occupied. The TTR proposed to install a signal at the Intersection to comply with the City's concurrency standards. The City conducted a Concept Design and Comparison report which identified a roundabout as a preferred solution. The report can be found at: [Concept Design and Comparison Report for 160th and Greenwood/Innis Arden Intersection Design](#).

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

DISCUSSION

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

- SCC will complete mitigation improvements at the Intersection within 6 years after issuance of the Certificate of Occupancy for the student residence hall.
- The City will complete a capital improvement project to develop a preferred concept for the Intersection by September 2019.
 - The project will complete an alternatives analysis for a roundabout and traffic signal(s).
 - The preferred concept will be selected based on level of service performance, capital and operating costs, safety, and public outreach.
 - The project will provide cost estimates for the preferred concept and SCC's 2018 TTR recommendation.
 - If the cost of the preferred concept is equal to or lower than the cost of the signalized intersection concept developed by SCC, SCC shall proceed with finalizing the design and construction of the preferred concept.
 - If the cost of the preferred concept is greater than the cost of the signalized intersection concept developed by SCC, SCC will pay the City the estimated cost of their concept and the City will be responsible for finalizing the design and construction of the preferred concept within 6 years after issuance of the Certificate of Occupancy for the student resident hall.

Negotiation of the Agreement resulted in the decision to have the City construct the roundabout as a capital improvement project financed by SCC. Accordingly, a payment of \$2,083,000 was made by SCC to the City to finance construction of the roundabout.

In addition to the SCC contribution, \$34,000 in additional project funding is available resulting from a traffic mitigation requirement as an outcome of a separate development activity.

STAKEHOLDER OUTREACH

On May 8, 2019, the City and SCC held an online open house to introduce the community to the SCC campus residential expansion and the need for improvements at the 160th & Greenwood/Innis Arden intersection. The open house discussed aspects of signalized intersections as compared to roundabouts and presented several intersection treatments that were being considered.

On July 18, 2019, the City and SCC held an in-person public open house to present more detailed design concepts the City was considering and to solicit feedback.

A variety of notification and engagement tools were used to advertise the open houses and inform Shoreline residents and other stakeholders about progress on the 160th & Greenwood/Innis Arden intersection including the following:

- Project webpage
- Yard signs
- Social media
- Neighborhood alerts
- Neighborhood associations
- Highland Terrace Parent-Teacher Association outreach

ALTERNATIVES ANALYSIS

In August 2022, the City began a formal selection process when RFQ 10410 was issued to solicit design consultant interest in final design of a roundabout at the 160th & Greenwood/Innis Arden intersection. The City received statements of qualification from four consultants: Reid Middleton, Jacobs, KPFF, and Lochner.

The four SOQs were evaluated by a three person City team and Reid Middleton was selected as the consultant most qualified to design the project. Reference checks were completed and deemed satisfactory, and the City commenced contract negotiations with Reid Middleton resulting in creation of an approved scope of work and contract amount.

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 the project or significantly delay the project. Given that the City has an agreement with SCC to complete project construction by 2025, the not awarding alternative is not recommended.

The design will commence once the consultant is under contract. It is anticipated that a fully designed project, including plans, specifications, and engineer's estimate, will be complete by March 2024 and the project can be advertised for construction bids with construction occurring in 2024. The proposed consultant scope of work and budget are provided as Attachment A.

COUNCIL GOAL(S) ADDRESSED

This item address City Council Goal #2: *Continue to deliver highly-valued public services through management of the City’s infrastructure and stewardship of the natural environment.*

RESOURCE/FINANCIAL IMPACT

This project is fully funded by developer contributions. The following table summarizes the project budget for the design phase of the work:

EXPENDITURES

Project Administration (Staff and Other Direct Expenses)	\$118,000
<i>Reid Middleton Design Contract</i>	<i>\$298,000</i>
Construction Management	\$118,000
Right of Way	\$80,000
Construction	\$1,581,000
Public Art Funding	\$16,000
<hr/>	
Total	\$2,211,000

REVENUE

Shoreline Community College Contribution	\$2,083,000
Developer Contribution	\$34,000
<hr/>	
Total	\$2,211,000

RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to execute a contract with Reid Middleton, Inc. for \$298,000 to provide engineering design consultant services for the North 160th Street & Greenwood Avenue North/North Innis Arden Way Roundabout Project.

ATTACHMENTS

- Attachment A: North 160th Street & Greenwood Avenue North/North Innis Arden Way Roundabout Project Design Scope of Work and Fee Proposal.
- Attachment B: Project Vicinity Map

Attachment A**Scope of Services****160th & Greenwood/Innis Arden Roundabout
PS&E****December 22, 2022****E. PROJECT UNDERSTANDING**

The City of Shoreline (City) requires the services of Reid Middleton, Inc. (Consultant) to prepare Plans, Specifications, and Estimate for a single lane roundabout at the intersections of North 160th Street, Greenwood Avenue North, and North Innis Arden Way (Project).

The City shall provide support services to the Consultant as described in the following text. The Consultant will cooperate and coordinate with City staff to facilitate the project.

F. DESIGN CRITERIA

Reports prepared as part of this scope of services, to the extent feasible, will be developed in accordance with the latest edition and amendments to the following documents, as of the date this Agreement is signed:

1. WSDOT Publications
 - a. *Washington State Department of Transportation/American Public Works Association (WSDOT/APWA), Standard Specifications for Road, Bridge, and Municipal Construction*, current edition.
 - b. *WSDOT/APWA Standard Plans for Road, Bridge, and Municipal Construction*; current edition.
 - c. *WSDOT Design Manual*, current edition.
2. AASHTO Publications

A Policy on Geometric Design of Highways and Streets, 2018 edition.
3. City of Shoreline Standards
 - a. *Engineering Development Manual*, 2022 edition.
 - b. *Standard Plans and Notes* as shown on the City's website.

4. Other Standards and Publications
 - a. *FHWA Manual on Uniform Traffic Control Devices (MUTCD)*; 2009 edition.
 - b. *WSDOT Americans with Disabilities Act (ADA) guidance*.
 - c. *Washington State Department of Ecology (DOE) 2014 Stormwater Management Manual for Western Washington (SWMMWW)*.

Base map and engineering CAD work will be done in Civil 3D 2019.

G. SCOPE OF SERVICES

The Consultant will perform the following:

1. Project Management and Administration

a. Invoices, Budget Review, and Administration

Monthly invoices will be prepared according to a City-approved format.

Progress reports will include discussion of work performed and estimated percentage of work completed. Budget status including supporting documentation for direct expenses will be furnished with each invoice.

The Consultant has based the fee proposal on an eighteen-month duration to complete PS&E and bid support. Monthly project management tasks to be performed beyond the specified duration shall be considered extra work if the project duration is beyond the control of the Consultant.

Deliverables:

- Monthly Invoice and Progress Report, PDF

b. Project Schedule and Contract Administration

The Consultant will prepare a project schedule using MS Project or other City approved format to track the progress of the deliverables. The project schedule will be based on the work identified in this scope of services and will identify major and support activities including significant work elements provided by the City. The Consultant will update the schedule throughout the project to document milestone deliverables.

The City shall prepare the contract and amendments as necessary. The Consultant will provide the City with scopes of services and fee proposals as required.

Deliverables:

- Project Schedule and Updates, PDF, and MS Project copies.
- Scope of services, PDF
- Fee proposal, PDF

c. Project Management & Coordination

The Consultant will coordinate with the subconsultants, process their invoices, and disseminate information to the project team.

Subconsultants are:

HWA Geosciences, Inc. (Geotechnical Investigation)
The Watershed Company (Environmental Services & Arborist)
Universal Field Services, Inc. (Right of Way)
Roundaboutix (Roundabout Geometry & Peer Review)
PRR (Public Outreach)

d. Project Meetings

The Consultant will attend multiple meetings with the City. Meetings include bi-weekly virtual meetings throughout design and a Pre-App meeting. The project kick-off meeting and other specific meetings are included in subsequent tasks.

Deliverables:

- Meeting minutes, PDF, and Word

2. Project Initiation

a. Project Kickoff Meeting

The Consultant will attend a kickoff meeting with the City. Attendees shall include the Consultant's project manager, lead designer, stormwater management engineer, environmental permitting lead, right of way lead, and City representatives. The Consultant will prepare meeting minutes. The following items will be discussed:

- (1) Project scope of services
- (2) Project background
- (3) Project objectives and constraints
- (4) Project Milestones
- (5) Required permits
- (6) Define responsibility of participants
- (7) Review material prepared to date

- (8) Confirm project schedule
- (9) Confirm design criteria

A site reconnaissance will be held in addition to the kickoff meeting. City representative(s) are encouraged to participate in the site visit and share project-relevant information and concerns.

b. Data Collection and Review

The Consultant will require the following information, including but not limited to:

- (1) Available record drawing plans within project limits.
- (2) Plans for nearby development.
- (3) Design constraints, including areas that are not to be impacted.
- (4) Design vehicle for each movement.
- (5) Available drainage information such as GIS information and drainage reports for areas in the project vicinity.
- (6) Relevant past geotechnical reports and pavement recommendations.
- (7) Traffic Data including:
 - (a) Available traffic studies for developments near and/or adjacent to this intersection.
 - (b) Existing traffic counts and collision history data.
 - (c) Future traffic volume forecasts.
- (8) City's design standards.
- (9) City's drainage standards.
- (10) City's drafting standards including Civil 3D requirements.
- (11) The City's current bid and contract documents and general conditions (project manual "front end" documents).
- (12) City's general special provisions

3. Topographic Survey

a. Utility Locates

The Consultant will mark/paint out utility lines within the project area. The project area includes the right of way and roadway approximately three hundred (300) feet from the intersection along each leg of the intersection.

b. Topographic Survey and Base Map

A complete topographic survey is needed in all five directions of the subject intersection. This survey will perform the necessary level of research and calculations to provide survey-grade right-of-way and property line locations but will not resolve potential boundary issues between private landowners, nor will there be any physical marking of the right-of-way or property lines in the field.

- (1) Limits are as described above.
- (2) The survey will reference Washington State Plane Coordinates – North Zone and NAVD88 vertical datum.
- (3) The survey will be prepared in US Survey feet units.
- (4) Survey mapping will be developed at one-foot contour intervals.
- (5) The topographic survey will include measurements and features within the survey limits as follows:
 - (a) Locations and elevations of surface types and features including road pavement, striping, high and low spots, drainage swales, top and toe of slopes, retaining walls, guard rails, and walking paths. Survey ties to wetland flags placed in the field by the environmental consultant.
 - (b) Storm system: Field survey catch basins, manholes, and culverts including pipe size, material and upstream and downstream invert elevations.
 - (c) Sanitary system: Field survey the structures with rim and invert elevations. Research records to determine location of service lines.
 - (d) Water system: Field survey surface indications of buried water lines and correlate record drawings with field

surveyed locations. If water lines are not traceable with conventional utility locating methods, record drawings will be correlated with surface features.

- (e) Surface features: Overhead utility lines and surface indications of subsurface utilities, vaults, utility poles, guy wires, walkways, signs, paths, parking stripes and parking areas, driveways, curbs, bollards, mailboxes, edges of cleared areas, signs, and fences.

(6) Mapping

- (a) Transfer field data to AutoCAD Civil 3D (or other requested format) system to create a base map and surface for the project area.

Deliverables:

- Engineering base map AutoCAD Civil 3D and surface files
- Stamped and signed hard copy of survey in PDF format (if needed)

4. Right of Way Services

a. Right-of-Way Legal Descriptions

- (1) Provide up to four (4) legal descriptions and corresponding exhibit maps for potential future easement creation and documentation.

Deliverables:

- Graphic depicting areas required for easements and right-of-way acquisition, PDF and CAD file
- Draft Right of Way Plan, PDF
- Final Right of Way Plan, PDF

b. Preliminary Right-of-Way Activities

- (1) Preparation and Administration

Right-of-Way Consultant will attend a Kick-off meeting with project team via video conference. Consultant will attend up to four (4) progress meetings which can be facilitated by video conference if preferred. Provide up to six (6) monthly progress reports indicating the work completed for the invoiced month, anticipated work for the following month, and identify issues requiring the project team's input or assistance. Consultant will provide sample acquisition documents for the City's review and approval for use. The City's pre-approved forms will be used

when provided. Prepare acquisition parcel files to include fair offer letters; recording and ancillary documents; a standard diary form indicating all contacts with owner(s); and other items necessary for negotiations.

Deliverables:

- Attend kick-off meeting
- Attend four (4) Progress Meetings
- Provide six (6) Monthly Progress Reports
- Coordinate with the City, approved Acquisition forms for project use
- Prepare parcel acquisition files

(2) Title / Ownership Review

The City will order title reports for up to four (4) parcels for confirmation of ownerships and base mapping purposes regarding encumbrances that could cause design conflicts. Upon receipt of title reports the Consultant will conduct initial reviews of each report to assess future complications during the parcel closing process. Parcel Title Summary and Risk Analysis Memos will be prepared for each of the parcels listing encumbrances and exceptions with recommendations to the City how to resolve each.

Deliverables:

- Prepare four (4) Parcel Title Summary and Risk Analysis Memos.

(3) Right-of-Way Planning & Outreach

Assist the City in preparation of a boilerplate “Introduction / Informational Letter” for the City’s delivery on City letterhead to all impacted property owners. Letter to include the purpose of the project, the project schedule, and an introduction of the City’s Project Team. Consultant will schedule and attend early “one on one” meetings with owners of three separate tax parcels. These meetings are intended as part of a public outreach vetting process to gauge project acceptance, willingness to convey needed real property rights and to share property owner concerns with the Project Team.

Deliverables:

- Boilerplate “Introduction / Informational letter” for the City’s delivery on City letterhead.

- Attend early “one on one” meetings, once with owners of affected parcels.
- Summarize owner concerns in writing for design team use.

(4) Right of Entry Agreements

Consultant will provide sample boilerplate ROE Agreements for the City’s review. The City shall provide and approve special use language for each ROE prior to the Consultant contacting each property owner.

Deliverables:

- ROE Agreements from four (4) owner(s).

(5) Preliminary Right of Way Funding Estimate

Consultant to prepare “Right of Way Funding Estimate” WSDOT Form LPA-005b.

Assumption:

- One (1) parcel will require ROW acquisition.

Deliverables:

- Right-of-way Funding Estimate / WSDOT Form LPA-005b.

c. Right of Way Acquisition

Based on the preliminary discussions with City staff, it is assumed the project will require a partial acquisition and a temporary easement for construction from one (1) separate tax parcel of real property. This scope of work includes Administration, Ownership and Title Report Review(s), Appraisal and Appraisal Review and Acquisition Negotiations services for one (1) parcel.

Any additional Right of Way services will require an amendment to this Scope of Work and associated Fee Estimate.

(1) Title and Ownership Review

Consultant shall update the ownership information provided in section b. (1) above to identify any changes in title conditions, if any.

Assumptions:

- One (1) parcel will be impacted by the project.

Deliverables:

- One (1) Updated Title Review Summary Memo.
- (2) Appraisal and Appraisal Review
CONSULTANT will subcontract and manage the Appraisal and Appraisal Review process with appraisal firms previously qualified by WSDOT and certified by the State of Washington. Appraisal content and related expenses for specialty studies of hazardous materials (ESA Phase 1, 2, or 3), etc. are excluded. It is assumed properties to be appraised are clean of hazardous materials.

Assumptions:

- One (1) Appraisal and one (1) Appraisal Review report will be required on this project.

Deliverables:

- One (1) appraisal report
 - One (1) appraisal review report
- (3) Acquisition Negotiation
The Appraisal and Appraisal Review completed in Subtask (2) above will be submitted to the City for written approval establishing the amount of Just Compensation to the property owner. Upon written approval from the City, Consultant will prepare the offer package(s) and promptly submit offer packages to the City for their review. When approved, Consultant will present offers to purchase all the required real property interests and negotiate in good faith to reach a settlement with the property owner. The offer will be presented in person when at all possible.

Consultant will acquire a partial fee acquisition and a temporary easement for construction from one (1) separate tax parcel. Additional parcels or real property rights other than those shown here will require an amendment to this Scope of Work and related Fee Estimate.

Negotiations will be conducted in accordance with statutory and regulatory requirements and will include coordination of administrative settlement approvals with the City; negotiating as necessary with lien holders; assisting escrow in the closing process; preparing and maintaining a parcel file to include fair offer letters and acquisition documents; a standard diary form indicating all contacts with the owners; and other items necessary for negotiations.

Negotiations shall not be deemed to have failed until at least three significant meaningful contacts have been made and documented with the owner and/or their representative through direct personal contacts.

If negotiations reach an impasse, UFS will provide the City with written notification. The filing and cost of condemnation proceedings shall be the responsibility of the City.

Deliverables:

- Acquisition Negotiation services with the owner of one (1) separate tax parcel.
- Completed parcel files, including necessary records of all Right-of-Way Acquisition services.

(4) Parcel Closeout – Escrow Closing

As part of Task (3) above and upon securing required acquisition agreements, UFS will submit the necessary acquisition documents and closing instructions to the designated Title/Escrow Company. UFS will work with the title/escrow company in order to obtain release documentation from the encumbrance(s) of public record that are not acceptable to the City in order to provide clear title to the property being acquired, subject to the City's title clearing guidelines. The escrow company shall prepare and obtain the owner's signatures on the necessary closing documents. UFS will coordinate signatures on closing documents for submittal to the City and payment(s) to the owner, and coordinate with the escrow/title company in filing documents with King County.

Deliverables:

- Deliver completed original Acquisition parcel file to the City

5. Arborist Services

The Consultant will conduct an inventory of significant trees within the project area. Trees will be tagged with a 1-1/4" aluminum tag with a unique identification number on the trunk. Attribute information to be collected will include species, general tree health, diameter at breast height (DBH), canopy radius (i.e., drip line) and height. All trees will be visually assessed using current Level I ISA standards to evaluate current condition.

The Consultant will review proposed design to assess impacts to trees and provide recommendations for tree removal or retention. The Consultant will summarize the findings of the tree inventory efforts and design recommendations in a letter-style report.

Deliverables:

- Draft Arborist Report, PDF
- Final Arborist Report, PDF

Assumptions:

- Level II or III ISA assessment of trees will not occur.
- Assumes up to 60 trees to be inventoried.
- All inventoried trees will be surveyed by a professional surveyor.
- Changes in the project area following fieldwork may result in additional fees.
- Tree removal/retention and protection details will be incorporated into the engineering plan set. Separate tree-specific plan sheets will not be prepared.
- Construction observation/monitoring is not included.

6. Geotechnical Investigation and Analysis

The Consultant will perform the following:

- a. Coordinate locations of two drilled borings and five pavement cores with the Client/City. Locate two drilled borings and five pavement cores in the field and arrange for utility locates using the 1-call service. This assumes boreholes and pavement cores will be located within the roadway and will require flaggers.
- b. Subcontract development of traffic control plans for pavement cores and boreholes and submit to City for approval.
- c. Subcontract traffic control for explorations. The Consultant anticipates flaggers will be required.
- d. Log the drilling of two boreholes using a licensed driller under subcontract to HWA. Perform pavement cores and shallow explorations at five locations. Pavement cores will be backfilled with compacted gravel and patched with Aquaphalt cold patch.
- e. Evaluate pertinent physical and engineering characteristics of the site soils from laboratory tests performed on samples obtained from the explorations, including natural moisture contents, grain size analyses and Atterberg limits.
- f. Provide recommendations for earthwork and subgrade preparation including excavation, placement and compaction of roadway fill and trench backfill, and preparation of pavement subgrade soils. This will also include pavement design recommendations and evaluation of the effects of weather and/or construction equipment on site soils.
- g. Provide foundation design considerations for the luminaires in accordance with WSDOT design procedures.

- h. Provide recommendations for drainage and on-site disposal of stormwater. Evaluate stormwater infiltration options with design team based on the soil and groundwater conditions encountered, laboratory results, field testing, and stormwater best practices.
- (1) Preliminary recommended infiltration rates will be determined based on the SWMMWW using ASTM grain-size analysis and/or the United States Department of Agriculture textural classification as appropriate to the native materials encountered. It is possible that this preliminary evaluation will determine that infiltration at the site is infeasible; however additional field testing may be required.
- i. Provide a draft geotechnical report with our conclusions and recommendations. Exploration logs, a site plan, and any supporting test data will be included along with ESAL value used for pavement design recommendations. The report will be finalized in response to comments provided by the project team.

Deliverables:

- Draft geotechnical report, PDF
- Final geotechnical report, PDF

7. Environmental Services

Based upon existing mapping, the project does not appear to be located within wetlands or streams, or their respective buffers. Consultant will conduct field work and prepare limited environmental documents to support the project.

The scope of work includes field investigations, preparation of a critical areas memo and preparation of a SEPA checklist.

a. Field Investigation

The project area is mostly developed, primarily consisting of paved right-of-way and residential development. No wetlands or streams are mapped within the project area.

The Consultant will investigate the project limits for the presence of wetlands and streams, including regulated buffers.

Deliverables:

- Wetland and stream sketch map (to be used for professional land survey).

Assumptions:

- Consultant will complete 2014 Ecology Rating Forms and Figures for up to two wetlands.
- Rights of access will be provided by the City in writing prior to issuance of a notice to proceed with the field delineation.

b. Critical Area Memorandum

The Consultant will prepare a critical area memorandum to document the results of the wetlands and streams field investigation. The Consultant will reference information regarding elements of construction activity including limits of clearing and grading and other engineering information as necessary to assess the extent of construction along the proposed alignment.

Deliverables:

- Draft Critical Area Memorandum (provided electronically in MSWord format).
- Final Critical Area Memorandum – (provided electronically in Adobe PDF format) includes edits based on one round of review comments. All comment/edits made to the Word document will be provided in track changes mode.

Assumptions:

- The Critical Areas Memorandum will address up to two critical areas: wetlands and streams. It is assumed that analysis of geologically hazardous areas and critical aquifer recharge areas are either not required or will be conducted by others.
- It is assumed that regulated wetlands, streams, or their respective buffers will not be impacted by the project. Therefore, no mitigation plan will be prepared as part of the Critical Areas Memorandum.

c. SEPA Checklist

The Consultant will prepare a Draft and Draft Final SEPA Checklist for the project. For purposes of this scope of services, it is assumed that the City shall be the SEPA lead agency and that they will issue a SEPA determination consistent with their SEPA rules. The City shall be responsible for finalizing the checklist and responding to public and agency comments. At this time, it is reasonable to assume that no additional studies would be necessary to complete the checklist.

Deliverables:

- Draft SEPA Checklist (provided electronically in MSWord format).
- Draft final SEPA Checklist – (provided electronically in Adobe PDF format) includes edits based on one round of review comments. All comment/edits made to the Word document will be provided in track changes mode.

Assumptions:

- This task anticipates that the City shall be the sole SEPA Lead Agency. Should cooperating agencies be determined to be the SEPA lead agency or co-lead agencies for this project, additional coordination and document preparation may be required and will be negotiated separately under an amendment to this SOW.
- The checklist will be based on about 30 percent design level project plans.
- The City shall be responsible for any publication fees.

8. Stormwater Analysis

The City shall provide the Consultant all available drainage information upon Notice to Proceed. The Consultant will visit the site to determine the existing drainage system and outfalls.

The Consultant will prepare a draft stormwater report in accordance with the City's standards. The Consultant will finalize the stormwater report in response to City comments.

The Consultant will develop a concept drainage plan to accompany the conceptual design alternatives. The City shall provide comments and the Consultant will proceed with design based on City guidance.

Deliverables:

- Draft Stormwater Report, PDF
- Final Stormwater Report, PDF

The Consultant will prepare the permit applications listed below. The City shall pay all permit fees.

a. SWPPP

The Consultant will prepare a draft General Construction Stormwater Pollution Prevention Plan (SWPPP). The draft SWPPP will be provided

to the Contractor, who will prepare the final SWPPP. The Consultant assumes the final construction documents will be used for this permit submittal.

Deliverables:

- SWPPP, PDF

9. Conceptual Design

The Consultant will perform roundabout analysis and develop exhibits for up to three (3) alternatives. The analysis will consider the design vehicle, collision data, traffic volumes and the conceptual design work completed to date.

a. Roundabout Criteria and Analyses

During the kickoff meeting the Consultant will discuss design constraints and expectations with City staff prior to refinement of the conceptual design which was developed in response to the City's Request for Qualifications.

(1) Geometric Layout

The Consultant will develop conceptual layouts based on operational analysis and site constraints. The design and figures will include the following:

- (a) Natural path analysis.
- (b) Fastest path analysis.
- (c) Sight-distance and visibility analysis.
- (d) Design vehicle turning movement analysis.

b. Conceptual Alternatives

The Consultant will meet with City staff via conference call or virtual meeting to discuss the final conceptual design, incorporation of design criteria, and roundabout impacts.

Deliverables:

- Conceptual Roundabout Layouts, PDF

c. Roundabout Validation Report (RVR)

(1) Preliminary RVR

The Consultant will present the analyses and figures of the conceptual design in a report for review and acceptance by the City.

The RVR will contain:

- (a) A discussion of existing conditions to include existing intersection controls, collision history, existing capacity, heavy vehicle usage, pedestrian and bicycle usage, impervious areas, and storm water management.
- (b) Comparison to existing configuration operation and roundabout.
- (c) Conceptual design roundabout geometrics.
- (d) Supporting tables, figures, and appendices.

(2) Final RVR

The Consultant will finalize the RVR based on comments received from the City. The Consultant will prepare a geometric design approval letter for submittal with the final RVR, indicating the City's acceptance of the final roundabout geometrics. The City shall sign and return the geometric approval letter prior to the Consultant beginning the 30 percent design.

Deliverables:

- Preliminary RVR, PDF
- Final RVR bearing engineer's stamp and signature with geometric approval letter; PDF

d. Sight Lines Exhibit for Landscape Design

The Consultant will provide a sight line exhibit depicting where high and low plantings can be used. This can be used in the future if plantings are added to the center island.

Deliverables:

- Landscaping Exhibit, PDF, and Civil 3D

10. Utility Coordination

a. Coordination with Utility Agencies

- (1) The Consultant will coordinate with the various utility agencies, including both franchise utilities and City-owned, regarding the relocation of existing facilities and provisions of new facilities within the project limits. Coordination with the utilities will include the following:
- (2) Provide the utility agencies with a copy of the completed base map for verification of their facilities.
- (3) Initiate and maintain a utility contact database to log all correspondence (mail, e-mail, and phone logs) with all the utility agencies.
- (4) Provide the utility agencies with a copy of the preliminary and final design drawings and anticipated construction schedule.

11. Public Outreach

a. Public Meeting

- (1) The Consultant will plan and facilitate a virtual meeting (webinar) with the public, including a presentation and Q&A session with City of Shoreline and Consultant staff. Assumptions include:
 - The City mail the notification postcard to properties within 500 feet of the intersection and implement web and social media updates.
 - The City will determine languages for materials translation and interpretation; Spanish and Korean recommended
 - The meeting will take place over Zoom or MS Teams, using the Consultant's Zoom Meetings account and last no longer than two and a half hours, including 30 minutes for set up.
 - Up to five Consultant staff will attend the meeting to facilitate, take notes, and offer tech support
 - The Consultant can provide simulcast interpretation of the public meeting in Spanish
 - The Consultant will coordinate up to two presentation/meeting practice sessions, including one with IT support

Deliverables

- Draft and final meeting plan
- Up to three original graphics depicting the location and use of the roundabout and the changes that can be expected to the intersection.
- Draft and final postcard
- Draft and final fact sheet
- Draft and final web and social media copy

- Translations of postcard, fact sheet, and web copy in up to two languages other than English
 - Draft and final PowerPoint presentation
 - Draft and final summary of event
- b. Stakeholder Briefings
- (1) The Consultant will participate in the planning and facilitation of up to two (2) virtual meetings with key stakeholders to share information on the project and get feedback/answer questions.

Assumptions include:

- Up to two meetings, virtual via MS Teams or other platform.

DESIGN MILESTONES

The following elements are included in the design milestones described below and will be performed at each of the following submittals:

- Design Development Phase (60 percent)
- Final Design Development (90 percent)
- Construction Documents (final)

a. Opinion of Probable Construction Costs

The Consultant will calculate bid item quantities and prepare an opinion of probable construction costs based on each design phase. The opinion will include appropriate contingencies, and waste and compaction factors.

b. Special Provisions

The Consultant will prepare the special provisions based on the *WSDOT Standard Specifications for Road, Bridge, and Municipal Construction*. The contents will include the City's general conditions, supplemental general conditions, amendments to the standard specifications, special provisions, and standard plans. The Special Provisions will address items of work which are not addressed by the APWA and Washington State Standard Specifications as may be required to properly cover the work contemplated by the drawings.

The Consultant will prepare the following:

- (1) Amendments
- (2) Special Provisions based on the *WSDOT Standard Specifications for Road, Bridge, and Municipal Construction* plus APWA Supplement (English Version)

- (3) Standard plans
- (4) Addenda (if any)
- (5) Project plans

The City shall provide the Consultant with bidding requirements, advertisement for bid, and contract documents.

The 60 percent submittal will include special provisions only.

c. Quality Control Review

The Consultant will conduct quality control reviews by selected senior staff members with appropriate experience and expertise. In the review, the staff will scrutinize and question the major elements of the design for adequacy of response to the major design challenges and conformance to the accepted design practices.

d. Submit Documents to City for Review

The Consultant will provide the following at each review submittal unless otherwise noted:

Deliverables:

- Plans, 11" x 17" PDF
- Opinion of probable construction costs, Excel
- Special Provisions, Word and PDF

e. Annotate Review Comments

The City shall provide electronic review comments for each submittal in a mutually acceptable format, such as Bluebeam. The City shall consolidate the review comments into a single document that shall be reviewed by the City's Project Manager in order to provide consistent direction to the Consultant and avoid duplicate comments.

The Consultant will provide written responses to comments provided by the City.

Deliverables:

- Annotated review comments, mutually accepted format

f. Meet with City to Review Submittal

The Consultant will meet with the City for each submittal to discuss each

review submittal. Review meetings for the concept designs and preferred alternative will be via conference call. Review meeting for the 60 percent and 90 percent submittals will be at the City's office.

12. Design Development (60 percent)

a. 60 Percent Plans

The 60 Percent design development submittal package will contain the following plans (number of sheets shown is approximate):

- (1) Cover Sheet; 1 sheet
- (2) General Notes, Abbreviations, and Existing Legend; 1 sheet
- (3) Existing Conditions Plan; 1 sheet
- (4) Survey Control Plan; 1 sheet
- (5) Alignment Plan; 1 sheet
- (6) Construction Phasing Sketches; 3 sheets
- (7) Temporary Erosion and Sedimentation Control (TESC) Plan and Details; 2 sheets
- (8) Site Preparation Plan; 2 sheets
- (9) Typical Cross Sections; 3 sheets
- (10) Grading Plan; 2 sheets
- (11) Grading Details; 2 sheets
- (12) Storm Drainage Plan; 2 sheets
- (13) Storm Drainage Profiles; 2 sheets
- (14) Illumination Plan; 1 sheet
- (15) Paving Plan; 2 sheets
- (16) Miscellaneous Details; 2 sheets
- (17) Channelization Plan and Details; 3 sheets
- (18) Signing Plan and Details; 3 sheets
- (19) Traffic Control Plans (2 sheets)
- (20) Pedestrian Control Plans (1 sheet)

b. Field Verify Design

The Consultant will visit the site with the City's Project Manager to check the design against site conditions. The examination will include checks for accuracy, constructability, and conflicts.

13. Final Design Development (90 Percent)

a. 90 Percent Plans

The 90 Percent final design development submittal package will contain the following plans (number of sheets shown is approximate):

- (1) Cover Sheet; 1 sheet

The cover sheet will include the following:

- (a) Project title and project number
- (b) Vicinity map
- (c) Drawing index

- (2) General Notes, Abbreviations, and Existing Legend; 1 sheet

This sheet will include the following:

- (a) City's General Notes
- (b) Abbreviations
- (c) Existing Legend

- (3) Existing Conditions Plan; 1 sheet

This sheet will show the existing conditions at the project site.

- (4) Survey Control Plan; 1 sheet

The Consultant will prepare a survey control plan to identify control points used in the design.

- (5) Alignment Plan; 1 sheet

The Consultant will prepare an alignment plan to present the construction alignments of the project. The drawings will include:

- (a) Construction limits
- (b) Curve data for construction centerlines
- (c) Survey notes
- (d) Survey control
- (e) Project benchmarks
- (f) Quarter section, township, and range

- (6) Concept Construction Phasing Plan; 4 sheets

Concept construction phasing plans will be provided, based on the assumption that the intersection is to remain open at all times.

- (7) Temporary Erosion and Sedimentation Control (TESC) Plan and Details; 2 sheets

The Consultant will prepare TESC plan and details of the erosion control design to meet site conditions. The TESC plan will

incorporate current Best Management Practices (BMPs).

(8) Site Preparation Plan; 2 sheets

The Consultant will prepare a site preparation plan that will denote the limits of clearing and grubbing, removal or relocation of obstructions, utilities, pavement, and striping removal.

(9) Typical Cross Sections; 3 sheets

The Consultant will prepare drawings of typical roundabout cross sections. The pavement section will be based on the City's standard section. The drawings will include:

- (a) Key map to show cross section locations
- (b) Pavement layer types and depths
- (c) Curb types
- (d) Material types for non-motorized facilities
- (e) General cross section notes

(10) Grading Plan; 2 sheets

The Consultant will prepare grading plan to present the vertical design elements. The plan will include:

- (a) Right-of-way, easements, and property lines
- (b) Construction centerlines
- (c) Cut and fill slope limits
- (d) Grading and paving limits
- (e) Construction notes
- (f) General grading notes
- (g) Curve and alignment data
- (h) Final spot elevations

(11) Grading Details; 2 sheets

The Consultant will prepare curb ramp grading details. The details will include dimensions and maximum allowable slopes.

(12) Grading Contour Plan; 1 sheet

The Consultant will prepare a plan sheet to show existing and future contours. This sheet shows grading in a graphical format and is informational only and not be used for construction.

(13) Storm Drainage Plan; 2 sheets

The Consultant will prepare storm drainage plan for the intersection. The Consultant will provide stormwater collection, conveyance, water quality, and flow control within the project limits. The plan will include:

- (a) Right-of-way, easements, and property lines
- (b) Existing utilities
- (c) Construction centerline
- (d) Construction notes
- (e) General storm drainage notes
- (f) Utility adjustments and modifications
- (g) Proposed storm drainage system structures
- (h) Water quality treatment system
- (i) Flow control system

(14) Storm Drainage Profiles; 2 sheets

The Consultant will provide storm drainage profiles to include proposed storm drainage system structures with their corresponding rim and invert elevations, connecting pipes annotated with their length, slopes, and diameters, and crossings with existing and proposed utilities.

(15) Illumination Plan; 1 sheet

The Consultant will prepare the illumination modeling and design using AGI 32 software to examine light levels and uniformity ratios. The lighting level will be in accordance with standards as directed by the City. It is assumed that decorative poles will not be used.

The plan will include:

- (a) Right-of-way, easements, and property lines
- (b) Existing utilities
- (c) Construction notes
- (d) General illumination notes
- (e) Proposed illumination pole locations
- (f) Illumination pole schedule
- (g) Conduit and wiring schedule

(16) Paving Plan; 2 sheets

The Consultant will prepare a paving plan. The plan will include:

- (a) Right-of-way, easements, and property lines
- (b) Construction centerlines
- (c) Pavement and hard feature dimensions
- (d) Paving limits
- (e) Construction notes
- (f) General paving notes

(17) Miscellaneous Details; 2 sheets

The Consultant will include details as necessary. These details will include modifications to standard details for items such as curb ramps, curb types, and utility structures.

(18) Channelization Plan and Details; 3 sheets

The Consultant will prepare a channelization plan and details.

The plan will include:

- (a) Pavement striping and markings and locations
- (b) Dimensions of lanes and shoulders
- (c) General channelization notes
- (d) Construction notes
- (e) Channelization details

(19) Signing Plan and Details; 3 sheets

The Consultant will prepare a signing plan and details.

The plan will include:

- (a) Sign locations
- (b) General signing notes
- (c) Construction notes
- (d) Size and location of signs
- (e) Signing details

(20) Traffic Control Plans; 2 sheets

The Consultant will include traffic control plans for the intersection including details as necessary.

(21) Pedestrian Control Plans; 1 sheet

The Consultant will include pedestrian control plans for the intersection including details as necessary.

b. Field Verify Design

The Consultant will examine the project site to verify the design development drawings. The examination will include checks for accuracy, constructability, and conflicts.

14. Finalize PS&E

a. Construction Documents (Final)

The Consultant will finalize the plans, project manual and opinion of probable construction costs in response to the City's comments. The Consultant will present a final submittal of the PS&E to the City for approval.

Deliverables:

- 1 copy of Final Plans bearing the engineer's stamp and signature, full size (22" x 34") bound hard copy on paper
- 2 copies of Final Plans bearing the engineer's stamp and signature, half size (11" x 17") bound hard copy on paper
- Final Plans (unsigned), half-size, PDF and Civil 3D with external references bound
- Final Opinion of Probable Cost, electronic Excel
- 2 copies of Final Project Manual bearing the engineer's stamp and signature, bound hard copy
- Final Project Manual, electronic Word and PDF

b. Civil 3D Information

The Consultant will use Civil 3D to generate a landxml file which will be used for information only. The information contained in this file shall not supersede any information shown on the plans. The project shall be constructed according to the stamped and signed PS&E package. The landxml file will contain surface, alignment, profile, and pipe network information.

Deliverables:

- PDF, landxml file

15. Bid Assistance

The City shall be responsible for distributing electronic and hard copies of the bid package.

The Consultant will respond to questions regarding the construction documents during the bid process, and assist in the preparation of City initiated addenda up to the hours shown in the fee proposal.

16. Management Reserve (Optional)

This task and budget is a reserve fund for minor changes in scope which may occur during the project and will be used to facilitate additional work as needed. These funds may be utilized for work only as authorized by the City, without requiring a contract amendment. Based on discussions with Shoreline the management reserve has been set at \$20,000.

D. SERVICES PROVIDED BY THE CITY

The City shall provide the following information or services not included elsewhere in this scope of services:

1. Bid, ad, and award administration.
2. Rights of entry for survey, geotechnical explorations, environmental, cultural resources, and general engineering reconnaissance.
3. Construction management.
4. Right-of-way appraisal and acquisition services.
5. Payment of applicable review and/or permit fees.
6. Maintenance of project website as applicable.

E. ASSUMPTIONS

1. The Consultant with prior City approval reserves the opportunity to shift budget between work tasks and subconsultants.
2. The Spill Prevention Control and Countermeasures Plan (SPCC) and final Stormwater Pollution Prevention Plan (SWPPP) shall be prepared by the construction contractor.
3. No structural walls will be provided.
4. The Consultant will not provide conformance documents.
5. Public art selection, incorporation, design, and construction is not included in this scope of services.
6. The Consultant will not prepare an electrical service permit.



ReidMiddleton
 738 134th Street SE Suite 200
 Everett, Washington 98204
 P: 425.761-3800

N 160TH ST & GREENWOOD/INNIS ARDEN -ROUNDBOUT

City of Shoreline, WA

August 2022

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute Contracts with BHC Consultants, CWA Consultants and West Coast Code Consultants for On-Call Building Plan Review Services (RFQ #10441)
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Ray Allshouse, Building Official
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 building plan review service five-year contracts that expired at the end of last year proved to be an effective tool to provide permit reviews during increased levels of development pressure in Town Center, North City, Ballinger Commercial, and in the two Light Rail Station subareas; and during short- and long-term staff shortages. As a result of the City’s policy that limits service contracts to five-years, new contracts are needed to be procured through the competitive RFQ process to. The use of plan review service contracts as needed in combination with the recent increases in development staff is an important part of the City’s strategy to provide more predictable and timely service to permit customers.

A Request for Qualifications (RFQ #10441) was advertised and eight Statements of Qualifications (SOQs) were subsequently received on September 28, 2022. A Selection Panel convened, rated the SOQs, and recommended the top three (3) firms to be awarded contracts. The three firms to be awarded contracts are BHC Consultants, LLC, CWA Consultants P.S., and West Coast Code Consultants, Inc.

RESOURCE/FINANCIAL IMPACT:

The three (3) new contracts essentially replace the existing two contracts and do not impact the budget currently. Sufficient budget contingency authority is available in the 2023-2024 Budget adopted by Council on November 21, 2022. The work performed under each of these three service contracts will be backed by development fee revenue received prior to plan review. Additionally, expedited plan review fees are doubled to provide and even shorter review turnaround time. It is recommended that contingency funds be recognized as funding for these contracts in advance to ensure that the City can promptly use the contracted plan review services when circumstance arise.

RECOMMENDATION

Staff recommends that City Council authorize the City Manager to execute contracts with BHC Consultants, LLC, CWA Consultants P.S., and West Coast Code Consultants,

Inc. for On-Call Building Plan Review Services through December 31, 2024, each in the amount of \$125,000.

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

BACKGROUND

The City has historically contracted for building plan review services to handle occasional peaks in permit application workloads. Rather than using a competitive RFQ process for new service contracts when these had previously expired, the City chose to expand, via waivers and subsequent Council approval, the previously awarded contracts based on their favorable performance track records. These contracts also helped to mitigate impacts on our regular permit application customers when another applicant chose to pay an additional fee for expedited plan review or received expedited plan review as an incentive for a Deep Green or affordable housing project. The plan review contracts allowed staff to continue with their regular queue while the expedited review was completed by contract.

More recently, permit workloads have increased more significantly and consistently than the previous occasional peaks. The City encountered permit processing delays due to a combination of issues, including short-term staffing vacancies associated with COVID 19; long-term vacancies resulting from resignations, outside promotions, and retirements; and development surges in the two Light Rail Station areas and other mixed use zoning districts. Additionally, when the International Codes are updated every three years, the City experiences an increase in permit applications in due to applicants trying to vest to the current year's Codes.

[Ordinance No. 970](#) authorized staff to hire six additional full-time positions in Planning and Community Development to reduced permitting delays. Additionally, staff have determined the need to continue the use of contracted building plan review services. The flexibility and availability of plan review services supported by the two contracts has been an economical and reliable way to provide plan reviews when permit applications exceed available resources. The existing plan review service contracts expired at the end of last year and cannot be extended further.

DISCUSSION

The RFQ for building plan review services was advertised and eight Statements of Qualifications were received on September 28, 2022. A five-person selection panel was convened shortly thereafter to individually score the qualifications based on the advertised criteria. Based on the cumulative scoring by the panel, the candidate firms fell into three distinct groupings. It was therefore recommended that contracts should be offered to all three firms in the top scoring group. The three firms to be awarded contracts are BHC Consultants, LLC, CWA Consultants P.S., and West Coast Code Consultants, Inc.

The proposed initial contract amounts of \$125,000 allows assignment of more than two large buildings to any of the three firms based on scheduling availability. It is standard practice to base compensation for the contracted firms on a percentage of the base calculated plan review fee assessed to the permit applicant under the City's fee schedule. These contracts allow the City to offer expedited permit review as an incentive for Deep Green and affordable housing projects as well as to customers that pay the fee to have applications expedited. These contracts are also used occasionally to balance the workload to better meet target timelines for permit review. These

contracts have largely been funded by the contingency budget and are supported by development fee revenue.

COUNCIL GOAL ADDRESSED

These contracts support Council Goal 1 – “Strengthen Shoreline’s economic climate and opportunities” and Action Step 4 – “Continue to implement development review and permitting best practices, including review of staffing and contract resources to meet permit processing and review time targets, and expansion of the City’s online permit capabilities.”

RESOURCE/FINANCIAL IMPACT

The three (3) new contracts essentially replace the existing two contracts and do not impact the budget currently. Sufficient budget contingency authority is available in the 2023-2024 Budget adopted by Council on November 21, 2022. The work performed under each of these three service contracts will be backed by development fee revenue received prior to plan review. Additionally, expedited plan review fees are doubled to provide and even shorter review turnaround time. It is recommended that contingency funds be recognized as funding for these contracts in advance to ensure that the City can promptly use the contracted plan review services when circumstance arise.

RECOMMENDATION

Staff recommends that City Council authorize the City Manager to execute contracts with BHC Consultants, LLC, CWA Consultants P.S., and West Coast Code Consultants, Inc. for On-Call Building Plan Review Services through December 31, 2024, each in the amount of \$125,000.

ATTACHMENTS

Attachment A – BHC Consultants, LLC Scope of Work
Attachment B – CWA Consultants P.S. Scope of Work
Attachment C – West Coast Code Consultants, Inc. Scope of Work

Schedule A

SCOPE OF SERVICES

1. PROCESS

- A. The City will determine which plans are to be reviewed by BHC.
- B. Each plan review shall be identified as a separate task as determined and setup by the city. Upon receiving a plan review task by the city, BHC and the city will determine the maximum allowed hours to be utilized for the complete review of the task. If, after starting the initial review, it is determined by BHC that the maximum hours required to complete the task exceed the initial estimate, BHC will not proceed with the review until the city as considered and either authorizes additional hours or determines that BHC has completed the review to the city’s satisfaction.

All plan submittal documents must be submitted to BHC in a complete set including all pertinent engineering calculation, specifications and engineering details. In addition, all geotechnical reports and data must accompany the complete plan review submittal. All plan review time used in sorting or deciphering incomplete submittal information will be charged as part of the initial review.

- C. The City will intake, track and process the permit applications and all revisions per current building and permit administration procedures.
- D. BHC will be responsible for the transportation of permit review documents to the City. The City will be responsible for the transportation of permit review documents to BHC.
- E. BHC will complete the initial review and will have either approved the application and notified the City of approval or contacted the applicant and/or the City with corrections within the time frames listed below:

Typical Review Times:

Project Type	Initial Review	Re-Review
Single-Family	10 days (2 weeks)	5 days (1 week)
Multi-Family	15 days (3 weeks)	10 days (2 weeks)
Commercial	20 days (4 weeks)	15 days (3 weeks)

Turn-around time for large, complex and non-typical types of permit applications is to be negotiated.

- E. BHC will review any revisions or additional information and will either indicate compliance with the code(s) against which it was checked and notify the City of compliance, or if the drawings are still not complete, contact the applicant and/or the City with additional revision requests within the time frames specified above.
- F. The typical review times as noted above may be negotiated based on the number and/or complexity of projects the City wishes to send to BHC at one time or within a short window of time. BHC will not be held responsible for delays beyond BHC's control. BHC shall notify the City of revisions to estimated target dates.

2. LUMP SUM. The City shall pay BHC a lump-sum fee for performing an initial review and one recheck for each project. The fee shall be based on a percentage of the plan review fee as tabulated below or as mutually agreed upon between the City and BHC. The plan review fee shall be based on the fees charged by resolution for the City.

<u>Commercial and Multi-Family Projects</u>	<i>Percentage of Plan Review Fee</i>	
	Valuation < \$2,000,000	Valuation \$2,000,000 To \$5,000,000
Complete Plan Review	75%	70%
Partial Plan Review (structural only or nonstructural only)	60%	50%
	Valuation \$5,000,001 to \$10,000,000	Valuation \$10,000,001 and up
Complete Plan Review	60%	50%
Partial Plan Review (structural only or nonstructural only)	40%	35%

Single Family Projects

Complete Plan Review	75% of Plan Review Fee
Partial Plan Review (structural only or nonstructural only)	50% of Plan Review Fee

- 1.1 All other review services and reviews in excess of two (the initial review plus one re-check) shall be paid on a time-and-expense basis using an hourly rate identified in Schedule B.
- 1.2 Each billing statement will include the permit number, BHC task review number and owner or project name of the plans reviewed with the fee.
- 1.3 Billing statements will be issued for reviews that receive a complete initial review in the preceding month or other acceptable time period. All remaining fees for any project previously billed will be invoiced for total balance due after final review has been completed and plans returned to the City. Fees for large projects maybe invoiced over a several month period when agreeable to both the City and BHC.
- 1.4 On-call and other services will be provided as desired by the City and agreed upon by BHC on a time-and-expense basis using an hourly rate identified in Exhibit B.

3. HOURLY LABOR RATES SCHEDULE

Classification	Hourly Rates
Plan Checker I (hourly charges)	\$130
Plan Reviewer II - Structural	\$175
Civil/site plan review (P.E.)	\$160

For all “on call” inspection and added services, mileage may be billed portal to portal at current IRS rate.

Overtime Services 150% of Above Rates Shown
(No overtime will be charged without prior authorization by the City.)

These rates are effective from January 1, 2023 through December 31, 2024

EXHIBIT A – Scope and Compensation

The City of Shoreline shall pay CWA Consultants no more than the fee calculated using the methods outlined below.

Upon completion of an initial plan review, a billing statement will be issued by CWA Consultants to the City of Shoreline. Each billing statement will include the application number and the address of the plan reviewed, along with the fee.

Valuation figures and plan review fees will be determined by the City of Shoreline. CWA Consultants will use the following percentages to determine our fees, based upon the fee schedule used by the City of Shoreline:

Commercial Plan Review – FULL REVIEW	
Total Valuation	Fee
\$1 to \$500,000	75% of the City of Shoreline Plan Review Fee
\$500,001 to \$2,500,000	65% of the City of Shoreline Plan Review Fee
\$2,500,001 and Up	55% of the City of Shoreline Plan Review Fee
Commercial Plan Review – PARTIAL REVIEW (Structural or Non-Structural)	
Total Valuation	Fee
\$1 to \$500,000	55% of the City of Shoreline Plan Review Fee
\$501,001 to \$2,500,000	45% of the City of Shoreline Plan Review Fee
\$2,500,001 and Up	35% of the City of Shoreline Plan Review Fee
Residential Plan Review	
\$1 to \$250,000	Reviewed at an hourly rate of \$90/Hour
\$250,001 and Up	75% of the City of Shoreline Plan Review Fee

- All other services will be billed at \$110 per hour.
- There is a minimum charge of \$220 (2 hours) for all reviews.
- If more than two rechecks are required, an additional hourly fee will apply.



EXHIBIT A

SCOPE OF SERVICES

When requested by the Jurisdiction, the Consultant will provide services in accordance with the terms and conditions of this agreement.

BUILDING OFFICIAL SERVICES

At the request of the Jurisdiction's Building Official, services may be provided for code interpretation and administrative needs such as ordinance review and update, staffing needs and department budget development and review.

MEETING ATTENDANCE

The Consultant's staff is available to attend Jurisdiction requested meetings such as pre-application, pre-construction or cooperative review meetings.

PLAN REVIEW

The Jurisdiction will determine which plans and building permit applications will be reviewed by the Consultant. The Jurisdiction will intake, track, and process the permit applications and all revisions per current building permit administration procedures. The Consultant will review such plans submitted with building permit applications for structural and nonstructural code compliance in accordance with the currently adopted construction codes as adopted and amended by the state of Washington and the Jurisdiction, except that the Consultant will confer with the Jurisdictions Building Official and his/her agent on any portion of the review that specifically requires the approval of the Building Official as specified in the code(s).

The Consultant will not design for the applicant, make any structural changes on the plans, or make any changes that directly contradict other information on the plans. Significant changes must be made by or under the direction of the applicant or design professional.

When the plans and applications are consistent with the Jurisdiction's codes, the Consultant will indicate that the drawings have been reviewed and found to be in substantial compliance with applicable construction codes and ordinances. The reviewer's name and date of compliance will be affixed to each sheet in up to three sets of drawings including the cover sheet.

Full Plan Review: Upon request by the Jurisdiction, the Consultant shall review all project documents which consist of plans, specifications and engineering. The Consultant will approve and return the plans to the Jurisdiction for additional permit processing; or a plan review correction letter will be drafted identifying corrections or requesting additional information and routed to the Jurisdiction.

The Consultant will approve and return the plans to the Jurisdiction for additional permit processing; or a plan review correction letter will be drafted identifying corrections or



requesting additional information and routed to the Jurisdiction. Review include may include:

- Structural Review
- Architectural Review
- Energy Review
- Barrier Free Accessibility Review
- Fire Code Review
- Fire Sprinkler Review
- Fire Alarm Review
- Mechanical Review
- Plumbing Review
- Civil/Site Plan Review

Deferred Review & Review After Permit Issuance: Upon request by the Jurisdiction, the Consultant shall review deferred submittal designs, approve and return plans to the Jurisdiction for additional permit processing; or a plan review correction letter will be drafted identifying corrections or requesting additional information. Review of deferred submittal items or revision to permits after approval or permit issuance are provided at an hourly rate. **See Compensation and Rate Table below.**

Additional Reviews: The Consultant shall perform additional reviews beyond (1) recheck when authorized by the Jurisdiction, at an hourly rate as described in the **Compensation and Rate Table below.**

Turn-around Time: Plans will be reviewed using the Washington State Building and Energy Code as adopted by the Jurisdiction and will be processed using the Timeline Schedule for Plan Review listed below. Timeline commences upon delivery of a complete permit application and plans; and ends upon the delivery of a correction letter or return of the approved permit application and plans. The Jurisdiction’s Building Official has sole authority to interpret and reject plans.

- The review time may be negotiated based on the number and complexity of projects to be reviewed. The Consultant will not be held responsible for delays beyond the Consultant's control. During heavy workloads or schedule delays, the Consultant shall notify the Jurisdiction of revisions to estimated target dates.

Timeline Schedule for Plan Review

Project Type	Initial Review (Business Days)	Recheck (Business Days)
Residential Projects (New Construction, Additions & Remodels)	7	3-5
New Multi-Family Projects	10	5-7
Small Commercial Projects (under \$2M in Valuation)	10	7-10
Large Commercial Projects (over \$2M in Valuation)	20 (maybe negotiated)	7-10



**All turnaround times have been specified from the full day they are received in our offices.*

ADDITIONAL SERVICES:

Additional services may be provided as needed and as mutually agreed upon. Note that we may be able to provide services which are not specifically listed above.

COMPENSATION & RATES

Our standard fees are a percentage of the Jurisdiction’s plan review fees. Plan review includes the initial and second review.

Services not listed below may be negotiated:

TABLE OF BILLING RATES

BUILDING SERVICES	FIXED FEE AMOUNT
Complete Building Plan Review	65% of Plan Review Fees
3rd & Subsequent Plan Reviews with City Approval	\$160/ Hour
Revisions After Approval / Deferred Submittals	\$160 / Hour
Expedited Plan Review (Subject to Staff Availability)	150% of Regular Plan Review Fees
POSITION	HOURLY RATE
Building Official	\$160 / Hour
Engineer, Professional, Structural or Fire Protection	\$160 - \$180 / Hour DOE
Plan Reviewer	\$160 / Hour
Fire Plan Reviewer	\$160 / Hour
Permit Technician	\$90 / Hour
Miscellaneous: <i>*All rates require a minimum charge of 1 hour.</i> <i>*All fees and rates are subject to annual review, periodic increases, and acceptance by the Jurisdiction.</i>	

Invoicing

- Invoices shall be generated upon completion of 1st review, subsequent review, and at final approval with all supporting documents required by the Jurisdiction and the Consultant. The Consultant services shall be invoiced for services provided and are not dependent on achieving sufficient resolution needed to approve permit issuance.
- Invoices shall be submitted electronically to the Jurisdiction by the 10th day of each month.



Attachment C

19109 36th Ave W, Suite 207
Lynnwood WA 98036
OFFICE: (425) 582-1719

- The Jurisdiction shall notify the Consultant of any discrepancy, and the Consultant shall correct accordingly.
- Invoices shall be paid within a maximum of 30 days of receipt, unless mutually agreed by the Jurisdiction and Consultant.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute Amendment No. 5 with The Blueline Group, LLC in the Amount of \$120,000 for On-Call Development Review
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, Interim Public Works 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:

The City has used on-call development review services from Blueline Group, LLC since 2019 to provide a resource to manage workload and allow staff to meet review targets. This contract specifically supports Development Review Engineers (DRE's) within the Public Works Department. Even with three DRE II's on staff, consultant on-call development review is needed to manage the high demand of development activity and unanticipated work.

Expenditures on this contract reached the full amount of \$546,900 in December 2022 and staff anticipates the continued need for on-call support through the end of 2023. Tonight, Council is being asked to authorize the City Manager to execute Amendment No. 5 to Contract 9210 with The Blueline Group, LLC to increase the contract amount by \$120,000 for a total contract amount of \$666,900. There is no proposed change to the term of the contract, which goes through December 2023.

RESOURCE/FINANCIAL IMPACT:

The current contract amount for The Blueline Group, LLC including Contract Amendments Nos. 1 through 4 is \$546,900. The amount of this Contract Amendment No. 5 is \$120,000. Budget for this contract is included in the approved the 2023-2024 Biennial Budget as part of contingency to be used based on permit volume, workload, and increased permit revenue.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute Contract Amendment No. 5 to Contract 9210 with The Blueline Group, LLC in the amount of \$120,000 for a contract total of \$666,900.

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

BACKGROUND

Over the past several years, the City has used on-call development review services to provide a resource to manage workload and allow staff to meet review targets.

On January 28, 2019, City Council authorized the City Manager to execute a contract with The Blueline Group, LLC for on-call development review services. The staff report for this Council authorization can be found at the following link: [Authorizing the City Manager to Execute a Contract with The Blueline Group, LLC in the Amount of \\$120,000 for On-Call Development Review and Construction Inspection Services.](#)

Expenditures on this contract were expected to reach the full contract amount of \$120,000 in February 2020. On January 6, 2020, City Council authorized the City Manager to execute Amendment No. 1 to Contract 9210 with The Blueline Group, LLC in the amount of \$120,000 for a total contract amount of \$240,000. The staff report for this Council authorization can be found at the following link: [Authorizing the City Manager to Execute an Amendment with The Blueline Group, LLC in the Amount of \\$120,000 for On-Call Development Review and Construction Inspection Services.](#)

On December 23, 2020, the City Manager administratively executed Amendment No. 2 to Contract 9210 in the amount of \$50,000 for a total contract amount of \$290,000 and extended the contract term to December 31, 2021. This amendment addressed additional costs for a dedicated consultant engineer to provide development review support during the temporary vacancy of one Development Review Engineer on FMLA.

On April 19, 2021, City Council authorized the City Manager to execute Amendment No. 3 with The Blueline Group, LLC in the Amount of \$156,900 for on-call development review services. The staff report for this Council authorization can be found at the following link: [Authorizing the City Manager to Execute Amendment No. 3 with The Blueline Group, LLC in the Amount of \\$156,900 for On-Call Development Review and Construction Inspection Services.](#)

On May 19, 2022, the City Manager administratively executed Amendment No. 4 to Contract 9210 in the amount of \$100,000 for a total contract amount of \$546,900 and extended the contract term to December 31, 2023. This amendment addressed the need for continued on-call development review support.

On May 23, 2022, to address high workload associated with development activity, City Council authorized staff to amend the 2021-2022 Budget to include the cost of hiring six new full time equivalent (FTE) permitting staff. The staff report for this Council authorization can be found at the following link: [Discussion of Revenue Supported Permit Staffing Request.](#)

Of the six FTE permitting staff, one Engineer I - Development Review (DRE I) and one Engineer II - Development Review (DRE II) were added. The DRE II position was filled in October 2022 and the DRE I position is expected to be filled early 2023. This will expand the Development Review group's size to three DRE II FTE's and two DRE I FTE's.

DISCUSSION

The on-call development review consultant supports work equivalent to the DRE II. Even with three DRE II's currently on staff, staff recommends continuing to make available consultant on-call development review to manage the demand of high development activity and unanticipated work.

The contract amount for Amendment No. 5 will allow for approximately 45 hours per month through the end of 2023, as needed. There is no proposed change to the term of the contract, which goes through December 2023. This contract will have been in effect for five years at the end of 2023 and staff intends to request authorization to advertise a request for qualifications (RFQ) for on-call development review Q3 of 2023. A request to enter into a new contract for on-call development review service with the preferred consultant is expected to be made the end of 2023 for use in 2024.

RESOURCE/FINANCIAL IMPACT

The current contract amount for The Blueline Group, LLC including Contract Amendments Nos. 1 through 4 is \$546,900. The amount of this Contract Amendment No. 5 is \$120,000. Budget for this contract is included in the approved the 2023-2024 Biennial Budget as part of contingency to be used based on permit volume, workload, and increased permit revenue.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute Contract Amendment No. 5 to Contract 9210 with The Blueline Group, LLC in the amount of \$120,000 for a contract total of \$666,900.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a Contract Amendment with TCF Architecture, Inc. in the Amount of \$100,000 for Additional Services During Design and Construction of the Ballinger Maintenance Facility
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, Interim Public Works 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:

The internal roadway system of the Ballinger Maintenance Facility (BMF) must be redesigned due to a miscommunication with King County’s Property Management Division. The redesign requires re-orientation of one building to allow vehicles to enter and leave the BMF site through a single gate. This will require additional design work and subsequent permit revision approval from the City’s Planning and Community Development Department (PCD).

In addition to changing the orientation of one building, staff is also recommending upgrading the covered wash bay to be fully enclosed and heated. This will allow all-weather storage of the City’s new vactor truck until additional storage can be built at Hamlin Yard or the North Maintenance Facility, scheduled at the earliest for 2026 and 2029, respectively.

Tonight, staff is seeking Council authorization for the City Manager to execute a contract amendment with TCF Architecture in the amount of \$100,000 for additional services during design and construction of the Ballinger Maintenance Facility project to cover costs related to the site re-orientation and upgrading the wash bay to be heated and enclosed.

RESOURCE/FINANCIAL IMPACT:

The City has been setting aside up to one million annually from the General Fund for City maintenance facilities with \$12 million having been designated through 2023. These funds are sufficient to cover both the Streets and General Fund contributions for construction of the Ballinger Maintenance Facility project and completion of Phase 1 work in 2023.

City Maintenance Facility Phase 1 Budget

Project Expenditures:

Program Management & Distributed Facilities Study, & SD Staff Cost	\$ 73,017
North Maintenance Facility Early Works Design & Construction	\$ 738,268
Facility Communication Study	\$ 50,000
Ballinger Maintenance Facility Staff and Other Direct Expenses	\$ 145,410
<i>Consultant Fees - TCF Architecture (9582)</i>	
<i>Schematic Design for NMF Final and Hamlin</i>	\$ 542,379
<i>Ballinger Design (previously approved)</i>	\$ 871,234
<i>Additional Ballinger Design and Permitting (this amendment, 9582.05)</i>	\$ 100,000
Ballinger Maintenance Facility Construction, Equipment, and 1% for Arts	\$ 7,222,860
Total Project Expenditures	\$ 9,748,168

Project Revenue

Limited Tax General Obligation Bond	\$ 132,185
General Capital Fund	\$ 521,283
State Appropriation	\$ 490,000
General Fund (covering Streets Fund portion)	\$ 5,665,441
Surface Water Utility Fund	\$ 2,349,684
Wastewater Utility Fund	\$ 589,575
Total Available Revenue	\$ 9,748,168

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract amendment with TCF Architecture in the amount of \$100,000 for a total contract amount of \$1,513,613 for services during design and construction of Phase 1 of the City Maintenance Facility Project (Ballinger Maintenance Facility).

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

BACKGROUND

At their [January 29, 2018 Council meeting](#), the City Council approved a contract with TCF Architecture to complete a Distributed City Maintenance Facilities Analysis. This analysis produced multiple distribution scenarios for a City maintenance facility for evaluation. At the [April 22, 2019 Council meeting](#), the Council selected City Maintenance Facility Project Scenario A for furthering design and construction.

At the [February 24, 2020 Council meeting](#), the Council authorized execution of an agreement with TCF Architecture to design the Ballinger Maintenance Facility Project, formerly known as the Brightwater Site Project. The project site is at the City property west of Ballinger Way NE, adjacent to King County's Brightwater maintenance portal (see Vicinity Map in Attachment A). The project includes structures and equipment to support vehicle washing, fueling, storage of salt and salt brine for snow operations, and a spoils decant facility.

At their [June 27, 2022 Council meeting](#), the Council approved the staff recommendation to award a construction contract to CDK Construction Services, Inc. in the amount of \$6,122,540 for the construction of the Ballinger Maintenance Facility Project. The design team is now working to finalize construction contract execution with CDK Construction Services while also working to obtain final approval of the construction permit with City permitting and design review staff.

At their [August 15, 2022 Council meeting](#), the Council approved an amendment to add \$16,342 in design fees to the contract with TCF Architecture to complete design and permitting of the Ballinger Maintenance Facility Project.

DISCUSSION

Staff is now requesting that Council authorize the City Manager to execute a contract amendment (Attachment B) with TCF Architecture to complete Phase I design and construction services for this Project. The amendment includes additional scope and fee to address design and permitting revisions to address access issues through the adjacent King County property. The design change will move the location and orientation of Building A to allow vehicles to enter and leave the Ballinger Maintenance Facility site through a single gate and will enclose the wash bay to provide heated storage for equipment.

Previously approved amendments to this contract total \$1,513,613. This amendment requires Council approval because the cumulative total of approved amendments is above the City Manager's \$100,000 approval authority.

The alternative would be to not authorize the amendment. This would result in not re-orienting Building A and leaving as currently design which does not allow for reasonable traffic flow within the facility. For these reasons, this alternative is not recommended.

COUNCIL GOAL(S) ADDRESSED

The execution of this construction contract addresses Council Goal #2: Continue to deliver highly valued public services through management off the City’s infrastructure and stewardship of the natural environment, and specifically Action Step #7: “Implement Phase One of the City Maintenance Facility project: construction of the Ballinger Maintenance Facility and preliminary design of the Hamlin and North Maintenance facilities.”

RESOURCE/FINANCIAL IMPACT

The City has been setting aside \$1 million annually for City maintenance facilities through the General Fund; the total amount that has been designated through the end of 2023 is \$12 million. These funds are sufficient to cover both the streets and general fund contribution for construction of the Ballinger Maintenance Facility project and completion of Phase 1 work in 2023.

City Maintenance Facility Phase 1 Budget

Project Expenditures:	
Program Management & Distributed Facilities Study, & SD Staff Cost	\$ 73,017
North Maintenance Facility Early Works Design & Construction	\$ 738,268
Facility Communication Study	\$ 50,000
Ballinger Maintenance Facility Staff and Other Direct Expenses	\$ 145,410
<i>Consultant Fees - TCF Architecture (9582)</i>	
<i>Schematic Design for NMF Final and Hamlin</i>	\$ 542,379
<i>Ballinger Design (previously approved)</i>	\$ 871,234
<i>Additional Ballinger Design and Permitting (this amendment, 9582.05)</i>	\$ 100,000
Ballinger Maintenance Facility Construction, Equipment, and 1% for Arts	\$ 7,222,860
Total Project Expenditures	\$ 9,748,168
Project Revenue	
Limited Tax General Obligation Bond	\$ 132,185
General Capital Fund	\$ 521,283
State Appropriation	\$ 490,000
General Fund (covering Streets Fund portion)	\$ 5,665,441
Surface Water Utility Fund	\$ 2,349,684
Wastewater Utility Fund	\$ 589,575
Total Available Revenue	\$ 9,748,168

RECOMMENDATION

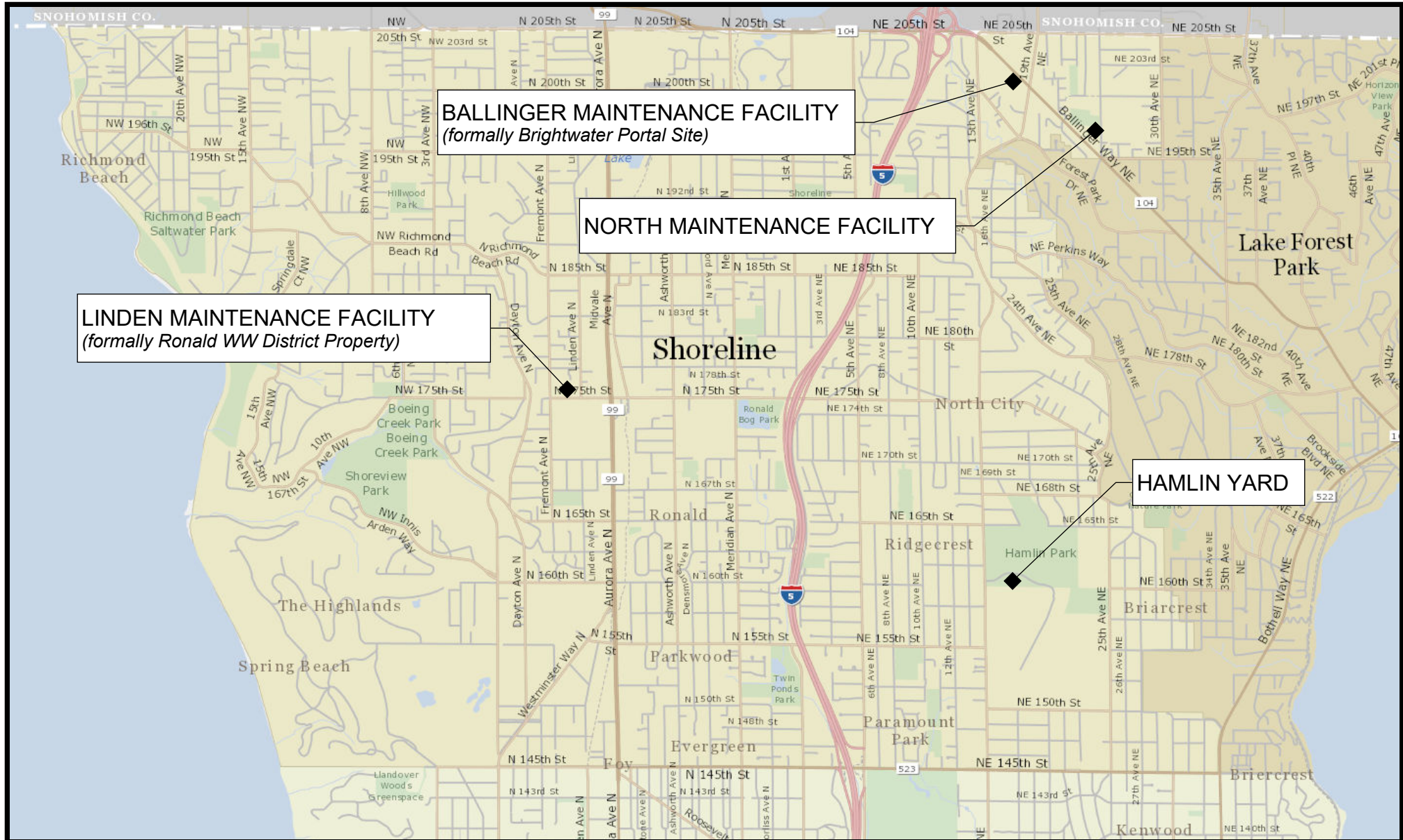
The City has been setting aside up to one million annually from the General Fund for City maintenance facilities with \$12 million having been designated through 2023. These funds are sufficient to cover both the Streets and General Fund contributions for construction of the Ballinger Maintenance Facility project and completion of Phase 1 work in 2023.

ATTACHMENTS

- Attachment A – City Maintenance Facility Project Vicinity Map
- Attachment B – TCF Architecture Professional Services Amendment Scope of Work

VICINITY MAP

CITY MAINTENANCE FACILITY PROJECT



BUILDING A REDESIGN**AMENDMENT 5****CITY OF SHORELINE****BALLINGER MAINTENANCE FACILITY**

Zach Evans, PE
Engineer II – Capital Improvements
City of Shoreline

Dear Zach,

The original design of the Ballinger Maintenance Facility utilized two site access points. During coordination with the adjacent property owner, it was discovered that the site is allowed one access point. This requires Building A to be moved and rearranged along with adjustments to the adjacent site for the facility to the function. We are requesting additional fees to adjust the layout of building A as well as the adjacent site area in order to provide update drawings for permitting and to provide direction to the Contractor. See the attached diagram of the proposed adjustments. These fee's will be billed on an hourly basis.

Task 1 – Supplementary fee for adjustments to the layout of Building A and adjacent site. The redesign requires the adjustments to the complete building A drawing set. This includes MEP, structural and civil drawings. Once the drawings are revised a permit revision will be submitted. See consultant proposals for further information.

Task 2 – Supplementary fee for the revision of the canopy covered wash bay into an enclosed wash bay. This will require design detailing changes, additional building and energy code compliance research and edits as well as a permit revision submittal. See consultant proposals for further information.

With the additional scope we are requesting additional fees to cover the added work required to document the changes at a total of **\$97,813**. Let me know if you have questions.

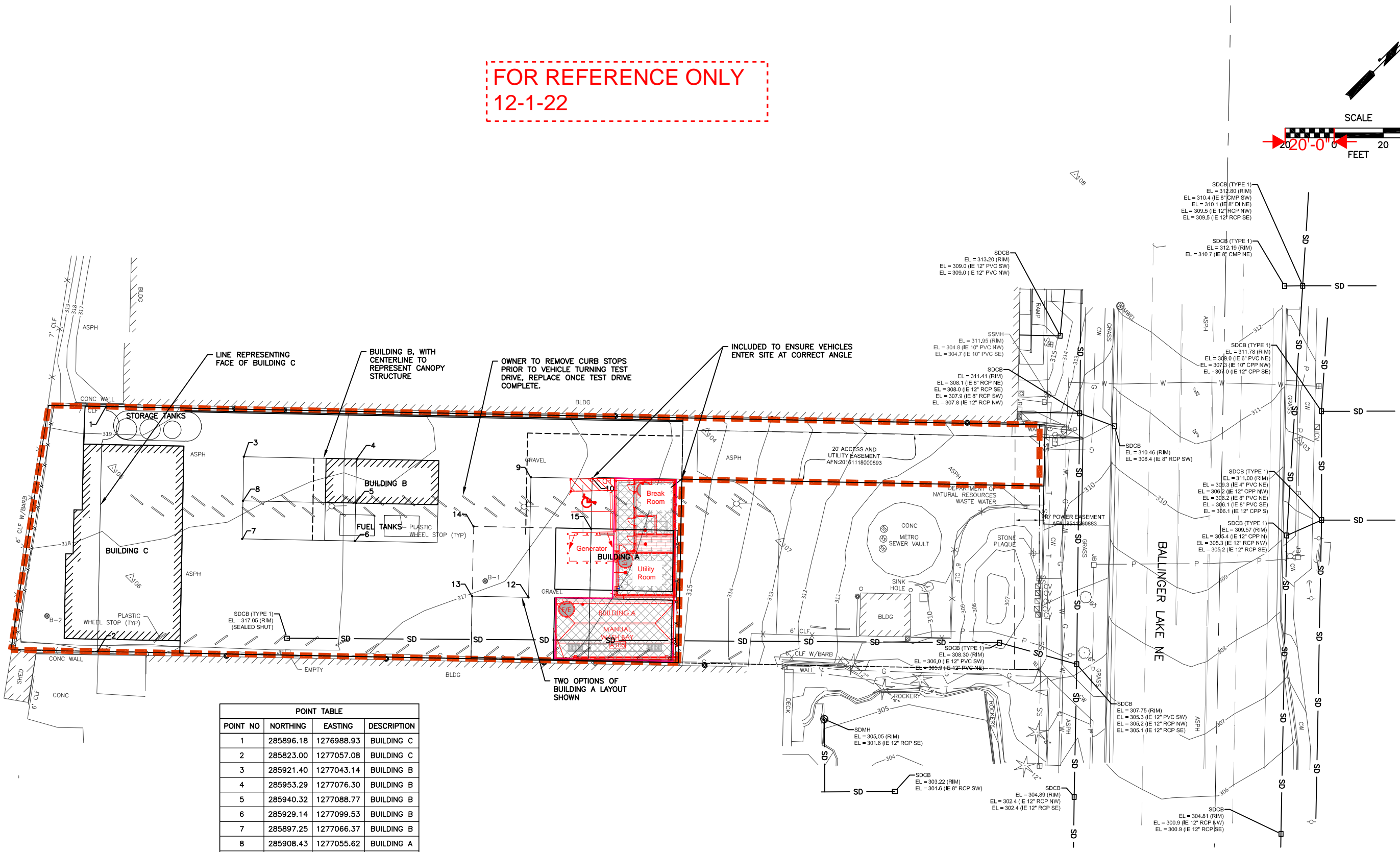
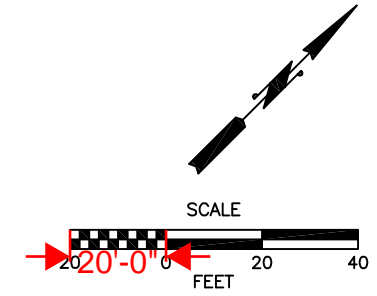
Thank you,



Mark Hurley
TCF Architecture
Principal

	PROJECT TASK DESCRIPTION						Other Team Members Contracted under TCF (See Separate Proposal Letters)								TOTALS	
		Principal-in-Charge	Architect/Spec Writer	Production	Project Coordinator	Admin Support	TCF HOURS	C.1 ABL (Structural)	C.2 BCE (MEP)	C.3 Pinnacle (Equipment)	C.4 Perteeet (Civil)	C.5 Terracon (Geo/Enviro)	C.6 TM Coatings (Coatings)	C.7 Adams (Hardware)		C.8 Berger (Landscape)
1 - BUILDING A REDESIGN																
1.1	Building A Redesign	14	40	180	16		250									
1.2	Permit Resubmittal / Responses	2	6	14			22	\$6,500	\$3,600	\$760	\$15,200					
	ESTIMATED HOURS OR FEES	16	46	194	16	0	272									
	HOURLY RATE	\$275	\$175	\$135	\$115	\$90		See Consultant Letters								
	ESTIMATED FEES	\$4,400	\$8,050	\$26,190	\$1,840	\$0										
	SUBTOTALS			\$40,480				\$6,500	\$3,600	\$760	\$15,200	\$0	\$0	\$0	\$0	\$66,540
2 - BUILDING A ENCLOSED WASH BAY																
2.1	Enclosing Wash Bay	8	60	80			148									
2.2	Permit Resubmittal / Responses	2	4	6			12		\$3,900				\$300			
	ESTIMATED HOURS OR FEES	10	64	86	0	0	160									
	HOURLY RATE	\$275	\$175	\$135	\$115	\$90		See Consultant Letters								
	ESTIMATED FEES	\$2,750	\$11,200	\$11,610	\$0	\$0										
	SUBTOTALS			\$25,560				\$0	\$3,900	\$0	\$0	\$0	\$0	\$300	\$0	\$29,760
SUBTOTAL TASKS 1 - 2		\$7,150	\$19,250	\$37,800	\$1,840	\$0		\$6,500	\$7,500	\$760	\$15,200	\$0	\$0	\$300	\$0	\$96,300
TCFA MARK UP ON CONSULTANT SERVICES								\$325	\$375	\$38	\$760	\$0	\$0	\$15	\$0	\$1,513
TCF REIMB. EXPENSE BUDGET								\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FEE CONTINGENCY (Held by Owner)																\$0
TCF TOTAL ESTIMATED FEES				\$66,040												\$97,813

FOR REFERENCE ONLY
12-1-22



POINT TABLE			
POINT NO	NORTHING	EASTING	DESCRIPTION
1	285896.18	1276988.93	BUILDING C
2	285823.00	1277057.08	BUILDING C
3	285921.40	1277043.14	BUILDING B
4	285953.29	1277076.30	BUILDING B
5	285940.32	1277088.77	BUILDING B
6	285929.14	1277099.53	BUILDING B
7	285897.25	1277066.37	BUILDING B
8	285908.43	1277055.62	BUILDING A
9	285998.33	1277131.90	BUILDING A
10	286015.66	1277149.93	BUILDING A
11	286041.32	1277176.04	BUILDING A
12	285963.01	1277165.87	BUILDING A
13	285947.07	1277149.29	BUILDING A
14	285967.61	1277129.53	BUILDING A
15	286000.89	1277164.14	BUILDING A

Nov 08, 2022 - 10:43am max.magee X:\Shoreline_City of Projects\20180114 - Shoreline CSMF\001 - Brightwater\CADD\05 - Exhibits\Vehicle TurningSetup.dwg Layout Name: A.1

 <p>PERTEET 2707 COLBY AVENUE, SUITE 900 EVERETT, WA 98201 425.252.7700 800.615.9900</p>	<p>CITY OF SHORELINE BRIGHTWATER VEHICLE TURNING TEST</p>	<p>FIGURE 1</p>
--	--	-----------------------------------

AUTHORIZATION FOR ADDITIONAL SERVICES



TO: Mr. Mark Hurley, AIA
 TCF Architecture, PLLC
 902 North Second Street
 Tacoma, WA 98403
EMAIL: mark@tcfarchitecture.com

DATE: December 1, 2022
PROJECT NO.: 2190518.20
PROJECT NAME: City of Shoreline Maintenance Facility –
 Brightwater Site
SUBJECT: Building A Revisions

SERVICES PROVIDED:

Civil Engineering
 Structural Engineering
 Land Use Planning
 Landscape Architecture
 Land Surveying

DESCRIPTION OF WORK:

The anticipated scope of work at Building 'A' for the City of Shoreline Brightwater Site has been modified to address conflicts with adjacent easements. The following changes have been made to the project:

- Relocate Building 'A' on the project site.
- Revise the wash bay at Building 'A' to an enclosed masonry building. This change would eliminate the pre-engineered framing system at the wash bay, and utilize a conventional steel roof system.
- Evaluate the possibility of locating additional equipment on the roof of Building 'A'.

BILLING SUMMARY:

Task 62: Brightwater Building A Revisions \$6,500

AGREEMENT:

Client agrees to the scope of additional services and additional costs/fee set forth above. Further, Client agrees that this Authorization for Additional Services is subject to the same terms and conditions as specified in the original Contract/Agreement dated June 18, 2019. AHBL's receipt of a signed copy of this Authorization for Additional Services shall constitute its notice to proceed with performance.

Client Purchase Order No: _____

Client Name: _____

Signature: _____ Date: _____

Printed Name/Title: _____

AHBL Project Mgr. Signature:  _____ Date: 12/1/2022

AHBL Proj. Mgr. Printed Name: Andrew McEachern, P.E., S.E. _____

TACOMA

2215 North 30th Street, Suite 300
 Tacoma, WA 98403-3350
 253.383.2422 TEL

SEATTLE

1200 6th Avenue, Suite 1620
 Seattle, WA 98101-3117
 206.267.2425 TEL

SPOKANE

827 West First Avenue, Suite 220
 Spokane, WA 99201-3904
 509.252.5019 TEL

TRI-CITIES

5804 Road 90, Suite H
 Pasco, WA 99301-8551
 509.380.5883 TEL

c: Accounting

ADM/

Q:\2019\2190518\20_STR\NON_CAD\PROJ_MGT\2190518.20 - auth05 - Brightwater Bldg A Revisions.docx

Mark Hurley

From: Frank Coleman Jr. (Pinnacle Consulting Group, Inc.) <fcoleman@pinnaclegrp.com>
Sent: Monday, December 5, 2022 10:49 AM
To: Mark Hurley
Cc: Rekik Mekonnen (Pinnacle Consulting Group, Inc.)
Subject: RE: CSBW - Building A design revision proposal

Mark,

The cost to modify the plans per your changes noted the Concept Sketch is:

8 hours x \$95 per manhour = \$760

We will proceed after a contract amendment is issued.

Sincerely,

Frank E. Coleman Jr. *President*

Pinnacle Consulting Group, Inc. | *Celebrating our 33rd Year of Business*

114 Ave C, STE 102, Snohomish, WA 98290

O: 360.563.7401 C: 206.459.1193

Notice: This message (including any and all attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message, and any disclosure, copying, or distribution of this message or the information contained herein is prohibited. The taking of any action based upon this information is a violation of law.

From: Rekik Mekonnen (Pinnacle Consulting Group, Inc.) <rmekonnen@pinnaclegrp.com>
Sent: Monday, December 5, 2022 9:37 AM
To: Frank Coleman Jr. (Pinnacle Consulting Group, Inc.) <fcoleman@pinnaclegrp.com>
Subject: FW: CSBW - Building A design revision proposal

Frank,
Here is the update sent from TCF on Ballinger Project-Building A.

Rekik

From: Mark Hurley <mark@tcfarchitecture.com>
Sent: Sunday, December 4, 2022 11:30 AM
To: Max Magee <max.magee@perteet.com>; Rekik Mekonnen (Pinnacle Consulting Group, Inc.) <rmekonnen@pinnaclegrp.com>
Subject: FW: CSBW - Building A design revision proposal

Max – Rekik,

DEC 8, 2022

Mark Hurley
TCF Architecture
902 N Second Street
Tacoma, WA 98403

Re: CSMF Brightwater
Scope of Work – Amendment 4

Dear Mark,

Perteet proposes to provide the following services as an amendment to our existing contract.

Task 9 (Supplement): Construction Administration

9.6 Building A Redesign

Perteet will update civil plans to reflect site changes associated with the Building A relocation and re-design. Updated plans and design include, but are not limited to control plans, grading plans, paving plans, drainage plans and profiles, and utility plan and profiles. Permit revisions associated with this redesign may require the resubmittal of SEPA documentation, the Drainage report, and Summary of quantities.

Deliverables:

- Revised Control Plan
- Revised Grading Design and Grading Plan
- Revised Grading Profile
- Revised Paving Plan
- Revised Drainage Design and Plan
- Revised Drainage Profile
- Revised Utility Plan
- Revised Utility Profile
- Revised SEPA

Assumptions:

- Perteet will submit a revised set of plan sheets for city review and comment. The city will provide comments to Perteet and Perteet will prepare a final set of plan sheets. This assumes only 1 review by the city.
- Services do not include the preparations of additional specifications.
- Revisions to the SEPA are limited to Section B-1.e, which pertains to grading volumes.

- Revisions to the Drainage report are limited to conveyance calculations.

The effort for this sub-task will be limited to the hours as defined in the attached fee schedule.

Budget

Tasks 1-9 (Existing authorization)	\$ 152,084.00
Task 9.6 (Supplement)	\$15,200.00
<hr/>	
New Contract Total	\$167,284.00

Please do not hesitate to contact me at 425.322.0284.

Sincerely,
Max Magee
Project Manager
Perteet Inc



Project Shoreline CSMF - Brightwater Amend. 4

Contract Start Date 12/12/2022

Last Update date 12/9/2022

Client TCF Architecture PLLC

Contract End Date 12/12/2023

Perteet Project No. 20180114.0100A4

PM Max Magee

Contract Duration: 12 Months

Task	Billing Rate	Sr. Engineer / Mgr	Lead Technician/ Designer	Total Hours	Labor Dollars
		\$200.00	\$130.00		
Task 9 - Construction Administration					
9.6 - Building A Redesign		42.00	40.00	82.00	\$13,600.00
Total Task 9 - Construction Administration		42.00	40.00	82.00	\$13,600.00
Task 7 - Permitting Assistance and Documentation		8.00		8.00	\$1,600.00
Total Task 7 - Permitting Assistance and Documentation		8.00	0.00	8.00	\$1,600.00
Total Hours		50.00	40.00	90.00	
Total Dollars		\$10,000.00	\$5,200.00		\$15,200.00

SUMMARY		
Labor		\$15,200.00
Expenses		\$0.00
Subconsultants		\$0.00
CONTRACT TOTAL		\$15,200.00

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute Contract 10498 with David Evans & Associates, Inc. in the Amount of \$153,075 for Engineering Design Services for the City of Shoreline Lift Station 15 Conceptual Design
DEPARTMENT:	Public Works
PRESENTED BY:	Samuel Supowit, Wastewater Systems 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:

In 2022, the City engaged David Evans and Associates (DEA) to update the wastewater hydraulic model in order to make updates to the City’s capital improvement plan. The analysis indicates that within five years, the capacity of Lift Station 15 would be insufficient to meet state requirements. Lift Station 15 suffered an overflow event in 2021 wherein wastewater surcharged a vent pipe and spilled into the dry well after a pump failure. There is also a legacy overflow pipe that could discharge into McAleer Creek in the event of pump failure.

Staff is requesting that City Council authorize the City Manager to execute a contract with David Evans & Associates, Inc. in the amount of \$153,075 for engineering consultation services for the City of Shoreline Lift Station 15 Conceptual Design. The proposed scope of work for this contract is attached to this staff report as Attachment A.

RESOURCE/FINANCIAL IMPACT:

The City of Shoreline Lift Station 15 Conceptual Design budget is part of the approved 2023-2028 Capital Improvement Plan for the rehabilitation or replacement of Lift Station 15. The subsequent construction effort is estimated to cost between \$2 million and \$3.5 million and will necessitate a separate contract and staff report upon completion of the design efforts.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with David Evans & Associates in the amount of \$153,075 for engineering design services for the City of Shoreline Lift Station 15 Conceptual Design.

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

BACKGROUND

In 2017, the Ronald Wastewater District proposed to the Washington State Department of Transportation (WSDOT) that Lift Station 15 be abandoned and service in the area be replaced by a gravity sewer parallel to Interstate 5 between the edge of the travelled lanes and the new light rail lines. WSDOT denied that request, so Lift Station 15 must be upgraded to meet future demands in the area.

In 2022, the City engaged David Evans and Associates (DEA) to update the wastewater hydraulic model in order to make updates to the City's Capital Improvement Plan (CIP) for projects related to wastewater system capacity. The model indicates the capacity of Lift Station 15 may be insufficient to meet state requirements within five years. During a recent storm event, Lift Station 15 suffered an overflow event wherein wastewater surcharged a vent pipe and spilled into the dry well after a pump failure. There is also a legacy overflow pipe that could discharge into McAleer Creek in the event of pump failure. This overflow pipe must be abandoned to conform with the EPA and Washington State requirements for elimination of cross connections and sources of illicit discharge. Based on this information, staff identified a priority near-term need to begin conceptual design for Lift Station 15 rehabilitation.

DISCUSSION

In October 2022, staff issued RFQ 10498 for Statements of Qualifications (SOQs) for a consultant team to provide engineering design and other support services to develop the conceptual design for Lift Station 15 rehabilitation. Two qualified consultant teams submitted Statements of Qualifications (SOQs) prior to the November 16, 2022, deadline. The SOQs were evaluated based on approach, experience and expertise, and additional insight of the consultant team, and the DEA team was selected as best-qualified firm for this work.

The contract with DEA is being presented to Council tonight for review and approval. Work on the report is expected to start in February 2023 and is expected to conclude in November 2023.

The scope of work for this contract includes review of existing project-related information, hydraulic modeling and analysis, drafting of a conceptual design report presenting an alternatives analysis of the various options for rehabilitation of the lift station, and presentation of capital cost and life cycle cost estimates for the proposed alternatives. Staff will review results of the alternatives analysis and report to select a preferred approach to rehabilitate the existing lift station to be further developed under design.

If Council authorizes this preliminary design contract with DEA, the immediate next steps would be to begin project activities, including the kickoff meeting and data consolidation. Staff anticipates returning to Council for authorization of a subsequent design contract in the spring of 2024 in the event that the wastewater utility desires to use a different consultant for the final design, or a contract amendment in the event that the utility decides to use DEA, as the scope of work allows.

The alternative to authorizing this contract, which is not recommended, is to not authorize the award of this contract, which would result in either not proceeding with the project or going out for a competitive Request for Qualification for the consultant selection.

COUNCIL GOAL(S) ADDRESSED

This item implements City Council Goal No. 2:

Goal #2: Continue to deliver highly-valued public services through management of the City's infrastructure and stewardship of the natural environment.

RESOURCE/FINANCIAL IMPACT

The City of Shoreline Lift Station 15 Conceptual Design budget is part of the approved capital improvement project for the rehabilitation or replacement of Lift Station 15, as seen in the Capital Improvement Plan model. The subsequent construction effort is estimated to cost between \$2 million and \$3.5 million and will necessitate a separate contract and staff report upon completion of the design efforts.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with David Evans & Associates in the amount of \$153,075 for engineering design services for the City of Shoreline Lift Station 15 Conceptual Design.

ATTACHMENTS

Attachment A: Scope of Work



**DAVID EVANS
AND ASSOCIATES INC.**

**SCOPE OF WORK
City of Shoreline Lift Station 15 Conceptual Design
Engineering Services
December 16, 2022**

UNDERSTANDING

The City is the owner and operator of the sanitary sewer system generally within the City right-of-way. The City is the owner and operator of an existing sanitary sewer lift station, Lift Station 15 (LS 15). The City is also the owner and operator of an existing stormwater pump station, Pump Station 26, that is located on the same land parcel as LS 15.

The City is experiencing population growth and changing land use predominantly due to the construction of the Sound Transit light rail improvements taking place parallel to Interstate 5. With the anticipation of two stations opening for service in 2024 within the City's boundary, one just north of NE 145th Street and the other near NE 185th Street, the City has changed the land use zoning in the areas surrounding the new stations. LS 15 is located approximately two blocks east of the new light rail station on NE 185th St. The projected increase in population density will increase flows in the wastewater collection basin tributary to LS 15. LS 15 and its force main will require upgrades to adequately pump the projected peak hourly flow.

This project is part of the planning stage for making the aforementioned improvements. The City has enlisted David Evans and Associates, Inc. to perform an alternatives analysis and create a Conceptual Design Report outlining and analyzing several of the most plausible options for both the lift station and force main upgrades.

The Project Team (Team) and proposed roles are as follows:

- Project Manager: Sam Supowit, PhD, PE, City
- Project Manager: Scott Christensen, PE, DEA
- Lead Engineer: Craig Christensen, PE, DEA
- QA/QC Lead: Rodney Langer, PE, DEA
- Design Engineer: Tucker Collins, PE, DEA
- GIS and CAD Lead: Scott Stcherbinine, DEA
- Construction Cost Estimator: Levi Young, PE, DEA
- Electrical/Power Engineer: RJC Engineering, PLLC

DEA will provide civil engineering design and preparation of a 10 percent Conceptual Design Report (Report) for the rehabilitation of LS 15 and its force main to meet future peak flows. The Report will contain the following information:

- Reference, summary or raw data of the existing project-related information, including the LS 15 service area, projected demands, infiltration and inflow estimates, and the LS 15 and LS 15 force main as-builts.

City of Shoreline Lift Station 15 Conceptual Design - Consultant Engineering Services - Scope of Work

- Reference, summary or raw data from the hydrologic and hydraulic modeling including all existing available models, how they were further developed or updated for the conceptual design, how the models were calibrated using flow monitoring data and rating curve development and a resulting hydraulic analysis for a 20-year buildout plan in the wastewater collection basin served by LS 15.
- A surge analysis for the outfall manhole with the projected flows.
- An alternatives analysis for at least four different approaches to address future capacity deficits, redundancy issues, and existing equipment inadequacies. Alternatives shall include at least the following options:
 - Pump replacement, power, VFD, SCADA, and force main upgrades, as well as the overflow structure abandonment
 - Conversion to a suction lift station and force main upsize
 - Conversion to a submersible lift station and force main upsize
- A Class 4 capital cost estimate for each proposed alternative.
- A feasibility assessment for each alternative, identifying the main hindrances to execution of the project, as well as strategies to address them.
- A non-monetary factors discussion addressing the operation and maintenance burden tradeoffs, along with other non-monetary considerations for each alternative.
- A 20-year net present value (NPV) for each analyzed alternative.
- A scoring matrix to compare the alternatives pros and cons using a weighted numerical method.

The scope of work for DEA is summarized directly below and presented in detail in the following section:

1. Project Management
2. Resources and Documentation
3. Predesign Evaluation
4. Alternatives Analysis
5. Conceptual Design Report

Engineering Services

The following summarizes the scope of work that DEA anticipates under our role of Consultant.

Given DEA's goal of efficient resource use, some meetings will be videoconference/teleconference and all deliverables (memo, letters, reports, RFP, etc.) will be provided electronically through email and cloud repository exchange.

TASK 1. PROJECT MANAGEMENT

DEA will perform project management, services as follows.

1.1. Monitoring and Control

The Project Manager will receive weekly reports of all project activity, and will review progress, schedule, and budget on a monthly basis, concurrent with preparation of monthly invoices and status/progress reports.

1.2. Project Closeout

Work for this task includes internal project closeout procedures for final billing and invoicing and final records review, completion checks and filing. Work for this task also includes confirming delivery of all project deliverables, addressing the successfulness of the project and a closing interview with the City.

Assumptions:

- Duration to complete scope is approximately 11 months (from contract execution to contract end date).

Deliverables:

- Monthly project invoices and progress updates for the duration of the contract.

TASK 2. RESOURCES AND DOCUMENTATION

DEA will perform resource and documentation review tasks as follows:

2.1. Data Acquisition and Review

Work for this task includes collecting, reviewing, and consolidating City-provided and DEA resources, including record drawings for LS 15 and its force main, the LS 15 gravity sewer basin (service area), record drawings for the storm water pump station 26, existing base maps, the most recent geotechnical report for storm water pump station 26, pending developer permit applications, projected wastewater flow demands, infiltration and inflow (I/I) information from City sanitary sewer meters, the comprehensive sewer plan and amendments, and King County Wastewater and GIS data for existing franchise utilities.

2.2. Site Visit

Work for this task includes completing site visit with City personnel to observe existing LS 15 and immediate area. Determine constraints on site, particularly due to recent surface water facility construction and other adjacent uses.

2.3. Survey and Basemap

Work for this task includes a Topographic Survey and supplementation of existing base maps. DEA will request buried utility maps for water, sewer gas, power, and communications facilities in the area of the station. The survey and utility locations will be used to prepare a basemap with surface contours and features, as well as profile sheets showing general location of known active or abandoned in place buried utilities on site.

2.4. Power Requirements

Work for this task includes determining the electrical power requirements for an upgraded

City of Shoreline Lift Station 15 Conceptual Design - Consultant Engineering Services - Scope of Work

Lift Station 15, as well as stormwater Pump Station 26, priority of use, restrictions, and clearance issues. Work for this task also includes a comparison of the following options: (1) split the generator duty between Lift Station 15 and Pump Station 26, giving priority to Lift Station 15; (2) provide a generator of sufficient capacity to simultaneously support Lift Station 15 and Pump Station 26 in the event of a power outage. This task shall necessitate evaluating the power demands for both stations and recommending a genset option with sufficient capacity for each alternative listed above.

Assumptions:

- The LS 15 site was surveyed within the last few years for the City's Pump Station 26 rehabilitation project. A partial base map from that project will be provided in AutoCAD *.dwg format by the City for use by DEA on this project.
- The above-referenced partial basemap will be supplemented by survey work performed by DEA for preparation of a topographic basemap.
- City to provide coordination and assistance regarding site access and access to facilities.

Deliverables:

- None. Information retrieved from the work in this task to be included in other deliverables.

TASK 3. PREDESIGN EVALUATION

DEA will perform the following tasks as part of the predesign evaluation.

3.1. Capacity Estimate

Work for this task includes calibrating the hydraulic model using existing flow meter data and rating curve analysis, then reviewing and confirming estimated peak hour wastewater flow (sanitary and I/I) and providing hydraulic analysis based on City design criteria for existing and 20-year forecast tributary basins. The capacity estimate will be used in subtasks 3.4 and 4.1 to generate alternatives for pump and force main sizing as well as genset power requirements.

3.2. Site Evaluation

Work for this task includes: evaluation of the LS 15 site and current structures (wet well/dry well and generator vault) for adequacy of future pumps; evaluation of the existing controls and standby power equipment; evaluation of the existing force main capacity to meet projected demand; surge analysis for the receiving structure using projected demand; and evaluation of downstream gravity sewer line capacity.

3.3. Conceptual Plan

This task involves preparing conceptual site plans with vertical sections to document and summarize findings of research, field observations, and mapping, with supporting summary of flow and capacity estimates.

Assumptions:

- No geotechnical report for the LS 15 site or force main will be necessary for this

City of Shoreline Lift Station 15 Conceptual Design - Consultant Engineering Services - Scope of Work

project, as an existing geotechnical report for the same site is available from the stormwater Pump Station 26 rehabilitation project records. No geotechnical report for the force main will be necessary for this stage of the project. The City will provide copies of available geotechnical analyses in the project area.

- Peak hour flow capacity for LS 15 will be based on the current City land use plan and maximum development density by land use designation for wastewater flows, with diurnal peaking factor as evident in City flow monitoring records for dry weather flows, and peak hour I/I based on I/I design criteria developed from City and King County flow monitoring records. It is assumed the City will concur with the basis for the flow predictions/estimates.

Deliverables:

- None. Production from work in this task to be included in other deliverables.

TASK 4. ALTERNATIVES PREPARATION

DEA will perform the following tasks as part of the Alternatives Preparation.

4.1. Lift Station Alternatives

Work for this task includes preparing at least four approaches to address future LS 15 capacity, redundancy, site, and equipment inadequacies (current or forecast). Work for this task also includes analyzing each of the following alternatives and up to one additional alternative identified in meetings with the City. Each alternative will consider replacement of pumps, valves, piping, power, and control equipment including variable frequency drive (VFD) and SCADA equipment abandonment. If one or more of the existing confined-space-entry (CSE) structures are retained, the analysis will identify air monitoring options in support of OSHA-compliant CSE protocols.

4.1.1. Wet well/dry well with electrical equipment below grade (i.e., retain existing configuration)

4.1.2. Wet well/dry well with electrical equipment above grade in a fabricated electrical enclosure

4.1.3. Conversion to suction lift configuration (e.g., wet-well mounted equipment) with electrical equipment above grade in a fabricated electrical enclosure

4.1.4. Conversion to submersible lift station with new wet well and valve vault and with electrical equipment above grade in a fabricated electrical enclosure

Work for this task also includes conceptual design of the electrical work. Electrical design will consider two configurations, one above grade and one below grade in the existing vault. The above grade configuration will consider the potential need for extraordinary sound enclosure in addition to the factory enclosure.

Work for this task also includes determining the requirements to address the current overflow pipe that discharges to the Interstate 5 drainage system and ultimately McAleer Creek.

City of Shoreline Lift Station 15 Conceptual Design - Consultant Engineering Services - Scope of Work

4.2. Force Main Alternatives

Work for this task includes preparing at least two approaches to address future LS 15 force main capacity inadequacies (current or forecast). Work for this task also includes analyzing each of the following alternatives and up to one additional alternative identified in meetings with the City. The primary considerations in this analysis will be capital cost and constructability.

4.2.1. Replace the sanitary sewer force main concurrently with the existing stormwater Pump Station 26 force main along 10th Ave NE.

4.2.2 Replace the sanitary sewer force main separately from the stormwater Pump Station 26 force main along 10th Ave NE with the stormwater force main being replaced within one year of the sanitary sewer force main replacement.

Assumptions:

- None.

Deliverables:

- Technical memo outlining all considered alternative configurations for the lift station and force main. The memo will contain CAD drawings and a summary of the key features of each alternative.

TASK 5. ALTERNATIVES ANALYSIS

DEA will perform the following tasks as part of the Alternatives Analysis.

5.1. Alternatives Analysis

Work for this task includes preparation of AACE Class 4 Engineer Opinion of Probable Construction Cost (OPCC) for each alternative. Work for this task also includes evaluating the feasibility, identifying the hinderances and preparing avoidance strategies. DEA will analyze the constructability of each alternative on the existing site and the need for temporary power, control and pumping systems. Options for expanding the footprint of Lift Station 15 will also be considered and proposed if viable. Work for this task also includes addressing non-monetary factors related to operation and maintenance tradeoffs and other possible non-monetary issues, including visual impact on the local community. DEA will prepare a 20-year net present value (NPV) estimate for each alternative configuration for the City's consideration.

5.2. Scoring Matrix

Work for this task includes preparing a scoring matrix that compares alternatives using a weighted numerical method. The evaluation criteria will include, but not be limited to, the following: capital cost, life cycle cost, aesthetics, O&M burden, permitting requirements, footprint impacts, environmental impacts, etc.

Assumptions:

- Space is available at the existing site or immediately adjacent City-owned property or right-of-way, outside the improved roadway section, for the alternatives to be evaluated.

City of Shoreline Lift Station 15 Conceptual Design - Consultant Engineering Services - Scope of Work

Deliverables:

- None. Production from work in this task to be included in other deliverables.

TASK 6. CONCEPTUAL DESIGN REPORT

DEA will prepare draft and final versions of a 10 percent Conceptual Design Report (CDR) synthesizing the analysis, findings, and recommendations for the upgrades or rehabilitation of LS 15, the force main, receiving structure, and downstream gravity lines. The CDR will include summary of hydraulic model updates, peak hour capacity determination, force main analysis, force main alternatives with capital costs, CAD drawings of the proposed site plans for the various alternatives, alternatives analysis with capital cost estimates, NPVs, and presentation of alternatives in a matrix ranking each according to scoring rubric, and supporting memo from electrical subconsultant.

Assumptions:

- None.

Deliverables:

- Draft 10 percent Conceptual Design Report
- Final 10 percent Conceptual Design Report

SCHEDULE

The estimated schedule is outlined below:

February 1, 2023	Assumed date of City of Shoreline notice to proceed
March 1, 2023	Begin hydraulic calculations, alternatives evaluation, reviews with City
June 15, 2023	Final review of alternatives with City of Shoreline
July 15, 2023	Adjust final alternatives as required
October 15, 2023	Complete Conceptual Plan
November 1, 2023	Present to City of Shoreline Staff
December 31, 2023	Present Final Conceptual Plan to City of Shoreline

*City of Shoreline Lift Station 15 Conceptual Design - Consultant Engineering Services - Scope of Work***BUDGET**

For the scope of work outlined above, DEA proposes the following not-to-exceed fee:

		BUDGET
TASK 1.	PROJECT MANAGEMENT	\$8,800.00
TASK 2.	RESOURCES AND DOCUMENTATION	\$23,880.00
TASK 3.	PREDESIGN EVALUATION	\$49,675.00
TASK 4.	ALTERNATIVES PREPARATION	\$35,380.00
TASK 5.	ALTERNATIVES ANALYSIS	\$21,200.00
TASK 6.	CONCEPTUAL DESIGN REPORT	\$12,560.00
Expenses		\$1,500
TOTAL NOT-TO-EXCEED FEE		\$153,075.00

(Expenses include costs for mileage including but not limited to survey, site visits, and meetings and include cost for reproduction of materials including but not limited to plans, specifications, and figures.)

Encl: Consultant Civil Engineering Design Services Fee Estimate (1 page)



Project Fee Estimate The City of Shoreline Lift Station 15 Conceptual Design
David Evans and Associates, Inc. Estimated Labor Consultant Engineering Services

Project Ref:	NA
Date:	12/16/2022
Prepared By:	THCO / SXCH

Task/Subtask (1)		Estimate of Effort											Labor	
		Personnel Positions and Est. Hours											Total Hours	Total Est. Fee
		Project Manager	Project Engineer	Design Engineer	CAD/GIS Technician	Admin. Assistant	Survey Manager	Prof. Land Surveyor	Survey Technician II	Survey Technician I	Two Person Field	RJC Engineering, PLLC (EE)		
1	Project Management	20	8	8	0	16	0	0	0	0	0	0	52	\$8,880.00
	1.1 Monitoring and Control	16	8	8		12							44	\$7,520.00
	1.2 Project Closeout	4				4							8	\$1,360.00
2	Resources and Documentation	18	24	26	8	0	6	8	8	8	8	24	138	\$23,880.00
	2.1 Data Acquisition and Review	8	12	18									38	\$6,480.00
	2.2 Site Visit	8	8								6		22	\$4,435.00
	2.3 Survey and Basemap	2	4	8	8		6	8	8	8			60	\$9,500.00
	2.4 Power Requirements										18		18	\$3,465.00
3	Pre-design Evaluation	56	76	112	48	0	0	0	0	0	6	6	298	\$49,675.00
	3.1 Capacity Estimate	24	32	40	16								112	\$18,960.00
	3.2 Site Evaluation	24	32	40									96	\$16,800.00
	3.3 Conceptual Plan	8	12	32	32								84	\$12,760.00
4	Alternatives Preparation	28	38	48	12	0	0	0	0	0	72	72	198	\$35,380.00
	4.1 Lift Station Alternatives	24	32	40	6							48	150	\$26,850.00
	4.2 Force Main Alternatives	4	6	8	6							24	48	\$8,530.00
5	Alternatives Analysis	32	40	48	0	0	0	0	0	0	0	0	120	\$21,200.00
	5.1 Alternatives Analysis	24	32	40									96	\$16,800.00
	5.2 Scoring Matrix	8	8	8									24	\$4,400.00
6	Conceptual Design Report	16	16	16	16	16	0	0	0	0	0	0	80	\$12,560.00
	6.1 Conceptual Design Report	16	16	16	16	16	0	0	0	0	0	0	80	\$12,560.00
	Total	170	202	258	84	32	6	8	8	8	8	102	806	\$151,575.00

Estimated Direct Expenses	
Mileage and Reproduction	\$1,500
Total	\$1,500

Project Fee Estimate Summary and Total	
Total Estimated Labor	\$151,575.00
Total Estimated Expenses	\$1,500.00
Total Fee Estimate	\$153,075.00

Notes and Assumptions:

- (1) See detailed Scope of Work dated December 16, 2022
- (2) Hours and Rates shown are approximate, actual hours and rates will be based on assigned staffing and may decrease or increase. However, DEA will not exceed the Total Fee Estimate without the client's written authorization.
- (3) The DEA project manager may transfer budget between tasks or from estimated expenses to labor and vice versa, as the project manager may determine as appropriate. Work will be billed on a time and expense basis, subject to the limit of the not-to-exceed Total Fee Estimate value. DEA shall communicate in writing to the City PM the decision to transfer funds between tasks prior to doing so.
- (4) Client shall be responsible for direct payment of all permit, agency review, advertisement, service or other project expenses not expressly included in the Project Fee Estimate and/or Scope of Work.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Resolution No. 503 - Amending the Employee Handbook
DEPARTMENT:	Human Resources
PRESENTED BY:	Melissa Muir, Director of HR & Organizational Development
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. It was first adopted in 1996 by Council Resolution No. 104 and is periodically updated as laws or policies change. In 2017, the Handbook received a comprehensive review and update. Since then, specific policies have been incorporated into the Handbook through additional updates, the most recent updates occurred on November 1, 2020, and September 1, 2021.

Proposed Resolution No. 503 (Attachment A) would provide for the following updates to the Employee Handbook:

- 1) Changes to keep the Employee Handbook compliant with legal changes, primarily with discrimination protections, reasonable accommodation, and protected leave;
- 2) Updates recommended by outside employment counsel and reviewed by the City Attorney’s Office to reduce liability, increase transparency, and clarify procedures;
- 3) Additions to memorialize and publish practices the City has implemented, including the Step Placement process from citywide compensation studies; and
- 4) Plain language changes to language, formatting, and structure, including replacing the term “shall” with “will” or “must” to make the Handbook easier to read and follow.

Tonight, Council is scheduled to discuss proposed Resolution No. 503. This proposed Resolution is currently scheduled to be brought back to Council for potential adoption on January 23, 2023.

A tracked changes version of the proposed changes to the Employee Handbook can be found as Attachment A, Exhibit A for Council’s review. A summary of changes is provided as Attachment B and a clean copy of the Employee Handbook with proposed changes can be found as Attachment C.

RESOURCE/FINANCIAL IMPACT:

Step Increase Date: The exception to adjusting a step increase date for unpaid time due to a work-related injury eliminates the small penalty to employees injured at work. This situation is rare, and the impact is a small percentage over a few pay periods. The cost estimate for this is minimal.

Encampment Premium Pay: The original estimate of 10% premium pay for all impacted employees was 30 times per year. The Employee Handbook changes impact fewer than five non-represented employees who would receive a 10% premium for infrequent calls to clean encampments. The cost estimate for this is minimal.

Planned Closure: This change allows the City the ability to pay staff if unable to reassign them during a planned closure. In practice, most facility closures are unplanned due to inclement weather or emergencies. The estimated cost for this situation is minimal.

Classification and Compensation Plan: The impact of adjusting the step increase effective date for those employees whose job classification is adjusted to a higher salary range and they are moved to Step 1 or below Step 6 is to accelerate the timing of a step increase already effective with the new salary range. This affected 52 employees in our first citywide compensation study since 2015; however, the changes were already budgeted for the full year to accommodate a variety of step increase dates. The actual estimated cost is already factored in the biennial budget and is minimal.

In summary, the primary costs associated with the proposed Handbook changes are minimal.

RECOMMENDATION

No action is required at this time, as this item is for discussion purposes only. Staff recommends that Council adopt Resolution No. 503 amending the Employee Handbook when this item is brought back to Council for potential action on January 23, 2023.

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

BACKGROUND

The Employee Handbook (“Handbook”) contains the City’s personnel policies and practices. It was first adopted in 1996 by Council Resolution No. 104 and is periodically updated as laws or policies change. In 2017, the handbook received a comprehensive review and update. Since then, specific policies have been incorporated into the Handbook through additional updates. The Handbook was most recently updated on November 1, 2020, and September 1, 2021.

DISCUSSION

Proposed Amendments

Proposed Resolution No. 503 (Attachment A) would provide for the following updates to the Employee Handbook:

- 1) Changes to keep the Employee Handbook compliant with legal changes, primarily with discrimination protections, reasonable accommodation, and protected leave;
- 2) Updates recommended by outside employment counsel and reviewed by the City Attorney’s Office to reduce liability, increase transparency, and clarify procedures;
- 3) Additions to memorialize and publish practices the City has implemented, including the Step Placement process from citywide compensation studies; and
- 4) Plain language changes to language, formatting, and structure, including replacing the term “shall” with “will” or “must” to make the Handbook easier to read and follow.

A tracked changes version of the proposed changes to the Employee Handbook can be found as Attachment A, Exhibit A. A summary of changes is provided as Attachment B and a clean copy can be found as Attachment C for Council’s review.

The following sections of the Employee Handbook are being proposed for substantive amendments:

III. Definitions

One subject was added in the definitions section:

- **Step Increase Date**
 - Added exception to adjusting step increase date when unpaid leave is due to a work-related injury

IV. Employment Policies

- **Equal Employment Opportunity / Discrimination**
 - Expanded protected categories to comply with Washington’s Law Against Discrimination

- Recommended catch-all language to allow the City to investigate and discipline bad behavior, even where it may not rise to a claim of discrimination or harassment under state or federal law
- **Employment of Family *and Conflicts of Interest***
 - Extended restrictions on married employees to domestic partnerships and dating relationships
 - Added requirement to report to City Manager

V. General Working Conditions and Personnel Administration

- **B. Breaks**
 - Updated lactation breaks to reflect recent changes in state law
- **Encampment Premium Pay**
 - Added provision consistent with Union Memorandum of Understanding to ensure non-represented employees are compensated equally with represented employees
- **Classification and Compensation Plan**
 - Incorporated existing practices into Handbook for employees who are above Step 1 in their old salary range and go to Step 1 of the new salary range
 - Updated step placement practice for employees who are at the top Step 6 in their old salary range and whose new classification places them below Step 6 in the new salary range
- **Reasonable Accommodation**
 - Updated sections to comply with Washington's Law Against Discrimination: medical accommodation, religious accommodation, and pregnancy and lactation accommodations

VI. Benefits

- **Sick Leave**
 - Clarified distinctions between Washington State Paid Family Medical Leave and Family Medical Leave Act
 - Added exceptions and struck sections to comply with Washington law and IRS rules
 - Added military leave updates reflecting state law
 - Added new sections to ensure compliance with pregnancy and family care leave requirements under state law

VII. Standards of Employee Conduct

- **Drug-Free Workplace**
 - Updated language to balance federal and state law differences around marijuana

- Updated language focusing on impairment at work and clarifying continued prohibition for employees in roles covered by federal law such as CDL holders

Resolution No. 503 Effective Date

Proposed Resolution No. 503 includes an effective date of February 1, 2023. Staff recommends delaying the effective date of this Resolution to allow sufficient time to communicate the Handbook changes to employees throughout the organization.

RECOMMENDATION

No action is required at this time, as this item is for discussion purposes only. Staff recommends that Council adopt Resolution No. 503 to update the Employee Handbook when this item is brought back to Council for action on January 23, 2023.

ATTACHMENTS

- Attachment A: Proposed Resolution No. 503
- Attachment A: Exhibit A – Updated Employee Handbook (legislative format)
- Attachment B: Summary of Proposed Employee Handbook Changes
- Attachment C: Updated Employee Handbook (clean copy)

RESOLUTION NO. 503

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON,
ADOPTING REVISIONS TO PERSONNEL POLICIES AND
PRACTICES SET FORTH IN THE EMPLOYEE HANDBOOK,
ESTABLISHING AN EFFECTIVE DATE OF FEBRUARY 1, 2023.**

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

WHEREAS, the Employee Handbook was last updated in August 2021, with the adoption of Resolution No. 482; and

WHEREAS, the Human Resources Department reviewed the Employee Handbook and identified portions of the Employee Handbook that needed to be updated to conform with current laws as well as certain housekeeping amendments to reflect current practices and/or provide clarity as well as to improve readability, comprehension, and consistency in policies and practices applied to represented and non-represented employees; and

WHEREAS, on January 9, 2023, the City Council discussed the proposed revisions to the Employee Handbook and 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 to this Resolution.

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 Resolution or its application to any person or situation.

Section 4. Effective Date. This Resolution shall be in full force on February 1, 2023.

ADOPTED BY THE CITY COUNCIL ON JANUARY 23, 2023.

Keith Scully, Mayor

ATTEST:

Jessica Simulcik Smith, City Clerk



EMPLOYEE HANDBOOK

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Contents

- I. INTRODUCTION9**
- II. APPLICABILITY AND AUTHORITY9**
 - A. Applicability 9**
 - B. At-Will 9**
 - C. Local, State, Federal Law or Collective Bargaining Agreement 9**
 - D. Authority..... 9**
- III. DEFINITIONS10**
 - A. Accrued Leave 10**
 - B. Alternative Work Schedule..... 10**
 - C. Anniversary Date 10**
 - D. Break in Service..... 10**
 - E. Callback..... 10**
 - F. City..... 10**
 - G. City Manager 10**
 - H. Core Hours 10**
 - I. Demotion 10**
 - J. De Facto Parent 10**
 - K. Department Director 10**
 - L. Domestic Partner 11**
 - M. Drugs 11**
 - N. Employment Status Definitions 11**
 - 1. Regular Full Time..... 11
 - 2. Regular Part Time 11
 - 3. Limited Term..... 11
 - 4. Extra Help 11

O. ESD 12

P. Exempt Employee 12

Q. Fit for duty 12

R. Flex Schedule 12

T. FMLA 13

U. FMLA Covered Family Member 13

V. Furlough 13

W. Immediate Family 13

X. Insubordination 13

Y. Intern 13

Z. In Loco Parentis 14

AA. Non-Exempt Employee 14

BB. Base Pay Rate 14

CC. PFML 14

DD. PFML Benefit Payment 14

EE. PFML Covered Family Member 14

FF. PFML Qualifying Period 14

GG. Promotion 14

II. Separation from Service 14

JJ. Standby 14

KK. Step Increase Date 15

LL. Supplemental Benefit 15

MM. Time in Paid Status 15

NN. Transfer 15

OO. Waiting Period 15

PP. Work Location 15

QQ. **Work Week** 15

RR. **Y-Rating**..... 15

IV. EMPLOYMENT POLICIES16

A. Recruitment and Selection..... 16

 1. External and Internal Recruitment 16

 2. Internal Recruitment Only..... 16

B. Reference Checking 17

C. Subpoenas and Depositions 17

D. Prohibited Political Activities – Code of Ethics, Appendix A..... 17

 1. Use of City Resources, Property, Authority and Influence 17

 2. Coercion..... 17

 3. Elected Office, Commission or Board Service 17

 4. Conflict of Interest 18

E. Prohibited Personal Gain - Code of Ethics, Appendix A..... 18

F. Employee Orientation..... 18

 1. Orientation Period for Initial Hire 19

 2. Orientation Period for Promoted, Demoted or Transferred Employees 19

G. Equal Employment Opportunity 19

H. Prohibition of Discrimination and Harassment..... 20

I. Discrimination or Harassment Complaint Procedure..... 20

J. Employment of Immediate Family and Conflicts of Interest 21

K. Personnel Files 22

L. Reporting Improper Governmental Action and Protecting Employees Against Retaliation..... 22

M. Outside Employment..... 25

V. GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION26

A. Working Hours 26

 1. Lunch and Rest Breaks 26

 2. Lactation Breaks..... 27

C. Overtime 27

D. Standby 27

F. Compensatory Time 28

G. Encampment Premium Pay..... 28

H. Twelve Hour Shift..... 29

J. Remote Work..... 30

K. Inclement Weather, Natural Disasters, and Unplanned Facility Closure 30

L. Planned Facility Closure 31

M. Performance Planning and Appraisal..... 31

N. Classification and Compensation Plan 31

 1. Job Classification 31

 3. Classification Review 33

 4. Steps and Increases 34

 5. Starting Rates of Pay 34

 6. Promotion..... 34

 7. Transfer..... 35

 8. Demotion..... 35

 10. Pay Schedule 35

 11. Out of Class Pay 35

O. Garnishment..... 36

N. Employee Education, Training and Development 36

O. Reasonable Accommodation..... 37

 1. Medical Accommodation..... 37

 2. Religious Accommodation 37

 3. Pregnancy Accommodation..... 38

 4. Nursing and Lactation Accommodations after the Birth of Child 38

VI. BENEFITS 38

A. Group Insurance 38

B. Social Security Replacement Plan..... 39

C. 457 Plan..... 39

D. Retirement..... 39

E. Vacation..... 39

 1. Accrual Table..... 39

 2. Carryover Maximum..... 40

 3. Carryover Exceptions..... 40

 4. Forfeiture..... 40

 5. Requesting Vacation..... 40

 6. Separation from Service 41

F.	Management Leave.....	41
G.	Holidays.....	41
	1. Observed Holidays.....	41
	2. Personal Days.....	42
	3. Holidays for Reason of Faith or Conscience.....	42
H.	Sick Leave – Regular and Limited Term Employees.....	43
	1. Purpose.....	43
	2. Use of Sick Leave.....	43
	5. Conversion of Vacation to Sick Leave.....	44
	7. Maximum Carryover Balance.....	44
	8. Separation from Service.....	44
	9. Rehired.....	44
	10. On-the-job Injury.....	44
I.	Sick Leave – Extra Help Employees.....	45
	1. Accrual and Eligibility to Use Sick Leave.....	45
	2. Maximum Carryover Balance.....	45
	3. Separation from Service.....	45
	4. Rehired within Twelve Months.....	45
	5. On-the-job Injury.....	45
J.	Donated Leave.....	46
	1. Criteria.....	46
	2. Donation.....	46
	3. Value of Leave.....	46
	4. Treatment of Leave Remaining.....	47
	5. No Cash Out.....	47
K.	Washington State Paid Family and Medical Leave (PFML).....	47
	1. Eligibility.....	47
	2. Leave Entitlement.....	47
	3. Notification Requirements.....	48
	4. Coordination with Other Health Programs.....	48
	5. Monetary Benefits.....	49
	6. Benefit Payment Waiting Period.....	49
	7. Supplementing PFML with Your Own Leave Accruals or the City’s Supplemental Paid Family and Medical Leave (SPFML).....	49
	8. Job Restoration and Return to Work Recertification.....	50
	9. PFML Application Process.....	50
	10. Payroll Deductions.....	50
	11. Retirement Service Credit and Paid Family Medical Leave.....	50
L.	Leave Under the Family and Medical Leave Act (FMLA).....	50
	1. Length of FMLA and Eligibility.....	51
	2. Reasons for Taking Leave.....	51
	3. Definitions.....	51
	4. Intermittent Leave or Reduced Schedule Leave.....	52
	5. Paid Leave before Unpaid Leave.....	53
	6. Advance Notice.....	53
	7. Certification.....	53

8.	Designation Notice	53
9.	Periodic Reporting.....	53
10.	Health Insurance	54
11.	Other Insurance.....	54
12.	Couples Employed by the City.....	54
13.	Determining Leave Availability.....	54
14.	Special Rule for Leave Related to Pregnancy.....	54
15.	Job Restoration	54
M.	Supplemental Paid Family & Medical Leave (SPFML).....	55
1.	Eligibility	55
2.	Benefit Amount.....	55
3.	Benefit Period, Frequency, and Concurrency	56
4.	Health Benefits	56
5.	Procedure for Requesting Supplemental Paid Family & Medical Leave.....	56
N.	Spousal Military Deployment Leave under Washington State Law.....	57
O.	Medical Leave of Absence (non FMLA).....	57
P.	Leave of Absence Without Pay	57
Q.	Continuation of Benefits	58
R.	Bereavement Leave	58
S.	Court and Jury Duty Leave	58
T.	Military Leave	59
U.	Leave for Certain Volunteer Emergency Services Personnel.....	60
V.	Victims of Domestic Violence Leave	60
VII.	STANDARDS OF EMPLOYEE CONDUCT	61
A.	Personal Appearance and Demeanor.....	61
B.	Absenteeism and Tardiness	62
C.	Solicitations and Distribution of Literature.....	62
D.	Drug-Free Workplace.....	62
E.	Safety.....	64
F.	Weapons.....	64
G.	Workplace Violence	64
H.	Tobacco and Vaping Free Workplace.....	65

I.	General Conduct	65
J.	Searches of Property	65
K.	Corrective Action Procedure	65
	1. Progressive Discipline.....	65
	2. Pre-Disciplinary Hearing.....	67
L.	Complaint Resolution Procedure	67
	1. Resolving Conflict Informally.....	67
	2. Resolving Conflict Formally.....	68
VIII.	SEPARATION FROM EMPLOYMENT	68
A.	Resignation	69
B.	Unauthorized Three-Day Absence	69
C.	Separation Procedures	69
D.	Reduction in Force, Layoff and Recall	69
	1. Notice.....	69
	2. Order of Layoff.....	69
	3. Alternatives to Layoff.....	70
	4. Layoff Support.....	70
	5. Severance.....	70
	6. Rehire List.....	70
E.	Furlough (Temporary Reduction in Hours)	71
	1. Impact of Furlough on Work Schedule and Pay.....	72
	2. Impact on Benefits During a Furlough.....	72
	3. Furlough Support.....	72
	4. Employees on Protected Leave.....	72
	5. Appeal Process.....	72
	6. Unemployment Compensation.....	73
	7. Shared Work Program.....	73
	8. Return to Work Following a Furlough.....	73
IX.	CLOSING STATEMENT	73
X.	APPENDIX A - CODE OF ETHICS	74
XI.	CITY OF SHORELINE EMPLOYEE HANDBOOK ACKNOWLEDGMENT	76

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 an individual 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 an employee of the City, has any questions about any of the City's policies, they should direct- those questions to their supervisor or the Human Resources Department.

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~~will change at-will status.

C. Local, State, Federal Law or Collective Bargaining Agreement

In cases where these policies conflict with local, state, federal law, or a collective bargaining agreement, the provisions of local, state, federal law, or collective bargaining agreement 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~~includes 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, all such actions must be coordinated through Human Resources.

III. DEFINITIONS

A. Accrued Leave

Leave accruals earned but not yet taken including: sick leave, vacation leave, comp time, management leave, or personal days.

B. Alternative Work Schedule

A work schedule which is different from the standard 8:00 a.m.– 5:00 p.m. Monday to Friday schedule.

C. 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~~will be made proportionate to any unpaid time off.

D. Break in Service

The period between the date an employee separates from employment with the City and the date the employee is rehired.

E. 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.

F. City

The City of Shoreline, Washington.

G. City Manager

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

H. 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.- Individual departments may establish different core hours for purposes of performing their operations with City Manager approval.

I. Demotion

Any case where a regular employee moves to an ongoing regular position in a classification in a lower salary range, except for such movement resulting from a compensation study or salary survey.

J. 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.

K. Department Director

An individual appointed by the City Manager to serve as Assistant City Manager, Administrative Services Director, City Attorney, Human Resources and Organizational Development Director, Recreation, Cultural and Community

Services Director, Planning and Community Development Director, or Public Works Director, or designee.

L. 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 and must satisfy the following criteria:

- Partners ~~shall~~**must** not be part of another Domestic Partnership or marriage,
- Partners ~~shall~~**must** 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.

M. 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. This does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

N. 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, short duration, 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 three (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 Hours 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 less than 20 hours per week during the first three (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.

O. ESD

Washington State Employment Security Department

P. 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 and often referred to as salaried employees.

Q. Fit for duty

Physically and mentally capable of safely performing the essential functions of the job, including not being under the influence of nor impaired by alcohol, marijuana, certain prescription medications, illegal substances, or other drugs and medications that impact one's physical or mental capacity.

R. Flex Schedule

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

S. Flex Time

Adjusting one's work day schedule on a specific ~~occassion~~occasion, but making up that time either by coming into work early or staying late the same day or on ~~aonther~~another day during that same work week so that they may take care of personal needs.

T. FMLA

Family and Medical Leave Act enacted by the U.S. Federal Government.

U. FMLA Covered Family Member

An employee may use FMLA to care for the following family members: employee's child, parent, or spouse. -An employee may also use FMLA to care for next of kin who has a serious health condition as a result of military service.

V. Furlough

A temporary reduction of work hours due to a lack of work, shortage of funding, or for other business reasons.

W. Immediate Family

Unless defined otherwise in these policies, immediate family is:

- A spouse or domestic partner,
- A child, parent or sibling of the employee, or
- A child, parent or sibling of the employee's spouse or domestic partner.

Note: 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~~must make a written request explaining to Human Resources why ~~thethe~~ employee believes that this individual should be considered a member of the immediate family. -If Human Resources concurs, they ~~shall~~will forward a recommendation to the City Manager for approval. -The City Manager ~~shall~~will 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.

X. Insubordination

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

Y. Intern

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

Z. 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.

AA. Non-Exempt Employee

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act and applicable state law, often referred to as an hourly employee.

BB. Base Pay Rate

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

CC. PFML

Paid Family and Medical Leave enacted by and administered through the State of Washington.

DD. PFML Benefit Payment

Weekly wage replacement benefit paid an employee who is enrolled in and receiving leave benefits through the State of Washington Paid Family and Medical Leave (PFML).

EE. PFML Covered Family Member

An employee may utilize Paid Family and Medical Leave to care for the following family members: employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling, sons and daughters-in-law, and the employee's spouse or domestic partner.

FF. PFML Qualifying Period

A qualifying period is the first four of the last five completed calendar quarters or, if that does not get the employee to the required 820 hours, the last four completed calendar quarters immediately preceding the application for leave.

GG. Promotion

Any case where a regular employee moves to a different classification on an ongoing basis in a higher salary range, with the exception of such movement resulting from a compensation study or salary survey.

HH. Remote Work

A discretionary, management approved alternative work arrangement in which an employee spends some portion of their regular work schedule working from an alternative work location.

II. Separation from Service

Any case where employment ends through death, retirement, resignation, layoff or other reason that results in a termination of employment.

JJ. 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.

KK. Step Increase Date

The date that is used for the purpose of step increase. -Usually the step increase date is the date the employee began work in their current position, but adjustments ~~shall~~will be made proportionate to any unpaid time off, with the exception of unpaid time resulting from an on-the-job injury.

LL. Supplemental Benefit

The use of accrued leave or Supplemental Paid Medical and Family Leave to cover the difference (gap) between the partial wage replacement payment provided through Washington State Paid Family and Medical Leave and an employee's regular full ~~pay check~~paycheck.

MM. 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.

NN. Transfer

Any case where a regular employee moves to a different classification on an ongoing basis in the same salary range as the classification they are moving from.

OO. Waiting Period

The time period between when one is approved for Paid Family and Medical Leave benefits and when one receives their first wage replacement check

PP. Work Location

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

City Hall: 17500 Midvale Avenue North

Hamlin Maintenance Facility: 16006 15th Avenue NE

Linden Maintenance Facility: 17505 Linden Avenue N

North Maintenance Facility: 19547 25th Avenue NE

Richmond Highlands Recreation Center: 16544 Fremont Avenue N

Spartan Recreation Center: 202 NE 185th Street

QQ. 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. -Other regular work weeks may be established, but where a different work week is required, the City Manager will define an appropriate work week and communicate that to the employees.

RR. Y-Rating

The continuation of a regular employee's salary above the highest step of a salary range when a classification is reassigned to a lower salary range as a result of 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 website with links to the application process. -The opening will be posted for a minimum of five (5) working days. To ensure internal employees are aware of an open position, Human Resources will announce openings through email. Hiring managers may use an existing applicant pool, from a recruitment that occurred no more than six (6) months prior, unless otherwise approved by the City Manager, to identify and interview candidates to fill a vacant position in a same job classification

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 if they possess the experience, training, and other qualifications listed in the job announcement.

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 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. All employees who are currently working for the ~~City would be~~ City are considered internal applicants.

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.

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 if they possess the experience, training and other qualifications listed in the job announcement.

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~~must 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.

Employees that serve as an elected or appointed official for another governmental entity must comply with the provisions and restrictions of this subsection D.

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~~do 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, or their designee and Human Resources ~~shall be~~is responsible for the orientation of the new 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 other 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- ~~(6)~~ 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 ~~six (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~~~~does~~ not apply to specified senior management positions, temporary, extra help, and limited term positions.

2. Orientation Period for Promoted, Demoted or Transferred Employees

A promoted, transferred or demoted employee ~~shall~~~~will~~ serve a 3-month orientation period in the new position, if they have never worked in nor served an orientation period in the classification previously. -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, transferred, or demoted 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~~~~will~~ consult with Human Resources before making the decision to remove an employee.

If involuntarily removed from their current position, the employee may return to the position from which they promoted or transferred from, provided that the position is vacant and the employee has provided a written request to the Department Director for the former position. -This request 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 filled, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.

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 ~~(including, but~~

not limited to, hair textures and protective hairstyles associated with race), creed, color, religion, gender or sex, national origin, marital status, age, sexual identity, sexual orientation or sexual identity, disability (as defined under state and federal law), pregnancy, genetic information, citizenship or immigration status, honorably discharges veteran or military status, or any other status protected by law 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 their rights under this provision have been violated, they should follow the complaint reporting and resolution process outlined in the Section IV.I, Discrimination Complaint Procedure.

H. Prohibition of Discrimination and Harassment

The City expressly prohibits any form of unlawful discrimination or harassment based on race (including, but not limited to, hair textures and protective hairstyles associated with race), creed, color, religion, gender or sex, national origin, marital status, age, sexual identity, sexual orientation or sexual identity, disability (as defined under state and federal law), pregnancy, genetic information, citizenship or immigration status, honorably discharges veteran or military status, or any other status protected by 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.
3. Any other form of unwelcome, disruptive, discriminatory, or harassing behavior, regardless of whether such behavior meets the legal standards for discrimination or harassment.

I. Discrimination or Harassment 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 they have experienced any job-related discrimination or harassment based upon ~~sex, race, color, religion, national origin, marital status, age, sexual orientation~~any protected characteristic recognized by state or disability federal law, or believe they have been treated in an unlawful, discriminatory manner, the employee should promptly:

1. Report the incident to their 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~~will also report the information to the City Manager.
 - a) If an employee believes it would be inappropriate to discuss the matter with their 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~~will 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~~investigated in a confidential to the extent manner, where reasonably possible-, consistent with the City's need to investigate and disclose information under Washington law.
3. If the City determines that an employee is guilty of harassing or discriminating against another employee, or other misconduct in violation of the City's policies, 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 and Conflicts of Interest

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, or employees who enter into romantic or dating relationships, will not be hired, moved into new positions, or permitted to keep their current roles~~ 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, or two employees in a dating or romantic relationship, 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~~ Spouses or domestic partners, or two employees in a dating or romantic relationship, 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, enter into a dating or romantic relationship, or become related, they should immediately report this change of status to the City Manager. If~~, 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 ~~a domestic~~ domestic partnership, enter into a dating or romantic relationship, or become related. -If the parties do not make a decision within 30 days, the City Manager ~~shall~~ will make the determination.

K. Personnel Files

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

3. Reporting Mechanism

- a) An employee who becomes aware of improper governmental action shall will 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 will 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 will report the action to the Mayor. The person receiving the report shall will 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.

4. Investigation

- a) The person receiving the report shall must confer with the City Attorney and they shall will agree upon an appropriate method of investigation. -The person receiving the report shall will ensure that prompt action is taken to properly investigate.

5. Confidentiality

- a) The investigation should be conducted as confidentially as in a confidential manner, where reasonably possible-, consistent with the City's need to investigate and disclose information under Washington law ... Until the investigation is final, the identity of all employees involved shall will be kept confidential to the extent permitted by law. -At all times, the identity of the reporting employees shall will be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing.

- 6. When the investigation is completed, the person receiving the report shall will 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.

7. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee ~~shallis~~ 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.

8. Protection against Retaliatory Actions

The City is prohibited from taking retaliatory action against an employee because they have in good faith reported an improper government action in accordance with this policy.

- a) An employee who believes they have been retaliated against ~~shall~~must 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~~must specify the alleged retaliatory action and the relief requested.
- b) The City Manager ~~shall have~~has 30 days to respond to the charge.

9. 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~~will apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).

10. Relief Granted Under The Act

- a) Reinstatement, with or without pay.
- b) Injunctive relief necessary to return the employee to the position they 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.

11. 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	Ombudsman or Prosecuting Attorney	Auditor’s Office 302 Sid Snyder Avenue SW

Shoreline City Hall
17500 Midvale Ave N
Shoreline, WA 98133
206-801-2700
Web: www.shorelinewa.gov

516 Third Ave
Seattle, WA 98104
206-477-1050 or
206-296-9000
Web: www.kingcounty.gov

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

1. The City expects that it ~~shall be~~is the primary employer for all regular employees. -Therefore, employees ~~shall~~will 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 ~~or~~standby 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 their 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~~must provide their 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 their outside employment, they should consult with their Department Director or the Human Resources Director for clarification.
 - (1) After receiving the employee's request, the Department Director ~~shall~~will 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~~will 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~~will decide to approve or deny 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~~will 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 a flex schedule or to job share. -Flex schedule and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. -Flex schedules and job share must be approved by the Department Director, after consultation with Human Resources.

On occasion an employee may request to flex their time and adjust their regular work schedule to facilitate dental, doctor and similar appointments that fall within their workday. -Approval of flex time will be based on specific need or circumstance, is not intended to occur on a regular basis, and is not to result in overtime. Any change to an employee's schedule must be approved by their supervisor.

B. Breaks

1. **Lunch and Rest Breaks**

All employees working an 8-hour day ~~shall be~~is entitled to at least a one-half hour unpaid meal period within five (5) 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 15-minute rest break for each four (4) 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~~will be arranged so as not to interfere with

normal business operations.- All lunch and rest 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. Employees unable to take a required meal or rest break must immediately notify their supervisor or Human Resources.

2. Lactation Breaks

For ~~one year~~two years 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. -For more information on the designated lactation space, an employee should contact ~~her~~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. -Overtime ~~shall~~will be paid for in increments of fifteen (15) minutes. Employees who have been authorized to flex their work schedule in a particular work week do not incur overtime for the hours worked beyond their normally scheduled shift on the approved flex days(s). -Employees who have been authorized for and who earned 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~~will be provided with a 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 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, the employee may be subject to disciplinary action. The ~~Employee~~employee must remain Fit for Duty for the entire period of their standby duty.

E. Callback

This section applies to non-exempt employees. Employees called back to work ~~shall~~will be paid a minimum of three hours at a rate of time and one-half. Hours worked on callback beyond the three-hour minimum ~~shall~~will be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift. -When work to resolve an issue occurs remotely, such as by phone or email without physically arriving to the work site, the minimum increment of compensation is fifteen (15) minutes at a rate of time and one-half.

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. Encampment Premium Pay

This section applies to non-represented employees. Procedures are contained in the City's Administrative Policy and Procedure on Addressing Prohibited Encampments.

1. The City has the sole discretion to assign duties of assessing a purported prohibited encampment site, posting notice, and sorting and removing of materials associated with prohibited encampments.
2. Effective when this Handbook is updated in 2023, employees will receive a premium "Encampment Pay" of 10% of their regular hourly wage in addition to their regular hourly wage for all hours directed by management to assess sites; post notices; and sort, remove materials, clean the area and post the prohibited encampments with Post-Clean-Up Notices.
3. Employees receiving Encampment Pay will be paid a minimum of two hours at the rate of 110% of their regular straight hourly rate of pay.
 - This two-hour minimum may include more than one purported encampment site
 - The total hours of Encampment Pay in any given day will not exceed the length of shift
4. Encampment Pay will be provided when employees are directed to:
 - Visit the purported encampment site to assess if it is a prohibited encampment, and, if so, whether it is abandoned or occupied
 - Report the prohibited encampment to the Lake City Partners Outreach Worker if the encampment is occupied or potentially occupied
 - Securely post a Pre-Clean-Up and Resource Brochure in one or more conspicuous locations
 - Physically remove garbage, damaged material, contaminated material, or hazardous waste from the site and clean the site appropriately
 - Sort and bag personal property found at the site
 - Post a Post-Clean-Up Notice
 - Transport personal property to the identified storage location
5. Encampment Pay will not be provided for removing the Post-Clean-Up posting after it has been up for five consecutive days

G.H. 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 shallwill be sent home with pay to rest and prepare for the night shift. -This period of pay shallwill 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 p.m. -The employee normally takes a half hour lunch at noon. -At 11:00 a.m. the City Manager declares a 12-hour shift.- The employee, assigned to the night shift, is sent home at 11:00 a.m. to rest and report to work at 9:00 p.m. for the night shift. -The employee receives 4½ hours pay—1 hour from 11:00 a.m. to noon and 3½ hours from 12:30 p.m. – 4:00 p.m.
- 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 shallwill receive an additional three dollars (\$3.00) per hour shift differential for all hours worked. Employees assigned to the night shift will receive a night shift premium of three dollars (\$3.00) per hour in addition to the shift differential received for hours worked on a declared 12-hour shift. -For purposes of this section, night shift constitutes a 12-hour shift beginning on or after 9 p.m.
- 3. Pay for meal breaks.** -During the declared 12-hour shifts, employees shallwill be paid for both 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 shallwill receive straight time “comp time” for the standard operating hours 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” shallwill be 8 hours.
 1. 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.
 2. 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).

3. 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).
4. 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.I. Alternative Night Shift Premium

Employees scheduled to work a shift beginning on or after 9 p.m. or before an employee's regularly scheduled shift and not a part of a 12-hour shift declaration ~~shall~~**will** receive a night shift premium of three dollars (\$3.00) per hour for the duration of the shift. -This work could include street sweeping, road repairs, or any other authorized work.- Employees who are receiving Callback are not eligible for Alternative Night Shift Premium.

H.J. Remote Work

Regular, on-going remote work is allowed and is a discretionary, management approved alternative work arrangement in which an employee spends some portion of the workweek working from an alternative work location. -Regular, on-going remote work requires an agreement between the employee and their supervisor.- Employees working remotely must comply with all of the terms and conditions outlined in the City's Remote Work Administrative Policy. -A remote work agreement may be modified or revoked by management, with notice to the employee working remotely, at any time.

K. Inclement Weather ~~and~~, Natural DisasterDisasters, and Unplanned Facility Closure

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 with approval, may 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, or their designee. -Inclement weather or

natural disaster tardiness in excess of that allowed by the City Manager ~~shall~~will 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, natural disaster, or other event that results in the unplanned closure of a City facility, such time off will be paid time off and not charged to accrued vacation leave or compensatory time.
4. In the event that the City Manager closes a City ~~Half~~facility due to inclement weather, natural disaster, or other event that results in an unplanned closure, if directed by the City Manager, non-exempt employees who are available and report to work or continue to work ~~shall~~will 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.

L. Planned Facility Closure

For a planned facility closure as directed by the City Manager that prevents staff from working in that facility during the closure, those staff will be directed to an alternate work location, including remote work if possible, during the closure. If there is no work to be performed, employees will be directed not to report to work and they will not be charged leave for this time.

J.M. Performance Planning and Appraisal

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

K.N. Classification and Compensation Plan

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~~is 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. Salary Step Placement Procedures for Employees in Job Classifications Adjusted to a Higher Salary Range as Part of a Compensation Study

This procedure documents the salary step placement procedure for employees in job classifications assigned to higher salary ranges as a result of a Compensation Study or Salary Survey

- a. In a Compensation Study Salary Range Adjustment, unlike a promotion, demotion, or reclassification, the work is not changing. Rather, the study has established that the market, for what this work is compensated at, has shifted for the same body of work. The goal is not to raise an employee's salary but instead to move the salary range of their position so that the top step is at the market median rate of the City's comparable cities. This raises the maximum salary an employee can achieve in the new, higher range.
- b. The procedural steps below reflect the City's current practice of implementing compensation study/salary survey adjustments, which typically take effect on January 1 of the following year.

c. Classifications Adjusted to a Higher Salary Range

When a job classification is adjusted to a higher salary range in a compensation study or salary survey, an employee will be placed on a salary step in the new, higher salary range as follows:

- i. Employees who are on Step 1 in their old salary range in the last pay period of the year will be placed on Step 1 of the new higher salary range on January 1.
- ii. Employees who are on a step above Step 1 in their old salary range in last pay period of the year and whose rate of pay is less than Step 1 of the new higher salary range will be placed in Step 2 of the higher range.
- iii. Employees who are on a step above Step 1 in their old salary range in last pay period of the year and whose rate of pay is higher than Step 1 of the new higher salary range will be placed in the first step in the new range that is equal or higher than the employee's current salary.
- iv. Employees will retain their current Step Increase Date.

d. Classifications Adjusted to a Higher Salary Range – Employees in Step 6 Longer Than One Year

This step placement procedure applies to employees who were in Step 6 of their salary range the last payroll of the year preceding when a salary range adjustment is recommended:

- i. An employee who was on Step 6 in their old salary range the last payroll of the year preceding the salary range adjustment and whose classification is adjusted enough salary ranges to necessitate a step placement below Step 6 in the new higher salary range will have their Step Increase Date moved to January 1 as part of the implementation of the compensation study or salary survey. This change will reset their Step Increase Date for future step increases, if applicable.

2.3. 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 adjusting a position's salary range assignment.

a) Requesting a Classification Review

- (1) **Management Requested Classification Review:** A Department Director may request a classification review when planning to change the assigned duties of a position, or if they believe the position duties being performed are outside of the current classification specifications.
- (2) **Employee Requested Classification Review:** An employee who does not believe that their current classification accurately reflects the current duties of the position may request in writing to the Human Resources Director a classification review if it has been more than one year since the last classification review and the majority of duties have changed.

b) Performing the Classification Review

1. 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.
2. After review by the Department Director and the Human Resources Director, any changes shall/will 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.
3. Any changes resulting from a request for a classification review will be retroactive to the date of written submittal of the request for review to the Human Resources Director.

4. An employee who is reclassified is considered to have met the requirements of an orientation period and will not need to serve an orientation period in their newly reclassified position. -If 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 the Out-of-Class Pay provisions noted in this handbook.

3.4. Steps and Increases

The compensation plan consists of salary steps ranging from 1 to 6, as reflected in the annual salary schedule. -Step 0 is considered a training step. In general, there is a 2.5% difference between ranges, and a 4% difference between steps within a range.

Regular employees not at the top step are eligible for advancement to the next step annually. -The step increase will be effective one year following the most recent 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.

4.5. 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, the Department Director or their designee.

Circumstances that support hiring above step 1 include:

- 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.

5.6. Promotion

A regular employee receiving a promotion ~~shall~~will be placed in the closest 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 new 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.

6.7. Transfer

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

7.8. Demotion

Disciplinary Demotion. ~~Where applicable based on the circumstances, the City may consider a demotion as a step of progressive discipline.~~ If the demotion is a result of a disciplinary action, the employee ~~shall~~will 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 annual 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~~will remain at the same rate of pay until the employee's next step increase date.- On the step increase date, if the employee has not reached the top step of the salary range, the employee ~~shall~~will move to the next step in the new salary range that provides for an increase. -The employee ~~shall~~will 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~~will be placed in the top step of the new salary range.

8.9. 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~~will be placed at the equivalent rate of pay on a step in the new range that does not result in a decrease. -No Cost-of-Living Adjustment or step increase will be awarded during this period.

9.10. 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).

10.11. Out of Class Pay

When a Department Director or the City Manager assigns a regular employee substantially higher level duties that fall outside the scope of their job classification and the assignment exceeds ten (10) working days, the employee ~~shall~~will be paid an additional 5% for the entire period of the out-of-class work. The assignment and the out-of-class pay must be in writing and approved by Human Resources prior to the Department Director making the assignment.

If the Department Director believes that circumstances warrant an exception to the 5% placement rule, and if the Human Resources Director agrees, they may

recommend to the City Manager a higher placement. -Circumstances that support an exception to the 5% placement include:

- a) The duties the employee is performing is of a significantly higher classification;
- b) The proposed higher salary will not create inequities with existing internal salaries;
- c) The proposed out-of-class salary is not higher than what would be awarded if the employee were promoted into the position.

L.O. Garnishment

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

N. Employee Education, Training and Development

It is the intent of the City to provide education and training opportunities to employees so that they can increase their job related skills and maximize performance. -Regular employees may request reimbursement for and/or seek payment of registration and tuition fees associated with educational courses and training directly related to the employee's job function or professional development goals. -All requests for payment of or reimbursement for education courses, training or conferences must be approved in advance by the employee's supervisor and Department Director.

1. Academic Courses: Employees may request reimbursement for or payment of registration fees and tuition fees when taking courses from an accredited vocational school, college or university. -Courses must be reasonably related to the employee's current job function or must be in alignment with the employee's professional development goals, as documented in the employee's Professional Development Plan.- Tuition reimbursement is limited to six credit hours per semester or nine credit hours per quarter, and must be approved in advance by the supervisor, Department Director and Human Resources and Organizational Development Director.- Courses are not to interfere with the employee's work schedule and must be taken on the employee's own time. Reimbursement is contingent upon departmental budget and funding resources, and achieving a passing grade.

2. Non-Academic Courses, Conferences & Training: Employees may request reimbursement for or payment of registration fees for training, workshops, or conferences that, in management's opinion, is related to the employee's job duties and will enhance their job skills. Funding is limited and subject to Department Director approval and budgetary resources. Employees who have received educational funding support from the City, but fail to attend the workshop/conference, or do not complete the training, may be asked to reimburse the City for any costs incurred.

O. Reasonable Accommodation

1. Medical 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 and Washington's Law Against Discrimination.

The City recognizes some individuals with disabilities may require reasonable accommodations. If an employee is disabled or becomes disabled (meaning they have a mental or physical impairment substantially limiting one or more of the major life activities, or as otherwise defined by federal or state law) and requires a reasonable accommodation, the employee will 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 ismay include 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 qualified 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 representative will meet and engage in an interactive process. -The interactive process will include discussing the disability, limitations, and possible reasonable accommodations that may enable the employee to perform the essential functions or their 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.

Outside of the reasonable accommodation process, the City, acting through Human Resources, may require an employee to complete a fitness-for-duty and medical certification process when the City determines the employee may suffer from a disability or medical condition posing a direct threat to the safety of the employee, other City employees, or the public.

2. Religious Accommodation

Employees whose sincerely-held religious beliefs, practices or observances conflict with work requirements may request an accommodation-, provided the

requested accommodation does not result in an undue hardship to the City. An employee whose religious beliefs or practices conflict with the employee's job, work schedule, uniform/appearance standards, or other aspects of employment, may submit a written request to Human Resources. Upon notice of a request to reasonably accommodate, Human Resources will examine the request and respond to the employee.

3. **Pregnancy Accommodation**

~~Employees~~An employee who have health conditions related needs accommodation due to pregnancy can request may be afforded the following accommodations with or without medical certification: frequent, longer, or flexible restroom breaks; seating or allowing the employee to sit more frequently; and limiting lifting to 17 pounds or less.

In addition, a pregnant employee may be entitled to additional workplace accommodation recommended by their physician in form of leave, schedule adjustment, workplace or working conditions adjustments(s) as long as there is no significant difficulty or expense to the City and subject to written certification from a health care professional regarding the need for the requested accommodation. Upon notice of a request to reasonably accommodate, Human Resources will examine the request and response to the employee.

~~Accommodation requests related to more frequent breaks or limitations for lifting object over 17 pounds do not require medical documentation.~~

5.4. **Nursing and Lactation Accommodations after the Birth of Child**

Eligible employees who are nursing mothers may request a reasonable amount of break time during the work shift to express breast milk for a nursing child within ~~one year~~two years after the child's birth. The City will provide a suitable, private location for nursing breaks. Employees in need of lactation breaks should contact Human Resources for more information.

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 40-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~~ is 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
20	25	16.7

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' vacation accrual accumulation.

3. Carryover Exceptions

Employees with a vacation balance in excess of the carryover maximum should reduce the balance to the maximum carryover allowable. -If an employee 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. -Requests for vacation carryover ~~shall~~must be made in writing by the employee and submitted to the Human Resources Director. - The request will include a plan for bringing the vacation accrual balances within the accrual cap during the next year. -The request will be reviewed by the Department Director and is subject to approval by the City Manager. 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~~will 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 impact the business operations of the City. -In cases where there is a conflict in scheduling vacation leave among employees, the supervisor will determine the criteria for approving vacation requests based on a fair and equitable methodology.

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

Vacation hours earned for a new employee ~~shall~~will accrue but ~~shall~~are not ~~be~~ available for use until after an initial six months of employment with the City unless special authorization has been granted by the City Manager.

Employees who have moved to a new classification, and who have already served a six-month orientation period in a previous position with the City, may request use of vacation leave accruals immediately. An orientation period may be extended to account for leaves (unpaid, vacation, etc.) taken during that period of time. 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 leave 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. -The maximum cash out ~~shall~~be ~~is~~

40 hours. -The amount of the cash out ~~shall be~~ based upon the employee's base 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-out for any accrued vacation earned and not taken. - Payout of accrued vacation leave will be at the base hourly rate and not include out-of-class pay or other premium rates. -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 Exempt 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 and has no cash-out value; any management leave not used during the calendar year ~~shall~~ not ~~be carried~~ into the next year. Exempt staff must use management leave in full day increments.

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 40-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
Juneteenth	June 19
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.

Non-exempt 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 they make 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 and have no cash-out value.

3. Holidays for Reason of Faith or Conscience

Applies to: All Employees.

If an employee's sincerely-held 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. Employees must submit a request in advance, but no less than two (2) calendar weeks prior to the start date of the requested leave. The leave requires the approval of the Human Resources Director and the Department Director. Regular employees may use accrued leave, or leave without pay, if all accruals are exhausted. 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 (8) 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~~must 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 experiencing a physical or mental illness, injury, disability (including a disability due to pregnancy or childbirth), diagnosable health condition, 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~~other preventative medical care, when such appointments cannot reasonably 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, or ~~when the employee’s workplace or employee’s child’s school or place of care has been closed for any health-related reason by order of a public official~~who needs preventative medical care, when such appointments cannot reasonably be scheduled outside of working hours.

3. Closure of Place of Business, School, or Child Care

Sick leave may be used when the employee’s place of business or an employee’s child’s school or place of care has been closed by a public health official for a health-related reason. ~~Sick leave may also be used for qualifying family and medical leave provided for in the Washington State Paid Family and Medical Leave (PFML) or Leave under Family and Medical Leave Act (FMLA) sections.~~

e)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. -Once requested, an employee will be provided a reasonable amount of time to produce the doctor’s note or other evidence. An employee experiencing an unreasonable burden or expense with obtaining a

doctor's note must consult with Human Resources for alternative verification options.

e)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.

4. PFML and FMLA

Sick leave may also be used for qualifying family and medical leave provided for in the Washington State Paid Family and Medical Leave (PFML) or Leave under Family and Medical Leave Act (FMLA) sections.

3-5. 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~~**will** consider the facts involved and ~~shall~~**will** approve or deny the request.

4.6. Other Accrued Leave as an Extension of Sick Leave

Earned leave may be used in place of and as an extension of sick leave when an employee has exhausted their own sick leave accruals and needs additional time off work due to illness, injury, or disability, or to care for an immediate family member.

5-7. Maximum ~~Carryover~~ 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.~~

During a calendar year, regular and limited term employees may accrue sick leave without limitation, but with a maximum carryover of 1040 hours from one calendar year to the nexts

6-8. 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~~**will** be paid for 10% of their accrued but unused sick leave, up to a maximum of 1040 hours eligible for cash-out.

7-9. Rehired

Employees who are rehired within twelve months of a separation in service ~~shall~~**will** have their unused sick leave balance restored, with exception for any hours that were cashed-out in accordance with the requirements of WAC 296-128-690(2)(b).

8-10. 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 their 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~~**must** 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

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 following reasons:

- Own mental or physical illness, injury, or health condition, or when seeking a medical diagnosis or preventative medical care.
- Family member's need for care for a mental or physical illness, injury, or health condition, or when seeking a medical diagnosis or preventative medical care.
- When employee's workplace or employee's child's school or place of care has been closed for any health-related reason by order of a public official.
- When absent from work for reasons that qualify for leave under the state's Domestic Violence Leave Act (DVLA).

2. Maximum Carryover Balance

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~~**will** 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 their 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~~must 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.

Upon an employee's request, a Department Director, after consulting with Human Resources, may recommend that the City Manager ~~allow a~~invite regular ~~employee~~employees to ~~receive donated~~donate leave ~~from another~~to a donation pool to benefit other regular ~~employee~~employees in need. The City Manager may approve ~~the donated~~ leave donations if ~~they find that~~the employee receiving the ~~employee~~donated leave meets ~~all~~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~~
- a) The employee needs leave that qualifies as either a medical emergency or major disaster: (1) a medical emergency, defined as a medical condition of the employee or a spouse, domestic partner, child, or parent that will require a prolonged or extended absence of the employee and will result in substantial loss of income to the employee; or (2) a major disaster, as declared by the federal government, resulting in severe hardship to the employee or a spouse, domestic partner, child, or parent that requires the employee to miss work.
- b) The employee does not qualify for other available leave benefits and has depleted all their 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 of vacation or sick leave annually. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained ~~after the donation~~. The donating employee ~~shall~~must submit a written request to Human Resources. All donations under this policy are strictly voluntary.

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, at the end of the calendar year, the hours of leave that remain ~~shall~~will 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. Washington State Paid Family and Medical Leave (PFML)

1. Eligibility

Under PFML, employees may be eligible for paid leave when needing time off for covered reasons. Eligibility requirements are:

- a) Monetary Benefits: In order to be eligible to receive monetary benefits from the Washington State Employment and Security Department, the individual must be currently employed with the City of Shoreline and have worked 820 hours in Washington for any employer or combination of employers during the year preceding the application for leave claim.
- b) Job Protection: In order to be eligible for job protection under PFML, an employee must have worked for the City of Shoreline for at least 12 months and have worked 1250 hours in the last year.

2. Leave Entitlement

PFML eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; an additional two (2) weeks of leave, for a total of 18 weeks, may be available in the event the employee's leave involves incapacity due to her pregnancy. -PFML leave may be taken intermittently, contingent on the current rules or regulations.- The employee may use the leave within 52 weeks from the date that the leave was approved by the State or for a year following the birth/placement of the employee's child.

PMFL leave may be taken for the following reasons:

- a) Medical Leave: Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, ~~child birth~~childbirth recovery, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. -However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.
- b) Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies where an employee needs time to prepare for

a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment.

- (1) If both parents work for the City of Shoreline, the leave entitlement for bonding with a new child or for a new child placement into their home is independent of each other. -Each employee is entitled to the full leave amount, less any PFML or FMLA leave the employee has already taken during the current claim year.
- c) If an employee faces multiple events in a year, they may be eligible to receive up to 16 weeks, and up to 18 weeks if they experience a serious health condition during pregnancy that results in incapacity.

3. ~~Concurrency With FMLA~~

~~PFML will run concurrently (at the same time) with FMLA when an absence is covered by both leave benefits~~ apply and the employee meets the eligibility requirements of both leave programs. ~~Hours~~In this instance, hours taken under PFML will be deducted from the 12 weeks of FMLA entitlement.

4.3. Notification Requirements

An employee must provide written notice to the Human Resources Department of the intent to take PFML leave. -If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. -For unforeseeable leave, notice must be given as soon as practicable.- The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. -If an employee fails to provide this required notice to the to the City of Shoreline, ESD will temporarily deny PFML benefits.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt business operations.

Employees should follow the instructions provided by the payroll office regarding how to report their time during a leave.

5.4. Coordination with Other Health Programs

While using PFML, health benefits will remain intact and will continue to be provided by the City as normal.

If an employee is on PFML ~~but does not meet the eligibility requirements for FMLA~~ and is not supplementing PFML with other leave accruals or the City of Shoreline Supplemental Paid Family and Medical Leave (SPFML), the employee is deemed to be in an unpaid status for purposes of City of Shoreline policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to City of Shoreline policies and subject to any other leave provisions that require continuation of health benefit coverage.

For any unpaid portion of a leave the 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 from 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.

6.5. Monetary Benefits

Washington State Employment Security Department is responsible for making benefit payments directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage. The maximum weekly benefit amount is subject to adjustments by the State.

7.6. Benefit Payment Waiting Period

With the exception of leave taken in connection with the birth or placement of a child or covered military exigency, monetary PFML benefits are subject to a seven-day waiting period. -The waiting period begins on the Sunday of the week in which PFML leave is first taken. ~~The waiting period is counted for purposes of the overall duration of PFML leave, but no monetary benefits will be paid by ESD for that week.~~ An employee may use leave during this waiting period, but such usage of accruals must be reported to ESD.

8.7. Supplementing PFML with Your Own Leave Accruals or the City's Supplemental Paid Family and Medical Leave (SPFML)

Employees who meet the eligibility requirements for PFML may use their own leave accruals and the City of Shoreline -SPFML to make up the difference between the PFML benefit received from ESD and their regular full pay for a week in which PFML leave is taken as follows:

- a) When the PFML is for the employee's own serious health condition: The employee must use and exhaust all their leave accruals prior to using SPFML.
- b) When PFML is to care for a family member or for child bonding/placement: The employee must exhaust their sick leave accruals but may reserve 80 hours of their earned accrued vacation leave for future use, prior to using SPFML.
- c) The use of SPFML is contingent on the employee receiving their weekly PFML benefit and submitting proof of payment to the payroll office. -Payroll will then calculate the amount of supplemental paid leave needed to bring the employee to their regular full pay for that week and issue payment to the employee in the next payroll process.
- d) SPFML may only be used after PFML benefits have been received by an employee and reported to the payroll office, except if it is being used for the initial waiting period.
- e) Regular accrued leave such as sick leave or vacation leave can be used for the initial waiting period.
- f) Employees must inform payroll and HR when they no longer are receiving PFML benefits from the Employment and Security Department or when their need for the leave has ended.

9-8. Job Restoration and Return to Work Recertification

An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML leave, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave).

An employee may be required to provide a return-to-work certification from a health care provider before returning to work following PFML leave where the employee has taken leave for their own serious health condition.

If an employee taking PFML leave determines they will not be returning to work for any reason, the employee must inform their supervisor and Human Resources immediately.

The City reserves the right to collect the cost of benefits from an employee if the employee does not return to work following their leave of absence.

10-9. PFML Application Process

An employee must submit an application to ESD (<https://paidleave.wa.gov/login/https://paidleave.wa.gov/login/>) in order to seek PFML benefits.- For guidance on the application process, please refer to the ESD website (<https://paidleave.wa.gov/login/>)-<https://paidleave.wa.gov/login/>). Eligibility determinations will be made by ESD.- If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits. Employees have an obligation under this policy to timely notify the City, on a weekly basis, as to how many PFML hours were claimed through ESD in the employee's weekly benefit claim for that week.

11-10. Payroll Deductions

The PFML program is funded through premiums collected by ESD via payroll deductions and City of Shoreline contributions. The premium rate is established by law; ~~employees are currently responsible for two-thirds of the total premium amount.~~ Should the State in the future modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, the City of Shoreline will modify payroll practices to reflect those statutory changes.

12-11. Retirement Service Credit and Paid Family Medical Leave

PFML is considered an unpaid, ~~authorized~~ leave of absence. PFML program participants will not receive retirement service credits for the wage replacement payments received through ESD. -An employee will receive retirement service credit for any time that they are using their own leave accruals or the City of Shoreline SPFML leave benefits while on a PFML.

L. Leave Under the Family and Medical Leave Act (FMLA)

Applies to: All employees meeting FMLA eligibility criteria.

The City complies with FMLA and all applicable state laws related to family ~~and~~ medical, and covered military leave.- This policy provides detailed information concerning the terms of FMLA.

1. Length of FMLA and Eligibility

Eligible employees may take up to 12 weeks of unpaid, family and medical 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

FMLA leave is provided for any of the following reasons:

- For a serious health condition that makes the employee unable to perform the essential functions of his or her job, including incapacity due to pregnancy and for prenatal medical care.
- 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.
- For qualifying exigencies arising out of the fact that a spouse, parent, son or daughter is a military member on covered active duty or called to covered active duty. -Eligible employees may take up to 26 workweeks to care for a spouse, son, daughter, parent or next of kin who is a covered service member and has a serious health condition as a result of military service (military caregiver leave).- An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period.

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 Caregiver Leave:** 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.
- **Next of Kin:** A servicemember's nearest blood relative, other than the servicemember's spouse, parent, son, or daughter.
- **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
 - **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

- **Incapacity 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) 2 or more visits to a health care provider within 30 days of the first day of incapacity; or 2) treatment by a health care provider on at least 1 occasion, within 7 days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of a health care provider;
- **Pregnancy:** any period of incapacity due to pregnancy or for prenatal care;
- **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 at least twice a year; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
- **Permanent or 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;
- **Multiple treatments (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.
- **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 from the foreign deployment of 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 or Reduced Schedule 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)-), or for covered military exigency leave. If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director

approval, and will be approved when the leave is also covered by Washington State Paid Family and Medical Leave (PFML)

5. Paid Leave before Unpaid Leave

WhenWith exception for sick leave protected by Washington law, when an employee has paid leave or comp time available, that paid leave must be exhausted before unpaid leave is allowed as family or medical leave.

6. Advance Notice

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

When foreseeable, notice must be provided at least 30 days in advance of the need to take FMLA leave. -The employee should make reasonable efforts to schedule the leave to not unduly disrupt the City's operations. -If 30 days advance notice is not possible because the foreseeable situation has changed or the employee does not know exactly when leave will be required, the employee must provide notice of the need for leave as soon as possible and practical.

7. Certification

The City requires the provision of a medical certification within 15 calendar days to support a request for FMLA leave because of a qualifying event. -The City may require second or third opinions, at its option and expense. When incomplete and insufficient certification is submitted, employees are required to correct deficiencies in the certification within 7 calendar days.

Employees may be asked for a periodic recertifications or when circumstances described by the previous certifications have significantly changed.

The City may require- employees on FMLA 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.

Employees requesting qualifying exigency leave or military caregiver leave may submit related certification forms or a copy of the duty orders (for exigency leave only).

8. Designation Notice

A written Designation Notice will be sent to the employee requesting family or medical leave informing them that the requested leave will be designated as FMLA leave and setting out the requirements applicable while the employee is on leave. The Notice may be used to deny the leave request or inform the employee that additional information is needed.

9. Periodic Reporting

Depending on the employee's circumstances and/or medical documentation, the City may require the employee to periodically report on their status and intent to return to work.

10. Health Insurance

When an employee is provided group health insurance, the employee is entitled to the continuation of the insurance coverage during FMLA leave. -If 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 FMLA 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.

11. 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.

12. Couples Employed by the City

If employees married to each other request leave for the birth, adoption or foster care placement of a child, each parent will have 12 weeks of leave available to them independent of each other. The scheduled leave time off must be coordinated between the two employees and their supervisors so as not to cause an operational hardship.

13. Determining Leave Availability

Family or medical 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 backward from the first date any family leave is used. -The employee is required to notify the City if any leave qualifies as FMLA leave. -All leave qualifying for FMLA leave ~~shall~~will be designated and tracked as such upon the request of the employee.

14. 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.

15. Job Restoration

When an employee returns to work after FMLA leave the City ~~shall~~will 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:

- the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or
- the employee takes another job; or
- the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

M. Supplemental Paid Family & Medical Leave (SPFML)

Applies to: Regular employees, including limited term employees.

Supplemental Paid Family & Medical Leave (SPFML) affords employees an increased ability to attend to their own health needs or those of their family by providing additional pay as a supplement to the partial wage replacement benefit received from the PFML program. -This benefit is used to fill the gap between what the employee receives as a benefit from the PFML and their regular full pay.

SPFML is used only in conjunction with and concurrently (at the same time) as the PFML and as noted below, with the exception if use is for a victim of domestic violence:

1. Eligibility

SPFML is available to all eligible employees who:

- a) Are the victim of domestic violence and have requested time off as a victim of domestic violence; or
- b) Have a qualifying family member as a victim of domestic violence; or
- c) Are currently employed with the City and have worked at least six months with the City or the equivalent of 1040 hours (pro-rated for part-time employees) and have successfully passed their orientation period, and
- d) Experienced a qualifying event as defined by PFML; and
- e) Are eligible for, have applied to, and have been approved for PFML or be in the initial waiting week of the leave; and
- f) Have not exhausted the 12 weeks of SPFML in the current calendar year; and
- g) Have depleted available leave accruals:
 - (1) Must have exhausted all available leave accruals including sick leave, vacation, personal days, management leave, and accrued comp time if the leave request is for the employee's own serious health condition, childbirth recovery, or as a victim of domestic violence.
 - (2) Must have exhausted all available leave accruals but may reserve a bank of 80 hours of accrued vacation leave, if the leave request is to care for a family member; in response to a military exigency; or when bonding after birth or placement of a child into their home.

2. Benefit Amount

- a) An employee's SPFML benefit is calculated based on the difference between what is received from the PFML benefit and what the employee normally would receive in their regular check.

- b) The employee will receive the equivalent of their full salary through use of supplemental paid leave for up to a total of 12 weeks, when combined with payments received from PFML.
- c) SPFML will cease after using a total of 12 weeks in a calendar year or at the expiration of the approved PFML, whatever occurs first.
- d) Regular part time employees will receive this benefit on a pro-rated basis based on their budgeted FTE.
- e) 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, both parents will independently have the equivalent of 12 weeks available to them for bonding with a new child or for child placement. In these circumstances the employees should coordinate with their supervisors to ensure that there is no negative impact to business operations for their requested time off. -Any overlap of both parents taking the same time period off for bonding should be coordinated with their supervisor(s) in advance.
- f) In no circumstances may an employee use SPFML in combination with PFML and receive more than their regular paycheck amount.
- g) SPFML may not be cashed out under any circumstance.
- h) If using SPFML during the initial waiting week, or while waiting for the leave approval, and the leave is denied from the State, the employee will be required to pay back any Supplemental monetary benefit that has been received.

3. Benefit Period, Frequency, and Concurrency

- a) May be used on a continuous or intermittent basis consistent with PFML.
- b) Will run concurrently with PFML.
- c) Is limited to a maximum of 12 weeks per calendar year.
- d) May be used to cover the waiting period (first week) of PFML if the employee lacks enough leave accruals.

4. Health Benefits

The employee will continue to receive health benefits according to the underwriting rules of the relevant health plans and ~~shall~~will continue to accrue vacation and sick leave according to City policy during the period of SPFML.

For any unpaid portion of a leave the 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 from 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.

5. Procedure for Requesting Supplemental Paid Family & Medical Leave

- a) Provide notice – Employees who anticipate the need to use SPFML should notify Human Resources Department as soon as possible.
- b) Submit the SPFML Request Form to Human Resources.
- c) SPFML will not be approved until verification has been received from the State that the employee has applied for PFML. -If the employee has

received any SPFML payments from the City and their State PFML is denied, the employee will be required to repay the City for those payments received.

N. Spousal Military Deployment Leave under Washington State Law

Applies to: All employees.

An employee who works an average of 20 or more hours a week and who is a spouse of a military service member may take up to 15 days of paid or unpaid job-protected 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. If applicable, this leave will run concurrent with FMLA.

O. 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 (6) 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.

P. 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~~**must** 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.

Leave without pay that exceeds two weeks for a regular full-time employee or the scheduled hours for a part-time employee will affect the employee's step increase and leave accrual dates in proportion to the unpaid time. That is, if an employee is in leave without pay status for three pay periods, their step increase date will be three weeks later. There does not apply, however, to leave without pay that is due to an on-the-job injury with time loss payments from the Washington Department of Labor and Industries (L & I).

Q. Continuation of Benefits

Applies to: Regular and limited term employees.

Employees on any paid leave ~~shall~~will continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits.

Employees in unpaid status ~~shall~~is not ~~be~~entitled entitled to and ~~shall~~will not accrue any of the benefits of the City, except as provided under family leave, FMLA.

R. Bereavement Leave

Applies to: Regular and limited term employees.

Employees may be granted up to three (3) days of paid leave per occasion 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. -The amount of time provided for bereavement leave will be based on the employee's regular daily work schedule; if working eight (8) hours, they would receive eight hours of bereavement leave. -If working an alternative schedule, they receive the number of hours they normally work on those days.

If while on approved vacation an employee has a death in their 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~~will consider the facts involved and ~~shall~~will 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.

S. 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. The amount of time provided for jury duty will be based on the employee's regular daily work schedule, if working eight (8) hours, they would receive eight hours of jury duty leave. -If working an alternative schedule, they receive the number of hours they normally work on those days.

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~~will be compensated as for any other working time.

T. Military Leave

Applies to: All employees.

Every employee who is a member of the National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.

Paid Leave of 21 Days Per Year - Under Washington law, an employee may take up to twenty-one workdays per year for required military duty, trainings or drills if the employee 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~~means from October 1 to September 30. For purposes of calculating the 21-day entitlement, if an employee is scheduled to work a shift that begins on one calendar day and ends on the next calendar day, the employee will be charged military leave for only the first calendar day. If scheduled to work a shift that begins on one calendar day and ends later than the next calendar day, the employee will be charged military leave for each calendar day except the calendar day on which the shift ends.

An employee will continue to receive their normal pay, based on their established work schedule, 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.

Leave for Spouses and Registered Domestic Partners of Military Personnel – During a period of military conflict declared by the President or Congress, an employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse or domestic partner is on leave from deployment, or before and up to deployment. Family military leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take the family military

leave described in this policy. The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

An employee who seeks to take family military leave must provide the City with notice of their intent to take leave within five (5) business days of receiving official notice that the employee's spouse or domestic partner will be on leave or of an impending call to active duty. The employee may substitute any available accrued leave for any part of this family military leave.

U. Leave for Certain Volunteer Emergency Services Personnel

Applies to: Regular and limited term employees

An employee may take necessary time to respond to call to an emergency service operation as unpaid firefighters, reserve peace officers, or Civil Air Patrol members. Participation in trainings or other non-emergency activities are excluded from the provisions of this article.

Eligible employees may use their accrued leave to stay in a paid status.

V. 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.

Regular employees may use paid sick, vacation, Supplemental Paid Family and Medical Leave, 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, registered domestic partner, parent, parent-in-law, grandparent or person the employee is dating.- The City may request verification of family relationship.

W. Pregnancy/Childbirth Disability Leave

Even if an employee does not meet eligibility requirements for FMLA and/or PFML, the City will grant job-protected leave for the period of time an employee is

temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave and/or PFML leave, Pregnancy/Childbirth Disability leave will run concurrently with such leaves. Pregnancy/Childbirth Disability leave is unpaid and health benefits are not automatically continued (unless the employee is also eligible for FMLA leave); however, accrued leave may be used and the employee may continue insurance coverages at her expense.

X. Family Care Leave

Consistent with the Washington Family Care Act, employees may use their choice of any accrued leave (e.g., vacation or sick leave) that they have available for their own use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law, or grandparent.

An employee may use available paid time off to care for his/her child where the child has a health condition requiring treatment or supervision, or where the child needs preventive care (such as medical, dental, optical or immunization services).

For this policy section, an employee may use available paid time off when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a “serious or emergency health condition”, which are the following conditions:

- Requiring an overnight stay in a hospital or other medical care facility;
- Resulting in a period of incapacity or treatment or recovery following inpatient care;
- Involving continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (i.e., demanding immediate action).

Employees are required to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City reserves the right to require verification or documentation confirming a family member’s serious or emergency health condition when available leave is used to care for that family member.

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 physically distribute literature, email, 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~~must not directly solicit any employee they supervise or otherwise exercise some element of control over. -All employees ~~shall~~must recognize that any employee has the right to say “no” to any solicitation.

E-mail ~~shall~~must not be used for solicitation of any type.

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-~~ that do not constitute prohibited solicitation.. 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., and undermine the City’s ability to operate effectively and efficiently.~~ While the use of marijuana has been legalized under state law for medicinal and recreational uses, it remains an illegal drug under federal law, and its use as it impacts the workplace is prohibited by City policy for employees in roles covered by federal law, such as CDL holders. Employees may not consume or be under the influence of marijuana while on duty or at work, even if the employee has a valid prescription for medical marijuana.
2. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. -Such conduct is also prohibited to the extent that, in the opinion of the City, it impairs an employee’s ability to perform on the job or threatens the reputation or integrity of the City. -Therefore:
 - a) When employees are on the job, they are expected to be physically and mentally free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. -An employee

- ~~shall~~must 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 duty, as defined in this handbook.
- 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~~will immediately notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing their job safely and effectively. The employee and supervisor ~~shall~~will 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~~will 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 (5) calendar 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~~must be confidential unless used in an employer action with regard to the employee or otherwise disclosable as required by law.
 - f) Employees who voluntarily enter treatment programs for drug or alcohol addiction ~~shall~~must 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- and additional screening during employment.

consistent with DOT regulations .. 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~~healthy 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~~The City's safety policy is contained in the Safety and Accident Prevention Policy and departmental Safety Manuals.

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~~Outside of these prohibited areas, 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
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, computers, City issued cell phones, lockers and vehicles are the property of City, with no reasonable expectation of privacy 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, when supported by work-related purposes or investigations, 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.

Any or all 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 City's progressive discipline policies do not alter the employment relationship of at-will employees, who remain subject to discipline and/or termination with or without notice or cause, and without adherence to this policy.

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~~will 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~~will 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 they should not be disciplined before the decision is finalized.

a) Notice to the Employee

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

The notice ~~shall~~will 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~~will 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, or an employee is not comfortable engaging in informal resolution, an employee may file a complaint in a more formal manner following the procedure outlined below. -No retaliation, disciplinary action or discrimination shallwill occur because of the filing of a bona fide good-faith 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 they have 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 shallwill 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 shallmust next request a meeting with the Department Director. -In consultation with Human Resources, the Department Director (or designee) will conduct an investigation and review the matter with appropriate persons. -The Department Director shallwill respond to the employee within 10 working days, unless the response will take longer, in which case the ~~director~~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, they shallmust request a meeting with the City Manager. The City Manager shallwill meet with the employee. -The City Manager shall(or designee) will also conduct an investigation or otherwise consider information relevant to the complaint.

The City Manager shallwill issue a decision within 15 working days unless more time is needed, in which case the City Manager shallwill keep the employee informed of when the response will be available. -The City Manager's decision shallwill 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 two calendar weeks in advance of the final working day. -Unless approved by the City Manager, an employee may not use of vacation, management or personal leave immediately prior to their separation from employment for the purpose of extending health benefit coverage into another month.

B. Unauthorized Three-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, computers and cellphones, 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. Reduction in Force, Layoff and Recall

The City retains the sole and exclusive right to decide whether a reduction in force or layoff is necessary and to select the operational unit(s) in which layoffs will occur. -This shall include includes, but not be limited to, circumstances where there are changes in duties, a reorganization or change in operational structure position(s) or service(s) are abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

1. Notice

When a layoff is anticipated, employees whose jobs are affected will be notified in advance and will be provided an opportunity to meet with the Department Director prior to implementation of the layoff. -The purpose of this meeting is to give the affected employee an opportunity to ask questions and to better understand the business reason why management selected that position for layoff. -The employee may also offer additional information for consideration prior to a final decision being made and before the layoff is implemented.

2. Order of Layoff

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

Extra help employees performing similar work will be terminated prior to regular employees being laid off.

Regular employees will be retained based on their ability to perform work needed to meet program and organizational needs.

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

3. Alternatives to Layoff

The City retains the right to mitigate the need for layoffs by transferring employees who would otherwise be impacted by layoffs to equivalent available vacant positions. -Additional options such as part-time work schedules, job sharing, voluntary demotions 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. Extra-help and limited term employees are not eligible for severance. After the layoff takes effect, the employee ~~shall be~~ eligible to receive a severance package based on their budgeted FTE consisting of the following:

Years of Service	Severance Package
1 – 4 years	2 weeks salary + 10% sick leave
5 – 9 years	4 weeks salary + 10% sick leave
10 – 14 years	6 weeks salary + 10% sick leave
15 – 19 years	8 weeks salary + 10% sick leave
20+ years	10 weeks salary + 10% sick leave

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. -Laid off employees have an obligation to timely notify the City of any changes to their contact information.

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/will first consult Human 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/will be offered the position. -In the case of more than one eligible employee on the rehire list, the position shall/will 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/will remain on the list for the remainder of the year (based on the original layoff date).

An employee shall/will 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/will first contact Human Resources before taking any other steps to hire the extra help. -The extra help opportunity shall/will 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/will affect an employee's status on the Rehire List.

E. Furlough (Temporary Reduction in Hours)

A furlough is a temporary reduction of work hours due to a lack of work, shortage of funding, or for other business reasons. -The City retains the sole and exclusive right to decide whether a temporary reduction in force is necessary and to select the operational unit(s) and positions for which furloughs will occur. -During a furlough, the employment relationship remains intact and the individual who is furloughed continues to be an employee of the organization and will resume their regular position duties at the conclusion of the furlough. -During a furlough, the employee is in an unpaid leave of absence status. -A furlough differs from a layoff in that with a layoff, the employment relationship is severed. - An employee who is laid off is no longer employed with the organization; they are separated from employment and considered terminated.

Increments of Furlough: Furloughs may occur in increments of a work day, a partial work week or full workweek, or months.

FLSA Exempt Status Change: FLSA exempt (salaried) employees may have their FLSA status temporarily changed to non-exempt (hourly) status during a partial workweek furlough.

Restriction to Work: During a furlough an employee is prohibited from performing work of any kind.

Notice: When a furlough is anticipated, employees whose jobs are affected will be notified in advance to allow time to make any necessary personal financial arrangements and to minimize the impact due to the anticipated loss of income.

1. Impact of Furlough on Work Schedule and Pay

Furloughs are considered a leave without pay. -Time while furloughed will not count toward the calculation of overtime.

Overtime is not to be used as a method for making up time and earnings lost due to a furlough.

Employees may not substitute paid leave for mandatory furlough days. However, if an employee is absent on the scheduled furlough day(s) due to a Worker's Comp injury, alternative furlough day(s) will be arranged.

If an employee is on a furlough day and is requested to return to work, they will be paid according to the applicable City policy and an alternative furlough day(s) will be scheduled.

2. Impact on Benefits During a Furlough

While on a furlough an employee does not earn sick or vacation leave accruals for any period of unpaid time.

All leave accruals earned prior to a furlough will be retained and will be available for use upon return from furlough.

An employee's anniversary date will be adjusted for any furloughs greater than three (3) consecutive months.

Health insurance benefits and premiums paid by the City remain intact and uninterrupted during a furlough of three (3) or less consecutive months. Employees will be required to self-pay or reimburse the City for their portion of any benefit premium that would otherwise be deducted from their regular paycheck.

For furloughs greater than three consecutive months in length, the employee will have the option to continue health benefits through COBRA.

3. Furlough Support

Regular full time and regular part time employees who are subject to a furlough may be eligible for additional support services including:

- Access to the Employee Assistance Program while on furlough.
- Unemployment compensation and worker retraining services.

4. Employees on Protected Leave

An employee who is on protected leave (e.g., family medical leave) may also be furloughed; however, under no circumstances may an employee be furloughed *because* they are on protected leave.

5. Appeal Process

Unless otherwise provided for under City policies, a collective bargaining agreement, or the law, reductions in force and furloughs are not subject to the grievance process nor subject to appeal.

6. Unemployment Compensation

Eligibility for unemployment compensation is subject to evaluation and determination by the Washington State Employment Security Department. Employees are directed to contact the Washington State Employment Security Department to determine eligibility in the event of a reduction in work hours due to furlough.

7. Shared Work Program

The City of Shoreline participates in the Shared Work program, administered by the Washington State Employment Security Department. -This program provides eligible employees an opportunity to receive unemployment benefits when their regular work hours are reduced due to a furlough.

8. Return to Work Following a Furlough

At the completion of the furlough period employees will be returned to the same position they held prior to the furlough except when it is determined by the City Manager that further action is needed or if a reduction in force and layoff process is initiated.

IX. CLOSING STATEMENT

We are pleased that you have chosen to be part of our Shoreline team, if you have any questions about the information contained in 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~~will:

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

Guidelines:

Democratic Leadership: Officials and staff ~~shall~~will 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~~will 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~~will 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~~will 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~~must 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~~must 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~~**must** have no beneficial interest in any contract which may be made by, through or under their supervision, or for the benefit of their 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~~**will** 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~~**will** 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~~**must** 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~~**must** 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~~**must** be disclosed in any instance where there could be the appearance of a conflict of interest.

Business Relationships: Officials and staff ~~shall~~**must** 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~~**must** 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 _____

Article	Category	Section	Article Number and Subject	Comments
Throughout	Plain language	Various	Replaced "shall" throughout with "will" or "must"	https://www.plainlanguage.gov/guidelines/conversational/shall-and-must/
Throughout	Plain language	Various	One space after a period throughout to reflect City Style Guide	
Article III		DEFINITIONS		
Intro	Counsel Recommendation	Definitions	Non-Exempt Employee: An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act <i>and applicable state law</i> , often referred to as an hourly employee.	Added language to clarify will follow federal and state law
Intro	Practice Change	Definitions	Step Increase Date: Added exception to adjusting step increase date in the instance of unpaid time due to a work-related injury - see P. Leave Without Pay for more detail	Current practice has effect of penalizing employee for work injury - this situation is very rare so cost is minimal
Article IV		EMPLOYMENT POLICIES		
G & I	Legal Compliance	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 (<i>including, but not limited to, hair textures and protective hairstyles associated with race</i>), creed, color, religion, gender or sex, national origin, marital status, age, sexual orientation or <i>sexual identity</i> , disability (as defined under state and federal law), <i>pregnancy, genetic information, citizenship or immigration status, honorably discharged veteran or military status, or any other status protected by law.</i>	Broadened to reflect updates to Washington's Law Against Discrimination protecting hair textures and other protected statuses: sexual identity, pregnancy, genetic information, honorable discharge veteran or military status, and "any other status protected by law"
H	Counsel Recommendation	Equal Employment Opportunity	Added H.3: <i>Any other form of unwelcome, disruptive, discriminatory, or harassing behavior, regardless of whether such behavior meets the legal standards for discrimination or harassment.</i>	Recommend "catch all" language to allow the City to investigate and discipline bad behavior, even where the bad behavior may not give rise to a claim of discrimination or harassment under state or federal law
I & L	Counsel Recommendation	Discrimination or Harassment Complaint Procedure	I.2 Replaced "kept confidential to the extent possible" with: <i>The complaint will be investigated in a confidential manner, where reasonably possible, consistent with the City's need to investigate and disclose information under Washington law.</i>	Softened original language based on the reality that investigations and complaints often need to be made public in response to the Public Records Act or during the collective bargaining grievance process
J	Counsel Recommendation	Employment of Family and Conflicts of Interest	"Members of the immediate family of employees, or <i>employees who enter into romantic or dating relationships</i> , will not be hired, moved into new positions, or permitted to keep their current roles if..."	Extended restrictions on married employees to domestic partnerships and dating relationships and added requirement to report to City Manager
V		GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION		
B	Legal Compliance	Breaks Lactation Breaks	For two years 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	Recent change in the law - updated to two years

Article	Category	Section	Article Number and Subject	Comments
C	Counsel Recommendation	Overtime	Employees who have been authorized to flex their work schedule <i>in a particular work week</i> do not incur overtime for the hours worked beyond their normally scheduled shift on the approved flex days(s)	Clarify this is same FLSA workweek to ensure overtime liability is not created
G	Practice Change	Encampment Premium Pay	<i>Effective when this Handbook is updated in 2023, employees will receive a premium "Encampment Pay" of 10% of their regular hourly wage in addition to their regular hourly wage for all hours directed by management to assess sites; post notices; and sort, remove materials, clean the area and post the prohibited encampments with Post-Clean-Up Notices.</i>	Adding provision consistent with Union MOA to ensure non-represented employees who clean up prohibited encampments are compensated equally with represented employees - estimated cost is minimal
K (formerly J)	Practice Change	Inclement Weather, Natural Disasters, and Unplanned Facility Closure		Added "unplanned" to distinguish from new section, Planned Facility Closure
L (formerly K)	Practice Change	Planned Facility Closure	<i>For a planned facility closure as directed by the City Manager that prevents staff from working in that facility during the closure, those staff will be directed to an alternate work location, including remote work if possible, during the closure. If there is no work to be performed, employees will be directed not to report to work and they will not be charged leave for this time.</i>	Added this section to clarify that employees affected by planned closures may not be charged leave if we are unable to assign work to them - estimated cost is minimal
N.2.c.ii (formerly M)	Practice Change	Classification and Compensation Plan Classifications Adjusted to a Higher Salary Range	<i>When a job classification is adjusted to a higher salary range in a compensation study or salary survey, an employee will be placed on a salary step in the new, higher salary range as follows: Employees who are on a step above Step 1 in their old salary range in last pay period of the year and whose rate of pay is less than Step 1 of the new higher salary range will be placed in Step 2 of the higher range.</i>	Incorporating this existing 2015 practice, memorialized in a procedural document, into Employee Handbook
N.2.d	Practice Change	Classification and Compensation Plan Classifications Adjusted to a Higher Salary Range – Employees in Step 6 Longer Than One Year	<i>This step placement procedure applies to employees who were in Step 6 of their salary range the last payroll of the year preceding when a salary range adjustment is recommended: An employee who was on Step 6 in their old salary range the last payroll of the year preceding the salary range adjustment and whose classification is adjusted enough salary ranges to necessitate a step placement below Step 6 in the new higher salary range will have their Step Increase Date moved to January 1 as part of the implementation of the compensation study or salary survey. This change will reset their Step Increase Date for future step increases, if applicable.</i>	Added this section and changed this practice in implementing results of the 2022 Compensation Study after extensive meetings with City Manager and leadership over equity and retention concerns raised by long-time City employees - estimated cost is relatively small because merely accelerated projected increase
N.8	Counsel Recommendation	Classification and Compensation Plan Demotion	<i>Where applicable based on the circumstances, the City may consider a demotion as a step of progressive discipline.</i>	Added language explaining that demotions could be considered a step of progressive discipline

Article	Category	Section	Article Number and Subject	Comments
O.1 (formerly N)	Legal Compliance	Reasonable Accommodation Medical 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 <i>and Washington's Law Against Discrimination</i> if an employee is disabled or becomes disabled (meaning they have a mental or physical impairment substantially limiting one or more of the major life activities, <i>or as otherwise defined by federal or state law</i>)	Added reference to Washington's Law Against Discrimination and federal and state law
O.1	Counsel Recommendation	Reasonable Accommodation Medical Accommodation	<i>Outside of the reasonable accommodation process, the City, acting through Human Resources, may require an employee to complete a fitness-for-duty and medical certification process when the City determines the employee may suffer from a disability or medical condition posing a direct threat to the safety of the employee, other City employees, or the public.</i>	Added language stating ability to require Fitness for Duty exam if City believes employee may pose a threat to self or others
O.2	Counsel Recommendation	Reasonable Accommodation Religious Accommodation	Employees whose sincerely-held religious beliefs, practices or observances conflict with work requirements may request an accommodation, <i>provided the requested accommodation does not result in an undue hardship to the City. An employee whose religious beliefs or practices conflict with the employee's job, work schedule, uniform/appearance standards, or other aspects of employment, may submit a written request to Human Resources.</i>	Added "sincerely held" and "undue hardship" provision, and process for requesting religious accommodation
O.3	Legal Compliance	Reasonable Accommodation Pregnancy Accommodation	<i>An employee who needs accommodation due to pregnancy may be afforded the following accommodations with or without medical certification: frequent, longer, or flexible restroom breaks; seating or allowing the employee to sit more frequently; and limiting lifting to 17 pounds or less.</i>	Updated to reflect changes in the law related to pregnancy accommodation
O.4	Legal Compliance	Reasonable Accommodation Nursing and Lactation Accommodations after the Birth of Child	<i>Eligible employees who are nursing mothers may request a reasonable amount of break time during the work shift to express breast milk for a nursing child within two years after the child's birth. The City will provide a suitable, private location for nursing breaks. Employees in need of lactation breaks should contact Human Resources for more information.</i>	Updated to reflect changes in the law related to nursing and lactation accommodation
VI		BENEFITS		
F	Counsel Recommendation	Management Leave	The leave is to be used each year <i>and has no cash-out value</i>	Clarified that this leave has no cash-out value
H	Counsel Recommendation	Sick Leave - Regular and Limited Term Employees	Sick leave may be used to care for a member of the immediate family who is ill, injured or disabled, <i>or who needs preventative medical care, when such appointments cannot reasonably be scheduled outside of working hours.</i>	Encourages scheduling appointments outside of working hours
H.3	Counsel Recommendation	Sick Leave - Regular and Limited Term Employees Closure of Place of Business, School, or Child Care	Sick leave may be used when the employee's place of business or an employee's child's school or place of care has been closed by a public health official for a health-related reason.	Clarified that this is an independent usage of sick leave under the law by putting in new separate section

Article	Category	Section	Article Number and Subject	Comments
H.3.c	Counsel Recommendation	Sick Leave - Regular and Limited Term Employees Doctor's Note	<i>Once requested, an employee will be provided a reasonable amount of time to produce the doctor's note or other evidence. An employee experiencing an unreasonable burden or expense with obtaining a doctor's note must consult with Human Resources for alternative verification options.</i>	Added reasonable time language to producing a doctor's note
H.3.e	Counsel Recommendation	Sick Leave - Regular and Limited Term Employees PFML and FMLA	Sick leave may also be used for qualifying family and medical leave provided for in the Washington State Paid Family and Medical Leave (PFML) or Leave under Family and Medical Leave Act (FMLA) sections.	Clarified separate leaves - PFML and FMLA - by putting in new separate section
H.5	Legal Compliance	Sick Leave - Regular and Limited Term Employees Maximum Carryover Balance	<i>During a calendar year, regular and limited term employees may accrue sick leave without limitation, but with a maximum carryover of 1040 hours from one calendar year to the next.</i>	Washington's paid sick leave law provides employees a statutory right to continue accruing sick leave without a cap - updated language to place cap on carryover not accrual
H.7	Legal Compliance	Sick Leave - Regular and Limited Term Employees Rehired	Employees who are rehired within twelve months of a separation in service will have their unused sick leave balance restored, <i>with exception for any hours that were cashed-out in accordance with the requirements of WAC 296-128-690(2)(b).</i>	Added exception under Washington law
J & J.1.a	Legal Compliance	Sick Leave - Regular and Limited Term Employees Donated Leave	Upon an employee's request, a Department Director, after consulting with Human Resources, may recommend that the City Manager <i>invite regular employees to donate leave to a donation pool to benefit other regular employees in need</i> . The City Manager may approve leave donations <i>if the employee receiving the donated leave meets the following criteria</i> : <i>The employee needs leave that qualifies as either a medical emergency or major disaster....</i>	To comply with IRS rules, changed donations to a leave bank and limited to "medical emergencies" and "major disasters" as statutorily defined, and only donations of sick and vacation leaves
K.2	Counsel Recommendation	Sick Leave - Regular and Limited Term Employees Washington State Paid Family Medical Leave (PFML)	<i>both leave benefits apply and the employee meets the eligibility requirements of both leave programs. In this instance, hours taken under PFML will be deducted from the 12 weeks of FMLA entitlement.</i>	Clarify that when FMLA and PFML both apply, they run concurrently
K.6	Legal Compliance	Sick Leave - Regular and Limited Term Employees Washington State Paid Family Medical Leave (PFML) - Benefit Payment Waiting Period	The waiting period is counted for purposes of the overall duration of PFML leave, but no monetary benefits will be paid by ESD for that week.	Struck this to comply with 2022 legal update
K.9	Counsel Recommendation	Sick Leave - Regular and Limited Term Employees Washington State Paid Family Medical Leave (PFML) - PFML Application Process	<i>Employees have an obligation under this policy to timely notify the City, on a weekly basis, as to how many PFML hours were claimed through ESD in the employee's weekly benefit claim for that week.</i>	Added this language to ensure the City gets timely notice to administer PFML and other benefits
L	Legal Compliance	Sick Leave - Regular and Limited Term Employees Leave Under the Family Medical Leave Act (FMLA)	The City complies with FMLA and all applicable state laws related to family, medical, <i>and covered military leave</i>	Added military leave to covered leave

Article	Category	Section	Article Number and Subject	Comments
L4	Legal Compliance	Sick Leave - Regular and Limited Term Employees Leave Under the Family Medical Leave Act (FMLA) Intermittent Leave or Reduced Schedule Leave	<i>or for covered military exigency leave . If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director approval, and will be approved when the leave is also covered by Washington State Paid Family and Medical Leave (PFML)</i>	Added military leave and approval when covered by state law
L.5	Legal Compliance	Sick Leave - Regular and Limited Term Employees Leave Under the Family Medical Leave Act (FMLA) Paid Leave before Unpaid Leave	<i>With exception for sick leave protected by Washington law , when an employee has paid leave or comp time available, that paid leave must be exhausted before unpaid leave is allowed as family or medical leave.</i>	Added exception when protected by state law
P	Practice Change	Leave of Absence Without Pay	Leave without pay that exceeds two weeks for a regular full-time employee or the scheduled hours for a part-time employee will affect the employee's step increase and leave accrual dates in proportion to the unpaid time. That is, if an employee is in leave without pay status for three pay periods, their step increase date will be three weeks later. <i>This does not apply, however, to leave without pay that is due to an on-the-job injury with time loss payments from the Washington Department of Labor and Industries (L & I).</i>	Describes current effect of leave without pay on step increase (moved from procedural document into Employee Handbook for transparency). And added exception for leave without pay due to injury on the job
T	Legal Compliance	Military Leave	<i>Every employee who is a member of the National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.</i>	Added this introduction and reference to "applicable law"
T	Legal Compliance	Military Leave - Paid Leave of 21 Days Per Year	<i>Under Washington law, an employee may take up to twenty-one workdays per year for required military duty, trainings or drills if the employee 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" means from October 1 to September 30. For purposes of calculating the 21-day entitlement, if an employee is scheduled to work a shift that begins on one calendar day and ends on the next calendar day, the employee will be charged military leave for only the first calendar day. If scheduled to work a shift that begins on one calendar day and ends later than the next calendar day, the employee will be charged military leave for each calendar day except the calendar day on which the shift ends.</i>	Added language from state law

Article	Category	Section	Article Number and Subject	Comments
T	Legal Compliance	Military Leave - Leave for Spouses and Registered Domestic Partners of Military Personnel	<i>During a period of military conflict declared by the President or Congress, an employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse or domestic partner is on leave from deployment, or before and up to deployment. Family military leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take the family military leave</i>	Added section to cover state law for military leave that is independent of FMLA or other leave laws
W	Legal Compliance	Pregnancy/Childbirth Disability Leave	<i>Even if an employee does not meet eligibility requirements for FMLA and/or PFML, the City will grant job-protected leave for the period of time an employee is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave and/or PFML leave, Pregnancy/Childbirth Disability leave will run concurrently with such leaves. Pregnancy/Childbirth Disability leave is unpaid and health benefits are not automatically continued (unless the employee is also eligible for FMLA leave); however, accrued leave may be used and the employee may continue insurance coverages at her expense.</i>	New section to ensure the City complies with additional pregnancy leave requirements under state law
X	Legal Compliance	Family Care Leave	<i>Consistent with the Washington Family Care Act, employees may use their choice of any accrued leave (e.g., vacation or sick leave) that they have available for their own use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law, or grandparent....</i>	New section to comply with Washington's Family Care Act - this is not additional leave, simply allows employees to use their choice of existing leave for qualified family reasons
VII		STANDARDS OF EMPLOYEE CONDUCT		
D	Legal Compliance	Drug-Free Workplace	<i>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. While the use of marijuana has been legalized under state law for medicinal and recreational uses, it remains an illegal drug under federal law, and its use as it impacts the workplace is prohibited by City policy for employees in roles covered by federal law, such as CDL holders. Employees may not consume or be under the influence of marijuana while on duty or at work, even if the employee has a valid prescription for medical marijuana.</i>	Balancing federal and state law differences around the subject of marijuana, focusing on impairment at work and clarifying continued prohibition for employees in roles covered by federal law such as CDL holders

Article	Category	Section	Article Number and Subject	Comments
K.1	Legal Compliance	Corrective Action Procedure Progressive Discipline	Any or all 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. <i>The City's progressive discipline policies do not alter the employment relationship of at-will employees, who remain subject to discipline and/or termination with or without notice or cause, and without adherence to this policy.</i>	Added language to clarify this does not affect the employment relationship of at-will employees
L.2	Counsel Recommendation	Complaint Resolution Procedure Resolving Conflict Formally	When informal resolution fails, <i>or an employee is not comfortable engaging in informal resolution</i> , an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination will occur because of the filing of a bona fide, good-faith complaint under this procedure	Allows employee who is not comfortable engaging in informal resolution to directly file formal complaint
VIII		SEPARATION FROM EMPLOYMENT		
D.6	Counsel Recommendation	Reduction in Force, Layoff, Recall Rehire List	<i>Laid off employees have an obligation to timely notify the City of any changes to their contact information.</i>	Added employee notification requirement



EMPLOYEE HANDBOOK

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Council Resolution No.482

Contents

- I. INTRODUCTION9**
- II. APPLICABILITY AND AUTHORITY9**
 - A. Applicability 9**
 - B. At-Will 9**
 - C. Local, State, Federal Law or Collective Bargaining Agreement 9**
 - D. Authority..... 9**
- III. DEFINITIONS10**
 - A. Accrued Leave 10**
 - B. Alternative Work Schedule..... 10**
 - C. Anniversary Date 10**
 - D. Break in Service..... 10**
 - E. Callback..... 10**
 - F. City..... 10**
 - G. City Manager 10**
 - H. Core Hours 10**
 - I. Demotion 10**
 - J. De Facto Parent 10**
 - K. Department Director 10**
 - L. Domestic Partner 11**
 - M. Drugs 11**
 - N. Employment Status Definitions 11**
 - 1. Regular Full Time..... 11
 - 2. Regular Part Time 11
 - 3. Limited Term..... 11
 - 4. Extra Help 11

O.	ESD	12
P.	Exempt Employee	12
Q.	Fit for duty	12
R.	Flex Schedule.....	12
T.	FMLA.....	13
U.	FMLA Covered Family Member	13
V.	Furlough	13
W.	Immediate Family.....	13
X.	Insubordination.....	13
Y.	Intern.....	13
Z.	In Loco Parentis	13
AA.	Non-Exempt Employee	14
BB.	Base Pay Rate	14
CC.	PFML.....	14
DD.	PFML Benefit Payment	14
EE.	PFML Covered Family Member	14
FF.	PFML Qualifying Period.....	14
GG.	Promotion.....	14
II.	Separation from Service.....	14
JJ.	Standby	14
KK.	Step Increase Date.....	14
LL.	Supplemental Benefit	15
MM.	Time in Paid Status.....	15
NN.	Transfer	15
OO.	Waiting Period.....	15
PP.	Work Location.....	15

QQ.	Work Week	15
RR.	Y-Rating.....	15
IV.	EMPLOYMENT POLICIES	15
A.	Recruitment and Selection.....	15
	1. External and Internal Recruitment	15
	2. Internal Recruitment Only.....	16
B.	Reference Checking	17
C.	Subpoenas and Depositions	17
D.	Prohibited Political Activities – Code of Ethics, Appendix A.....	17
	1. Use of City Resources, Property, Authority and Influence.....	17
	2. Coercion.....	17
	3. Elected Office, Commission or Board Service	17
	4. Conflict of Interest	18
E.	Prohibited Personal Gain - Code of Ethics, Appendix A.....	18
F.	Employee Orientation.....	18
	1. Orientation Period for Initial Hire.....	19
	2. Orientation Period for Promoted, Demoted or Transferred Employees	19
G.	Equal Employment Opportunity	19
H.	Prohibition of Discrimination and Harassment.....	20
I.	Discrimination or Harassment Complaint Procedure.....	20
J.	Employment of Immediate Family and Conflicts of Interest	21
K.	Personnel Files	22
L.	Reporting Improper Governmental Action and Protecting Employees Against Retaliation.....	22
M.	Outside Employment.....	25
V.	GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION	26
A.	Working Hours	26
	1. Lunch and Rest Breaks	26
	2. Lactation Breaks.....	27
C.	Overtime	27
D.	Standby	27

F.	Compensatory Time	27
G.	Encampment Premium Pay.....	28
H.	Twelve Hour Shift.....	28
J.	Remote Work.....	30
K.	Inclement Weather, Natural Disasters, and Unplanned Facility Closure	30
L.	Planned Facility Closure	31
M.	Performance Planning and Appraisal.....	31
N.	Classification and Compensation Plan	31
	1. Job Classification	31
	3. Classification Review	33
	4. Steps and Increases	34
	5. Starting Rates of Pay	34
	6. Promotion.....	34
	7. Transfer.....	34
	8. Demotion.....	35
	10. Pay Schedule	35
	11. Out of Class Pay	35
O.	Garnishment.....	36
N.	Employee Education, Training and Development	36
O.	Reasonable Accommodation.....	36
	1. Medical Accommodation.....	36
	2. Religious Accommodation	37
	3. Pregnancy Accommodation.....	37
	4. Nursing and Lactation Accommodations after the Birth of Child	38
VI.	BENEFITS	38
A.	Group Insurance	38
B.	Social Security Replacement Plan.....	38
C.	457 Plan.....	38
D.	Retirement.....	38
E.	Vacation.....	39
	1. Accrual Table.....	39
	2. Carryover Maximum.....	39
	3. Carryover Exceptions.....	39
	4. Forfeiture.....	40
	5. Requesting Vacation.....	40
	6. Separation from Service	40

F.	Management Leave.....	41
G.	Holidays.....	41
	1. Observed Holidays.....	41
	2. Personal Days.....	42
	3. Holidays for Reason of Faith or Conscience.....	42
H.	Sick Leave – Regular and Limited Term Employees.....	42
	1. Purpose.....	42
	2. Use of Sick Leave.....	43
	5. Conversion of Vacation to Sick Leave.....	43
	7. Maximum Carryover Balance.....	44
	8. Separation from Service.....	44
	9. Rehired.....	44
	10. On-the-job Injury.....	44
I.	Sick Leave – Extra Help Employees.....	44
	1. Accrual and Eligibility to Use Sick Leave.....	44
	2. Maximum Carryover Balance.....	45
	3. Separation from Service.....	45
	4. Rehired within Twelve Months.....	45
	5. On-the-job Injury.....	45
J.	Donated Leave.....	45
	1. Criteria.....	45
	2. Donation.....	46
	3. Value of Leave.....	46
	4. Treatment of Leave Remaining.....	46
	5. No Cash Out.....	46
K.	Washington State Paid Family and Medical Leave (PFML).....	46
	1. Eligibility.....	46
	2. Leave Entitlement.....	46
	3. Notification Requirements.....	47
	4. Coordination with Other Health Programs.....	48
	5. Monetary Benefits.....	48
	6. Benefit Payment Waiting Period.....	48
	7. Supplementing PFML with Your Own Leave Accruals or the City's Supplemental Paid Family and Medical Leave (SPFML).....	48
	8. Job Restoration and Return to Work Recertification.....	49
	9. PFML Application Process.....	49
	10. Payroll Deductions.....	49
	11. Retirement Service Credit and Paid Family Medical Leave.....	49
L.	Leave Under the Family and Medical Leave Act (FMLA).....	50
	1. Length of FMLA and Eligibility.....	50
	2. Reasons for Taking Leave.....	50
	3. Definitions.....	50
	4. Intermittent Leave or Reduced Schedule Leave.....	52
	5. Paid Leave before Unpaid Leave.....	52
	6. Advance Notice.....	52
	7. Certification.....	52

8.	Designation Notice	53
9.	Periodic Reporting.....	53
10.	Health Insurance	53
11.	Other Insurance.....	53
12.	Couples Employed by the City.....	53
13.	Determining Leave Availability.....	53
14.	Special Rule for Leave Related to Pregnancy.....	54
15.	Job Restoration	54
M.	Supplemental Paid Family & Medical Leave (SPFML).....	54
1.	Eligibility	54
2.	Benefit Amount.....	55
3.	Benefit Period, Frequency, and Concurrency	55
4.	Health Benefits	55
5.	Procedure for Requesting Supplemental Paid Family & Medical Leave.....	56
N.	Spousal Military Deployment Leave under Washington State Law.....	56
O.	Medical Leave of Absence (non FMLA).....	56
P.	Leave of Absence Without Pay	56
Q.	Continuation of Benefits	57
R.	Bereavement Leave	57
S.	Court and Jury Duty Leave	58
T.	Military Leave	58
U.	Leave for Certain Volunteer Emergency Services Personnel.....	59
V.	Victims of Domestic Violence Leave	59
VII.	STANDARDS OF EMPLOYEE CONDUCT	61
A.	Personal Appearance and Demeanor.....	61
B.	Absenteeism and Tardiness	61
C.	Solicitations and Distribution of Literature.....	61
D.	Drug-Free Workplace.....	61
E.	Safety.....	63
F.	Weapons.....	63
G.	Workplace Violence	63
H.	Tobacco and Vaping Free Workplace.....	64

I. **General Conduct**..... 64

J. **Searches of Property**..... 64

K. **Corrective Action Procedure**..... 65

 1. Progressive Discipline..... 65

 2. Pre-Disciplinary Hearing..... 66

L. **Complaint Resolution Procedure** 67

 1. Resolving Conflict Informally 67

 2. Resolving Conflict Formally..... 67

VIII. SEPARATION FROM EMPLOYMENT.....68

A. **Resignation** 68

B. **Unauthorized Three-Day Absence**..... 68

C. **Separation Procedures**..... 68

D. **Reduction in Force, Layoff and Recall** 68

 1. Notice..... 68

 2. Order of Layoff..... 69

 3. Alternatives to Layoff 69

 4. Layoff Support..... 69

 5. Severance..... 69

 6. Rehire List..... 69

E. **Furlough (Temporary Reduction in Hours)**..... 70

 1. Impact of Furlough on Work Schedule and Pay 71

 2. Impact on Benefits During a Furlough 71

 3. Furlough Support..... 71

 4. Employees on Protected Leave 72

 5. Appeal Process 72

 6. Unemployment Compensation..... 72

 7. Shared Work Program 72

 8. Return to Work Following a Furlough 72

IX. CLOSING STATEMENT.....72

X. APPENDIX A - CODE OF ETHICS73

XI. CITY OF SHORELINE EMPLOYEE HANDBOOK ACKNOWLEDGMENT.....75

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 an individual 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 an employee of the City, has any questions about any of the City's policies, they should direct those questions to their supervisor or the Human Resources Department.

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 will change at-will status.

C. Local, State, Federal Law or Collective Bargaining Agreement

In cases where these policies conflict with local, state, federal law, or a collective bargaining agreement, the provisions of local, state, federal law, or collective bargaining agreement 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 includes 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, all such actions must be coordinated through Human Resources.

III. DEFINITIONS

A. Accrued Leave

Leave accruals earned but not yet taken including: sick leave, vacation leave, comp time, management leave, or personal days.

B. Alternative Work Schedule

A work schedule which is different from the standard 8:00 a.m.– 5:00 p.m. Monday to Friday schedule.

C. 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 will be made proportionate to any unpaid time off.

D. Break in Service

The period between the date an employee separates from employment with the City and the date the employee is rehired.

E. 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.

F. City

The City of Shoreline, Washington.

G. City Manager

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

H. 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. Individual departments may establish different core hours for purposes of performing their operations with City Manager approval.

I. Demotion

Any case where a regular employee moves to an ongoing regular position in a classification in a lower salary range, except for such movement resulting from a compensation study or salary survey.

J. 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.

K. Department Director

An individual appointed by the City Manager to serve as Assistant City Manager, Administrative Services Director, City Attorney, Human Resources and Organizational Development Director, Recreation, Cultural and Community

Services Director, Planning and Community Development Director, or Public Works Director, or designee.

L. 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 and must satisfy the following criteria:

- Partners must not be part of another Domestic Partnership or marriage,
- Partners must 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.

M. 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. This does not include prescription and over-the-counter medication used according to prescription or consistent with standard dosage.

N. 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, short duration, 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 three (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 Hours 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 less than 20 hours per week during the first three (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.

O. ESD

Washington State Employment Security Department

P. 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 and often referred to as salaried employees.

Q. Fit for duty

Physically and mentally capable of safely performing the essential functions of the job, including not being under the influence of nor impaired by alcohol, marijuana, certain prescription medications, illegal substances, or other drugs and medications that impact one's physical or mental capacity.

R. Flex Schedule

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

S. Flex Time

Adjusting one's work day schedule on a specific occasion but making up that time either by coming into work early or staying late the same day or on another day during that same work week so that they may take care of personal needs.

T. FMLA

Family and Medical Leave Act enacted by the U.S. Federal Government.

U. FMLA Covered Family Member

An employee may use FMLA to care for the following family members: employee's child, parent, or spouse. An employee may also use FMLA to care for next of kin who has a serious health condition as a result of military service.

V. Furlough

A temporary reduction of work hours due to a lack of work, shortage of funding, or for other business reasons.

W. Immediate Family

Unless defined otherwise in these policies, immediate family is:

- A spouse or domestic partner,
- A child, parent or sibling of the employee, or
- A child, parent or sibling of the employee's spouse or domestic partner.

Note: 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 must 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 will forward a recommendation to the City Manager for approval. The City Manager will 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.

X. Insubordination

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

Y. Intern

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

Z. 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.

AA. Non-Exempt Employee

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act and applicable state law, often referred to as an hourly employee.

BB. Base Pay Rate

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

CC. PFML

Paid Family and Medical Leave enacted by and administered through the State of Washington.

DD. PFML Benefit Payment

Weekly wage replacement benefit paid an employee who is enrolled in and receiving leave benefits through the State of Washington Paid Family and Medical Leave (PFML).

EE. PFML Covered Family Member

An employee may utilize Paid Family and Medical Leave to care for the following family members: employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling, sons and daughters-in-law, and the employee's spouse or domestic partner.

FF. PFML Qualifying Period

A qualifying period is the first four of the last five completed calendar quarters or, if that does not get the employee to the required 820 hours, the last four completed calendar quarters immediately preceding the application for leave.

GG. Promotion

Any case where a regular employee moves to a different classification on an ongoing basis in a higher salary range, with the exception of such movement resulting from a compensation study or salary survey.

HH. Remote Work

A discretionary, management approved alternative work arrangement in which an employee spends some portion of their regular work schedule working from an alternative work location.

II. Separation from Service

Any case where employment ends through death, retirement, resignation, layoff or other reason that results in a termination of employment.

JJ. 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.

KK. Step Increase Date

The date that is used for the purpose of step increase. Usually, the step increase date is the date the employee began work in their current position, but adjustments will be made proportionate to any unpaid time off, with the exception of unpaid time resulting from an on-the-job injury.

LL. Supplemental Benefit

The use of accrued leave or Supplemental Paid Medical and Family Leave to cover the difference (gap) between the partial wage replacement payment provided through Washington State Paid Family and Medical Leave and an employee's regular full paycheck.

MM. 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.

NN. Transfer

Any case where a regular employee moves to a different classification on an ongoing basis in the same salary range as the classification they are moving from.

OO. Waiting Period

The time period between when one is approved for Paid Family and Medical Leave benefits and when one receives their first wage replacement check

PP. Work Location

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

City Hall: 17500 Midvale Avenue North

Hamlin Maintenance Facility: 16006 15th Avenue NE

Linden Maintenance Facility: 17505 Linden Avenue N

North Maintenance Facility: 19547 25th Avenue NE

Richmond Highlands Recreation Center: 16544 Fremont Avenue N

Spartan Recreation Center: 202 NE 185th Street

QQ. 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. Other regular work weeks may be established, but where a different work week is required, the City Manager will define an appropriate work week and communicate that to the employees.

RR. Y-Rating

The continuation of a regular employee's salary above the highest step of a salary range when a classification is reassigned to a lower salary range as a result of 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 website with links to the application process. The opening will be posted for a

minimum of five (5) working days. To ensure internal employees are aware of an open position, Human Resources will announce openings through email. Hiring managers may use an existing applicant pool, from a recruitment that occurred no more than six (6) months prior, unless otherwise approved by the City Manager, to identify and interview candidates to fill a vacant position in a same job classification

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 if they possess the experience, training, and other qualifications listed in the job announcement.

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 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. All employees who are currently working for the City are considered internal applicants.

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.

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 if they possess the experience, training and other qualifications listed in the job announcement.

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 must 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. Employees that serve as an elected or appointed official for another governmental entity must comply with the provisions and restrictions of this subsection D.

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 such prohibitions do 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, or their designee and Human Resources is responsible for the orientation of the new 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 other 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 (6) 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 six (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 does not apply to specified senior management positions, temporary, extra help, and limited term positions.

2. Orientation Period for Promoted, Demoted or Transferred Employees

A promoted, transferred or demoted employee will serve a 3-month orientation period in the new position, if they have never worked in nor served an orientation period in the classification previously. 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, transferred, or demoted 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 will consult with Human Resources before making the decision to remove an employee.

If involuntarily removed from their current position, the employee may return to the position from which they promoted or transferred from, provided that the position is vacant and the employee has provided a written request to the Department Director for the former position. This request 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 filled, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.

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 (including, but

not limited to, hair textures and protective hairstyles associated with race), creed, color, religion, gender or sex, national origin, marital status, age, sexual orientation or sexual identity, disability (as defined under state and federal law), pregnancy, genetic information, citizenship or immigration status, honorably discharges veteran or military status, or any other status protected by 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 their rights under this provision have been violated, they should follow the complaint reporting and resolution process outlined in the Section IV.I, Discrimination Complaint Procedure.

H. Prohibition of Discrimination and Harassment

The City expressly prohibits any form of unlawful discrimination or harassment based on race (including, but not limited to, hair textures and protective hairstyles associated with race), creed, color, religion, gender or sex, national origin, marital status, age, sexual orientation or sexual identity, disability (as defined under state and federal law), pregnancy, genetic information, citizenship or immigration status, honorably discharges veteran or military status, or any other status protected by 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.
3. Any other form of unwelcome, disruptive, discriminatory, or harassing behavior, regardless of whether such behavior meets the legal standards for discrimination or harassment.

I. Discrimination or Harassment 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 they have experienced any job-related discrimination or harassment based upon any protected characteristic recognized by state or federal law, or believe they have been treated in an unlawful, discriminatory manner, the employee should promptly:

1. Report the incident to their 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 will also report the information to the City Manager.
 - a) If an employee believes it would be inappropriate to discuss the matter with their 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 will 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 investigated in a confidential manner, where reasonably possible, consistent with the City's need to investigate and disclose information under Washington law.
3. If the City determines that an employee is guilty of harassing or discriminating against another employee, or other misconduct in violation of the City's policies, 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 and Conflicts of Interest

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, or employees who enter into romantic or dating relationships, will not be hired, moved into new positions, or permitted to keep their current roles 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, or two employees in a dating or romantic relationship, would be employed in the same department, 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 or domestic partners, or two employees in a dating or romantic relationship, 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, enter into a dating or romantic relationship, or become related, they should immediately report this change of status to the City Manager. If, 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 domestic partnership, enter into a dating or romantic relationship, or become related. If the parties do not make a decision within 30 days, the City Manager will make the determination.

K. Personnel Files

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

3. Reporting Mechanism

- a) An employee who becomes aware of improper governmental action will report the action to the Department Director. If the employee reasonably believes that the improper governmental action involves the Department Director, then the employee will report the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee will report the action to the Mayor. The person receiving the report will 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.

4. Investigation

- a) The person receiving the report must confer with the City Attorney and they will agree upon an appropriate method of investigation. The person receiving the report will ensure that prompt action is taken to properly investigate.

5. Confidentiality

- a) The investigation should be conducted in a confidential manner, where reasonably possible, consistent with the City's need to investigate and disclose information under Washington law , Until the investigation is final, the identity of all employees involved will be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees will be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of their identity in writing.

- 6. When the investigation is completed, the person receiving the report will 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.

- 7. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee is not 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.

8. Protection against Retaliatory Actions

The City is prohibited from taking retaliatory action against an employee because they have in good faith reported an improper government action in accordance with this policy.

- a) An employee who believes they have been retaliated against must 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 must specify the alleged retaliatory action and the relief requested.
- b) The City Manager has 30 days to respond to the charge.

9. 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 will apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).

10. Relief Granted Under The Act

- a) Reinstatement, with or without pay.
- b) Injunctive relief necessary to return the employee to the position they 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.

11. List of Agencies

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

City of Shoreline

City Attorney or
City Manager
Shoreline City Hall
17500 Midvale Ave N
Shoreline, WA 98133
206-801-2700

King County

Ombudsman or
Prosecuting Attorney
516 Third Ave
Seattle, WA 98104
206-477-1050 or
206-296-9000

State of Washington

Auditor's Office
302 Sid Snyder Avenue SW
Olympia, WA 98504-0021
Web: www.sao.wa.gov
Human Rights Commission

Web: www.shorelinewa.gov Web: www.kingcounty.gov

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

1. The City expects that it is the primary employer for all regular employees. Therefore, employees will 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 or standby 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 their 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 must provide their 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 their outside employment, they should consult with their Department Director or the Human Resources Director for clarification.
 - (1) After receiving the employee's request, the Department Director will 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 will

recommend to the City Manager that the request to engage in the employment be denied.

- b) After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager will decide to approve or deny 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 will 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 a flex schedule or to job share. Flex schedule and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. Flex schedules and job share must be approved by the Department Director, after consultation with Human Resources.

On occasion an employee may request to flex their time and adjust their regular work schedule to facilitate dental, doctor and similar appointments that fall within their workday. Approval of flex time will be based on specific need or circumstance, is not intended to occur on a regular basis, and is not to result in overtime. Any change to an employee's schedule must be approved by their supervisor.

B. Breaks

1. Lunch and Rest Breaks

All employees working an 8-hour day is entitled to at least a one-half hour unpaid meal period within five (5) 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 15-minute rest break for each four (4) 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 will be arranged so as not to interfere with normal business operations. All lunch and rest 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.

Employees unable to take a required meal or rest break must immediately notify their supervisor or Human Resources.

2. Lactation Breaks

For two years 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. For more information on the designated lactation space, an employee should 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. Overtime will be paid for in increments of fifteen (15) minutes. Employees who have been authorized to flex their work schedule in a particular work week do not incur overtime for the hours worked beyond their normally scheduled shift on the approved flex days(s). Employees who have been authorized for and who earned 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 will be provided with a 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 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, the employee may be subject to disciplinary action. The employee must remain Fit for Duty for the entire period of their standby duty.

E. Callback

This section applies to non-exempt employees. Employees called back to work will be paid a minimum of three hours at a rate of time and one-half. Hours worked on callback beyond the three-hour minimum will be paid at the overtime rate of pay, unless such time is part of the employee's regularly scheduled work shift. When work to resolve an issue occurs remotely, such as by phone or email without physically arriving to the work site, the minimum increment of compensation is fifteen (15) minutes at a rate of time and one-half.

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. Encampment Premium Pay

This section applies to non-represented employees. Procedures are contained in the City's Administrative Policy and Procedure on [Addressing Prohibited Encampments](#).

1. The City has the sole discretion to assign duties of assessing a purported prohibited encampment site, posting notice, and sorting and removing of materials associated with prohibited encampments.
2. Effective when this Handbook is updated in 2023, employees will receive a premium "Encampment Pay" of 10% of their regular hourly wage in addition to their regular hourly wage for all hours directed by management to assess sites; post notices; and sort, remove materials, clean the area and post the prohibited encampments with Post-Clean-Up Notices.
3. Employees receiving Encampment Pay will be paid a minimum of two hours at the rate of 110% of their regular straight hourly rate of pay.
 - This two-hour minimum may include more than one purported encampment site
 - The total hours of Encampment Pay in any given day will not exceed the length of shift
4. Encampment Pay will be provided when employees are directed to:
 - Visit the purported encampment site to assess if it is a prohibited encampment, and, if so, whether it is abandoned or occupied
 - Report the prohibited encampment to the Lake City Partners Outreach Worker if the encampment is occupied or potentially occupied
 - Securely post a Pre-Clean-Up and Resource Brochure in one or more conspicuous locations
 - Physically remove garbage, damaged material, contaminated material, or hazardous waste from the site and clean the site appropriately
 - Sort and bag personal property found at the site
 - Post a Post-Clean-Up Notice
 - Transport personal property to the identified storage location
5. Encampment Pay will not be provided for removing the Post-Clean-Up posting after it has been up for five consecutive days

H. 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 will be sent home with pay to rest and prepare for the night shift. This period of pay will 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 p.m. The employee normally takes a half hour lunch at noon. At 11:00 a.m. the City Manager declares a 12-hour shift. The employee, assigned to the night shift, is sent home at 11:00 a.m. to rest and report to work at 9:00 p.m. for the night shift. The employee receives 4½ hours pay—1 hour from 11:00 a.m. to noon and 3½ hours from 12:30 p.m. – 4:00 p.m.
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 will receive an additional three dollars (\$3.00) per hour shift differential for all hours worked. Employees assigned to the night shift will receive a night shift premium of three dollars (\$3.00) per hour in addition to the shift differential received for hours worked on a declared 12-hour shift. For purposes of this section, night shift constitutes a 12-hour shift beginning on or after 9 p.m.
3. **Pay for meal breaks.** During the declared 12-hour shifts, employees will be paid for both 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 will receive straight time “comp time” for the standard operating hours 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” will be 8 hours.
 1. Example: The City experiences severe snowstorms 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.
 2. 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).
 3. 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).

4. 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).

I. Alternative Night Shift Premium

Employees scheduled to work a shift beginning on or after 9 p.m. or before an employee's regularly scheduled shift and not a part of a 12-hour shift declaration will receive a night shift premium of three dollars (\$3.00) per hour for the duration of the shift. This work could include street sweeping, road repairs, or any other authorized work. Employees who are receiving Callback are not eligible for Alternative Night Shift Premium.

J. Remote Work

Regular, on-going remote work is allowed and is a discretionary, management approved alternative work arrangement in which an employee spends some portion of the workweek working from an alternative work location. Regular, on-going remote work requires an agreement between the employee and their supervisor. Employees working remotely must comply with all of the terms and conditions outlined in the City's Remote Work Administrative Policy. A remote work agreement may be modified or revoked by management, with notice to the employee working remotely, at any time.

K. Inclement Weather, Natural Disasters, and Unplanned Facility Closure

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 with approval, may 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, or their designee. Inclement weather or natural disaster tardiness in excess of that allowed by the City Manager will 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, natural disaster, or other event that results in the unplanned closure of a City facility, such time off will be paid time off and not charged to accrued vacation leave or compensatory time.
4. In the event that the City Manager closes a City facility due to inclement weather, natural disaster, or other event that results in an unplanned closure, if directed by the City Manager, non-exempt employees who are available and

report to work or continue to work will 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.

L. Planned Facility Closure

For a planned facility closure as directed by the City Manager that prevents staff from working in that facility during the closure, those staff will be directed to an alternate work location, including remote work if possible, during the closure. If there is no work to be performed, employees will be directed not to report to work, and they will not be charged leave for this time.

M. Performance Planning and Appraisal

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

N. Classification and Compensation Plan

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 is 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. Salary Step Placement Procedures for Employees in Job Classifications Adjusted to a Higher Salary Range as Part of a Compensation Study

This procedure documents the salary step placement procedure for employees in job classifications assigned to higher salary ranges as a result of a Compensation Study or Salary Survey

- a. In a Compensation Study Salary Range Adjustment, unlike a promotion, demotion, or reclassification, the work is not changing.

Rather, the study has established that the market, for what this work is compensated at, has shifted for the same body of work. The goal is not to raise an employee's salary but instead to move the salary range of their position so that the top step is at the market median rate of the City's comparable cities. This raises the maximum salary an employee can achieve in the new, higher range.

- b. The procedural steps below reflect the City's current practice of implementing compensation study/salary survey adjustments, which typically take effect on January 1 of the following year.

c. **Classifications Adjusted to a Higher Salary Range**

When a job classification is adjusted to a higher salary range in a compensation study or salary survey, an employee will be placed on a salary step in the new, higher salary range as follows:

- i. Employees who are on Step 1 in their old salary range in the last pay period of the year will be placed on Step 1 of the new higher salary range on January 1.
- ii. Employees who are on a step above Step 1 in their old salary range in last pay period of the year and whose rate of pay is less than Step 1 of the new higher salary range will be placed in Step 2 of the higher range.
- iii. Employees who are on a step above Step 1 in their old salary range in last pay period of the year and whose rate of pay is higher than Step 1 of the new higher salary range will be placed in the first step in the new range that is equal or higher than the employee's current salary.
- iv. Employees will retain their current Step Increase Date.

d. **Classifications Adjusted to a Higher Salary Range – Employees in Step 6 Longer Than One Year**

This step placement procedure applies to employees who were in Step 6 of their salary range the last payroll of the year preceding when a salary range adjustment is recommended:

- i. An employee who was on Step 6 in their old salary range the last payroll of the year preceding the salary range adjustment and whose classification is adjusted enough salary ranges to necessitate a step placement below Step 6 in the new higher salary range will have their Step Increase Date moved to January 1 as part of the implementation of the compensation study or salary survey. This change will reset their Step Increase Date for future step increases, if applicable.

3. 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 adjusting a position's salary range assignment.

a) Requesting a Classification Review

- (1) **Management Requested Classification Review:** A Department Director may request a classification review when planning to change the assigned duties of a position, or if they believe the position duties being performed are outside of the current classification specifications.
- (2) **Employee Requested Classification Review:** An employee who does not believe that their current classification accurately reflects the current duties of the position may request in writing to the Human Resources Director a classification review if it has been more than one year since the last classification review and the majority of duties have changed.

b) Performing the Classification Review

1. 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.
2. After review by the Department Director and the Human Resources Director, any changes will 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.
3. Any changes resulting from a request for a classification review will be retroactive to the date of written submittal of the request for review to the Human Resources Director.
4. An employee who is reclassified is considered to have met the requirements of an orientation period and will not need to serve an orientation period in their newly reclassified position. If 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 the Out-of-Class Pay provisions noted in this handbook.

4. Steps and Increases

The compensation plan consists of salary steps ranging from 1 to 6, as reflected in the annual salary schedule. Step 0 is considered a training step. In general, there is a 2.5% difference between ranges, and a 4% difference between steps within a range.

Regular employees not at the top step are eligible for advancement to the next step annually. The step increase will be effective one year following the most recent 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.

5. 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, the Department Director or their designee.

Circumstances that support hiring above step 1 include:

- 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. Promotion

A regular employee receiving a promotion will be placed in the closest 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 new 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.

7. Transfer

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

8. Demotion

Disciplinary Demotion. Where applicable based on the circumstances, the City may consider a demotion as a step of progressive discipline. If the demotion is a result of a disciplinary action, the employee will 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 annual 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 will remain at the same rate of pay until the employee's next step increase date. On the step increase date, if the employee has not reached the top step of the salary range, the employee will move to the next step in the new salary range that provides for an increase. The employee will 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 will be placed in the top step of the new salary range.

9. 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 will be placed at the equivalent rate of pay on a step in the new range that does not result in a decrease. No Cost-of-Living Adjustment or step increase will be awarded during this period.

10. 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).

11. Out of Class Pay

When a Department Director or the City Manager assigns a regular employee substantially higher level duties that fall outside the scope of their job classification and the assignment exceeds ten (10) working days, the employee will be paid an additional 5% for the entire period of the out-of-class work. The assignment and the out-of-class pay must be in writing and approved by Human Resources prior to the Department Director making the assignment.

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

- a) The duties the employee is performing is of a significantly higher classification;
- b) The proposed higher salary will not create inequities with existing internal salaries;
- c) The proposed out-of-class salary is not higher than what would be awarded if the employee were promoted into the position.

O. Garnishment

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

N. Employee Education, Training and Development

It is the intent of the City to provide education and training opportunities to employees so that they can increase their job-related skills and maximize performance. Regular employees may request reimbursement for and/or seek payment of registration and tuition fees associated with educational courses and training directly related to the employee's job function or professional development goals. All requests for payment of or reimbursement for education courses, training or conferences must be approved in advance by the employee's supervisor and Department Director.

1. Academic Courses: Employees may request reimbursement for or payment of registration fees and tuition fees when taking courses from an accredited vocational school, college or university. Courses must be reasonably related to the employee's current job function or must be in alignment with the employee's professional development goals, as documented in the employee's Professional Development Plan. Tuition reimbursement is limited to six credit hours per semester or nine credit hours per quarter, and must be approved in advance by the supervisor, Department Director and Human Resources and Organizational Development Director. Courses are not to interfere with the employee's work schedule and must be taken on the employee's own time. Reimbursement is contingent upon departmental budget and funding resources and achieving a passing grade.

2. Non-Academic Courses, Conferences & Training: Employees may request reimbursement for or payment of registration fees for training, workshops, or conferences that, in management's opinion, is related to the employee's job duties and will enhance their job skills. Funding is limited and subject to Department Director approval and budgetary resources. Employees who have received educational funding support from the City, but fail to attend the workshop/conference, or do not complete the training, may be asked to reimburse the City for any costs incurred.

O. Reasonable Accommodation**1. Medical 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 and Washington's Law Against Discrimination.

The City recognizes some individuals with disabilities may require reasonable accommodations. If an employee is disabled or becomes disabled (meaning they have a mental or physical impairment substantially limiting one or more of the major life activities, or as otherwise defined by federal or state law) and requires a reasonable accommodation, the employee will 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 may include 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 qualified 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 representative will meet and engage in an interactive process. The interactive process will include discussing the disability, limitations, and possible reasonable accommodations that may enable the employee to perform the essential functions of their 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.

Outside of the reasonable accommodation process, the City, acting through Human Resources, may require an employee to complete a fitness-for-duty and medical certification process when the City determines the employee may suffer from a disability or medical condition posing a direct threat to the safety of the employee, other City employees, or the public.

2. Religious Accommodation

Employees whose sincerely-held religious beliefs, practices or observances conflict with work requirements may request an accommodation, provided the requested accommodation does not result in an undue hardship to the City. An employee whose religious beliefs or practices conflict with the employee's job, work schedule, uniform/appearance standards, or other aspects of employment, may submit a written request to Human Resources. Upon notice of a request to reasonably accommodate, Human Resources will examine the request and respond to the employee.

3. Pregnancy Accommodation

An employee who needs accommodation due to pregnancy may be afforded the following accommodations with or without medical certification: frequent, longer, or flexible restroom breaks; seating or allowing the employee to sit more frequently; and limiting lifting to 17 pounds or less.

In addition, a pregnant employee may be entitled to additional workplace accommodation(s) as long as there is no significant difficulty or expense to the City and subject to written certification from a health care professional regarding the need for the requested accommodation. Upon notice of a request to reasonably accommodate, Human Resources will examine the request and response to the employee.

4. Nursing and Lactation Accommodations after the Birth of Child

Eligible employees who are nursing mothers may request a reasonable amount of break time during the work shift to express breast milk for a nursing child within two years after the child's birth. The City will provide a suitable, private location for nursing breaks. Employees in need of lactation breaks should contact Human Resources for more information.

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 40-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 is 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
20	25	16.7

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' vacation accrual accumulation.

3. Carryover Exceptions

Employees with a vacation balance in excess of the carryover maximum should reduce the balance to the maximum carryover allowable. If an employee 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. Requests for vacation carryover must be made in writing by the employee and submitted to the Human Resources Director. The request will include a plan for bringing the vacation accrual balances within the accrual cap during the next year. The request will be reviewed by the Department Director

and is subject to approval by the City Manager. An employee will not be granted an exception two years in a row.

4. Forfeiture

Unused vacation leave in excess of the carryover maximum will 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 impact the business operations of the City. In cases where there is a conflict in scheduling vacation leave among employees, the supervisor will determine the criteria for approving vacation requests based on a fair and equitable methodology.

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

Vacation hours earned for a new employee will accrue but are not available for use until after an initial six months of employment with the City unless special authorization has been granted by the City Manager. Employees who have moved to a new classification, and who have already served a six-month orientation period in a previous position with the City, may request use of vacation leave accruals immediately. An orientation period may be extended to account for leaves (unpaid, vacation, etc.) taken during that period of time. 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 leave 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. The maximum cash out is 40 hours. The amount of the cash out is based upon the employee's base 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 is 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 will be paid-out for any accrued vacation earned and not taken. Payout of accrued vacation leave will be at the base hourly rate and not include out-of-class pay or other premium rates. 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 is 240 hours.

F. Management Leave

Applies to: Exempt Regular and Exempt Limited Term Employees.

On January 1st of each year, each employee will receive 3 days of management leave. A new exempt employee hired before July 1 will receive all 3 days. A new exempt employee hired between July 1 and October 1 will receive 1 day; a new exempt employee hired after October 1 will not receive any days of management leave until the next calendar year. The leave is to be used each year and has no cash-out value; any management leave not used during the calendar year does not carry into the next year. Exempt staff must use management leave in full day increments.

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 40-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
Juneteenth	June 19
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 is observed and if the holiday falls on a Sunday, the following Monday will be observed. If a designated holiday falls on any other regularly scheduled day off, it will 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.

Non-exempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) will 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 will only receive the holiday pay for one of the days. The pay will 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 they make 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 and have no cash-out value.

3. Holidays for Reason of Faith or Conscience

Applies to: All Employees.

If an employee's sincerely-held 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. Employees must submit a request in advance, but no less than two (2) calendar weeks prior to the start date of the requested leave. The leave requires the approval of the Human Resources Director and the Department Director. Regular employees may use accrued leave, or leave without pay, if all accruals are exhausted. 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 (8) 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 must 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 experiencing a physical or mental illness, injury, disability (including a disability due to pregnancy or childbirth), diagnosable health condition, 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 other preventative medical care, when such appointments cannot reasonably 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, or who needs preventative medical care, when such appointments cannot reasonably be scheduled outside of working hours.

3. Closure of Place of Business, School, or Child Care

c) Sick leave may be used when the employee's place of business or an employee's child's school or place of care has been closed by a public health official for a health-related reason.

d) 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. Once requested, an employee will be provided a reasonable amount of time to produce the doctor's note or other evidence. An employee experiencing an unreasonable burden or expense with obtaining a doctor's note must consult with Human Resources for alternative verification options.

e) 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.

4. PFML and FMLA

Sick leave may also be used for qualifying family and medical leave provided for in the Washington State Paid Family and Medical Leave (PFML) or Leave under Family and Medical Leave Act (FMLA) sections.

5. 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 will consider the facts involved and will approve or deny the request.

6. Other Accrued Leave as an Extension of Sick Leave

Earned leave may be used in place of and as an extension of sick leave when an employee has exhausted their own sick leave accruals and needs additional time off work due to illness, injury, or disability, or to care for an immediate family member.

7. Maximum Carryover Balance

During a calendar year, regular and limited term employees may accrue sick leave without limitation, but with a maximum carryover of 1040 hours from one calendar year to the nexts

8. 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 will be paid for 10% of their accrued but unused sick leave, up to a maximum of 1040 hours eligible for cash-out.

9. Rehired

Employees who are rehired within twelve months of a separation in service will have their unused sick leave balance restored, with exception for any hours that were cashed-out in accordance with the requirements of WAC 296-128-690(2)(b).

10. 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 their 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 must 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

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 following reasons:

- Own mental or physical illness, injury, or health condition, or when seeking a medical diagnosis or preventative medical care.

- Family member's need for care for a mental or physical illness, injury, or health condition, or when seeking a medical diagnosis or preventative medical care.
- When employee's workplace or employee's child's school or place of care has been closed for any health-related reason by order of a public official.
- When absent from work for reasons that qualify for leave under the state's Domestic Violence Leave Act (DVLA).

2. Maximum Carryover Balance

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 will 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 their 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 must 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.

Upon an employee's request, a Department Director, after consulting with Human Resources, may recommend that the City Manager invite regular employees to donate leave to a donation pool to benefit other regular employees in need. The City Manager may approve leave donations if the employee receiving the donated leave meets the following criteria:

1. Criteria

- a) The employee needs leave that qualifies as either a medical emergency or major disaster: (1) a medical emergency, defined as a medical condition of the employee or a spouse, domestic partner, child, or parent that will require a prolonged or extended absence of the employee and will result in substantial loss of income to the employee; or (2) a major disaster, as declared by the federal government, resulting in severe hardship to the

employee or a spouse, domestic partner, child, or parent that requires the employee to miss work.

- b) The employee does not qualify for other available leave benefits and has depleted all their 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 of vacation or sick leave annually. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained after the donation. The donating employee must submit a written request to Human Resources. All donations under this policy are strictly voluntary.

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, at the end of the calendar year, the hours of leave that remain will 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. Washington State Paid Family and Medical Leave (PFML)

1. Eligibility

Under PFML, employees may be eligible for paid leave when needing time off for covered reasons. Eligibility requirements are:

- a) Monetary Benefits: In order to be eligible to receive monetary benefits from the Washington State Employment and Security Department, the individual must be currently employed with the City of Shoreline and have worked 820 hours in Washington for any employer or combination of employers during the year preceding the application for leave claim.
- b) Job Protection: In order to be eligible for job protection under PFML, an employee must have worked for the City of Shoreline for at least 12 months and have worked 1250 hours in the last year.

2. Leave Entitlement

PFML eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; an additional two (2) weeks of leave, for a total of 18 weeks, may be available in the event the employee's leave involves incapacity due to her pregnancy. PFML leave may be taken intermittently, contingent on the current

rules or regulations. The employee may use the leave within 52 weeks from the date that the leave was approved by the State or for a year following the birth/placement of the employee's child.

PMFL leave may be taken for the following reasons:

- a) Medical Leave: Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, childbirth recovery, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.
- b) Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies where an employee needs time to prepare for a family member's pre- and post-deployment activities, as well as time for childcare issues related to a family member's military deployment.
 - (1) If both parents work for the City of Shoreline, the leave entitlement for bonding with a new child or for a new child placement into their home is independent of each other. Each employee is entitled to the full leave amount, less any PFML or FMLA leave the employee has already taken during the current claim year.
- c) If an employee faces multiple events in a year, they may be eligible to receive up to 16 weeks, and up to 18 weeks if they experience a serious health condition during pregnancy that results in incapacity.

both leave benefits apply and the employee meets the eligibility requirements of both leave programs. In this instance, hours taken under PFML will be deducted from the 12 weeks of FMLA entitlement.

3. Notification Requirements

An employee must provide written notice to the Human Resources Department of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to the to the City of Shoreline, ESD will temporarily deny PFML benefits.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt business operations.

Employees should follow the instructions provided by the payroll office regarding how to report their time during a leave.

4. Coordination with Other Health Programs

While using PFML, health benefits will remain intact and will continue to be provided by the City as normal.

If an employee is on PFML and is not supplementing PFML with other leave accruals or the City of Shoreline Supplemental Paid Family and Medical Leave (SPFML), the employee is deemed to be in an unpaid status for purposes of City of Shoreline policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to City of Shoreline policies and subject to any other leave provisions that require continuation of health benefit coverage.

For any unpaid portion of a leave the 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 from 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.

5. Monetary Benefits

Washington State Employment Security Department is responsible for making benefit payments directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage. The maximum weekly benefit amount is subject to adjustments by the State.

6. Benefit Payment Waiting Period

With the exception of leave taken in connection with the birth or placement of a child or covered military exigency, monetary PFML benefits are subject to a seven-day waiting period. The waiting period begins on the Sunday of the week in which PFML leave is first taken. An employee may use leave during this waiting period, but such usage of accruals must be reported to ESD.

7. Supplementing PFML with Your Own Leave Accruals or the City's Supplemental Paid Family and Medical Leave (SPFML)

Employees who meet the eligibility requirements for PFML may use their own leave accruals and the City of Shoreline SPFML to make up the difference between the PFML benefit received from ESD and their regular full pay for a week in which PFML leave is taken as follows:

- a) When the PFML is for the employee's own serious health condition: The employee must use and exhaust all their leave accruals prior to using SPFML.
- b) When PFML is to care for a family member or for child bonding/placement: The employee must exhaust their sick leave accruals but may reserve 80 hours of their earned accrued vacation leave for future use, prior to using SPFML.
- c) The use of SPFML is contingent on the employee receiving their weekly PFML benefit and submitting proof of payment to the payroll office. Payroll will then calculate the amount of supplemental paid leave needed to bring

the employee to their regular full pay for that week and issue payment to the employee in the next payroll process.

- d) SPFML may only be used after PFML benefits have been received by an employee and reported to the payroll office, except if it is being used for the initial waiting period.
- e) Regular accrued leave such as sick leave or vacation leave can be used for the initial waiting period.
- f) Employees must inform payroll and HR when they no longer are receiving PFML benefits from the Employment and Security Department or when their need for the leave has ended.

8. Job Restoration and Return to Work Recertification

An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML leave, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave).

An employee may be required to provide a return-to-work certification from a health care provider before returning to work following PFML leave where the employee has taken leave for their own serious health condition.

If an employee taking PFML leave determines they will not be returning to work for any reason, the employee must inform their supervisor and Human Resources immediately.

The City reserves the right to collect the cost of benefits from an employee if the employee does not return to work following their leave of absence.

9. PFML Application Process

An employee must submit an application to ESD (<https://paidleave.wa.gov/login/>) in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website (<https://paidleave.wa.gov/login/>). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits. Employees have an obligation under this policy to timely notify the City, on a weekly basis, as to how many PFML hours were claimed through ESD in the employee's weekly benefit claim for that week.

10. Payroll Deductions

The PFML program is funded through premiums collected by ESD via payroll deductions and City of Shoreline contributions. The premium rate is established by law. Should the State in the future modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, the City of Shoreline will modify payroll practices to reflect those statutory changes.

11. Retirement Service Credit and Paid Family Medical Leave

PFML is considered an unpaid leave of absence. PFML program participants will not receive retirement service credits for the wage replacement payments received through ESD. An employee will receive retirement service credit for any

time that they are using their own leave accruals or the City of Shoreline SPFML leave benefits while on a PFML.

L. Leave Under the Family and Medical Leave Act (FMLA)

Applies to: All employees meeting FMLA eligibility criteria.

The City complies with FMLA and all applicable state laws related to family, medical, and covered military leave. This policy provides detailed information concerning the terms of FMLA.

1. Length of FMLA and Eligibility

Eligible employees may take up to 12 weeks of unpaid, family and medical 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

FMLA leave is provided for any of the following reasons:

- For a serious health condition that makes the employee unable to perform the essential functions of his or her job, including incapacity due to pregnancy and for prenatal medical care.
- 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.
- For qualifying exigencies arising out of the fact that a spouse, parent, son or daughter is a military member on covered active duty or called to covered active duty. Eligible employees may take up to 26 workweeks to care for a spouse, son, daughter, parent or next of kin who is a covered service member and has a serious health condition as a result of military service (military caregiver leave). An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period.

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 Caregiver Leave:** 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.
- **Next of Kin:** A servicemember's nearest blood relative, other than the servicemember's spouse, parent, son, or daughter.
- **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
 - **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
 - **Incapacity 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) 2 or more visits to a health care provider within 30 days of the first day of incapacity; or 2) treatment by a health care provider on at least 1 occasion, within 7 days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of a health care provider;
 - **Pregnancy:** any period of incapacity due to pregnancy or for prenatal care;
 - **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 at least twice a year; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
 - **Permanent or 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;
 - **Multiple treatments (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.
 - **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 from the foreign deployment of 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 or Reduced Schedule 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), or for covered military exigency leave. If family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to Department Director approval, and will be approved when the leave is also covered by Washington State Paid Family and Medical Leave (PFML)

5. Paid Leave before Unpaid Leave

With exception for sick leave protected by Washington law, when an employee has paid leave or comp time available, that paid leave must be exhausted before unpaid leave is allowed as family or medical leave.

6. Advance Notice

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

When foreseeable, notice must be provided at least 30 days in advance of the need to take FMLA leave. The employee should make reasonable efforts to schedule the leave to not unduly disrupt the City's operations. If 30 days advance notice is not possible because the foreseeable situation has changed or the employee does not know exactly when leave will be required, the employee must provide notice of the need for leave as soon as possible and practical.

7. Certification

The City requires the provision of a medical certification within 15 calendar days to support a request for FMLA leave because of a qualifying event. The City may require second or third opinions, at its option and expense. When incomplete and insufficient certification is submitted, employees are required to correct deficiencies in the certification within 7 calendar days.

Employees may be asked for a periodic recertifications or when circumstances described by the previous certifications have significantly changed.

The City may require employees on FMLA 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.

Employees requesting qualifying exigency leave or military caregiver leave may submit related certification forms or a copy of the duty orders (for exigency leave only).

8. Designation Notice

A written Designation Notice will be sent to the employee requesting family or medical leave informing them that the requested leave will be designated as FMLA leave and setting out the requirements applicable while the employee is on leave. The Notice may be used to deny the leave request or inform the employee that additional information is needed.

9. Periodic Reporting

Depending on the employee's circumstances and/or medical documentation, the City may require the employee to periodically report on their status and intent to return to work.

10. Health Insurance

When an employee is provided group health insurance, the employee is entitled to the continuation of the insurance coverage during FMLA leave. If 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 FMLA 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.

11. 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.

12. Couples Employed by the City

If employees married to each other request leave for the birth, adoption or foster care placement of a child, each parent will have 12 weeks of leave available to them independent of each other. The scheduled leave time off must be coordinated between the two employees and their supervisors so as not to cause an operational hardship.

13. Determining Leave Availability

Family or medical 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 backward from the first date any family leave is used. The employee is required to notify the City if any leave qualifies as FMLA leave. All leave qualifying for FMLA leave will be designated and tracked as such upon the request of the employee.

14. 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.

15. Job Restoration

When an employee returns to work after FMLA leave the City will 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:

- the City eliminates the employee's position by a bona fide restructuring or reduction-in-force; or
- the employee takes another job; or
- the employee fails to provide the required timely notice of family leave or fails to return on the established ending date of the leave.

M. Supplemental Paid Family & Medical Leave (SPFML)

Applies to: Regular employees, including limited term employees.

Supplemental Paid Family & Medical Leave (SPFML) affords employees an increased ability to attend to their own health needs or those of their family by providing additional pay as a supplement to the partial wage replacement benefit received from the PFML program. This benefit is used to fill the gap between what the employee receives as a benefit from the PFML and their regular full pay.

SPFML is used only in conjunction with and concurrently (at the same time) as the PFML and as noted below, with the exception if use is for a victim of domestic violence:

1. Eligibility

SPFML is available to all eligible employees who:

- a) Are the victim of domestic violence and have requested time off as a victim of domestic violence; or
- b) Have a qualifying family member as a victim of domestic violence; or
- c) Are currently employed with the City and have worked at least six months with the City or the equivalent of 1040 hours (pro-rated for part-time employees) and have successfully passed their orientation period, and
- d) Experienced a qualifying event as defined by PFML; and
- e) Are eligible for, have applied to, and have been approved for PFML or be in the initial waiting week of the leave; and
- f) Have not exhausted the 12 weeks of SPFML in the current calendar year; and
- g) Have depleted available leave accruals:
 - (1) Must have exhausted all available leave accruals including sick leave, vacation, personal days, management leave, and accrued comp time if

the leave request is for the employee's own serious health condition, childbirth recovery, or as a victim of domestic violence.

- (2) Must have exhausted all available leave accruals but may reserve a bank of 80 hours of accrued vacation leave, if the leave request is to care for a family member; in response to a military exigency; or when bonding after birth or placement of a child into their home.

2. Benefit Amount

- a) An employee's SPFML benefit is calculated based on the difference between what is received from the PFML benefit and what the employee normally would receive in their regular check.
- b) The employee will receive the equivalent of their full salary through use of supplemental paid leave for up to a total of 12 weeks, when combined with payments received from PFML.
- c) SPFML will cease after using a total of 12 weeks in a calendar year or at the expiration of the approved PFML, whatever occurs first.
- d) Regular part time employees will receive this benefit on a pro-rated basis based on their budgeted FTE.
- e) 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, both parents will independently have the equivalent of 12 weeks available to them for bonding with a new child or for child placement. In these circumstances the employees should coordinate with their supervisors to ensure that there is no negative impact to business operations for their requested time off. Any overlap of both parents taking the same time period off for bonding should be coordinated with their supervisor(s) in advance.
- f) In no circumstances may an employee use SPFML in combination with PFML and receive more than their regular paycheck amount.
- g) SPFML may not be cashed out under any circumstance.
- h) If using SPFML during the initial waiting week, or while waiting for the leave approval, and the leave is denied from the State, the employee will be required to pay back any Supplemental monetary benefit that has been received.

3. Benefit Period, Frequency, and Concurrency

- a) May be used on a continuous or intermittent basis consistent with PFML.
- b) Will run concurrently with PFML.
- c) Is limited to a maximum of 12 weeks per calendar year.
- d) May be used to cover the waiting period (first week) of PFML if the employee lacks enough leave accruals.

4. Health Benefits

The employee will continue to receive health benefits according to the underwriting rules of the relevant health plans and will continue to accrue vacation and sick leave according to City policy during the period of SPFML.

For any unpaid portion of a leave the 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 from 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.

5. Procedure for Requesting Supplemental Paid Family & Medical Leave

- a) Provide notice – Employees who anticipate the need to use SPFML should notify Human Resources Department as soon as possible.
- b) Submit the SPFML Request Form to Human Resources.
- c) SPFML will not be approved until verification has been received from the State that the employee has applied for PFML. If the employee has received any SPFML payments from the City and their State PFML is denied, the employee will be required to repay the City for those payments received.

N. Spousal Military Deployment Leave under Washington State Law

Applies to: All employees.

An employee who works an average of 20 or more hours a week and who is a spouse of a military service member may take up to 15 days of paid or unpaid job-protected 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. If applicable, this leave will run concurrent with FMLA.

O. 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 (6) 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.

P. 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 must 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.

Leave without pay that exceeds two weeks for a regular full-time employee or the scheduled hours for a part-time employee will affect the employee's step increase and leave accrual dates in proportion to the unpaid time. That is, if an employee is in leave without pay status for three pay periods, their step increase date will be three weeks later. There does not apply, however, to leave without pay that is due to an on-the-job injury with time loss payments from the Washington Department of Labor and Industries (L & I).

Q. Continuation of Benefits

Applies to: Regular and limited term employees.

Employees on any paid leave will continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits.

Employees in unpaid status is not entitled entitled to and will not accrue any of the benefits of the City, except as provided under family leave, FMLA.

R. Bereavement Leave

Applies to: Regular and limited term employees.

Employees may be granted up to three (3) days of paid leave per occasion 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. The amount of time provided for bereavement leave will be based on the employee's regular daily work schedule; if working eight (8) hours, they would receive eight hours of bereavement leave. If working an alternative schedule, they receive the number of hours they normally work on those days.

If while on approved vacation an employee has a death in their 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 will consider the facts involved and will 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.

S. 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. The amount of time provided for jury duty will be based on the employee's regular daily work schedule, if working eight (8) hours, they would receive eight hours of jury duty leave. If working an alternative schedule, they receive the number of hours they normally work on those days.

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 will be compensated as for any other working time.

T. Military Leave

Applies to: All employees.

Every employee who is a member of the National Guard or of the U.S. Army, Navy, Air Force, Coast Guard or Marine Corps, or of any organized reserve of the United States, will be granted military leave in accordance with state and federal law. Employees who take military leave will have whatever rights to reinstatement, seniority, vacation, layoffs, and compensation as are provided by applicable law.

Paid Leave of 21 Days Per Year - Under Washington law, an employee may take up to twenty-one workdays per year for required military duty, trainings or drills if the employee 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" means from October 1 to September 30. For purposes of calculating the 21-day entitlement, if an employee is scheduled to work a shift that begins on one calendar day and ends on the next calendar day, the employee will be charged military leave for only the first calendar day. If scheduled to work a shift that begins on one calendar day and ends later than the next calendar day, the employee will be charged military leave for each calendar day except the calendar day on which the shift ends.

An employee will continue to receive their normal pay, based on their established work schedule, 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.

Leave for Spouses and Registered Domestic Partners of Military Personnel –

During a period of military conflict declared by the President or Congress, an employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse or domestic partner is on leave from deployment, or before and up to deployment. Family military leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take the family military leave described in this policy. The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

An employee who seeks to take family military leave must provide the City with notice of their intent to take leave within five (5) business days of receiving official notice that the employee's spouse or domestic partner will be on leave or of an impending call to active duty. The employee may substitute any available accrued leave for any part of this family military leave.

U. Leave for Certain Volunteer Emergency Services Personnel

Applies to: Regular and limited term employees

An employee may take necessary time to respond to call to an emergency service operation as unpaid firefighters, reserve peace officers, or Civil Air Patrol members. Participation in trainings or other non-emergency activities are excluded from the provisions of this article.

Eligible employees may use their accrued leave to stay in a paid status.

V. 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.

Regular employees may use paid sick, vacation, Supplemental Paid Family and Medical Leave, 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, registered domestic partner, parent, parent-in-law, grandparent or person the employee is dating. The City may request verification of family relationship.

W. Pregnancy/Childbirth Disability Leave

Even if an employee does not meet eligibility requirements for FMLA and/or PFML, the City will grant job-protected leave for the period of time an employee is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave and/or PFML leave, Pregnancy/Childbirth Disability leave will run concurrently with such leaves. Pregnancy/Childbirth Disability leave is unpaid and health benefits are not automatically continued (unless the employee is also eligible for FMLA leave); however, accrued leave may be used and the employee may continue insurance coverages at her expense.

X. Family Care Leave

Consistent with the Washington Family Care Act, employees may use their choice of any accrued leave (e.g., vacation or sick leave) that they have available for their own use in order to care for their child, spouse, registered domestic partner, parent, parent-in-law, or grandparent.

An employee may use available paid time off to care for his/her child where the child has a health condition requiring treatment or supervision, or where the child needs preventive care (such as medical, dental, optical or immunization services).

For this policy section, an employee may use available paid time off when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition", which are the following conditions:

- Requiring an overnight stay in a hospital or other medical care facility;
- Resulting in a period of incapacity or treatment or recovery following inpatient care;
- Involving continuing treatment under the care of a health care services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (i.e., demanding immediate action).

Employees are required to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City reserves the right to require verification or documentation confirming a family member's serious or emergency health condition when available leave is used to care for that family member.

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 physically distribute literature, email, 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) must not directly solicit any employee they supervise or otherwise exercise some element of control over. All employees must recognize that any employee has the right to say “no” to any solicitation.

E-mail must not be used for solicitation of any type.

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 that do not constitute prohibited solicitation.. 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. While the use of marijuana has been legalized under state law for medicinal and recreational uses, it remains an illegal drug under federal law, and its use as it impacts the workplace is prohibited by City policy for employees in roles covered by federal law, such as CDL holders. Employees may not consume or be under the influence of marijuana while on duty or at work, even if the employee has a valid prescription for medical marijuana.

2. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that, in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City. Therefore:
 - a) When employees are on the job, they are expected to be physically and mentally free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee must 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 duty, as defined in this handbook.
 - 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 will immediately notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing their job safely and effectively. The employee and supervisor will 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 will 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 (5) calendar 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 must be confidential unless used in an employer action with regard to the employee or otherwise disclosable as required by law.
 - f) Employees who voluntarily enter treatment programs for drug or alcohol addiction must 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 and additional screening during employment, consistent with DOT regulations .. 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 healthy 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. The City's safety policy is contained in the Safety and Accident Prevention Policy and departmental Safety Manuals.

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. Outside of these prohibited areas, 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
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, computers, City issued cell phones, lockers and vehicles are the property of City, with no reasonable expectation of privacy 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, when supported by work-related purposes or investigations, 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.

Any or all 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 City's progressive discipline policies do not alter the employment relationship of at-will employees, who remain subject to discipline and/or termination with or without notice or cause, and without adherence to this policy.

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 will 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 will 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 they should not be disciplined before the decision is finalized.

a) Notice to the Employee

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

The notice will 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 will 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, or an employee is not comfortable engaging in informal resolution, an employee may file a complaint in a more formal manner following the procedure outlined below. No retaliation, disciplinary action or discrimination will occur because of the filing of a bona fide, good-faith 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 they have 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 will 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 must next request a meeting with the Department Director. In consultation with Human Resources, the Department Director (or designee) will conduct an investigation and review the matter with appropriate persons. The Department Director will 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, they must request a meeting with the City Manager. The City Manager will meet with the employee. The City Manager (or designee) will

also conduct an investigation or otherwise consider information relevant to the complaint.

The City Manager will issue a decision within 15 working days unless more time is needed, in which case the City Manager will keep the employee informed of when the response will be available. The City Manager's decision will 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 two calendar weeks in advance of the final working day. Unless approved by the City Manager, an employee may not use of vacation, management or personal leave immediately prior to their separation from employment for the purpose of extending health benefit coverage into another month.

B. Unauthorized Three-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, computers and cellphones, 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. Reduction in Force, Layoff and Recall

The City retains the sole and exclusive right to decide whether a reduction in force or layoff is necessary and to select the operational unit(s) in which layoffs will occur. This includes, but not be limited to, circumstances where there are changes in duties, a reorganization or change in operational structure position(s) or service(s) are abolished, there is a lack of work, shortage of funding or for other legitimate business reasons.

1. **Notice**

When a layoff is anticipated, employees whose jobs are affected will be notified in advance and will be provided an opportunity to meet with the Department Director prior to implementation of the layoff. The purpose of this meeting is to give the affected employee an opportunity to ask questions and to better understand the business reason why management selected that position for layoff. The employee may also offer additional information for consideration prior to a final decision being made and before the layoff is implemented.

2. Order of Layoff

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

Extra help employees performing similar work will be terminated prior to regular employees being laid off.

Regular employees will be retained based on their ability to perform work needed to meet program and organizational needs.

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

3. Alternatives to Layoff

The City retains the right to mitigate the need for layoffs by transferring employees who would otherwise be impacted by layoffs to equivalent available vacant positions. Additional options such as part-time work schedules, job sharing, voluntary demotions 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 is 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. Extra-help and limited term employees are not eligible for severance. After the layoff takes effect, the employee is eligible to receive a severance package based on their budgeted FTE consisting of the following:

<u>Years of Service</u>	<u>Severance Package</u>
1 – 4 years	2 weeks salary + 10% sick leave
5 – 9 years	4 weeks salary + 10% sick leave
10 – 14 years	6 weeks salary + 10% sick leave
15 – 19 years	8 weeks salary + 10% sick leave
20+ years	10 weeks salary + 10% sick leave

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 will be placed on a City rehire list for a period of one year from the date of layoff. An employee will 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. Laid off employees have an obligation to timely notify the City of any changes to their contact information.

An employee on the Rehire List will 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 will first consult Human 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 will be offered the position. In the case of more than one eligible employee on the rehire list, the position will 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 will remain on the list for the remainder of the year (based on the original layoff date).

An employee will 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 will first contact Human Resources before taking any other steps to hire the extra help. The extra help opportunity will 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 will affect an employee's status on the Rehire List.

E. Furlough (Temporary Reduction in Hours)

A furlough is a temporary reduction of work hours due to a lack of work, shortage of funding, or for other business reasons. The City retains the sole and exclusive right to decide whether a temporary reduction in force is necessary and to select the operational unit(s) and positions for which furloughs will occur. During a furlough, the employment relationship remains intact and the individual who is furloughed continues to be an employee of the organization and will resume their regular position duties at the conclusion of the furlough. During a furlough, the employee is in an unpaid leave of absence status. A furlough differs from a layoff in that with a layoff, the employment relationship is severed. An employee who is laid off is no longer employed with the organization; they are separated from employment and considered terminated.

Increments of Furlough: Furloughs may occur in increments of a work day, a partial work week or full workweek, or months.

FLSA Exempt Status Change: FLSA exempt (salaried) employees may have their FLSA status temporarily changed to non-exempt (hourly) status during a partial workweek furlough.

Restriction to Work: During a furlough an employee is prohibited from performing work of any kind.

Notice: When a furlough is anticipated, employees whose jobs are affected will be notified in advance to allow time to make any necessary personal financial arrangements and to minimize the impact due to the anticipated loss of income.

1. Impact of Furlough on Work Schedule and Pay

Furloughs are considered a leave without pay. Time while furloughed will not count toward the calculation of overtime.

Overtime is not to be used as a method for making up time and earnings lost due to a furlough.

Employees may not substitute paid leave for mandatory furlough days. However, if an employee is absent on the scheduled furlough day(s) due to a Worker's Comp injury, alternative furlough day(s) will be arranged.

If an employee is on a furlough day and is requested to return to work, they will be paid according to the applicable City policy and an alternative furlough day(s) will be scheduled.

2. Impact on Benefits During a Furlough

While on a furlough an employee does not earn sick or vacation leave accruals for any period of unpaid time.

All leave accruals earned prior to a furlough will be retained and will be available for use upon return from furlough.

An employee's anniversary date will be adjusted for any furloughs greater than three (3) consecutive months.

Health insurance benefits and premiums paid by the City remain intact and uninterrupted during a furlough of three (3) or less consecutive months. Employees will be required to self-pay or reimburse the City for their portion of any benefit premium that would otherwise be deducted from their regular paycheck.

For furloughs greater than three consecutive months in length, the employee will have the option to continue health benefits through COBRA.

3. Furlough Support

Regular full time and regular part time employees who are subject to a furlough may be eligible for additional support services including:

- Access to the Employee Assistance Program while on furlough.
- Unemployment compensation and worker retraining services.

4. Employees on Protected Leave

An employee who is on protected leave (e.g., family medical leave) may also be furloughed; however, under no circumstances may an employee be furloughed *because* they are on protected leave.

5. Appeal Process

Unless otherwise provided for under City policies, a collective bargaining agreement, or the law, reductions in force and furloughs are not subject to the grievance process nor subject to appeal.

6. Unemployment Compensation

Eligibility for unemployment compensation is subject to evaluation and determination by the Washington State Employment Security Department. Employees are directed to contact the Washington State Employment Security Department to determine eligibility in the event of a reduction in work hours due to furlough.

7. Shared Work Program

The City of Shoreline participates in the Shared Work program, administered by the Washington State Employment Security Department. This program provides eligible employees an opportunity to receive unemployment benefits when their regular work hours are reduced due to a furlough.

8. Return to Work Following a Furlough

At the completion of the furlough period employees will be returned to the same position they held prior to the furlough except when it is determined by the City Manager that further action is needed or if a reduction in force and layoff process is initiated.

IX. CLOSING STATEMENT

We are pleased that you have chosen to be part of our Shoreline team, if you have any questions about the information contained in 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 govern the conduct of the City's elected and appointed officials, and employees, who will:

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

Guidelines:

Democratic Leadership: Officials and staff will 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 will 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 will 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 will 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 must 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 must 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 must have no beneficial interest in any contract which may be made by, through or under their supervision, or for the benefit of their 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 will 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 will 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 must 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 must 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 must be disclosed in any instance where there could be the appearance of a conflict of interest.

Business Relationships: Officials and staff must 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 must 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 _____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Ordinance No. 978 – Amending Chapters 2.20, 2.55, and 2.70 of the Shoreline Municipal Code to Provide Compensation for Members of City Boards and Commissions
DEPARTMENT:	City Manager’s Office
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:

During the City Council’s 2022 Strategic Planning Workshop, Council discussed and directed staff to begin providing compensation for the City’s advisory boards and commissions. To implement this directive, Council included funding in the City’s 2023-2024 biennial budget for this compensation starting in 2023. In order to start providing compensation to the City’s standing advisory boards and commissions, the City must amend Shoreline Municipal Code (SMC) Chapters 2.20, 2.55, and 2.70, which are the chapters that provide administrative requirements for these advisory bodies, as these Code chapters state that they shall serve without compensation.

Proposed Ordinance No. 978 would provide for these changes. Proposed Ordinance No. 978 is currently scheduled to return to Council for potential action on January 23, 2023.

RESOURCE/FINANCIAL IMPACT:

Compensation for Parks, Recreation, and Cultural Services (PRCS)/Tree Board and Planning Commission members has been included in the 2023-2024 biennial budget. Compensation will be provided at a rate of \$50 per meeting attended for all members. For the PRCS/Tree Board, funding was approved for the full Board of seven adult members and two youth members, meeting no more than 12 times per year. For the Planning Commission, funding was approved for the seven Commissioners meeting no more than 25 times per year.

RECOMMENDATION

No action is required tonight. Staff seeks Council direction on the proposed amendments to SMC Chapters 2.20, 2.55, and 2.70. Staff recommends that Council adopt proposed Ordinance No. 978 when it is scheduled to be brought back to Council for potential action on January 23, 2023.

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

BACKGROUND

During the City Council's 2022 Strategic Planning Workshop, Council discussed and directed staff to begin providing compensation for the City's advisory boards and commissions. This related to both the City's three standing boards and commissions – the Parks, Recreation and Cultural Services (PRCS)/Tree Board, the Planning Commission, and the City Council Salary Commission (which is only stood up every four years) – and potential ad hoc advisory boards which may be enacted for various issues from time to time. To implement this directive, Council included funding in the City's 2023-2024 biennial budget for this compensation starting in 2023.

In order to start providing compensation to the City's standing advisory boards and commissions, the City must amend Shoreline Municipal Code (SMC) Chapters 2.20, 2.55, and 2.70, which are the chapters that provide administrative requirements for these advisory bodies, as these Code chapters state that they shall serve without compensation (or in the case of the Salary Commission, the Code is silent on whether compensation is provided). Proposed Ordinance No. 978 (Attachment A) provides for these proposed Code amendments.

DISCUSSION

Proposed Ordinance No. 978 specifically amends the following SMC Sections related to compensation for advisory boards and commissions:

- **SMC Section 2.20.020** regarding the Planning Commission – Code Section would now state, “Commissioners shall be selected without respect to political affiliations and will be entitled to such compensation as provided by the city council in the biennial budget. Members may also be reimbursed for reasonable expenses pursuant to city ordinances and policies.”
- **SMC Section 2.55.020** regarding the PRCS/Tree Board – Proposes to remove reference to compensation altogether and reimbursement for expenses, as it is duplicative of what is included in SMC Section 2.55.030 (below).
- **SMC Section 2.55.030** regarding the PRCS/Tree Board – Code Section would now state, similar to the Planning Commission administrative Code, that “Board members shall be selected without respect to political affiliations and will be entitled to such compensation as provided by the city council in the biennial budget. Members may also be reimbursed for reasonable expenses pursuant to city ordinances and policies.”
- **SMC Section 2.70.020** regarding the Council Salary Commission – Code Section would now state, “Members will be entitled to such compensation as provide by the city council in the biennial budget. Members may also be reimbursed for reasonable expenses pursuant to city ordinances and policies.”

Administrative Procedures

Proposed Ordinance No. 978 also provides direction to staff to develop administrative procedures for how compensation will be provided to advisory boards and commissions. These administrative procedures will include the rate of compensation, which has already been set via the budget at \$50 per meeting per advisory board member, the

frequency of payment, method of payment, etc. Staff will work on developing these administrative procedures upon the potential adoption of Ordinance No. 978 and will begin providing compensation to the PRCS/Tree Board and Planning Commission shortly thereafter.

RESOURCE/FINANCIAL IMPACT

Compensation for Parks, Recreation, and Cultural Services (PRCS)/Tree Board and Planning Commission members has been included in the 2023-2024 biennial budget. Compensation will be provided at a rate of \$50 per meeting attended for all members. For the PRCS/Tree Board, funding was approved for the full Board of seven adult members and two youth members, meeting no more than 12 times per year. For the Planning Commission, funding was approved for the seven Commissioners meeting no more than 25 times per year.

RECOMMENDATION

No action is required tonight. Staff seeks Council direction on the proposed amendments to SMC Chapters 2.20, 2.55, and 2.70. Staff recommends that Council adopt proposed Ordinance No. 978 when it is scheduled to be brought back to Council for potential action on January 23, 2023.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 978

ORDINANCE NO. 978

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CHAPTERS 2.20, 2.55, AND 2.70 OF THE SHORELINE MUNICIPAL CODE TO PROVIDE COMPENSATION TO APPOINTED MEMBERS OF CITY BOARDS AND COMMISSIONS.

WHEREAS, in 1995, the City Council adopted SMC Chapter 2.20, establishing the Planning Commission;

WHEREAS, in 1998, the City Council adopted SMC Chapter 2.55, establishing the Parks, Recreation, and Cultural Services Board; and

WHEREAS, in 2021, the City Council adopted SMC Chapter 2.70, establishing the Compensation and Salary Commission; and

WHEREAS, each of these chapters sets forth the criteria for appointment of the members of these Boards and Commissions, with SMC 2.20.020 and SMC 2.55.030 expressly stating that members are to serve without compensation and SMC 2.70 being silent as to compensation; and

WHEREAS, in recognition of the importance of these Boards and Commissions to the City, the time commitment made by the members, and to assist with recruiting and retaining members, the City Council desires to allow for these members to receive compensation; and

WHEREAS, such compensation will be provided by the City Council in the biennial budget and administered by procedures established by the City Manager;

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

Section 1. Amendments to Shoreline Municipal Code.

A. SMC Chapter 2.20 Planning Commission.

1. Subsection C of Section 2.20.020 Appointment is amended as follows:

SMC 2.20.020(C) Appointment.

Members of the planning commission shall be appointed by majority vote of the city council subject to an open recruitment process. Commissioners shall be selected without respect to political affiliations and ~~shall serve without compensation~~ will be entitled to such compensation as provided by the city council in the biennial budget. Members may also be reimbursed for reasonable expenses pursuant to city ordinances and policies.

B. SMC Chapter 2.55 Parks, Recreation, and Cultural Services Board.

1. Subsection A of Section 2.55.020 Membership is amended as follows:

SMC 2.55.020(A) Membership.

A. The board shall consist of nine members. Only persons who reside, own property or are employed in the city of Shoreline shall be eligible for membership on the parks, recreation and cultural services board. Two members shall be between the ages of 15 and 19 at the beginning of their term in addition to meeting other eligibility requirements and shall be nonvoting members. ~~Members shall serve without compensation but may be reimbursed for reasonable expenses pursuant to city ordinances and policies.~~ The position of a member shall become vacant upon such member's ceasing to reside within, own property within, or be employed within the Shoreline city limits. The position of a member shall be forfeited and become vacant for failure to attend three regular consecutive meetings of the board, unless such absence is excused by a majority of the board. Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in this chapter.

2. Section 2.55.030 Appointment is amended as follows:

SMC 2.55.030 Appointment.

Members of the board shall be appointed by majority vote of the city council subject to an open recruitment process. Board members shall be selected without respect to political affiliations and ~~shall serve without compensation~~ will be entitled to such compensation as provided by the city council in the biennial budget. Members may also be reimbursed for reasonable expenses pursuant to city ordinances and policies.

C. SMC Chapter 2.70 Compensation and Salary Commission.

1. Subsection B of Section 2.70.020 Appointment is amended as follows:

SMC 2.70.020(B) Appointment.

Members shall be appointed by the mayor subject to confirmation by the city council, in conformance with RCW 35.21.015 as it now exists or is hereafter amended. Members will be entitled to such compensation as provide by the city council in the biennial budget. Members may also be reimbursed for reasonable expenses pursuant to city ordinances and policies.

Section 2. Direction to City Manager. The City Manager, in conjunction with the applicable City Departments, shall established procedures by which this budgeted allocation for Boards and Commissions compensation provided under this Ordinance shall be administered. Such procedures shall include the rate of compensation, the frequency of payment, and any other procedures to ensure all members are equally compensated.

Section 3. 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 4. 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 5. Publication and Effective Dates. 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 JANUARY 23, 2023.

Keith Scully, Mayor

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2023
Effective Date: , 2023

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Ordinance No. 979 – Amending Chapter 2.55 Parks, Recreation and Cultural Services Board of the Shoreline Municipal Code		
DEPARTMENT:	Recreation, Cultural and Community Services (RCCS)		
PRESENTED BY:	Colleen Kelly, RCCS Director		
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:

Following the last Parks, Recreation and Cultural Services Board recruitment process, the City Council indicated an interest in limiting Board members service to two terms to be in alignment with Planning Commission term limits. The first step in this process is to update the Shoreline Municipal Code (SMC). Staff are recommending that this update also include Board compensation and other minor housekeeping changes that are also needed.

Tonight, Council will discuss proposed Ordinance No. 979, which would provide for these changes. Proposed Ordinance No. 979 is currently scheduled to return to Council for potential action on January 23, 2023.

RESOURCE/FINANCIAL IMPACT:

Proposed Ordinance No. 979 has no financial impact.

RECOMMENDATION

No action is required tonight. Staff seeks Council direction on the proposed amendment to SMC Chapter 2.55 – Parks, Recreation and Cultural Services Board. Staff recommends that Council adopt proposed Ordinance No. 979 when it is brought back to Council for action on January 23, 2023.

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

BACKGROUND

Following the last Parks, Recreation and Cultural Services (PRCS) Board recruitment process, the City Council indicated an interest in limiting service to two terms to be in alignment with the term limits of the Planning Commission. The first step in this process is to update the Shoreline Municipal Code (SMC). Shoreline Municipal Code (SMC) Chapter 2.55 allows for Board members to serve three 4-year terms. Given that this Code Chapter needs to be updated to address Board compensation and the next Board recruitment process is pending, this is a good time to address both term limits and other minor housekeeping changes that are also needed. Proposed Ordinance No. 979 would provide for these changes.

DISCUSSION

Proposed Ordinance No. 979 proposes four updates SMC Chapter 2.55:

1. Replace the word “leisure” with “recreation” and add specific reference to public art.

RATIONALE: The word “leisure” is outdated and does not reflect current programming. In addition, the Board has some specific responsibilities related to Public Art that suggest it should be specifically called out under both the Purpose and the Responsibilities sections.

2. Change the maximum number of four-year terms a board member may serve from three to two.

RATIONALE: This responds to Council’s stated preference and aligns with the term limits for Planning Commissioners. PRCS Board terms are four years in length, so an individual serving two full terms would be on the Board for eight years. The current three term limit allows for twelve years of service. Initial discussion with the PRCS Board regarding this change was met with support.

3. Update the Department administrative support reference to reflect that this responsibility now rests with the Recreation, Cultural and Community Services Department.

RATIONALE: A reorganization of departments that occurred in January 2021 formally created the Recreation, Cultural and Community Services Department; this change would reflect the implementation of that reorganization.

4. Remove the reference to forwarding meeting minutes the City Council.

RATIONALE: This has not been happening in practice and is unnecessary due to the online accessibility of both meeting minutes and meeting recordings.

RESOURCE/FINANCIAL IMPACT

Proposed Ordinance No. 979 has no financial impact.

RECOMMENDATION

No action is required tonight. Staff seeks Council direction on the proposed amendment to SMC Chapter 2.55 – Parks, Recreation and Cultural Services Board. Staff recommends that Council adopt proposed Ordinance No. 979 when it is brought back to Council for action on January 23, 2023.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 979

ORDINANCE NO. 979

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
AMENDING CHAPTER 2.25 PARKS, RECREATION, AND CULTURAL
SERVICES BOARD OF THE SHORELINE MUNICIPAL CODE.**

WHEREAS, in 1998, the City Council adopted SMC Chapter 2.55, establishing the Parks, Recreation, and Cultural Services Board (“Board”); and

WHEREAS, SMC Chapter 2.55 sets forth appointment and membership criteria, meeting structure, and responsibilities of the Board; and

WHEREAS, amendments are needed to update terminology, reflect current practices, and establish new term limits;

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

Section 1. Amendments to Shoreline Municipal Code Chapter 2.55.

A. SMC 2.55.010 Created – Purpose is amended to read as follows:

The Shoreline parks, recreation and cultural services board is hereby created. The board is to provide additional citizen input on park maintenance and operations, design matters, programs and services in sports, ~~leisure~~ recreation, and cultural activities, including public art, and management of trees located in city-owned public property and in city rights-of-way.

B. Subsection B of SMC 2.55.020 Membership is amended to read as follows:

~~B. Parks~~ Board members shall serve four-year terms; provided, however, that youths appointed to the two age-restricted positions shall serve one-year terms. Terms shall expire on the thirty-first day of March, except youth member terms shall begin on September 1st and expire on June 30th unless the youth member is appointed to an additional term. No ~~parks~~ board member shall serve more than ~~three~~ two consecutive four-year terms, and youth members shall serve no more than four consecutive one-year terms.

C. SMC 2.55.050 Staff Support is amended to read as follows:

Administrative staff support to the ~~parks, recreation and cultural services board~~ shall be provided by the ~~parks and recreation~~ City’s recreation, cultural, and community services department. Written minutes will be required for all meetings.

D. Subsection B and Subsection E of SMC 2.55.060 Responsibilities are amended to read as follows:

B. The ~~full~~ board may make reports and recommendations to the city council concerning parks and recreation plans and policies, maintenance, operation and design of parks, public trees, and program activities in sports, ~~leisure~~ recreation, and cultural services, including public art. The board will make recommendations concerning the acquisition, care, maintenance, utilization and disposition of buildings, property and equipment related to parks programs.

E. The board shall ~~forward meeting minutes to the city council and provide~~ submit to the city council a report providing an annual review of their activities.

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 Dates. 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 JANUARY 23, 2023.

Keith Scully, Mayor

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2023
Effective Date: , 2023