
Council Meeting Date: June 28, 1999

Agenda Item: 4(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Reports by Senator Darlene Fairley and Representative Carolyn Edmonds Regarding the 1999 Legislative Session
DEPARTMENT:	City Manager
PRESENTED BY:	Senator Darlene Fairley, Representative Carolyn Edmonds <i>LB(for)</i>

EXECUTIVE / COUNCIL SUMMARY

Senator Darlene Fairley and Representative Carolyn Edmonds of the 32nd State Legislative District, will provide Council with a report regarding actions taken during the 1999 legislative session.

RECOMMENDATION

No action is required. This item is informational.

Approved By: City Manager *LB* City Attorney ____

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF WORKSHOP MEETING

Monday, June 7, 1999
6:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, King, Lee and Ransom

ABSENT: None

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Jepsen led the flag salute. Upon roll by the City Clerk, all Councilmembers were present with the exception of Councilmember Hansen, who arrived shortly thereafter.

3. CITY MANAGER'S REPORT

Shoreline Police Chief Sue Rahr provided a report on the shooting incident that occurred on May 28.

Councilmember Hansen arrived at 6:35 p.m.

Mayor Jepsen commended the Shoreline Police Department, the King County Sheriff's Department, the other personnel and the Shoreline residents who responded to the incident.

In response to Councilmember Gustafson, Chief Rahr said the only cost the City will incur as a result of the incident is some overtime of the Shoreline police officers who were at the scene. She noted that the City's contract with King County for police services covers SWAT team services. She explained that police from other jurisdictions responded to the incident under a mutual aid agreement.

Councilmember Gustafson asked about the chain of command during the incident. Chief Rahr said she was in charge of the command post as the officer in charge of the Shoreline precinct.

Councilmember Gustafson questioned if it would have been better to allow the parents of North City Elementary School students to sign-out their children and take them home

than to lock down the school with the parents waiting for their children outside. Chief Rahr explained that she and School District Superintendent Marlene Holayter chose to continue the lockdown to insure the safety of the children.

Councilmember Hansen suggested that the School District consider the development of an evacuation plan for schools in situations similar to that of North City Elementary School during the incident.

Next, Mr. Deis noted staff plans to discuss Shoreline Pool parking options with the Parks, Recreation and Cultural Services Advisory Committee and with the School District in preparation for a recommendation to Council.

Mr. Deis went on to discuss the City's gambling moratorium and advertising by Goldie's Shoreline. He explained that staff investigated sites before the implementation of the moratorium and that it has continued to monitor them. He said staff will report back to Council on any changes that represent a violation of the moratorium.

Councilmember Ransom recalled that Council granted the City Manager and the City Attorney authority to determine the validity of a "grandfathering" claim by Goldie's. In response to Councilmember Ransom, Mr. Deis explained that although the City has been in communication with representatives of Goldie's, staff has not yet determined the validity of the "grandfathering" claim.

Wendy Barry, Parks, Recreation and Cultural Services Director, discussed Celebrate Shoreline, which will take place on Saturday, August 21. She went on to review a summary of the Shoreline School District Stadium and Activity Center construction project.

Mayor Jepsen questioned whether the project will address parking at the stadium. Councilmember Gustafson said the District has discussed the construction of additional parking in the area between the stadium and the gymnasium.

In response to Councilmember Ransom, Ms. Barry and Councilmember Gustafson confirmed that the School District is using funds from past bond levies to finance the stadium and activity center construction project. Councilmember Gustafson went on to note opportunities for City use of the new facilities.

Finally, Kristoff Bauer, Assistant to the City Manager, reviewed a memorandum outlining the support of the Parks, Recreation and Cultural Services Advisory Committee for Paramount Park as the preferred location for the skate park. He asserted that the master planning process for Paramount Park provides a good opportunity to design the skate park and obtain public input on the site.

Dwight Stevens, Chair, Parks, Recreation and Cultural Services Advisory Committee, commented that the committee took no formal vote on the preferred location for the skate

park. He said the consensus of the committee at its meeting on May 20 was that Paramount Park would be the more favorable location.

Councilmember Lee questioned the progress of City discussions with the School District regarding Paramount Park. Mr. Bauer advised that the City and the School District are making progress on a memorandum of understanding (MOU). He asserted that Paramount Park is no longer an obstacle to the completion of the MOU.

Mr. Deis noted School Board President Paul Grace's comment at a recent meeting that the City should be able to use Paramount Park as it wishes, consistent with the already-existing agreement between the City and the School District. Mr. Deis said President Grace believed that he represented the consensus of the School Board on the issue.

Councilmember Gustafson questioned whether Paramount Park is the best site for a skate park. He said those youngsters who will use the facility are not likely to use it with their families. He noted the support of the Shoreline YMCA for siting the skate park there. He asserted that teenagers would frequent the YMCA site more readily. While he acknowledged the added cost of the YMCA site, he preferred it to the Paramount Park site.

Councilmember Ransom asserted that the choice of sites will ultimately depend on the decisions of the School Board and the YMCA Board of Directors. He said the cost difference is not significant because private donors would likely make contributions to develop a skate park at the YMCA site. He commented that either site is acceptable, and he underscored the importance of moving forward.

Councilmember King questioned whether residents of the neighborhood surrounding Paramount Park support the development of a skate park there. She noted that the North City Neighborhood Association and the North City Business District support the YMCA site. She expressed concern about investing City money on School District property. She asserted the need for restroom facilities at either site.

Mr. Deis said staff assumed that the master plan for Paramount Park would include restroom facilities. He explained that either the YMCA would make restrooms available at its site or the City would incur the expense to provide them.

Councilmember King said the YMCA site is more accessible. She asserted that the skatepark would complement the Friday-night programming for teenagers at the YMCA.

Deputy Mayor Montgomery said she has visualized the development of a skate park in Paramount Park since visiting the multi-use facility in Enumclaw that includes a skate park.

Councilmember Lee highlighted the need to construct a skate park that will be utilized. Noting criteria that prospective skate park users have identified (e.g., availability of transportation and food), she considered the YMCA a better site from their perspective.

DRAFT

Mr. Bauer mentioned the different needs of users of different ages. While he agreed that the YMCA is a better site for older skate park users, he said Paramount Park is a better site for younger users (those eight to ten years old).

Councilmember Ransom recalled a poll that identified middle-school students as those most interested in using a skate park.

Mayor Jepsen identified three options: 1) staff can bring a more complete discussion of the issue to the Council Workshop on July 6; 2) pursue the YMCA site; or 3) pursue the Paramount Park site.

Councilmembers Lee, Gustafson, Hansen and King favored the YMCA site. Deputy Mayor Montgomery, Councilmember Ransom (noting concerns about the availability of restrooms at the YMCA) and Mayor Jepsen favored the Paramount Park site.

Mr. Deis said staff would start working with the YMCA.

4. COUNCIL REPORTS

Councilmember Ransom mentioned recent and upcoming meetings of the Jail Advisory Committee.

Councilmember King requested that staff investigate the location of no-parking signs on 1st Avenue NE near the Shoreline Pool. She mentioned upcoming meetings of the Suburban Cities Association. She noted ongoing discussions at King County and other jurisdictions about a third wastewater treatment plant.

Deputy Mayor Montgomery said the Sound Transit Board will meet later in the week to adopt an implementation plan for various transportation projects. She has contacted members of the board to highlight the needs of Shoreline.

5. PUBLIC COMMENT: None

6. WORKSHOP ITEMS

(a) Status Report on the Planning Academy and Development Code Revisions

Tim Stewart, Director, Planning and Development Services, reviewed the staff report.

Anna Kolousek, Assistant Director, Planning and Development Services, described how staff will translate the values reflected in the input of the Planning Academy members into development code standards.

Finally, Mr. Stewart discussed the phases of the preparation of the development code.

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(1) Patricia Peckol, 19144 8th Avenue NW, identified herself as President of Concerned Citizens for Shoreline. She commended the work of the Planning and Development Services staff. She supported the proposed design standards as a means for the Shoreline community to become a leader in Washington State.

Councilmember King and Mayor Jepsen expressed support for the Planning Academy process the City is using to develop its development code.

In response to Councilmember Gustafson, Mr. Stewart explained that the Growth Management Hearings Board has established four dwelling units per acre as an acceptable urban density. He said this provides guidance as Shoreline prepares its development code.

Councilmember Ransom questioned how this Growth Management Hearings Board standard affects private covenants. Mr. Stewart explained that private covenants and public law are entirely separate. He said such issues would be dealt with as they come forward.

Ian Sievers, City Attorney, said there is no clear indication yet of how the Growth Management Hearings Board or the courts will address conflicts between public law and private covenants.

Mayor Jepsen expressed his disappointment at the lack of vegetation restoration following new development. He noted that Academy members identified the loss of vegetation as a key problem.

Councilmember Lee commented that the issues the Planning Academy has addressed thus far have been largely noncontroversial. She appealed to the members of the Planning Academy to continue to work cooperatively as they begin to address more controversial issues.

(b) Aurora Pre-Design Study Alternatives Evaluation and Preliminary Preferred Alternative

Kirk McKinley, Transportation Planning Manager, provided an update on the Aurora Pre-Design Committee's work, noting that Council will be asked to provide feedback on direction and concerns. He introduced several City of Shoreline staff members, as well as individuals from King County/Metro and the Washington State Department of Transportation (WSDOT). He also noted that Citizens Advisory Task Force (CATF) members and neighbors adjacent to Aurora Avenue were in the audience.

Continuing, Mr. McKinley said the last scheduled CATF meeting is upcoming and then a recommendation will be forwarded to the Council. In terms of project status, the three alternatives have now been evaluated. Now the work focuses on refining the preliminary preferred alternative. The Council will receive briefings on July 6 (walkability, street design, aesthetics, level of service and intersection operations) and July 19 (Task Force

preferred alternative). The goal is Council action on August 23. Mr. McKinley concluded that Shoreline has been recommended to receive another \$1.5 million for this project by the Regional Project Evaluation Committee.

Mr. McKinley reviewed the three alternatives: 1) local access; 2) people mover; and 3) regional design. He reported that at the well-attended May 11 Open House, the majority supported Alternative 2, with Alternative 1 second. Alternative 3 did not receive much support and has been dropped from further consideration. The comments focused on limiting impacts to businesses and providing mitigation, increasing landscaping and aesthetic treatments, making vehicular and pedestrian safety improvements, and addressing the potential for spillover traffic into neighborhoods.

Turning to the results of the evaluation of the alternatives, Mr. McKinley reported that Alternative 2 is the most easily funded and has the best fit with grant criteria. He said staff believes that Alternative 1 would not be very competitive for grants and would mean heavy reliance on local funds. Alternative 1 was found to be slightly better than Alternative 2 for economic development, mainly because of business access issues. Alternative 2 was slightly more costly than Alternative 1. Alternative 1 creates significant traffic spillover onto parallel north/south streets, while Alternative 2 maintains a distribution similar to existing conditions. Transit is benefited most by Alternative 2, particularly in terms of travel time and reliability. He concluded that Alternative 2 is the safest both for pedestrians and vehicular movements and that it provides the best traffic operation.

Moving on to the CATF recommendations, Mr. McKinley reiterated that it is "tweaking" Alternative 2. This includes ways of minimizing impacts to businesses, possibly by reducing cross sections at intersections to seven or eight lanes. Other possibilities include minimizing and mitigating property impacts, maximizing left-turn/U-turn access to businesses, developing frequent and safe pedestrian crossings, and emphasizing landscaping, urban design and art amenities.

Councilmember Ransom alluded to the massive increase in traffic flow predicted for the next twenty years (a 50 percent increase over the 36,000 cars now using Aurora Avenue). He felt that other streets (e.g., Meridian and Dayton Avenues) will eventually be called upon to accommodate these increases, yet there is no discussion of this spillover or coordinated inclusion of this spillover into the plan. He felt this omission will be significant in the future.

Mr. McKinley said a 50 percent increase is high. Part of the issue is whether the design of Aurora attracts cars or whether they go somewhere else. Another factor is how well people can be moved and whether alternatives to cars can be made more attractive.

Councilmember Ransom said if Aurora is to be considered Shoreline's "Main Street," it must be made more walkable, even if that means slowing down traffic. Without this slowing of traffic, Aurora cannot play this role.

Mr. McKinley said the ideal speed limit will be around 35 miles per hour. He also noted that if the speed limit is lowered to be similar to other alternative streets, they become more attractive.

Councilmember Ransom was also concerned about how limitations on access will impact businesses. Mr. McKinley agreed that this is a very sensitive issue. The CATF may recommend eight-foot sidewalks and a four-foot landscaping strip if a twelve-foot sidewalk would have a major impact on a business. This could be an interim step until the business comes in for redevelopment. The CATF may also ask Council to assure that it will provide a mechanism to assist businesses that may be forced to relocate. This is especially aimed at business owners who lease, rather than own, property.

Responding to Councilmember Ransom, Mr. McKinley said that it will not be known until the CATF makes its recommendations whether the sidewalks are anticipated to be on the property owner's side. He added that once this pre-design phase is completed, staff will begin the environmental work and surveying/base mapping. This will involve meeting with every business and property owner along Aurora about specific access and parking needs. He said an attempt will be made to get property owners to share driveways.

Councilmember King liked the bus bubble turn-out concept, which is not in Alternative 2. She felt that trees are needed in the landscaping plan. She also emphasized the need for safe pedestrian crossings, particularly at 185th Street, and recommended sensitivity to historical considerations.

Len Madsen, King County/Metro Transit, began by saying that the Aurora Corridor is the backbone for transit service in the northwest corner of King County. Using photographs, he reviewed transit-related facilities and amenities. He noted that many current bus stops are inadequate along Aurora.

Moving on, Mr. Madsen explained that transit should be given preferential treatment to increase schedule reliability, contain operating costs, make transit more competitive with cars, and improve the carrying capacity and safety of the operating environment. He noted that bus bulbs are useful in certain situations, but on Aurora it will be important to retain the capacity on the street and not have extrusions into the travel lanes. He demonstrated signal priorities for buses, which will be installed on Aurora this summer. He concluded that it will be very important to be multi-modal in terms of getting funding for projects.

Jack Whisner, Service Implementation, King County/Metro Transit, said a six-year Implementation Plan is in its final stages. Service in Shoreline was restructured in 1997 and in February 1999. The benefits included greater mid-day frequency, greater speed in the off-peak times and, with the signal priorities, better speed and reliability throughout the day. He said the goal is to reduce the current 20-minute service on Aurora to 15 minutes by 2001 and to ten minutes by 2015. At some point in the future, Aurora may be used for three different Seattle markets: downtown; University District; and First Hill.

He concluded that one half of the boardings in Shoreline occur in zones associated with Aurora.

Mr. McKinley said the peak hour has seven to nine minute service on Aurora. The more rapidly buses can get through the corridor, the more service can be added without having additional service costs.

Dave McCormick, WSDOT, applauded the unprecedented public outreach program undertaken by the City. He noted that Aurora Avenue plays a vital role in the region's transportation system. He said the regional plan promotes transit-ridership and High-Occupancy Vehicle (HOV) use. Since there is no extra room on I-5, it is important to get the most capacity from all the regional routes.

Continuing, Mr. McCormick said Alternative 2 provides the best balance in relieving congestion because it promotes transit, pedestrian crossings, complements improvements that Seattle and Snohomish County have made on Aurora, and provides a separate lane for right-turning traffic. Alternative 2 also makes strides in improving traffic safety. He pointed out there have been 300 accidents per year for the last five years on Aurora. These accidents are due to congestion and related to pedestrians or driveways. One-third of the accidents happen at traffic signals. In Shoreline, three percent of the accidents are related to pedestrians, which is a very large number. These account for 41 percent of all disabling and fatal accidents in Shoreline.

Mr. McCormick outlined the items in Alternative 2 that will result in improved safety on Aurora. Then he showed a video of an Aurora location in Lynnwood that was causing two accidents per month. The video was a compilation of a week's worth of activity at this spot. It demonstrated problems similar to those on Aurora in Shoreline.

Turning to funding, Mr. McCormick demonstrated the unfunded needs for transportation improvements. He said there is funding available for only about 20 percent of requests for funding. He said the State sees a great deal of value in Aurora Corridor improvements as outlined in Alternative 2, due to the emphasis on safety and the multi-modal approach. He mentioned a \$400,000 grant to address short term pedestrian problems.

Mayor Jepsen called for public comment.

(1) Cynthia Wills, 18205 Fremont Avenue N, was pleased to see the direction to avoid spillover traffic. She said a petition is circulating with over 100 signatures which states that speed and traffic have a profound effect on the quality of life in her neighborhood and that neighborhood residents oppose any plan that would increase traffic through the neighborhood.

(2) Paulette Gust, 14805 Whitman Avenue, #10, a member of the CATF, was pleased with the process and stated that Alternative 2 will create a safe

environment, making people want to linger and shop along Aurora. She urged that the City mitigate impacts to business owners.

(3) Dennis Heller, 14804 North Park Avenue N, also favored Alternative 2. He commended the CATF for its efforts and said Alternative 2 will benefit all—pedestrians, bus riders, automobile drivers, and the Aurora Avenue business community.

(4) Larry Bingham, 313 NE 185th Street, stated that the WSDOT presentation was a great justification for a tunnel through the Richmond Highlands corridor. He pointed out that the Aurora Corridor can be looked at from a regional perspective and a local perspective. He feared that the current proposal does not represent Shoreline's economic interests because this plan is a replica of the Puget Sound Regional Council's interests.

Mayor Jepsen thanked the CATF, staff and all those involved, for a vital process that has taken into account all stakeholder interests. He said it is critical to link the Aurora Corridor with the Interurban Trail. Mr. McKinley noted that the Interurban Trail transfer agreement, is close to coming to Council.

Mayor Jepsen expressed his concern about the fact that Shoreline received no funding from Referendum 49, and he suggested a joint presentation to the State delegation using WSDOT materials to emphasize the needs in the Aurora Corridor.

Mayor Jepsen expressed to King County/Metro the needs for east/west trips. He asked to see the large map of Alternative 2. He supported Alternative 2, which provides less aesthetics but a better traffic flow.

Councilmember Gustafson also supported Alternative 2 and concurred with the Mayor that the link with the Interurban Trail will be key. He complimented everyone involved in the process and looked forward to getting more information on costs.

Councilmember Ransom was concerned about the transit lane, which he felt is more dangerous because of speed. He also felt a transit lane can pose potential safety problems for those who cannot see across to this third lane. Councilmember Gustafson confirmed that the lane will not be an HOV lane but only for transit and right turns.

Mr. McKinley described the history of the Seattle approach, which combined transit and HOV, but which now is transit only. He felt that accidents in this area of Aurora result because of an open center left lane which does not focus turning. A second problem is that driveways are not well defined in this area.

Responding to Councilmember Gustafson, Mr. McKinley said the Snohomish County project, which is under construction, is the same concept but without the landscaped median. Seattle is looking at a transit/right turn lane for its portion.

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Councilmember Lee mentioned mail deliveries and Mr. McKinley said the U.S. Postal Service will change its operations once a sidewalk is constructed. Councilmember Ransom recommended that mail be delivered to the businesses directly as in an urban area.

Councilmember Lee emphasized the importance of changing people's perspectives and working with the business owners. She supported Alternative 2 but wanted to take some positive elements from the other alternatives in the final product.

Councilmember King applauded the interjurisdictional presentation tonight. Noting the lack of bus service in Shoreline, she suggested development of a Shoreline plan that considers neighborhood needs for bus service.

MEETING EXTENSION

At 9:56 p.m., Councilmember Hansen moved to extend the meeting until 10:30 p.m. Councilmember Ransom seconded the motion, which carried 6 - 1, with Councilmember Lee dissenting.

7. CONTINUED PUBLIC COMMENTS

(a) Harley O'Neill, 18744 8th Avenue NW, CATF Co-Chair, said the biggest concern is how to deal with right-of-way issues. In some places, the right-of-way is only 90 feet wide. The CATF wishes to deal with business owners, particularly those who are leasing property. He suggested incentives for businesses to share ingress and egress, which will allow for longer, safer stretches of sidewalk.

(b) Terry Green, 613 NW 179th Street, another CATF member, reiterated that business owners, particularly those leasing, are concerned about impacts and about what will be offered as mitigation. She said \$10,000 is a "drop in the bucket" for moving or remodeling expenses. She urged the Council to make a policy statement that will reassure businesses about these issues.

8. EXECUTIVE SESSION

At 10:02 p.m., Mayor Jepsen announced that the Council would recess into Executive Session for 15 minutes to discuss one item of potential litigation. At 10:26 p.m., the Executive Session concluded, and the workshop reconvened.

9. ADJOURNMENT

At 10:26 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli
City Clerk

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF DINNER MEETING

Monday, June 14, 1999
6:00 p.m.

Shoreline Conference Center
Highlander Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, King, Lee and Ransom

ABSENT: None

STAFF: Robert Deis, City Manager; Larry Bauman, Assistant City Manager; Tim Stewart, Planning and Development Services Director; Joyce Nichols, Community and Government Relations Manager

GUESTS: Judy Clibborn, President of the Suburban Cities Association (SCA)
Lynda Ring Erickson, SCA Executive Director

The meeting convened at 6:25 p.m. All Councilmembers were present.

Mayor Jepsen explained the purpose of holding informal dinner meetings with intergovernmental partners. He said one of the key goals is to ensure that tax dollars are spent wisely among various taxing authorities.

Judy Clibborn, SCA President, explained that they had requested meetings with all the City Councils of member jurisdictions. She provided a brief history of SCA, noting it began as an organization of mayors only, in essence a mayors' dinner club. In 1994, when Metro and King County merged, the SCA was asked to represent all of the County's cities. She explained that SCA's purpose is to share information; deal with interlocal agreements involving King County; and be involved with the Puget Sound Regional Council (PSRC). She said the PSRC cities discussed the role of the City of Bellevue and representation on the PSRC. She said SCA has not approved giving Bellevue representation on PSRC and other organizations.

Continuing, Ms. Clibborn explained how SCA is organized and how the leadership has attempted to balance representation. She said SCA avoids issues that affect only a few cities. She described the SCA budget and the value that SCA member cities receive from their membership. She said there are savings in costs to cities resulting from SCA involvement.

Councilmember Lee asked if the departure of Bellevue has hurt SCA. Ms. Clibborn responded that Bellevue's biggest reason for leaving SCA was that as a big city its role

was diluted by SCA. She said that dealing with Bellevue should be focused on keeping everyone together in taking a regional approach to issues.

Lynda Ring Erickson, SCA Executive Director, felt that the existing issues surrounding Bellevue's departure from SCA may help clarify the roles of the various organizations.

Mayor Jepsen questioned the status of Regional Government and Finance (RF&G). He felt there is confusion that needs resolution.

Ms. Clibborn responded that King County officials will say that RF&G is dead. She pointed out that the County would not respond to SCA regarding its RF&G proposal.

Mayor Jepsen suggested that if RF&G cannot be resolved through the Growth Management Planning Council (GMPC), perhaps it could be brought through a different door.

Ms. Clibborn responded that the GMPC would be a venue for discussing RF&G issues, such as human services.

City Manager Robert Deis pointed out that human services are on the GMPC agenda for review on Wednesday, June 16, with some very specific suggestions about funding responsibilities.

Dr. Erickson brought up the issue of animal control and pet licensing and how it would be funded in the County.

Mayor Jepsen described the Council's 1999 work plan and pointed out that items #3 and #4 are very much focused on RF&G issues. Until RF&G is resolved, it will be difficult for the City to fully complete these goals.

Ms. Clibborn pointed out that the population of unincorporated King County is down to approximately 300,000, while SCA cities represent approximately 600,000 residents. She described the King County Council as stating that it represents regional issues. However, it generally acts locally—focusing on local, not regional, solutions.

Dr. Erickson concluded that future issues for SCA to focus on include transportation and Sound Transit. Also ripe for discussion is the issue of representation. RF&G will also likely be one of the issues when the economy turns downward. She explained that one way to protect City interests is to use the interlocal agreement for GMPC, so that any Countywide Planning Policy would require 70 percent of the population in the jurisdictions and at least 12 jurisdictions to be approved.

Ms. Clibborn stated that since Bellevue left, with only two analytical staff and one support staff, SCA has spent the last four months reacting.

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Mayor Jepsen asked how Bellevue's leaving ties up resources in SCA. Ms. Clibborn responded that most of the staff time is spent answering letters and responding to the news media.

Councilmember Lee pointed out that some issues that are important to Shoreline, such as human services and transportation, are listed as low priorities on the SCA work plan.

Mayor Jepsen wrapped up the meeting and thanked the guests from SCA for their attendance.

The meeting adjourned at 7:25 p.m.

Larry Bauman
Assistant City Manager

DRAFT

CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF REGULAR MEETING

Monday, June 14, 1999
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

PRESENT: Mayor Jepsen, Deputy Mayor Montgomery, Councilmembers Gustafson, Hansen, King, Lee and Ransom

ABSENT: None

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Mayor Jepsen, who presided.

2. FLAG SALUTE/ROLL CALL

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

3. REPORT OF CITY MANAGER

Robert Deis, City Manager, noted that the situation with Goldies and the mini-casino moratorium will be discussed next week in Executive Session. Gambling in Shoreline will be a workshop discussion topic next week.

Shoreline Police Chief Sue Rahr introduced six police officers whose actions were exemplary during the incident of May 28, 1999: Chris Birchman, Diana Russell, Jim Bernthal, Jose Maranco, Patrick Saulet and Joe Craig. She described the officers' bravery and coolness under fire. Council commended them for their actions.

4. REPORTS OF BOARDS AND COMMISSIONS: none

5. PUBLIC COMMENTS

(a) Larry Bingham, 313 NE 185th St., addressed the Aurora Pre-Design Study, noting its similarity to the transportation element of the Puget Sound Regional Council (PSRC) Comprehensive Plan. He suggested that the plan will not solve the major issues facing Shoreline: 1) planning for the Richmond Highlands plateau as Shoreline's major economic center; 2) elimination of the control the PSRC has over this corridor; 3) elimination of the growing volume of through traffic the PSRC is channeling through Shoreline; 4) prevention of spill-over traffic in the neighborhoods; 5) elimination of safety hazards in the corridor; and 6) separation of through traffic from local traffic by

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a tunnel or some other means so that both Shoreline and the PSRC can satisfy their own interests. He said there is a better way to address these issues and hoped Councilmembers would not close their minds to it.

(b) Janet Way, 940 NE 147th St., commented on a recent crime in her neighborhood, commending the police department's rapid response. Turning to the Ronald Bog Sub Basin Study, she asked that it take into account the needs of Thornton Creek and the Endangered Species Act.

6. APPROVAL OF THE AGENDA

Councilmember Lee moved to approve the agenda. Councilmember Hansen seconded the motion. Deputy Mayor Montgomery moved that item 8(a) be placed on the consent calendar. Mayor Jepsen seconded the motion, which failed 2 - 5, with the Mayor and Deputy Mayor voting in the affirmative. A vote was taken on the motion to approve the agenda, which carried unanimously.

7. CONSENT CALENDAR

Councilmember Gustafson moved to approve the consent calendar. Councilmember Ransom seconded the motion, which carried 7-0, and the following items were approved:

**Workshop Minutes of May 17, 1999
Dinner Meeting Minutes of May 24, 1999
Regular Meeting Minutes of May 24, 1999**

**Approval of Expenses and Payroll as of June 7, 1999
in the amount of \$ 428,389.60**

Motion to authorize the City Manager to enter into a contract with Skyhawks Sports Academy (not to exceed \$49,000) and to approve Ordinance No. 197, amending Ordinance No. 184 as amended, by increasing the appropriation from the General Fund and authorizing expenditures for the Skyhawks Sports Academy

Motion to authorize the City Manager to execute an interlocal agreement with the Shoreline Wastewater Management District to provide wastewater facility maintenance and repair for City of Shoreline facilities

8. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS AND MOTIONS

(a) **Motion to authorize the City Manager to execute a professional services agreement with OTAK, Inc. for completion of the Ronald Bog Sub Basin Study in an amount not to exceed \$170,000**

DRAFT

Mike Gillespie, City Engineer, described three surface water projects to address local flooding in the Ronald Bog Sub Basin within the Thornton Creek watershed. These projects (Ronald Bog Drainage Improvements, N. 175th St. at Serpentine Pl. and NE 175th St. at 11th Ave. NE) are linked hydrologically, so it makes sense to study them together. Noting that one third of the Thornton Creek watershed is located in Shoreline and the rest in Seattle, Mr. Gillespie said the study will develop alternatives to assist in the management of flooding problems without increasing the flow downstream into the City of Seattle.

Continuing, Mr. Gillespie outlined the steps in the study, which include work with a technical advisory/citizens committee and education of citizens about the process. He described the composition of the committee and the project funding, concluding with a brief overview of the consultant selection process.

Mayor Jepsen called for public comment.

(1) Janet Way, 940 NE 147th St., commented on the advisory committee, wondering whether three at large citizens are enough and about the availability of an individual from the Thornton Creek Watershed Management Committee. She concluded that habitat improvement must be given a high level of importance in the study, and she said there is a need in Shoreline parks for habitat diversity.

Deputy Mayor Montgomery moved to authorize the City Manager to execute a professional services agreement with OTAK, Inc. for completion of the Ronald Bog Sub Basin Study for an amount not to exceed \$170,000. Councilmember Gustafson seconded the motion.

Councilmember King advised that Metro had piped Thornton Creek under the bus barn and asked that this be given consideration in the study.

Councilmember Ransom noted that most committees are an odd number and that this one has four members. Mr. Gillespie said the City of Shoreline will have three representatives. Mr. Deis added that with the technical advisors, the committee will have nine members.

Councilmember Hansen clarified that the study's recommendations will be for specific improvements to be designed at a later date. Mr. Gillespie said the recommendations may be for additional locations to retain more water before it gets to Ronald Bog. He concurred with Councilmember Hansen that such a study should assist the City in obtaining grants available under the Endangered Species Act.

Councilmember Lee noted that the study will provide information on project costs and asked what the project costs in the Capital Improvement Program (CIP) were based on.

DRAFT

Mr. Gillespie said the costs for surface water projects were based on existing information from King County and rough estimates. The study will assist in refining these figures.

Councilmember Lee commented on the relationship between current flooding and development in the area, hoping that information gained in the study will allow staff to more accurately consider storm water impacts when issuing new permits. Mr. Deis noted that much of the development occurred under King County, which did not fund sufficient surface water improvements in this area.

Responding to Councilmember Gustafson, Mr. Gillespie said the study will track impacts of the Endangered Species Act and the costs it imposes.

Responding to Councilmember Ransom's question about Twin Ponds, Mr. Gillespie reiterated that the goal of the study is to maintain the flows downstream without increasing or decreasing the flows. He said the study will identify locations for improvements where the water can be retained before it gets to Ronald Bog, thus allowing it to discharge at a lower and more even rate during a storm.

A vote was taken on the motion, which carried unanimously and the City Manager was authorized to execute a professional services agreement with OTAK, Inc. for completion of the Ronald Bog Sub Basin Study in an amount not to exceed \$170,000.

9. CONTINUED PUBLIC COMMENTS

(a) Larry Bingham, 313 NE 185th St., appreciated that the CIP program has begun. He provided background on the drainage in the Ronald Bog Sub Basin. He concluded that he felt the City was moving in the right direction and that he would be happy to help.

(b) Janet Way, 940 NE 147th St., also provided background on drainage in the area. She emphasized the need for coordination with the City of Seattle and the Watershed Management Committee in order to take into account the entire watershed.

10. ADJOURNMENT

At 8:33 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli, CMC
City Clerk

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Approval of Expenses and Payroll as of June 21, 1999
DEPARTMENT: Finance
PRESENTED BY: Al Juarez, Financial Operations Supervisor 

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to approve expenses formally at the meeting. The following claims expenses have been reviewed by C. Robert Morseburg, Auditor on contract to review all payment vouchers.

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$647,501.70 specified in the following detail:

Payroll and benefits for May 16 through May 29, 1999 in the amount of \$243,033.66 paid with ADP checks 2930-2980, vouchers 220001-220095, benefit checks 000683-000689 and

the following claims examined by C. Robert Morseburg paid on May 28, 1999:

Expenses in the amount of \$940.27 paid on Expense Register dated 5-28-99 with the following claims checks: 000524-000543 and

Expenses in the amount of \$712.50 paid on Expense Register dated 5-28-99 with the following claims checks: 000545-000551 and

Expenses in the amount of \$7,499.60 paid on Expense Register dated 5-28-99 with the following claims check: 000553-000555 and

Expenses in the amount of \$14,862.13 paid on Expense Register dated 5-28-99 with the following claims checks: 000557-000574 and

Expenses in the amount of \$100,488.40 paid on Expense Register dated 5-28-99 with the following claims checks: 000576-000599 and

Expenses in the amount of \$38,645.71 paid on Expense Register dated 5-28-99 with the following claims checks: 000601-000621.

the following claims examined by C. Robert Morseburg paid on June 7, 1999:

Expenses in the amount of \$24,116.79 paid on Expense Register dated 6-7-99 with the following claims checks: 000637-000652 and

Expenses in the amount of \$30,097.52 paid on Expense Register dated 6-7-99 with the following claims checks: 000654-000663 and

Expenses in the amount of \$39,131.40 paid on Expense Register dated 6-7-99 with the following claims check: 000665-000681 and

the following claims examined by C. Robert Morseburg paid on June 11, 1999:

Expenses in the amount of \$80,761.19 paid on Expense Register dated 6-11-99 with the following claims checks: 000691-0006713 and

Expenses in the amount of \$47,905.48 paid on Expense Register dated 6-11-99 with the following claims checks: 000720-000743 and

Expenses in the amount of \$19,307.05 paid on Expense Register dated 6-11-99 with the following claims check: 000745-000756 and

Approved By: City Manager _____ City Attorney _____

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

AGENDA TITLE: Adoption of Ordinance No. 198 Annexing Area A-2 DEPARTMENT: Planning and Development Services PRESENTED BY: Tim Stewart, Director Allan Johnson, Planner II <i>AS</i>

EXECUTIVE / COUNCIL SUMMARY

On January 25, 1999, your Council adopted Ordinance No. 186 formally calling for an annexation vote for Area A-2 to be held May 18, 1999 (See Attachment A for Vicinity Map). Voters during the May 18th special election approved the A-2 proposal with 74% supporting annexation.

Ordinance No. 198 would annex Area A-2 effective August 1, 1999 (See Attachments B, C and D). It would concurrently adopt existing King County zoning designations subsequently amended and codified as Shoreline Municipal Code, Title 18 (See Attachment D). This effective date will allow the City to receive quarterly revenue for the last quarter of 1999 (See Attachment E for Revenue Analysis).

In 1999, it is anticipated that General Fund expenditures would exceed revenues by \$5,695. This figure includes \$2,180 needed to provide the difference between Development Fees and permit review costs. Surface Water Fund revenues would not be available in 1999 to offset \$3,658 in expected expenditures. Capital Fund and Street/Arterial Fund revenues would exceed expected annual expenditures by a cumulative figure of \$8,633. These funds would be available for allocation through the City's Capital Improvement Program (CIP).

Revenue from the Capital Fund and Street/Arterial Fund would exceed annual expenditures by a cumulative figure of \$89,732 for 2000 and \$32,311 in 2001 and following years. Surface Water Funds would exceed projected revenue by \$25,183 in 2000 and following years. These revenues would be included in the City's Capital Improvement Program and potential capital improvements located in Area A-2 would also be incorporated into the CIP.

General Fund and Development Services expenditures would exceed available revenues by \$21,984 in 2000. In 2001 and following years, it is expected that revenues would exceed currently identified annual expenditures by \$60,581.

Adoption of this annexation would conclude the process begun by petition of Area A citizens on the first day of the City's incorporation.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 198 annexing Area A-2 to the City of Shoreline and imposing concurrent zoning.

Approved By:

City Manager



City Attorney



BACKGROUND / ANALYSIS

History

On the first day of the City's incorporation, Area A residents presented the City with a petition to annex. The City of Shoreline prepared a Notice of Intention for the annexation proposal and forwarded the request to the King County Boundary Review Board (BRB). Hearings were held by the BRB in February, 1996 and the proposal was denied.

Subsequently, Area A annexation issues were discussed through numerous forums including; several joint meetings of the Shoreline and Lake Forest Park City Councils, and numerous public meetings and open houses. The City of Shoreline worked to address all outstanding issues regarding annexation in Area A over the next several years.

Annexation proposals were initially put forth by the City of Shoreline for two portions of Area A (A-1 and A-3) as a part of this process. The proposal for annexation of A-1 to Shoreline was narrowly defeated in November, 1997. The proposal for annexation of A-3 to Shoreline was approved in September, 1998 and became a part of Shoreline on November 2, 1998.

The City of Lake Forest Park put two annexation proposals forth during this period for portions of Area A known as A-1 and A-2. Voters narrowly approved the proposal for annexation of Area A-1 and Area A-1 is now a part of the City of Lake Forest Park. The proposal for annexation of Area A-2 to Lake Forest Park was defeated in September, 1998.

Following the defeat of the Lake Forest Park annexation proposal in Area A-2, your Council passed Resolution No. 150 on October 26, 1998 which called for an annexation election in Area A-2 (for vicinity map, see Attachment A). The City promptly filed a Notice of Intention for this annexation proposal with the King County Boundary Review Board (BRB) on Friday, October 30, 1998. The 45 day BRB review period was completed on December 14, 1998.

On January 25, 1999, your Council adopted Ordinance No. 186 formally calling for an annexation vote for Area A-2 to be held May 18, 1999. This Ordinance proposed an effective date of August 1, 1999 if voters in Area A-2 approved the election.

Voters during the May 18th special election approved the A-2 annexation proposal with 74% supporting annexation.

Adoption of this annexation would conclude the process begun by petition of Area A citizens on the first day of the City's incorporation.

Legal Background

Under RCW 35.A.14.015 and through Ordinance No. 186, your Council has determined that the best interest and general welfare of the City would be served by the annexation of Area A-2 and called for an annexation election. Area A-2 residents approved this annexation by election on May 18, 1999 and your Council must now decide whether to accept the annexation through Ordinance No. 198 (See Attachments B, C and D).

Zoning

Ordinance No. 198 would adopt zoning consistent with existing zoning designations under King County Title 21A (See Attachment D). Shoreline adopted King County Title 21A during incorporation and subsequently amended and codified these regulations as Shoreline Municipal Code, Title 18. Following annexation, Shoreline's Title 18 zoning provisions would guide future development. This area has been included in the development of the City's Comprehensive Plan.

Analysis

Area A-2 is a logical annexation for the City of Shoreline. It was a part of the original incorporation proposal and its residents have attempted to become a part of the City of Shoreline since the City's incorporation. Area A-2 has demonstrated strong affinity to the City of Shoreline through a variety of means including; the results of a survey by Phil Kushlan and Associates and previous petitions signed by Area A-2 residents to become a part of the City of Shoreline. The results of the annexation election confirm this support with 74% of voters approving of annexation.

Annexation would meet the objectives established by state law to preserve natural neighborhoods, logically use physical boundaries, preserve logical service areas and prevent irregular boundaries. Area A-2 is an extension of neighborhoods located in Area A-3. Also, Area A-2 is predominately within current Shoreline service provider boundaries. Area A-2 is contiguous to municipal boundaries of Shoreline and Lake Forest Park, therefore annexation of Area A-2 to Shoreline would remove an unincorporated island of King County. It would result in more regular boundaries primarily defined by arterial streets. The annexation of Area A -2 would eliminate the last piece of unincorporated land between Shoreline and Lake Forest Park.

Fiscal Impacts

Fiscal impacts are not changed from the analysis presented for Ordinance No. 186 adopted by your Council on January 25, 1999. This analysis of fiscal impacts is repeated for your reference (See Attachment E for Revenue Analysis).

Fiscal impacts assume an annexation effective date of August 1, 1999 to allow the City to qualify for revenue from the final quarter of 1999. Population in Area A-2 is estimated at 920 although the exact population cannot be determined without a special census, which would follow adoption of Ordinance No. 198.

Revenues and Expenditures:

It is estimated that Area A-2 will generate approximately \$37,418 of revenue during the last 5 months of 1999. Revenues for 2000 will total approximately \$266,365. Full revenue from the annexation will not be realized until 2001 with an estimated \$291,509 in taxes and fees from the annexation. It is assumed that revenue in years beyond 2001 would be similar to the year 2001 figure. (See Attachment E) These revenues will come from a variety of funds including the: General Fund, Development Services Fund, Street and Arterial Funds, Surface Water Fund and Capital Fund. Expected revenues and expenditures for each of these funds are listed below.

General Fund and Development Services Fund:

Revenues and Expenditures for the General Fund and Development Services Fund are listed in Table 1 and Table 2.

It is expected that A-2 could not be served without significant increases in the annual operating expenses for several Departments. The primary increase in operating expenses would be realized in the City's Departments of Public Safety, Development Services and Parks, Recreation and Cultural Services. In order to maintain existing service levels for public safety, it is anticipated that one additional officer would be needed at a cost of approximately \$101,000 beginning in January 2000.

It is expected that costs of \$26,160 would be incurred annually to provide development services in Area A-2. Development Fees are currently expected to fund 80% of permit review costs. The remaining 20% (\$5,231) of review costs are included in General Fund expenditures. Maintenance and operation of parks facilities would cost approximately \$4,500 per year and would begin upon annexation. Operations costs for the remainder of 1999 are expected to cost \$1,875. Recreation programs would require about \$14,500 in annual expenditures. These expenditures would be partially offset by fees, which are estimated to be \$3,118 annually. Recreation costs would be primarily expended during the summer months. Because the annexation will become effective near the end of the summer season, it is assumed expenditures would be minimal for 1999. General Fund revenues would also fund annual costs of \$3,800 for Court Services in A-2.

A special census is required by the State Office of Financial Management in order to determine revenue allocation resulting from the annexation. This census will also help the City more accurately predict revenue and expenditures. Additional temporary staff will be needed to complete this task. The cost of this census is estimated at \$12,000. The adopted 1999 City Budget includes \$12,000 to cover election and census costs associated with annexation of Area A-2.

Lake Forest Park partially supports a Teen Center operated by the YMCA and located at the Aldercrest School site within A-2. It is estimated that the total operating costs for this program are \$44,000 annually. The City would need to determine its role, if any, in

the Teen Center at Aldercrest School. It is our understanding that the Parks, Recreation and Cultural Services Department staff is meeting with Lake Forest Park to discuss this issue in the near future. Because the City's role has not been determined, no costs are assumed at this time.

Table 1:

GENERAL FUND	1999	2000	2001 +
Total Revenues	\$ 13,943	\$ 107,047	\$189,612
Expenditures:			
Development Services *	\$ 2,180	\$ 5,231	\$ 5,231
Court Services	\$ 1,583	\$ 3,800	\$ 3,800
Parks Maint./Operat.	\$ 1,875	\$ 4,500	\$ 4,500
Parks & Rec. Programs	\$ 0	\$ 14,500	\$ 14,500
Teen Center **	Unknown	Unknown	Unknown
Public Safety Officer	\$ 0	\$ 101,000	\$ 101,000
Annex. Election/ Census ***	\$ 14,000	0	0
Total Annual Expenditures	\$ 19,638	\$ 129,031	\$ 129,031
Difference	(\$ 5,695)	(\$ 21,984)	\$ 60,581

Notes:

* Development Services Fees are currently expected to fund 80% of permit review costs, the remaining 20% of review costs are included in General Fund expenditures.

** Total annual cost of the Aldercrest Teen Center Program is \$44,000. The City's portion of this figure, if any, is yet to be determined.

*** \$ 12,000 of Election and Census costs are included in the adopted 1999 Budget.

Table 2:

DEV. SERV. FUND	1999	2000	2001 +
Total Revenues	\$ 8,720	\$ 20,929	\$ 20,929
Expenditures:			
Development Services	\$10,900	\$ 26,160	\$ 26,160
Total Annual Expenditures	\$ 10,900	\$ 26,160	\$ 26,160
Difference	(\$ 2,180)*	(\$ 5,231)*	(\$ 5,231)*

In 1999, it is anticipated that General Fund expenditures would exceed revenues by \$5,695. This figure includes \$2,180 needed to provide the difference between Development Fees and permit review costs. General Fund and Development Services expenditures would exceed available revenues by \$21,984 in 2000. In 2001 and following years, it is expected that revenues would exceed currently identified annual expenditures by \$60,581.

Street / Arterial Fund:

There are no significant intersection improvements anticipated in Area A-2. Annual expenditures of \$7,044 are expected to cover road overlay costs. In addition, \$5,890 would be needed to fund ongoing road maintenance and operations. Because the annexation would be effective for the last five months of 1999, a proportionate share of expenditures is assumed for 1999.

An inventory of community-wide sidewalk needs indicates that sidewalk needs in Area A-2 are comparable to other parts of the City. Allocation of capital funding for sidewalk improvements would be prioritized through the annual Capital Improvement Program process and would be funded through the Capital Fund instead of the Street / Arterial Fund.

Table 5:

STREET / ARTERIAL FUND	1999	2000	2001 +
Total Revenues	\$ 7,246	\$ 86,405	\$ 28,985
Expenditures:			
Road Overlay	\$ 2,935	\$ 7,044	\$ 7,044
Road Maint./Operations	\$ 2,454	\$ 5,890	\$ 5,890
Total Annual Expenditures	\$ 5,389	\$ 12,934	\$ 12,934
Difference	\$ 1,857	\$ 73,471	\$ 16,050

In 1999, Street/Arterial Fund revenues would exceed expected annual expenditures by \$1,857. Revenue from the Street/Arterial Fund would exceed annual expenditures by \$73,471 in 2000 and \$16,050 for 2001 and following years. Revenues that are in excess of expenditures would be included in the City's Capital Improvement Program and potential capital improvements located in Area A-2 would also be incorporated into the CIP.

Surface Water Fund:

It is expected that \$8,780 would be needed annually to fund surface water maintenance and operations. This figure has been proportionately reduced to estimate expenditures

for 1999. Costs for basin planning and basin wide capital improvements would be allocated based upon a watershed forum or interlocal agreement and are not included in this analysis.

A report prepared by CH2MHill identified approximately 2 outstanding capital projects that would fall between \$10,000 and \$50,000 each. Assuming an average cost per project of \$25,000, approximately \$50,000 would be needed to take care of long term surface water capital needs within Area A-2.

Table 3:

SURFACE WATER FUND	1999	2000	2001 +
Total Revenues	\$ 0	\$ 33,963	\$ 33,963
Expenditures:			
Surface Water Maintenance	\$ 3,658	\$ 8,780	\$ 8,780
Total Annual Expenditures	\$ 3,658	\$ 8,780	\$ 8,780
Net Difference	(\$ 3,658)	\$ 25,183	\$ 25,183
Long Term Surface Water Capital Needs <i>(2 projects identified by CH2MHill drainage study of Area A in November, 1997. These projects are not included in the current 6 year CIP.)</i>		\$ 50,000	

Surface Water Fund revenues would not be available in 1999 to offset \$3,658 in expected expenditures, however, Surface Water Funds would exceed projected revenue by \$25,183 in 2000 and following years. These revenues would be included in the City's Capital Improvement Program and potential capital improvements located in Area A-2 , including the 2 projects identified by CH2MHill, would also be incorporated into the CIP.

Capital Fund:

Capital Fund revenues would fund sidewalk repairs and upgrades, estimated at \$1,760 annually. Other long term capital needs identified by the City include capital costs identified by the draft Parks, Open Space and Recreation Services Plan. This Plan identifies \$165,000 for potential improvements at Brugger's Bog and Ballinger Park. It is anticipated that \$7,600 budgeted by King County for improvements at these sites would be transferred to the City upon annexation to offset a portion of these capital costs. (These projects are not included in the City's CIP and would be prioritized along with other projects as part of the City's annual CIP update following annexation) The Aldercrest Learning Center and former Kellogg Junior High School site could offer

additional parks facility opportunities (subject to School District approval), however, none have been proposed at this time.

Allocation of capital funding for sidewalk improvements would be prioritized through the annual Capital Improvement Program process and would be funded through the Capital Fund instead of the Street / Arterial Fund.

Table 4:

CAPITAL FUND	1999	2000	2001 +
Total Revenues	\$ 7,509	\$ 18,021	\$ 18,021
Expenditures:			
Sidewalk Repair/Upgrade	\$ 733	\$ 1,760	\$ 1,760
Total Annual Expenditures	\$ 733	\$ 1,760	\$ 1,760
Difference	\$ 6,776	\$ 16,261	\$ 16,261
Long Term Potential CIP Projects <i>(Improvements identified by the Parks, Open Space and Recreation Services Plan for Brugger's Bog and Ballinger Parks. These projects are not included in the current 6 year CIP.)</i>		\$ 157,400	

Capital Fund and Street/Arterial Fund revenues would exceed expected annual expenditures by \$ 6,776 in 1999. This figure would increase to \$ 16,261 for 2000 and following years. These revenues would be included in the City's Capital Improvement Program and potential capital improvements located in Area A-2, such as the proposed improvements at Brugger's Bog and Ballinger Park would also be incorporated into the CIP.

Timing of Election, Effective Date and Revenue: In order to qualify for final quarter revenue, the State Office of Financial Management (OFM) has requested a full month review time to certify the census results in advance of the August 31, 1999 population estimate used to allocate state revenues for the final quarter of revenue distributions for 1999. Therefore, the effective date of the annexation would be August 1, 1999.

SUMMARY

Area A-2 is the last remaining portion of unincorporated King County located between the City of Shoreline and the City of Lake Forest Park. The City of Shoreline has concluded that Area A-2 would make a logical annexation. Voters in A-2 have approved annexation to Shoreline with 74% supporting annexation. Ordinance No. 198 would annex Area A-2 to the City of Shoreline on August 1, 1999. This effective date will allow the City to receive quarterly revenue for the final quarter of 1999. Adoption of

this annexation would conclude the process begun by petition of Area A citizens on the first day of the City's incorporation.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 198 annexing Area A-2 to the City of Shoreline effective August 1, 1999 and imposing concurrent zoning.

ATTACHMENTS

Attachment A - Vicinity Map of Annexation Area A-2
Attachment B- Ordinance No. 198 Adopting Annexation
Attachment C- Legal Description Exhibit A
Attachment D- Zoning Map Exhibit B
Attachment E- Revenue Analysis for Annexation Area A-2



ORDINANCE NO. 198

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON,
ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN
AS ANNEXATION AREA A-2 AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, on October 26, 1998, the City Council met and passed Resolution No. 150 calling for an election to be held within the proposed "Annexation Area A-2" on the question of annexation; and

WHEREAS, pursuant to Resolution No. 150 and Chapter 35A.14 RCW, the City Clerk filed a certified copy of Resolution No. 150 with the Clerk of the Metropolitan King County Council and with the King County Boundary Review Board; and

WHEREAS, pursuant to approval by the Boundary Review Board, the City Council passed Ordinance No. 186 calling for an annexation election in the area on May 18, 1999; and

WHEREAS, pursuant to Ordinance No. 186 and the vote of the King County Council, an election was held in the area proposed for annexation on May 18, 1999 with the results of said election being that the voters approved annexation to the City of Shoreline with simultaneous adoption of zoning; and

WHEREAS, the election returns were duly canvassed by the King County Office of Records and Elections, and a certified copy of the abstract of the vote was filed with the City Clerk; and

WHEREAS, the City Council has determined to annex the area proposed for annexation;

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

Section 1. Annexation. The real property commonly known as Annexation Area A-2, more particularly described on Exhibit A, attached hereto and incorporated herein is hereby annexed to and made a part of the City of Shoreline.

Section 2. Zoning. Shoreline Municipal Code, Title 18, and the zoning map adopted as Exhibit A to Ordinance 125 (the pertinent portion of which is attached hereto as Exhibit B) are hereby adopted as the zoning regulations for Annexation Area A-2.

Section 3. Effective Date and Publication. The City shall publish a summary of this Ordinance consisting of its title in the official newspaper of the City. This Ordinance shall be in full force and effect, and the property described on Exhibit A shall be deemed annexed to the City, on August 1, 1999.

PASSED BY THE CITY COUNCIL ON JUNE 28, 1998

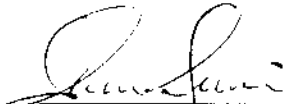
ATTEST:

Sharon Mattioli, CMC
City Clerk

Date of Publication: July 1, 1999
Effective Date: August 1, 1999

Mayor Scott Jepsen

APPROVED AS TO FORM:



Ian Sievers
City Attorney

EXHIBIT A

COMMENCING at the center of Section 4, Township 26 North, Range 4 East W.M.: Thence west along the center of said section line 48.89 feet more or less to the southwesterly margin of Ballinger Road and POINT OF BEGINNING, said point being on the north boundary of the existing City Limits of Lake Forest Park, as established by City Ordinance 153;

Thence continuing west 603.00 feet, more or less, to the southerly extension of the east line of the Plat of Woodford Heights. Volume 66 of Plats, Page 6, Records of King County, Washington;

Thence north along said east line and the northerly extension thereof to a point 75.00 feet north of the northeast corner of said plat;

Thence west, parallel to the north line of said Woodford Heights, 138.11 feet to a point 75.00 feet east of the east line of the Plat of Robins Court, Volume 95 of Plats, Page 4, Records of said county;

Thence north parallel to the east line of said plat 75.00 feet;

Thence west parallel to the north line of said Woodford Heights Plat 75.00 feet to the east line of said Robins Court Plat;

Thence north along the east line of said Plat of Robins Court to the northeast corner thereof;

Thence west along the north line of said Plat of Robins Court to the northwest corner thereof;

Thence south along the west line thereof to the north margin of N.E. 195th Pl.;

Thence west along said north margin to the northeasterly margin of Forest Park Dr. N.E.;

Thence northwesterly along said margin to the east margin of 19th Ave. N.E.;

Thence northerly along said east margin and its extension across said Ballinger Road 100.000 feet, more or less, to the northwest corner of Lot 3, Block 3 Rose Addition No. 2, Volume 34 of Plats, page 26 records of King County, Washington;

Thence easterly along the north line of said Lot 3, to the east line of said Block 3 of said Rose Addition No. 2;

Thence north along the east line thereof to the point of intersection with the westerly extension of the South line of the Plat of Philbrook's Addition, Volume 50 of Plats, page 51, records of said King County;

Thence east along said westerly extended south line and the south line of the plat of Juniper Garden Addition Volume 48 of Plats, page 59, records of said King County, to the west line of the Plat of Alder Crest, Volume 52 of Plats, Pages 52 & 53 Records of King County;

Thence south along said west line of the Plat of Alder Crest to the north margin of N.E. 200th St.;

Thence east along said margin and its easterly extension to the Southeast corner of Lot 2, King County Short Plat Number 278002, recorded under Recording Number 7805241005;

Thence, Northerly along the East line of said Lot 2 of said King County Short Plat to the southeasterly line of the 150-foot wide, City of Seattle transmission line easement;

Thence northwesterly along said line to the west line of the Plat of Aldercrest Terrace, Volume 77 of Plats, Page 73, Records of King County;

Thence south along the west line thereof to the southwest corner of said Plat;

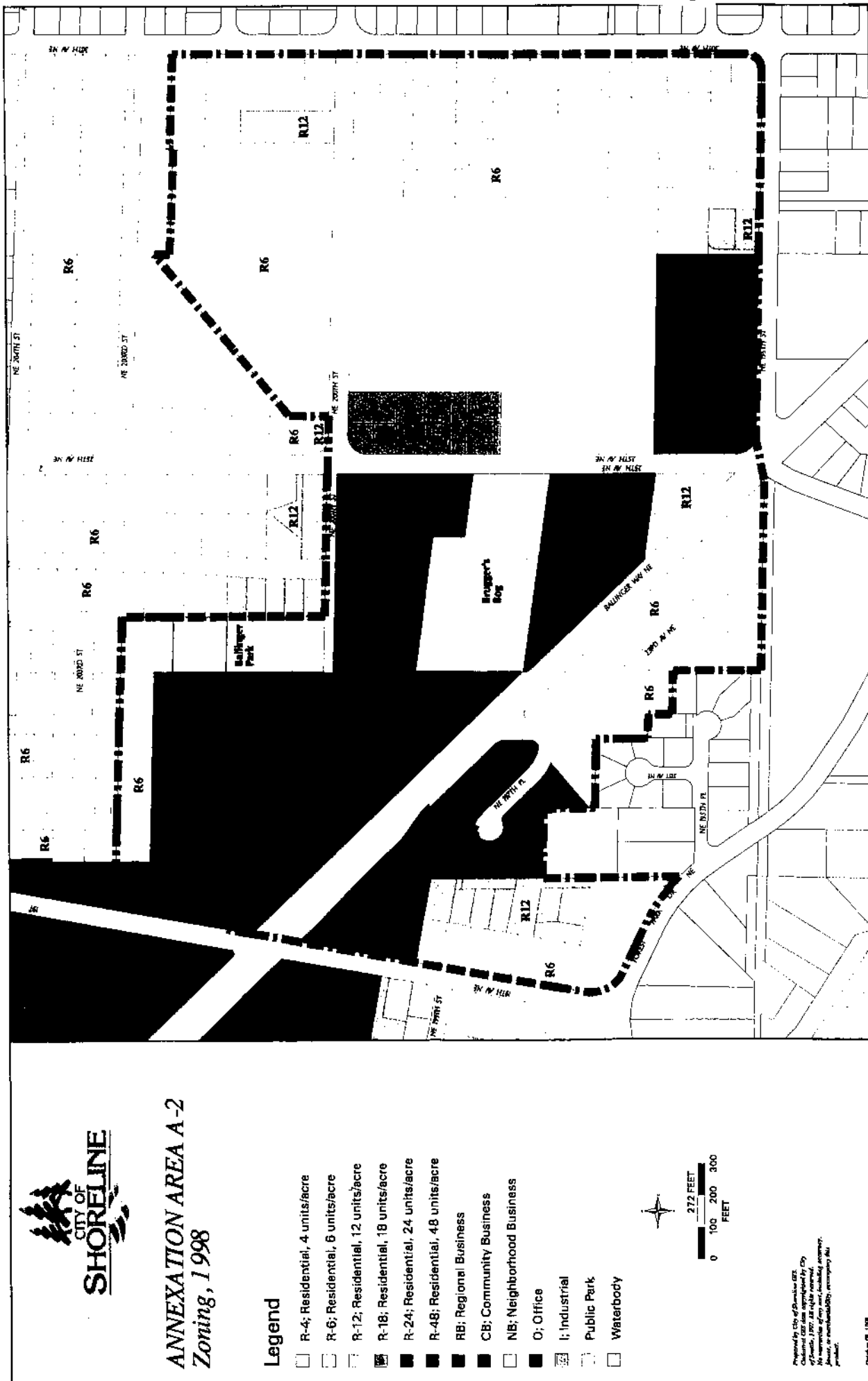
Thence east along the south line of said Plat and the easterly extension of said south line to the west margin of 30th Avenue N.E.;

Thence south along said west margin and its extensions to the north margin of N.E. 195th St.;

Thence west along said north margin to the east line of 25th Ave. N.E.;

Thence south along the Southerly extension of said East line to the point of intersection with the North boundary of the existing city limits of Lake Forest Park, as established by City Ordinance 153;

Thence westerly along said city limits to the POINT OF BEGINNING.



Revenue Scenario for Annexation Area A-2

Revenue Sources	Assumed Effective Date August 1, 1999	Comments
GENERAL FUND		
Property Tax Receipts		
<i>When First Received</i>	April 2001	If the annexation is completed after March 1 of 1999, the City will have to wait until November of 2000 to levy its property tax and will not receive its first revenue until the spring of 2001.
1999 Revenue	0	
2000 Revenue	0	
2001 Revenue	52,800	
Sales and Use Tax		
<i>When First Received</i>	Dec. 1999	There is a three month lag in sales tax which is a function of the time it takes to collect and distribute the money. The City's choice of an annexation date has little effect on the time lag.
1999 Revenue	6,244	
2000 Revenue	74,924	
2001 Revenue	74,924	
Sales Tax Equalization		
<i>When First Received</i>	January 2001	For annexations up to 10,000, the City must notify OFM four weeks before April 1 to receive equalization in January of the following year.
1999 Revenue	0	
2000 Revenue	0	
2001 Revenue	29,765	
<i>Notification Date to OFM</i>	10/30/99	
Motor Vehicle Excise		<u>State shared revenue, begin receiving in September 1999</u>
<i>When First Received</i>	January 2000	1) The OFM notification dates to State agencies for next quarter are November 30, February 28, May 31, or August 31. 2) For annexations up to 10,000, OFM must be notified at least a month before the notification date. 3) Quarterly periods begin January 1, April 1, July 1, & October 1
1999 Revenue	2,995	
2000 Revenue	11,978	
2001 Revenue	11,978	
<i>Notification Date to OFM</i>	10/30/99	
Liquor Profits		
1999 Revenue	1,380	State shared revenue, begin receiving in September 1999
2000 Revenue	5,520	
2001 Revenue	5,520	
Liquor Excise		
1999 Revenue	695	State shared revenue, begin receiving in September 1999
2000 Revenue	2,778	
2001 Revenue	2,778	
Camper Excise		
1999 Revenue	69	State shared revenue, begin receiving in September 1999
2000 Revenue	276	
2001 Revenue	276	
Criminal Justice Pop.		
1999 Revenue	83	State shared revenue, begin receiving in September 1999
2000 Revenue	331	
2001 Revenue	331	

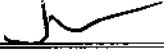
Revenue Scenario for Annexation Area A-2

Revenue Sources	Assumed Effective Date August 1, 1999	Comments
Court Revenue		
1999 Revenue	1,439	Assumes four months of revenue in 1999.
2000 Revenue	4,316	Assumes same per capita basis for whole year.
2001 Revenue	4,316	
Parks Recreation Revenue		
1999 Revenue	1,039	Assumes four months of revenue in 1999.
2000 Revenue	3,118	Assumes same per capita basis for whole year.
2001 Revenue	3,118	
Cable Franchise		
1999 Revenue	0	
2000 Revenue	3,805	Assumes same per capita basis for whole year.
2001 Revenue	3,805	
General Fund Total 1999	\$ 13,943	
General Fund Total 2000	\$ 107,047	
General Fund Total 2001	\$ 189,612	
DEVELOPMENT SERVICES FUND		
Licenses and Permits	20,929	
Dev. Services Fund 1999	\$ 8,720	Assumes five months of revenue in 1999.
Dev. Services Fund 2000	\$ 20,929	
Dev. Services Fund 2001	\$ 20,929	
STREET FUND		
County Road Tax		
When First Received	Upon annexation	One-time diverted County Road Levy would go to the Street Fund
1999 Revenue	0	
2000 Revenue	57,420	
2001 Revenue	0	
Gas Tax		
1999 Revenue	3,606	State shared revenue, begin receiving in September 1999
2000 Revenue	14,426	
2001 Revenue	14,426	
Local Vehicle License Fee		
1999 Revenue	1,954	State shared revenue, begin receiving in September 1999
2000 Revenue	7,815	
2001 Revenue	7,815	

Revenue Scenario for Annexation Area A-2

Revenue Sources	<i>Assumed Effective Date</i> August 1, 1999	Comments
Street Fund 1999	\$ 5,560	
Street Fund 2000	\$ 79,660	
Street Fund 2001	\$ 22,240	
ARTERIAL STREET		
Arterial Street Gas Tax		State shared revenue, begin receiving in September 1999
1999 Revenue	1,686	
2000 Revenue	6,744	
2001 Revenue	6,744	
SURFACE WATER		
1999 Revenue	0	Levied with property tax and not available until 2000.
2000 Revenue	33,963	
2001 Revenue	33,963	
CAPITAL FUND		
Real Estate Excise Tax		Revenue would go to the Capital Improvement Fund
When First Received	Upon annexation	
1999 Revenue	7,509	
2000 Revenue	18,021	
2001 Revenue	18,021	
TOTAL 1999 REVENUE	\$ 37,418	
TOTAL 2000 REVENUE	\$ 266,365	
TOTAL 2001 REVENUE	\$ 291,509	

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Bi-Tech License Agreement Amendment
DEPARTMENT:	Finance
PRESENTED BY:	Joe Meneghini, Finance Director 

EXECUTIVE/COUNCIL SUMMARY

Bi-Tech Software, Inc., the City's financial software vendor, recently contacted the City to request that we amend our license agreement to allow other public agencies to purchase Bi-Tech software through the City's contract, similar to the contract arrangement we have with the State and County that allows us to purchase goods and services through their contracts (savings procurement expenses, time, request for proposals, etc.).

For this consideration, Bi-Tech agrees to offer the City a 100% discount (free) of any new software application up to \$20,000 cap. This offer is conditioned on the following points: that it is valid only if a public agency utilizes the contract provision; that Shoreline has to license the new software applications by 12/31/2001; and last it does not apply to maintenance fees or professional services provided by Bi-Tech. These conditions are reflective of the fact that the proposed license amendment only has value to Bi-Tech if used by a third party and secondly has a limited time frame/utility to third parties based on the City's recent market evaluation of Bi-Tech products still having currency.

As Council recalls the City currently has purchased the core financial application from Bi-Tech (Purchasing, Accounts Payable, Account Receivable, Fixed Assets, General Ledger, Budgeting, Job Ledger, Check Management, Grant Management, and Report Writer).

Applications the City may be able to utilize in the future under the proposed provision but are not part of the current license agreement are: Payroll (\$14,551), Human Resources (\$14,551), Bank Reconciliation (\$3,680), Bar Coding for Fixed Assets (\$2,250), Licensing Application (\$7,875), among others. Prior to the City executing the 100% discount to \$20,000 cap terms of this proposed contract amendment staff would return to your Council with a project need, a scope of work, etc. for authorization similar to how the current financial software system was selected and approved.

Again, third parties may not use this provision or the City may decide not to obtain additional software from Bi-Tech (another software vendor may have the best application). The advantage to third parties is that they can by-pass the request for proposal stage thereby saving three to four months in time and related expenses.

Once the contract is amended no further time involvement of the City staff is required for this amendment to be fully implemented (i.e. when another agency utilizes the provision no staff time would be involved). Nor does the City have any legal obligation, contractual or otherwise created by this new amendment other than permitting other agencies the ability to purchase Bi-Tech products/services through our license.

This amendment is a positive example of a private/public partnership that reflects the development of a mutual relationship that benefits the City beyond the typical vendor relationship.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to execute an amendment to the license agreement permitting other public agencies the ability to purchase software through the City license subject to the noted conditions.

Approved by: City Manager: LB City Attorney: [Signature]

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Ordinance No. 199, creating a New Capital Project with a Budget Amendment of \$153,913 for the Sewer Line Repair and Water Line Relocation at Richmond Beach Saltwater Park and Authorize the City Manager to Execute an Agreement for Engineering Design with CHS Engineering
DEPARTMENT:	Public Works - Facilities
PRESENTED BY:	Bob Wagner, Project Manager <i>BW</i>

EXECUTIVE / COUNCIL SUMMARY

When the City of Shoreline accepted the transfer of park properties from King County in 1997 the City received the Richmond Beach Saltwater Park which transfers its sewage for the lower restroom by a pipeline attached to the side of the overcross bridge to the upper lift (pump) station next to the upper restroom. The sewer line attached to the overcross bridge at Richmond Beach Saltwater Park has experienced severe damage and has split full length sections in several locations. This sewer line is attached to the side of the crosswalk bridge that supports the lower restroom. The sewer pipe line was originally installed on the side of the bridge to support the first restroom built on the beach side, in the 1960s. This same line was also used to connect the new restrooms that were built in 1987.

In order to determine the best available means of repair, three options were analyzed:

- Option A- Replace the existing line in its present location on the side of the bridge
- Option B- Abandon the existing sewer line and install a two-inch line on the bridge deck, requiring a grinder pump system
- Option C- Relocate the existing line underground instead of on the bridge, which would require drilling and installing of a pipe line under the railroad tracks and up to the upper parking lot

Each option was evaluated to see which option had the least impact on the environment, which option was most cost effective and which one provided the City with the best long range investment. The engineering firm of CHS Engineering, Inc., has provided the City with a fee proposal to provide design service and a proposed cost estimate for the repair of the damaged sewer line and relocation of the water line. Of the three options above, CHS has determined that Option C, relocating the sewer line underground is the least costly and has the least environmental impact to the area. CHS is currently providing engineering service to Shoreline Wastewater District, is

currently on the City's consultant roster and has the ability to provide the design service required for this project.

The water line that supports the lower restrooms also is attached to the bridge and is near the end of its expected life. Due to the age of this water line and the fact that this steel pipeline is exposed to the elements, staff believes it is also an opportune time to relocate the waterline off of the bridge. The professional service proposal includes design fees for both the replacement of the sewer line and the waterline.

The preliminary cost estimate for this project to include the sewer line and water line replacement is in excess of \$150,000 which requires the City to place it on our Capital Improvement Program and to put this project out for public bid. The engineering fees to design the replacement of both the sewer and water line are \$24,983. The project itself will be assigned a CIP program number once a budget amendment is approved. This project will be added to the Capital Improvement Projects list for 1999 and will be funded using General Capital Fund balance. The 1999 budgeted ending fund balance in the General Capital Fund is currently \$3,821,890 as was last presented to your Council in May in the 1999 First Quarter Report. The Six-Year Capital Improvement Plan assumed a 1999 ending fund balance of \$1,294,070 based on earlier revenue estimates and plan development which occurred prior to the 1999 City budget process. The major difference between the Capital Improvement Plan and the 1999 Budget is that the Capital Improvement Plan did not include the \$3,094,417 General Fund transfer to the General Capital Fund that was included in the 1999 Budget.

This difference (\$2,527,820), between the 1999 Budget and the Capital Improvement Plan, is available for capital project expenditures without negatively impacting the projects as adopted in the Six-Year Capital Improvement Plan. The Capital Improvement Plan will be updated during the remainder of 1999 to incorporate all new revenue and expenditure estimates.

RECOMMENDATION

Staff recommends that the Council: approve Ordinance No. 199 creating a new Capital Project with a budget amendment for \$153,913, providing funds for the engineering design, bid documents and cost estimate for the repair of this project, and authorize the City Manager to execute an agreement with CHS Engineering, Inc., for design services. Staff will return to Council with a recommendation for bid approval to repair the sewer line and relocate the water line.

Approved By:

City Manager



City Attorney



BACKGROUND / ANALYSIS

When the City accepted transfer of park properties from King County in 1997. The City received the Richmond Beach Saltwater Park which because of the low elevation of its restrooms must use lift stations (pumps) to bring wastewater up to the main sewer lines. The sewer line connecting these lift stations is attached to the side of the pedestrian bridge over Burlington Northern Railroad. The sewer line attached to the pedestrian bridge has broken in several locations. The sewer line is old and brittle, having been installed in the early 1960s for the first restroom built on the beach side and has continued to be used for the new restrooms built by the County in 1987.

Through evaluation of the different options by Shoreline Wastewater District staff, City of Shoreline staff and the preliminary recommendations from CHS Engineering, three options were evaluated to see which option would have the least impact on the environment, would be most cost effective and which one would provide the City with the best long range investment. The three options that were discussed are as follows:

Option A- Replace the existing sewer line in its present location on the side of the bridge.

To repair/replace this option would require the install of Schedule 53 Ductile Iron Pipe with a life span estimate of 50 years plus, with proper maintenance. This option would involve extensive ground work to access the area. The existing bridge is located over four Burlington Northern Railroad tracks that allows resident access to the beach at Richmond Beach Saltwater Park. Accessing the area for repair will take the cooperation and assistance of Burlington Northern Railroad to transport equipment to the area in order to accomplish the repair. In addition to being difficult to access, operating the equipment in the railroad right of way could cause extensive environmental damage to the wetlands thought to exist in the project area. The damage would be caused by the need to create a road along the bridge to allow the repair of the sewer line and possibly also the water line on the side of the bridge. The estimated completion time for construction for this option is six weeks.

Estimated Construction Cost: Without replacement of water line \$138,335
With replacement of water line \$257,795

Option B- Abandon the existing sewer line and install a two-inch line on the bridge deck, requiring a new grinder pump system.

This option has a short life span and a high maintenance cost associated with it. The high density polyethylene plastic pipe has a life span of over 40 years, but the system has a short life span due to heavy usage and the limited ability of the grinder pumps to handle the material that this system would receive. In an attempt to keep the initial repair cost down, this option was discussed. This would include abandoning the existing system and line. To do so would involve the installation of two new grinder pumps that grind up the sewage much as your garbage disposal does at your house, and then pump it uphill. A two-inch high density polyethylene line would be installed on top of the existing bridge deck and would run up to the lift station in the parking lot. The only problem with this type of system is that the pumps burn out on a regular basis and would have to be replaced annually, with an annual estimated cost of \$15,000, plus

installation. The replacement requirement is based on the fact that the park receives heavy use and the sand that is generated by this usage causes extensive damage to the propellers. This type of system also has a tendency to plug up fairly regularly. The estimated completion of this option is four weeks.

Estimated Construction Cost: Without replacement of water line \$76,574
With replacement of water line \$133,318

C- Relocate the existing line with a new direction drill/bore installation.

The directional drill/bore program, would be the preferred method for repairing this project; both from an investment basis and from a low maintenance standpoint. This proposal includes the drilling and installation underground of a four-inch high-density polyethylene plastic line directly from the lower lift station to the upper lift station in the parking lot. The high density polyethylene plastic pipe has a life span of 40 years plus, plus this option will be encased under the tracks in a six inch steel pipe required by Burlington Northern Railroad. This line will be continuous, with no leaks and no maintenance. The project will include the installation of the line under the existing railroad tracks and the removal of that portion of the existing sewer line that is attached to the bridge directly over the tracks, eliminating any liability to the City with the Railroad. The estimated completion schedule for this option is four weeks.

Estimated Construction Cost: Without replacement of water line \$53,160
With replacement of water line \$128,930

Costs for engineering services would be added to the construction costs for either of these options. Of the three options above, CHS Engineering is recommending the direction drill/bore process as the least costly with the least environmental impact to the area. CHS is currently providing engineering service to Shoreline Wastewater District, is currently on the City's consultant roster and has the ability to provide the design service required for this project.

The water line that supports the lower restrooms also is attached to the bridge. If the option to choose the directional drill/bore method of repairing this project is selected, then the consultant is to also relocate the waterline off of the bridge at the same time. The professional service proposal includes design fees for both the replacement of the sewer line and the waterline.

Burlington Northern Railroad has been contacted to explore their involvement and impact on this project. Through discussions with Burlington Northern Railroad, their desire to have the sewer line and water line relocated off of the bridge benefits the City of Shoreline as well by eliminating the liability of a utility line over a railroad track. Staff has initiated an application for a pipeline crossing permit required by Burlington Northern Railroad because this option has been recommended as the preferred method of repair. The main requirement is the pipe line must be placed inside a steel casing under the railroad tracks. The estimated time by Burlington Northern's area engineer for issuance of the permit is 30 days. This permit will allow for the installation of the underground pipelines and any or all activity in the Railroad right of way to accomplish the project. It is estimated that the City should have a pipeline crossing permit approval from Burlington Northern Railroad by the time this project's bid process has been

completed. If the decision to select another means of repair for this project, then an additional right of entry permit will be required adding an additional 30 days to this process.

The City Engineer's recommendation is to relocate the sewer and water lines off of the bridge and install them underground through a directional drill/bore procedure. This line will be installed from the lower lift station in a direct line to the upper lift station underground and under the railroad tracks. This will eliminate any maintenance and will have the least environmental impact on the area. Total costs for engineering and construction would be \$153,913.

RECOMMENDATION

Staff recommends that the Council: approve Ordinance No. 199 creating a new Capital Project with a budget amendment for \$153,913, providing funds for the engineering design, bid documents and cost estimate for the repair of this project, and authorize the City Manager to execute an agreement with CHS Engineering, Inc., for design services. Staff will return to Council with a recommendation for bid approval to repair the sewer line and relocate the water line.

ATTACHMENTS

- A- Preliminary Cost Estimate
- B- Budget Amendment

Richmond Beach Saltwater Park Utility Repair Project

Estimated Costs

Current Cost Estimates

Option A - Replace Sewer Line in existing location.

Engineering fee		\$14,000
Replace sewer line	\$56,800	
Demolition of existing line	<u>\$59,000</u>	
	\$115,800	
Contingency at 10%	\$11,580	
Tax at 8.6%	<u>\$10,955</u>	
Est. Construction Cost	\$138,335	\$138,335

Option A - 1 Replace Water Line in existing location

Additional Engineering fee		\$3,200
Replace Water line	\$65,000	
Demo Water line	<u>\$35,000</u>	
	\$100,000	
Contingency at 10%	\$10,000	
Tax at 8.6%	<u>\$9,460</u>	
Est. Construction Cost	\$119,460	\$119,460
Total construction estimate		\$257,795
Total Engineering estimate		<u>\$17,200</u>
Total Project estimate for Option A		<u>\$274,995</u>

Option B - Sewer Grinder Pumps System

Engineering fee		\$30,000
Install 2 Grinder Pumps and line above bridge	\$56,600	
Demolition of existing line	<u>\$7,500</u>	
	\$64,100	
Contingency at 10%	\$6,410	
Tax at 8.6%	<u>\$6,064</u>	
Estimated Construction Cost	\$76,574	\$76,574

(Add \$7,500 X 2 pumps = \$15,000 per year plus install to the above cost)

Option B-1 Replace Water line on top of bridge

Additional Engineering fee		\$3,200
Water line above bridge	\$40,000	
Demolition of existing line	<u>\$7,500</u>	
	\$47,500	
Contingency at 10%	\$4,750	
Tax at 8.6%	<u>\$4,494</u>	
Estimated Construction Cost	\$56,744	\$56,744
Total est. Construction Cost		\$133,318
Total est. Engineering Cost		<u>\$33,200</u>
Total Project Estimate for Option B		<u>\$166,518</u>

Current Cost Estimate

Option C - Direction Drill/Bore Sewer line

Engineering fee		\$19,755
Direct Drill Program	\$26,000	
Interconnect at both ends	\$9,000	
Demolition of Existing line	<u>\$9,500</u>	
	\$44,500	
Contingency at 10%	\$4,450	
Tax at 8.6%	<u>\$4,210</u>	
Construction Estimate	\$53,160	\$53,160

Option C-1 Direction Drill/Bore Water line

Additional Engineering fee		\$5,228
Directional Drill/Bore	\$22,000	
Demolition of existing line	\$9,500	
Interconnect	<u>\$11,000</u>	
	\$42,500	
Contingency at 10%	\$4,250	
Tax at 8.6%	<u>\$4,020</u>	
Construction Estimate	\$50,770	<u>\$50,770</u>
Construction estimate for replacing water & sewer		\$103,930
Total Engineering estimate		\$24,983
Additional cost for steel casing requirement by BNR		<u>\$25,000</u>
Total Project Estimate		

Total Project Cost Estimate for Option C	<u><u>\$153,913</u></u>
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ORDINANCE 199

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, AMENDING ORDINANCE NO. 184 AS AMENDED, BY AUTHORIZING EXPENDITURES FROM THE GENERAL CAPITAL FUND FOR A CAPITAL PROJECT TO REPAIR AND RELOCATE SEWER AND WATER LINES AT RICHMOND BEACH SALTWATER PARK

WHEREAS, the 1999 Budget was adopted in Ordinance No. 184; and

WHEREAS, during the winter, freezing damage occurred to the sewer lines at Richmond Beach Saltwater Park causing the need for repair and replacement; and

WHEREAS, the City has reviewed repair and replacement options for long-term cost effectiveness, maintenance, and durability, and have arrived at a recommended option for repair and replacement of both the sewer and water lines at Richmond Beach Saltwater Park; and

WHEREAS, the City will need to amend the 1999 budget to authorize the expenditures for the repair and replacement of the sewer and water lines at Richmond Beach Saltwater Park and to add this project to the 1999 Capital Improvement Project list; and

WHEREAS, the City of Shoreline is required by RCW 35A.33.075 to include all revenues and expenditures for each fund in the adopted budget;

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

Section 1. Funds for Richmond Beach Sewer and Water Line Project. The City Manager is hereby authorized to expend an additional sum of \$153,913 from the General Capital Fund fund balance for the design, repair, and relocation of the sewer and water lines from the lower liftstation to the upper liftstation in the parking lot at Richmond Beach Saltwater Park and include this project on the 1999 Capital Improvement Project List.

Section 2. Net Impact on the General Capital Fund. This ordinance increases the expenditure authority for the General Capital Fund by \$153,913 and decreases the budgeted ending fund balance to \$3,667,977.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

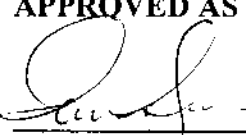
PASSED BY THE CITY COUNCIL ON JUNE ____, 1999.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli
City Clerk



Ian Sievers
City Attorney

Date of Publication: _____, 1999

Effective Date: _____, 1999

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Parks Interlocal Amendment to Transfer Lead Status for Design and Development of the Interurban Trail
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Tim Stewart, Director Kirk McKinley, Transportation Manager

EXECUTIVE / COUNCIL SUMMARY

One of your Council's 1999 goals is to advance the Interurban Trail Project. This report summarizes the remaining steps to have the design funds transferred from King County to Shoreline, to prepare the design, and initiate construction of this high priority trail project.

Your staff has been working with King County staff to transfer the lead responsibility for the design, construction, and maintenance of the Interurban Trail to the City of Shoreline. The purpose of this brief report is 1) to provide you with an update on the process to transfer the responsibility and design funds, 2) to request your authorization for the City Manager to amend the 1997 King County/City of Shoreline Parks and Recreation Interlocal Agreement (Resolution #131) and 3) to authorize the City Manager to sign any other agreements associated with the use of the matching funds.

There are several actions required to fully execute this transfer from King County to Shoreline. These include:

- Amend the 1997 King County/City of Shoreline Parks and Recreation Interlocal Agreement that changes lead responsibility for the Interurban Trail from King County to Shoreline.
- Authorize the City Manager to sign an interlocal agreement accepting \$93,543 of Open Space Reimbursement funds.
- Authorize the City Manager to sign a joint cooperation agreement accepting \$71,447 of Real Estate Excise Tax funds.
- Transferring an agency lead change through the Puget Sound Regional Council that will allow Shoreline to expend the federal funding awarded for the design. These federal funds include \$359,000 from the Congestion Management Air Quality program (CMAQ), and \$30,000 from the Surface Transportation Program/Urban (STP/U) program for a total grant budget of \$389,000.
- Authorize the City Manager to sign funding agreements with the Federal and State government related to the receipt and expenditure of grant funding.

The total funding that we will receive from the grants and from King County is \$553,990. In addition to this amount, the 1989 King County The intent of this funding will be to prepare final construction drawings for the trail corridor including a public outreach effort to revisit and reconfirm the earlier public outreach and design recommendations by King County in the early 1990's. Staff is currently working on selecting an engineering consulting firm to design the trail.

As a result of staff efforts, Shoreline has been recommended by the Regional Project Evaluation Committee for Regional TEA-21 (Transportation Equity Act for the 21st Century) funding to receive \$1,200,000 to construct the northern portion of the trail (approximately 188th to 205th), and by the King County Project Evaluation Committee to receive \$523,579 in Countywide TEA-21 to construct the southern section between 145th and 155th. These sections were selected because of their competitiveness and because they will allow us to be more competitive in subsequent rounds of grant applications. Staff is recommending that we next seek funding for the central section where we will have a large gap, and the ability to potentially utilize private developments (TOP Food) as private match. The Puget Sound Regional Council's (PSRC) Transportation Policy Board still needs to approve the lists that contain these projects -- we anticipate the lists will be approved without modification. In addition to the grant funds, and the transfer of funds from King County, the 1989 King County Open Space Bond Fund identified \$129,500 for acquisition of trail property. This is another resource for the development of this trail project in Shoreline and may only be used for acquisition.

RECOMMENDATION

Authorize the City Manager to: 1) amend the 1997 King County/City of Shoreline Parks and Recreation Interlocal Agreement; 2) sign an interlocal agreement accepting \$93,543 of Open Space Reimbursement funds; 3) sign a joint cooperation agreement accepting \$71,447 of Real Estate Excise Tax funds; and 4) sign funding agreements with the Federal and State government related to the receipt and expenditure of grant funding.

Approved By:

City Manager



City Attorney



BACKGROUND / ANALYSIS

The concept of a trail on the Interurban Corridor was first included in the Shoreline Community Plan of 1980. During the late 1980's King County Parks Department retained Jones and Jones Architects and Landscape Architects to prepare a Design Report for the Shoreline Interurban Trail. The county staff and consultants held three neighborhood workshops in October 1991, and a general public meeting in October 1991. Several meetings were also held with the Chamber of Commerce and other interested groups to gather input. The consultants issued a schematic design report in October 1991. The final report of the Jones and Jones work was issued in April 1992. The report included a recommended alignment and design for the three mile long trail in Shoreline as well as cost estimates for each section. Approximately 1/3 of the system was on-street, and 2/3 utilized the Interurban (Seattle City Light) right-of-way. In 1994/95 King County successfully competed for federal Intermodal Surface Transportation Efficiency Act (ISTEA) funds and was awarded \$359,000 CMAQ, and \$30,000 STP/U to design the trail. King County identified Open Space and REET funds as a match for the grants.

King County and Seattle City Light (SCL) spent several years unsuccessfully negotiating a trail use agreement between the agencies for the development, and maintenance of the planned trail. In December 1998, your Council adopted a franchise agreement with SCL which included an understanding as to how Shoreline and SCL would cooperate on the development of the trail. The franchise agreement and efforts by your staff have resulted in the report before you at this time.

SUMMARY

In order to transfer the project lead from King County to Shoreline and to transfer the design funds, there are several actions required to fully execute this transfer from King County to Shoreline. These include:

- Amending the 1997 King County/City of Shoreline Parks and Recreation Interlocal Agreement (Resolution #131) to change the lead responsibility for the Interurban Trail from King County to Shoreline. This amendment is attached (as Attachment A) in legislative format (underline equals new language, strikeout equals deleted language).
- Authorize the City Manager to sign an interlocal agreement accepting \$93,543 of Open Space Reimbursement funds.
- Authorize the City Manager to sign a joint cooperation agreement accepting \$71,447 of Real Estate Excise Tax funds.
- Transferring an agency lead change through the Puget Sound Regional Council that will allow Shoreline to expend the federal funding awarded for the design. These federal funds include \$359,000 from the Congestion Management Air Quality program (CMAQ), and \$30,000 from the Surface Transportation Program/Urban (STP/U) program for a total grant budget of \$389,000.
- Authorize the City Manager to sign funding agreements with the Federal and State government related to the receipt and expenditure of grant funding.

The total funding that we will receive from the grants and from King County is \$553,990. The intent of this funding will be to prepare final construction drawings for the trail corridor including a public outreach effort to revisit and reconfirm the earlier public outreach and design recommendations by King County in the early 1990's. Assuming the review proceeds smoothly at the county, we would expect to receive the funds from King County in September.

Funding Status

Shoreline has been recommended by the Regional Project Evaluation Committee for Regional TEA-21 (Transportation Equity Act for the 21st Century) funding to receive \$1,200,000 to construct the northern portion of the trail (approximately 188th to 205th), and by the King County Project Evaluation Committee to receive \$523,579 in Countywide TEA-21 to construct the southern section between 145th and 155th. The Puget Sound Regional Councils (PSRC) Transportation Policy Board still needs to approve the lists that contain these projects -- we anticipate the lists will be approved without modification.

Next Steps

Your Public Works staff is prepared to advertise a Request for Qualifications announcement and process to select an engineering/design firm to design the entire trail from 145th to 205th. Staff expects to proceed with advertising for a design consultant and to select a consultant to undertake the design. Beginning this process now in anticipation of receipt of the funding transfer will allow staff to commence the design process once the funds have been transferred and the agreements have been signed (after contract approval). The design process will include a review of the Jones and Jones work, and will investigate options in three areas: the crossing of Aurora between 155th and 160th, the section along Midvale between 175th and to the north edge of Sky Nursery, and the section along the east side of Echo Lake. Your Council will receive a report from staff to execute a contract for the design of this trail in the fall.

RECOMMENDATION

Authorize the City Manager to: 1) amend the 1997 King County/City of Shoreline Parks and Recreation Interlocal Agreement; 2) sign an interlocal agreement accepting \$93,543 of Open Space Reimbursement funds; 3) sign a joint cooperation agreement accepting \$71,447 of Real Estate Excise Tax funds; and 4) sign funding agreements with the Federal and State government related to the receipt and expenditure of grant funding.

ATTACHMENTS

Attachment A – Draft Amendment to the Interlocal Agreement for Parks and Recreation Services Between King County and the City of Shoreline

AMENDMENT TO THE INTERLOCAL AGREEMENT
FOR PARKS AND RECREATION SERVICES
BETWEEN KING COUNTY AND THE CITY OF SHORELINE

Attachment A

The purpose of this amendment is to transfer the lead responsibility for development of the Shoreline Interurban Trail to the City of Shoreline. Trail responsibility is addressed in the interlocal agreement for Parks and Recreation Services dated June 6, 1997, between King County and the City of Shoreline for the provision of park and recreation services to the City. All changes to the existing agreement are contained in this amendment; elements of the original agreement which are not addressed in this amendment remain as stated in that document.

WHEREAS, King County and Shoreline entered into an interlocal agreement on June 6, 1997 which is attached to this amendment as Exhibit A and is incorporated by reference herein, and

WHEREAS, the present interlocal agreement shall remain in effect except as identified in this amendment to the original interlocal agreement, and

WHEREAS, the City has requested lead responsibility in developing the Shoreline Interurban Trail, and

WHEREAS, the parties have authority to enter into and to amend agreements under RCW 39.34, the Interlocal Cooperation Act;

NOW, THEREFORE, the parties mutually agree to the following amendment to the interlocal agreement;

- 3.4 The Shoreline Interurban Trail shall remain a regional trail to be ~~owned-developed,~~
~~maintained~~ and operated by ~~King County~~ the City of Shoreline. ~~The City accepts lead~~
~~responsibility for developing that portion of the Interurban Trail which traverses its~~
~~corporate limits. The City of Shoreline and King County agrees to pursue partnership~~
~~opportunities to develop and maintain the trail, and to support City applications both with~~
~~the City and separately, for funding from Federal, State and regional sources to develop and~~
~~maintain the trail.~~

This amended agreement shall become effective upon the signature of both parties and authorization of both parties, and shall continue in force unless both parties mutually consent in writing to its termination.

KING COUNTY:

CITY OF SHORELINE:

King County Executive

City Manager

Date:

Date:

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Revised City Personnel Policies
DEPARTMENT: Human Resources
PRESENTED BY: Marci Wright, Human Resources Director <i>MW</i>

EXECUTIVE / COUNCIL SUMMARY

The current Personnel Policies were adopted September 23, 1996. Since the current Policies were adopted, it has become obvious that a number of gaps and unclear sections required a thorough review. During the last nine months, City staff has engaged in the process of reviewing the existing policies. The review process included extensive work by an employee committee and the Management Team. Extensive employee involvement was important because of the significance of these policies in the day-to-day working lives of both employees and managers. Since we do not have labor agreements, this document provides certain assurances to employees about working conditions, thus it takes on added significance. The revised draft has also been reviewed by all City employees. We are satisfied that City managers and employees are pleased with the revised draft and are requesting your Council's adoption of revised policies.

Many of the proposed changes could be termed editorial; one of the major efforts was aimed at simplifying and clarifying the existing rules. Several proposed revisions are substantive, however. Significant proposed changes include (see Background/Analysis section for descriptions of these changes):

- ◆ **Revised Definitions of Full-Time Regular, Part-Time Regular and Extra Help Employees** (Attachment A, Sections 3.03, 3.04, 3.05)
- ◆ **Added Orientation Period for Promoted or Transferred Employees** (Attachment A, Section 4.08)
- ◆ **Changed Threshold for Determining Overtime from "time worked" to "time in paid status"** (Attachment A, Section 5.03)
- ◆ **Added Rules for Salary Administration** (Attachment A, Sections 5.07 D, E, F, G, and H)
- ◆ **Added Provision for Out of Class Pay** (Attachment A, Section 5.08)
- ◆ **Added Educational Reimbursement Policy** (Attachment A, Section 5.11)
- ◆ **Added Telecommuting Policy** (Attachment A, Section 5.12)
- ◆ **Added Management Leave Policy** (Attachment A, Section 6.02)

- ◆ **Added Additional Compensation for Non-Exempt Employees Working Holidays** (Attachment A, Section 6.03 G)
- ◆ **Clarifies Administration of Existing Donated Leave Policy** (Attachment A, Section 6.05)
- ◆ **Revises Drug Free Workplace Policy to Prohibit Employees from Drinking at Any Time During the Workday** (Attachment A, Section 8.05 B.1)
- ◆ **Added Workplace Violence Policy** (Attachment A, Section 8.08)

We have attached for your Council's review two different versions of the draft revised policies:

- ◆ A copy of the policies as revised (Attachment A)
- ◆ A copy of the revisions in "bill form" highlighting all proposed additions and deletions to the policies. (Attachment B)

We realize that Attachment B is difficult to read, but we provide it for any Councilmember seeking additional detail concerning any proposed revision.

We have also attached Resolution No. 154, adopting the revised policies. (Attachment C)

RECOMMENDATION

Staff recommends that Council approve Resolution No. 154 adopting the Revised City of Shoreline Personnel Policies.

Approved By: City Manager  City Attorney 

BACKGROUND

The current Personnel Policies were adopted September 23, 1996. Last summer we undertook a review to improve existing policies and to add policies where needed. Human Resources formed an employee committee composed of representatives of all major City departments. The Committee worked for nine months, reviewing proposed revisions and new policies and suggesting desired changes. The employees who served on the Committee were:

Kathy Beals	(Planning and Development Services)
Bill Bettinger	(Parks)
Bob Crozier	(Public Works)
Allan Johnson	(Planning and Development Services)
Kristen Overleese	(Public Works)
Ruth Ann Rose	(City Clerk)
Steve Oleson	(Finance)

Committee members devoted many hours to reviewing, debating and improving the policies and their hard work and dedication resulted in a much improved document.

Human Resources also worked closely with Management Team during this time period to review all proposed changes and to ensure that the policies were improved to better meet management needs.

After the Committee and the Management Team completed their work on the policies, the revised draft was shared with all City employees. Employees were afforded an opportunity for question and comment. We are satisfied that City managers and employees are pleased with the revised draft and are looking forward to adoption of revised policies.

We are now presenting the draft revised personnel policies to your Council.

ANALYSIS

We have attached for your Council's review two different versions of the draft revised policies:

- ◆ A copy of the policies as revised (Attachment A)
- ◆ A copy of the revisions in "bill form" highlighting all proposed additions and deletions to the policies. (Attachment B)

We realize that Attachment B is difficult to read, but we provided it for any Councilmember seeking additional detail concerning any proposed revision.

Many of the proposed changes could be termed editorial; one of the major efforts was aimed at simplifying and clarifying the existing rules. Several proposed revisions are substantive, however. Significant proposed changes include:

- ◆ **Revised Definitions of Full-Time Regular, Part-Time Regular and Extra Help Employees.** Current definitions are confusing and have not been uniformly implemented. The proposed definitions establish a full-time regular employee as one expected to work 40 hours every week during the year; a part-time regular employee as one working at least 20 but less than 40 hours a week during the year; and an extra help employee as one working less than 1040 hours during the year (1040 hours is equivalent to working 20 hours a week for an entire year). (See Sections 3.03, 3.04, 3.05)

Full-time regular employees are entitled to the full range of City provided benefits and regular part-time employees receive a pro-rated share of those benefits; extra help employees only receive mandated benefits (for example, coverage by Worker's Compensation)

- ◆ **Added Orientation Period for Promoted or Transferred Employees.** City Personnel Policies provide for a six month orientation period for all newly hired City employees. 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. Current policies, however, do not allow for a similar evaluation period for newly promoted or transferred employees moving to a new job with the City. The revisions add a 3 month orientation period for promotions and transfers. (See Section 4.08)
- ◆ **Overtime.** The current threshold for a non-exempt employee to earn overtime is to work more than 40 hours in a week. Time spent on a holiday or any type of leave status does not count towards the 40 hours because it is not time actually worked. The proposed policy changes the threshold from "time worked" to "time in paid status". This revision addresses an employee concern that an employee required to work on a weekend following a holiday or other leave is not entitled to overtime. For example, if a CRT employee was called in on the weekend following vacation or Christmas holiday, we believe that employee should earn overtime pay rates. (See Section 5.03)

Some employees had also requested the addition of an eight hour threshold for overtime; this request would have created overtime any time an employee worked over eight hours in a day even if the employee didn't work more than 40 hours in the week. Management opposed the eight hour threshold because it eliminated necessary flexibility. We believe the proposed change to time in paid status represents a reasonable compromise in overtime compensation.

- ◆ **Added Rules for Salary Administration.** We do not currently have salary placement rules for promoted, demoted or transferring employees. To ensure fair and consistent treatment of employees, it is important to have a rule that governs which salary step an employee is placed in the event of promotion, demotion or transfer to a new position. We also have established criteria to determine when a new employee may be hired above step one in the pay range. The proposed policies add provisions for these events and also clarify other details of salary administration. (See Sections 5.07 D, E, F, G, and H)
- ◆ **Added Provision for Out of Class Pay.** The City's compensation system is based on paying employees for performing work described in their classification. Although our classification descriptions are broadly written and allow for a great deal of flexibility in the actual day to day assignment of duties, occasionally managers need to temporarily assign additional duties to employees that are beyond the scope of the classification. We do not currently have a provision for paying an employee assuming a temporary assignment with substantially higher responsibilities. The proposed policies establish a provision for temporary additional pay ("out of class pay") when the assignment exceeds ten working days. (See Section 5.08)
- ◆ **Added Educational Reimbursement Policy.** This proposal provides a mechanism for reimbursing certain educational expenses, consistent with the City's existing Performance Management System and the City Value of Professional Development. To be eligible, the educational opportunity must be tied to improving the employee's skill sets for their current job. (See Section 5.11)

- ◆ **Added Telecommuting Policy.** We have added a policy allowing for telecommuting and providing for consistent administration of telecommuting arrangements. This proposal helps fulfill the City's Commute Trip Reduction requirements by providing an additional alternative to driving to work everyday and also responds to numerous employee requests for this policy. (See Section 5.12)
- ◆ **Added Management Leave Policy.** As required by the federal Fair Labor Standards Act (FLSA), the City pays overtime to employees who are deemed by the FLSA to be non-exempt employees. Employees who are exempt from the FLSA receive no additional compensation for the long hours frequently required of the employees of a new city. Because the FLSA imposed requirements do not always neatly fit with the modern day realities of public sector employment, inequities can result when similarly paid employees differ on eligibility for overtime. To partially address this, we are proposing a new leave policy of three days of management leave for exempt employees. This policy is not intended to fully compensate exempt employees for all the hours beyond 40 required of most exempt positions, but the proposal does provide some additional compensation for affected employees. Exempt employees must use this leave each year or lose it; it cannot be carried into the next calendar year. (Section 6.02)
- ◆ **Added Additional Compensation for Non-Exempt Employees Working Holidays.** The few non-exempt employees currently required to work on holidays do not receive any additional pay for holiday work. The revised policies provide for time and one half pay for a non-exempt employee working on a holiday. (See Section 6.03 G)
- ◆ **Clarifies Administration of Existing Donated Leave Policy.** The revised proposal answers several questions which are unanswered by the current policy: establishes criteria for donating leave; requires the donee employee to have exhausted all leave before becoming eligible to receive donated leave; eliminates the requirement of converting the donated leave to a dollar value (leave is instead valued on an hour for hour basis); makes provision for any unused donated leave. (See Section 6.05)
- ◆ **Revision to Drug Free Workplace Policy.** Revises policy to prohibit use of alcohol during lunch or any other break occurring prior to the end of that employee's workday. The current policy simply prohibits an employee from being under the influence of drugs or alcohol at work. (See Section 8.05 B.1)
- ◆ **Added Workplace Violence Policy.** The City is concerned about increasing violence in society that at times filters into workplaces in the United States. This new policy makes clear that the City will not tolerate any acts or threats violence by or against any employees, customers or visitors to City premises. (See Section 8.08)

RECOMMENDATION

Staff recommends that Council approve Resolution No. 154 adopting the Revised City of Shoreline Personnel Policies.

ATTACHMENTS

Attachment A: Revised Personnel Policies

Attachment B: Bill Form Copy of Revised Personnel Policies

Attachment C: Resolution No. 154

1.00 INTRODUCTION

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

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

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

2.00 APPLICABILITY AND AUTHORITY

- A. Except as hereafter set forth, this Handbook is applicable to all employees of the City except the City Manager who serves at the discretion of the City Council.
- B. The City Manager has designated, in writing, specified senior management positions whose employment is "at will" and employees in those positions shall serve at the discretion of the City Manager. No provisions of this Handbook shall change that at will status.
- C. In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern. If any provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies will not be affected.]
- D. Authority to take personnel actions is vested in the City Manager. This authority shall include but not be limited to hiring, promoting, demoting, evaluating, reclassifying and terminating employees. Authority for personnel actions is frequently delegated to Department Directors and immediate supervisors; however, coordination of all such actions through Human Resources is required.

3.00 DEFINITIONS

3.01 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. A list of exempt positions is maintained by Human Resources.

3.02 Non-exempt Employee

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

3.03 Full Time Regular Employee

An employee hired to work a 40-hour week in a regular position established by the City budget and expected to be an ongoing position.

3.04 Part Time Regular Employee

An employee hired to work an average of at least 20 but less than 40 hours per week in a calendar year in a regular position established by the City budget and expected to be an ongoing position.

3.05 Extra Help Employee

An employee hired for a period expected to not exceed 1040 hours in a calendar year or expected to end in less than a year.

3.06 Immediate Family

Unless defined otherwise in these policies, the employee's grandparent, parent, parent-in-law, foster parent, spouse, child, step child, foster child, grandchild, sister, sister-in-law, brother or brother-in-law. In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager shall decide to approve or deny the request. (The definition of immediate family may be different in certain benefit plans or policies; in those cases, the provisions of those plans or policies will govern.)

3.07 Work Week

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

3.08 Flex-Time

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

3.09 Drugs

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

3.10 City

The City of Shoreline, Washington.

3.11 Intern

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

3.12 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.

3.13 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 shall be made for unpaid time off or other purposes.

3.14 Step Increase Date

The date that is used for the purpose of annual performance review and step increase. Usually the step increase date is the date the employee began work in his or her current position. Adjustments shall be made for unpaid time off or other purposes.

3.15 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.

3.16 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.

3.17 Promotion

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

3.18 Transfer

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

3.19 Demotion

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

3.20 Y-Rating

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

3.21 City Manager

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

3.22 Department Director

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

3.23 Insubordination

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

3.24 Telecommuting

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

3.25 Telecommuter

An employee who has entered into a current Telecommuting Agreement.

3.26 Regular Office

The office to which an employee is generally assigned.

3.27 Alternate Workplace

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

4.00 EMPLOYMENT POLICIES

4.01 Selection

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

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

4.02 Job Posting

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

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

4.03 Reference Checking

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

4.04 Political Activities

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:

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

- B. Use of City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
- C. Directly or indirectly coercing, attempting to coerce, or commanding a state or local officer or employee to pay, lend, or contribute anything of value to any party, committee, organization, agency, or person for political purposes.
- D. Service 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.

If there is a conflict of interest between an employee's elected position outside of the City and his/her 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.

4.05 Conflict of Interest and Code of Ethics

The following standards are established for all City employees. Employees shall emphasize friendly and courteous service to the public and seek to improve the quality and image of public service.

Employees are prohibited from:

- A. Receiving proceeds or having any financial interest in any sale to the City of any service or property when such proceeds or financial interest was received with the prior knowledge that the City intended to purchase such property or obtain such service.
- B. Soliciting or accepting anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City; provided, that the such prohibitions shall not apply to:
 - 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;
 - An award publicly presented in recognition of public service.
 - Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.
 - Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the donor or any other gift that is deemed by the City Manager to be of insignificant value such that it does not present a conflict of interest.

- C. 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.

4.06 Employee Orientation

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

4.07 Orientation Period for Initial Hire

- A. Upon hire to a regular position, each employee will go through a six-month period of orientation. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 6 months at the discretion of the City Manager.
- B. The orientation period is part of the selection process and affords the employee and the City an opportunity to evaluate whether the match between the job and the employee is appropriate.
- C. An employee may be discharged without cause or notice prior to the completion of the 6 month orientation period. Successful completion of the orientation period should not be construed as creating a contract or as guaranteeing employment for any specific duration.
- D. This section shall not apply to at will employees.

4.08 Orientation Period for Promoted or Transferred Employees

- A. A promoted or transferred employee shall serve a 3 month orientation period in the new position. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 3 months at the discretion of the City Manager.
- B. The promoted or transferred employee may be removed from the new position at any time prior to the completion of the orientation period by the Department Director giving written notice of failure to complete the orientation period. The Department Director shall consult with Human Resources before making the decision to remove an employee.
- C. If removed, the employee may return to the position from which he or she promoted or transferred by providing written notice to the Department Director for the former position. This notice must be provided within 5 days of the notice of failure to complete the orientation period.

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

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

4.09 Equal Employment Opportunity

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

4.10 Prohibition of Employee Harassment

The City expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law) which includes behavior by co-workers, supervisors, vendors, citizens, or any other individual or group with whom an employee may come in contact in the course of his/her 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:

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

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
3. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

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

4.11 Discrimination Complaint Procedure

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

- A. If an employee believes he or she has experienced any job related harassment based upon sex, race, color, religion, national origin, marital status, age, sexual orientation or disability, or believes he or she has been treated in an unlawful, discriminatory manner, the employee should promptly report the incident to his or her supervisor. The supervisor will immediately report the information to the Department Director who will consult with Human Resources and together they will determine how to investigate the matter and ensure that appropriate action is taken. Human Resources shall also report the information to the City Manager.
- B. If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee may bypass the supervisor and report the complaint directly to the Department Director or to Human Resources or to the City Manager. The person receiving the report shall consult with other appropriate parties, and together they will determine how to undertake an investigation and ensure appropriate action is taken.
- C. The complaint will be kept confidential to the extent possible.
- D. If the City determines that an employee is guilty of harassing or discriminating against another employee, appropriate disciplinary action will be taken against the offending employee, up to and including termination of employment.
- E. The City prohibits any form of retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.
- F. 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.

4.12 Employment of Immediate Family

- A. Members of the immediate family of City elected officials will not be employed by the City in any capacity.
- B. Members of the immediate family of employees will not be hired if:
 - 1. One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;

2. One individual would be responsible for financially auditing the work of the other;
3. One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or
4. The member of the immediate family (other than a spouse) would be employed in the same department as the employee. Spouses may be employed in the same department if none of the conflicts outlined in **Section 4.12, B. 1-3** exist.

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

4.13 Personnel Files

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

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

4.14 Reporting Improper Governmental Action and Protecting Employees Against Retaliation

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

B. Key Definitions:

1. **Improper Governmental Action** is any action by a City officer or employee that is:
 - a. undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

- b. in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and a specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.
- 2. **Retaliatory Action** means 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, letters of reprimand, 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.
- 3. **Emergency** means a circumstance that if not immediately changed may cause damage to persons or property.
- C. **Reporting Mechanism:** An employee who becomes aware of improper governmental action shall report the action to the Department Director. If the employee reasonably believes that the improper governmental action involves the Department Director, then the employee shall report the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee shall report the action to the Mayor. The person receiving the report shall notify the City Attorney. In an emergency, the employee may report the improper governmental action directly to the government agency with responsibility for investigating the improper action.
- D. **Investigation.** The person receiving the report shall confer with the City Attorney and they shall agree upon an appropriate method of investigation. The person receiving the report shall ensure that prompt action is taken to properly investigate.
- E. **Confidentiality.** The investigation should be conducted as confidentially as possible. Until the investigation is final, the identity of all employees involved shall be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.
- F. When the investigation is completed, the person receiving the report shall advise all employees involved in the investigation of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
- G. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee shall not be entitled to receive the protection against retaliation provided by this policy. Any false or frivolous claims or reporting will be subject to disciplinary action up to and including termination.
- H. **Protection Against Retaliatory Actions.** The City is prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper government action in accordance with this policy.

1. An employee who believes he or she has been retaliated against shall provide written notice of the charge of retaliatory action to the City Manager (or to the City Attorney if the charge is against the City Manager) within 30 days of the alleged retaliatory action. The notice shall specify the alleged retaliatory action and the relief requested.
 2. The City Manager shall have 30 days to respond to the charge.
- I. **Appeal to the State.** Upon receipt of the City Manager's response, or after the 30 day response period, the employee may request a hearing before a state administrative law judge for the purpose of establishing that a retaliatory action occurred and to obtain appropriate relief provided by law. The employee must submit the request for a hearing to the City Manager within 15 days of delivery of the City Manager's response, or within 15 days after the response period has expired. Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).

J. Relief Granted Under The Act

1. Reinstatement, with or without pay.
 2. Injunctive relief necessary to return the employee to the position he or she held before the retaliatory action and to prevent the recurrence of retaliation.
 3. Costs and reasonable attorneys' fees.
 4. Penalty assessed against each individual retaliator or up to \$3,000 plus recommendation to City Manager that retaliator be suspended or dismissed.
 5. State law does not provide for general economic damages or damages for emotional distress.
- K. **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
17544 Midvale Ave. N.
Shoreline, WA 98133
(206) 546-1700

KING COUNTY

King County Ombudsman
213 King County Court House
Seattle, WA 98104
(206) 296-3452

King County Prosecuting Attorney
King County Court House
Seattle, WA
Criminal Division (206) 296-9000
Fraud Division (206) 296-9010
Civil Division (206) 296-9015

STATE OF WASHINGTON

State Auditor's Office
PO Box 40021
Olympia, WA 98504-0021
(360) 753-5280

State Dept. of Ecology
3190 - 160th SE
Bellevue, WA 98008-5852
(206) 649-7000

State Human Rights Commission
402 Evergreen Plaza Bldg. FJ-41
711 South Capitol Way
Olympia, WA 98504-2490

State Dept. of Labor and Industries
300 West Harrison, Room 201
Seattle, WA
(206) 281-5400

UNITED STATES GOVERNMENT

Equal Employment Opportunity Commission
2815 Second Avenue, Suite 500
Seattle, WA
(206) 553-8306

Department of Labor
1111 Third Ave., Suite 715
Seattle, WA
(206) 553-5930

A complete listing of agencies to which complaints of improper governmental action may be made is available from Human Resources.

4.15 Outside Employment

The City expects that it shall be the primary employer for all regular employees. Therefore, employees shall not engage in, accept public or private employment from, or render services for pay for any public or private interest 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. Stem from privileged information or contacts made during City employment which would give an unfair insider advantage;
- E. Take preference over extra duty required by City employment;
- F. Interfere with emergency callout duty;
- G. Tend to impair independence of judgment or action in performance of official duties;
- H. Involve the use of any City resources such as copiers, telephones, supplies, other equipment, or time; or
- I. Interfere in any other manner with the employee's provision of quality customer service

Prior to engaging in any outside employment, an employee shall provide his or her Department Director with written notice of his or her intent to engage in the outside work. If an employee is unsure as to these criteria or the effect of his or her outside employment, he/she should consult with his or her Department Director or the Human Resources Director for clarification. After receiving the employee's request, the Department Director shall consult Human Resources and if the request complies with this policy, the Director may approve the outside employment.

If the Department Director, in consultation with the Human Resources Director, determines that the outside employment interferes with or reduces the efficiency of City employment, then the Director shall recommend to the City Manager that the request to engage in the employment shall be denied. After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager shall make a decision approving or denying the request.

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

5.00 *GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION*

5.01 *Working Hours*

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

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

5.02 *Lunch and Rest Breaks*

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

5.03 Overtime, Standby and Callback (non-exempt employees)

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

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

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

5.04 Compensatory Time (Non-Exempt Employees)

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

5.05 Inclement Weather

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.

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

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

5.06 Performance Management System

Each regular employee's performance will be evaluated by his or her supervisor on an ongoing basis. The City's Performance Management System involves annual evaluations and quarterly reviews. An employee must receive passing scores on both the essential knowledge, skills and abilities and the City values on diversity and ethics in order to receive the annual merit step increase. The System also includes performance development planning. Detailed information concerning the System is contained on the System's forms.

Employees who disagree with their performance evaluations may provide comments on the evaluation form itself and may also submit a rebuttal in writing that will be attached to a copy of their performance evaluation and kept in their official personnel file. Employees may also appeal pursuant to **Section 8.15 Complaint Resolution Procedure**.

5.07 Classification and Compensation Plan

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

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

- A. **Classifications.** A classification description consisting of an appropriate title, description of duties, statement of minimum education, experience and training is prepared and maintained for all regular positions within the City. Each classification is assigned a salary grade and corresponding salary range by the Human Resources Director and the City Manager, with input from the appropriate Department Director. Periodically, the City may revise its classification descriptions and re-evaluate individual jobs.

- B. **Classification Review.** An employee who does not believe that his or her classification accurately reflects the current duties of the position may request a review of his/her classification by the Department Director. . After review by the Department Director and the Human Resources Director, any changes shall be recommended to the City Manager for reclassification as appropriate. The City Manager retains the final authority to approve or disapprove changes in classifications, within budgetary guidelines, and/or assignment of duties to employees. Any changes in classification that would increase an employee's pay rate will be retroactive to the date of submittal of the request for review.
- C. **Steps.** The compensation plan consists of minimum and maximum salaries and six salary steps for each class of positions. The steps are set at 4% increments. Each step is an annual step. Once the top step is reached, the employee remains in the top step as long as the employee remains in the position.
- D. **Starting Rates of Pay:** New employees generally will begin their employment at step 1 of the range for the classification. At the request of a Department Director, the Human Resources Director may recommend to the City Manager that a new employee start at a higher step. The City Manager must give approval prior to offering a salary above step 1. Offers will be extended by either the Human Resources Department or the Department Director.
- Circumstances that support hiring above Step 1 include
1. Additional and directly applicable education or experience above the minimum requirements
 2. Market conditions, including the applicant's current salary, that support a higher starting salary
 3. The proposed higher salary will not create inequities with existing internal salaries
- E. **Step Increase.** Regular employees not at the top step will be considered annually for advancement to the next step. The employee will receive the step increase if approved by the Department Director as part of the employee's annual performance evaluation. The step increase will be effective on the step increase date.
- F. **Promotion.** A regular employee receiving a promotion shall be placed in the first step in the new range that provides for at least a 5% increase or the top step of the new range if there is not step that allows at least a 5% increase. The employee's promotion date becomes the employee's step increase date.

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

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions that support a higher starting salary

3. The proposed higher salary will not create inequities with existing internal salaries
- G. **Transfer.** A regular employee receiving a transfer shall remain in the same step and retain the same step increase date.

H. **Demotion.**

1. **Disciplinary Demotion.** If the demotion is a result of a disciplinary action, the employee shall be placed in the highest step in the new range that provides for a decrease. The demotion date will become the employee's new step increase date.
2. **Any Other Demotion.** If the demotion is a result of any reason other than discipline and the employee's current salary is within the new pay range, the employee shall remain at the same rate of pay until the employee's next step increase date. On the step increase date, the employee shall move to the next step in the new range that provides for an increase. The employee shall retain the same step increase date.

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

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

5.08 Out of Class Pay

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

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

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions that support a higher starting salary
3. The proposed higher salary will not create inequities with existing internal salaries
4. The proposed higher salary is not higher than would be awarded if the employee were promoted into the position.

5.09 Garnishment

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

5.10 Employee Training and Development

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

5.11 Educational Reimbursement Program

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

Under the program, educational reimbursement is provided for courses offered by approved institutions of learning, such as accredited colleges, universities and secretarial and trade schools. Courses must be, in the City's opinion, directly or reasonably related to the employee's present job or consistent with the employee's performance development plan. Courses must not interfere with job responsibilities and must be taken on the employee's own time.

Reimbursement covers actual costs of tuition and registration fees only and is limited to a maximum of six credits per semester or nine credits per quarter for approved courses. The employee must pass the course in order to receive reimbursement.

Employees eligible for reimbursement from any other source (e.g., a government sponsored program or a scholarship) may seek assistance from this program but will be reimbursed only for the difference between the amount received from the other funding source and the actual course cost up to the maximum reimbursement allowable under this policy.

To be eligible for reimbursement, the employee must submit a tuition reimbursement form to his or her supervisor prior to the scheduled commencement of the course(s), receive written approval from the Department Director and Human Resources in advance, be actively employed by the City at the time of course completion and pass the course. The employee should also have raised the issue of pursuing this education as part of the performance development planning discussions of the Performance Management System.

On completion of the course, the employee must submit to the Human Resources Department an official transcript from the school, indicating grade received and a receipt or other official proof of payment.

5.12 Telecommuting Policy

- A. General Policy.** Telecommuting is a management program that may be used to reduce employee commute trips, to accommodate special needs of employees, to increase employee motivation and/or productivity. The City encourages the use of telecommuting as a work option in situations where it will work to the mutual benefit of the employee, the City and the City's customers.
- B. Purpose.** The purpose of this Policy is to define the telecommuting program and the guidelines and rules under which it will operate. Situations may arise where an employee may work at home on a temporary, short term basis to accomplish a particular assignment or project. A temporary arrangement planned for less than one month duration is within management's discretion and does not require compliance with this Policy. All managers, supervisors and telecommuters should be familiar with the contents of this Policy.
- C. Terms of Employment.** Telecommuting does not change salaries, benefits, job responsibilities, sick leave, vacation leave policies or any other basic terms of employment.
- D. Selection.** Telecommuting is only feasible for those tasks within a job which are amenable to being performed away from the regular office. Selection of employees shall not be arbitrary, but shall be based on specific, written work related criteria established by management. Selection may be based upon reasonable accommodation provisions for employees with disabilities. Employee participation in telecommuting is voluntary. Final selection decisions shall be within the sole discretion of the City.
- E. Criteria.** In deciding whether to approve telecommuting arrangements for an employee, managers must consider:
1. the nature of the employee's job and
 2. the employee's demonstrated performance.
- a. Job Characteristics** A job that is appropriate for telecommuting typically has the following characteristics:
- Face-to-face interactions can be scheduled.
 - Internal and external customer needs can be satisfied from the alternate workplace
 - Use of resources that must stay at the regular office can be scheduled (such as reference materials or special equipment)
 - Clear objectives can be set and tasks can be clearly defined
 - Work flow can be scheduled
 - Certain tasks can best be completed during quiet, uninterrupted time.
 - Telecommuting can occur without negatively impacting customer service or other employees' work.
- b. Performance Characteristics** Before allowing an employee to work at an alternate workplace, the manager should determine that the employee has demonstrated the following kinds of performance characteristics:
- Completes assignments independently and on time, meeting the manager's standards for quality
 - Asks for assistance when it is needed

- Communicates effectively with supervisor, co-workers, support staff and customers
- Sets appropriate priorities, changes priorities as needed and maintains a suitable alternate workplace
- Demonstrates dependability and responsibility
- Operates, adjusts and/or repairs computer or other equipment independently, to the degree required at the alternate workplace

F. Scheduling. Telecommuters need regular contact with supervisors and co-workers and access to specialized files and/or equipment. In addition, the supervisor must take actions to prevent the telecommuter from becoming isolated from the regular office staff. Therefore, telecommuters should spend the majority of their work time in the regular office, except under unusual conditions.

Office needs take precedence over telecommute days. A telecommuter must forgo telecommuting if needed in the office on the regularly scheduled telecommute day.

G. Hours of Work and Overtime. All work schedules are discretionary and require management approval. Any work schedule may be approved for an individual telecommuter as long as the work schedule is consistent with the requirements of the employee's position and agreed to by the Department Director. A telecommuter may telecommute for part of a day to avoid peak commute periods.

Overtime and call back must be authorized by management in accordance with these personnel policies. Compensatory time off will be authorized by management in accordance with these personnel policies.

As with any work schedule, changes in work schedules may be made to meet management needs or to accommodate an employee's request and shall be at the discretion of the City.

Normal leave policies apply to any instance where the telecommuter does not perform work at the alternative workplace as scheduled.

H. Equipment and Software

1. **Voucher.** At the start of telecommuting, the City will provide the telecommuter with a one time voucher to be used to purchase or to modify necessary equipment and software. The voucher is paid as reimbursement to the telecommuter for actual purchases and shall be supported by appropriate receipts. The maximum amount of the voucher shall be \$750. In order to be eligible for the voucher, the telecommuter must receive prior written approval of the purchases/modifications and the amount by the manager.
2. **Owner.** The equipment and software purchased by the telecommuter shall become the property of the telecommuter. Any expenses beyond the amount of the voucher shall be the responsibility of the telecommuter.
3. **Reimbursement.** If the telecommuting relationship ends prior to the completion of one year, the employee shall reimburse the City the full amount of the voucher. If the telecommuting relationship ends after one year, but prior to the completion of two years, the employee shall reimburse the City one-half the amount of the voucher. After more than two years of telecommuting, the employee shall not owe the City any reimbursement upon termination of telecommuting.
4. **Network Connections.** Telecommuters connecting their own personal computer equipment to City equipment must obtain advance approval and must follow instructions provided by the City. If the telecommuter makes changes to the computer that result in an incompatible or unsupported PC configuration, the telecommuting agreement may be terminated. The telecommuter must take adequate measures to protect against computer viruses, including scanning any disks for viruses prior to using.
5. **Maintenance, Repair and Replacement.** In the event of equipment malfunction, the telecommuter must notify his/her supervisor immediately. The City will not provide onsite assistance at the alternative workplace, but may be able to provide troubleshooting assistance over the telephone. If repairs will take some time, the telecommuter may be asked to report to the regular office until the equipment is usable.

Repairs to telecommuter owned equipment will be the responsibility of the telecommuter. If necessary equipment is stolen or malfunctions and the telecommuter determines not to replace or repair the equipment, the telecommuting agreement shall be terminated.

1. **Confidential and Sensitive Information.** As with all employees, telecommuters are expected to adhere to all laws, policies, regulations and procedures regarding security and confidentiality for the computer, its data and information and any other information handled in the course of work. Telecommuters must protect confidential information and irreplaceable documents.

J. The Alternate Workplace Environment. Alternate workplaces must be clean and free of safety hazards. The alternate workplace must be in compliance with all building codes. The facility must be free of hazardous materials. The telecommuter is responsible for ensuring his or her alternate workplace complies with these health and safety requirements. Management may deny an employee the opportunity to telecommute or may rescind a telecommuting agreement based on safety of the alternate workplace. Management may also have the alternate workplace inspected for compliance with health and safety requirements. Inspections will be by appointment only.

If a telecommuter incurs a work-related injury while telecommuting, worker's compensation law and policies apply. Telecommuters must notify their supervisors immediately and complete all necessary and/or management requested documents regarding the injury.

The opportunity to participate in the telecommuting program is offered with the understanding that it is the telecommuter's responsibility to ensure a proper work environment is maintained. Telecommuting is not a substitute for dependent care and the telecommuter must make regular dependent care arrangements. Personal disruptions such as non-business telephone calls and visitors must be kept to a minimum. Failure to maintain a proper work environment, as determined by management, provides cause for an employee's immediate termination from the telecommute program.

K. Termination

1. **Termination of Telecommuting Program.** Management may terminate the City's Telecommuting Program for any reason, at any time, with advance written notice to the employees.
2. **Termination of Individual Telecommuter's Participation in Program.** Because participation in telecommuting is a bilateral voluntary agreement, management may terminate an individual telecommuter's participation in the program, without cause, at any time, with advance written notice. Termination of a telecommuter's participation for cause may be immediate and does not require advance written notice. The telecommuter may also request to terminate participation, without cause, at any time. Management will make arrangements for the employee to begin working at the regular office as quickly as possible.

Telecommuting opportunities are based upon program requirements as determined by management. Therefore, employees previously participating in a telecommuting assignment are not assured of a telecommuting assignment when returning from a leave of absence or after a job transfer.

L. Telecommuter's Agreement and Supervisor's Checklist. The Telecommuter's Agreement documents the mandatory policies in effect and the results of any other agreements between the supervisor and the telecommuter. This Agreement must be signed by both parties prior to the start of telecommuting and must be reviewed and renewed at least annually to ensure that the guidelines for participating in the program are well understood. The Supervisor's Checklist provides a way to verify that all essential parts of the start-up of a telecommuting arrangement with an employee have been covered prior to the actual start of telecommuting.

M. Renewal of Telecommuting Agreements Each Agreement should be discussed and renewed at least annually, whenever there is a major job change or whenever the telecommuter or supervisor changes positions. Because telecommuting was selected as a feasible work option based on a combination of job and performance characteristics, a change in any one of these elements may require a review of the telecommuting arrangement.

6.00 EMPLOYEE BENEFITS AND TIME OFF

6.01 Annual Vacation

Regular employees shall be given annual vacation. Regular part-time employees shall accrue vacation based on the ratio of their normally scheduled workweek to a forty-hour week. Extra help employees are not eligible for these benefits. Vacation shall be accrued monthly as follows:

<u>Time</u>	<u>Days</u>	<u>Hours/month</u>
Zero to 12 months	12 days of vacation	8.0 hours
After 1 year employment	13 days of vacation	8.6 hours
After 2 years employment	14 days of vacation	9.3 hours
After 3 years employment	15 days of vacation	10.0 hours
After 4 years employment	16 days of vacation	10.6 hours
After 5 years employment	17 days of vacation	11.3 hours
After 8 years employment	18 days of vacation	12.0 hours
After 10 years employment	19 days of vacation	12.6 hours
After 12 years employment	20 days of vacation	13.3 hours
After 15 years employment	23 days of vacation	15.3 hours

A. The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is equal to two years' accumulation. In cases where City operations have prevented an employee from using vacation time, the Department Director with the approval of the City Manager may allow unused accrual in excess of the amount specified above to be carried over. Vacation leave not used shall be forfeited unless in conformance with the above.

- B. In requesting vacation, employees should consider the City's needs to conduct the public business and to have time to plan for vacation coverage. Managers should respect employees' needs to take vacation. An employee's reasonable request for vacation should be approved unless the granting of the vacation would negatively compromise the business needs of the City. In case of conflict in scheduling vacation leave, normally the earliest request shall be given the preferred vacation choice.
- C. An exempt employee shall not have deductions taken for vacation absences of less than a full day.
- D. In the event of separation from service for any reason other than retirement, the employee shall be paid for any accrued vacation earned and not taken. In the case of retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, the maximum cash out shall be 240 hours.
- E. Vacation for a new employee shall accrue at the above rates but shall not be used until after six months unless special authorization has been granted by the City Manager. The City Manager is authorized to negotiate higher accrual levels and/or starting balances of vacation with individual staff members.

6.02 Management Leave.

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

6.03 Holidays

The following holidays are granted to regular employees as the normal workday off with full pay:

New Years Day	January 1st
Martin Luther King's Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas	December 25th
Personal Day	Two (2) days

Extra help employees are not eligible for these benefits.

- A. A personal day needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason, or as an extension of vacation or sick leave. Non-exempt staff may use these days as a full normal workday or as 16 hours in increments of one or more hours. Exempt staff must utilize a full day at a time.
- B. Personal Days will be awarded effective January 1 of each year. An employee hired July 1 or later will receive only one personal day in that calendar year. Any personal days not used by the end of the calendar year will be forfeited.
- C. If a designated holiday falls on a Saturday, the preceding Friday shall be observed and if the holiday falls on a Sunday, the following Monday shall be observed. If a designated holiday falls on any other regularly scheduled day off, the holiday shall be observed on either the immediately preceding or immediately following work day, as determined by the City Manager.
- D. Employees must be in a pay status on the workday prior to and the workday following a holiday to be eligible for holiday pay.
- E. Regular part-time employees shall observe the established holidays and be compensated for same on a pro rata basis.
- F. If an employee's religious beliefs include observance of a holiday that is not a City holiday, the employee may, with approval of the Department Director, take the day off using a personal day, vacation, compensatory time, or leave without pay.
- G. Nonexempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) shall be paid at time and a half for all hours worked. In the case that an employee works both the actual holiday and the corresponding City recognized holiday, the employee shall only receive the holiday pay for one of the days. The pay shall be for the hours worked on actual holiday, unless the employee makes a written request for pay for the City recognized holiday instead of the actual day. **Example:** Independence Day falls on Sunday, July 4th; the City recognized holiday is Monday, July 5th. Employee A works Sunday and receives time and a half for all hours worked. Employee B works Monday and receives time and a half for all hours worked. Employee C works **both** Sunday and Monday and will be paid time and a half **only** for the hours worked on Sunday, unless he or she makes a written request to be paid time and a half for the hours worked Monday, instead of Sunday.

6.04 Sick Leave

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

- A. Full-time regular employees shall accrue sick leave at the rate of eight hours for each month worked. Regular part-time employees shall accrue sick leave based on a pro-rata amount to reflect their normally scheduled workweek as compared to a full-time workweek of 40 hours. Extra help employees are not eligible for these benefits.
- B. Sick leave may be taken when an employee is ill, injured, disabled (including a disability due to pregnancy or childbirth) or has been exposed to a contagious disease where there is a risk to the health of others, or for medical or dental examinations or treatment when such appointments cannot be scheduled outside of working hours. Sick leave may also be used to care for a member of the immediate family under these conditions.
- C. A regular employee may use sick leave for family leave as provided in **Section 6.06, Family Leave**.
- D. A regular employee may use sick leave when the use of a prescription drug impairs job performance or safety.
- E. After three days of sick leave an employee may be asked to provide a doctor's note or other evidence of inability to work at the discretion of your supervisor or Department Director.
- F. Each employee, or someone on his/her behalf, should inform his/her 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.
- G. If an employee on approved vacation is hospitalized or experiences a similar extraordinary sick leave event, the employee may make a written request to the City Manager to convert the sick leave connected time from vacation leave to sick leave. The City Manager shall consider the facts involved and shall approve or deny the request.
- H. Sick leave accrual is capped at 1040 hours or a pro-rata share for part-time employees.
- I. Upon retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, an employee shall be paid for 10% of their accrued but unused sick leave.
- J. An employee who has an on-the-job injury and receives time loss payments from the Washington Department of Labor and Industries (L & I) may not use sick leave for the same hours for which the employee receives the time loss payment. An employee may use sick leave to supplement the time loss payment for the purpose of continuing to receive his or her normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee otherwise notifies Payroll in writing. If an employee is awarded time loss payments for a period that the employee has already used sick leave or other available leave, the employee shall submit the L & I check to Finance and "buy back" the equivalent amount of leave used. While on time loss, the employee's salary may not exceed the employee's normal salary.

6.05 Donated Leave

- A. **Criteria.** A Department Director, after consulting with Human Resources, may recommend that the City Manager allow a regular employee to receive donated sick leave from another regular employee. The City Manager may approve the donated leave if he or she finds that the employee meets all of the following criteria:
1. The employee needs leave that qualifies for sick leave, which is of an extraordinary or severe nature and that has caused, or is likely to cause, the employee to either go on leave without pay or to terminate employment; and
 2. The employee has depleted all of his or her available leave time; and
 3. The employee has abided by all applicable policies regarding sick leave use; and
 4. The employee has been found ineligible for benefits under Chapter 51.32 RCW (Worker's Compensation).
- B. **Donation.** An employee may donate up to 25 hours annually of his/her sick leave balance. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained. An employee may also choose to donate accrued vacation leave. The donating employee in either case shall submit a written request to Human Resources.
- C. **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.
- D. **Treatment of Leave Remaining.** If more leave is donated than is used, the hours of leave that remain shall be returned to the employee(s) donating the leave on a pro rata basis. Sick leave hours so transferred shall not be utilized for the purposes authorized in **Section 6.04 I.**

6.06 Family Leave

- A. The City complies with the Federal Family and Medical Leave Act of 1993 (the FMLA - 29 U.S.C.A., 2611) and all applicable state laws (RCW 49.78) related to family and medical leave. This policy provides detailed information concerning the terms of FMLA.
- B. **Length of Family Leave and Eligibility:** Eligible employees may take up to 12 weeks of unpaid, family leave every 12 months for certain family and medical reasons. 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.
- C. **Reasons for Taking Leave:** Family leave is provided for any of the following reasons:
1. To care for an employee's child after birth or placement for adoption or foster care.
 2. To care for an employee's spouse child or parent who has a serious health condition.
 3. If a serious health condition makes an employee unable to perform the functions of his or her job.

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.

D. Definitions. For the purposes of this policy, the following definitions apply:

1. **Child:** a) 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
b) 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
2. **Parent:** A biological parent of an employee or an individual who stood in loco parentis to that employee when the employee was a child.
3. **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
 - a) **hospital care:** any period of incapacity or subsequent treatment connected with or consequent to inpatient care (an overnight stay) in a hospital, hospice or residential medical care facility; or
 - b) **absences plus treatment:** any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
 - c) **pregnancy:** any period of incapacity due to pregnancy or for prenatal care; or
 - d) **chronic conditions requiring treatments:** a chronic condition which 1) requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under the direct supervision of a health care provider; 2) continues over an extended period of time; and 3) may cause episodic rather than a continuing period of incapacity;
 - e) **permanent/long term conditions requiring supervision:** a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;

- f) **multiple treatment (non-chronic conditions):** any period of absence to receive multiple treatments (including any period of recovery therefrom) 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.

- 4. **Incapacity:** inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery therefrom.

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

F. **Substitution of Paid Leave:** Certain kinds of paid leave must be substituted for unpaid family leave. Accrued vacation, personal days and comp time must be substituted for any type of family leave. Accrued sick leave must be substituted in the circumstances where City policies allow employees to use sick leave. When paid leave is available and allowed that paid leave must be exhausted before unpaid leave is allowed as family leave.

Both paid and unpaid leave count against the 12- week allowance. The employee is required to notify the City if any leave is used for a reason covered by the family leave.

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

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

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

- H. **Medical Certification.** The City requires the provision of a medical certification to support a request for leave because of a serious health condition (the employee's, or that of a child, spouse or parent) whenever the leave is expected to extend beyond five consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option, at City expense.

The City requires all employees on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave that extends beyond 10 consecutive working days.

- I. **Periodic Reporting:** If an employee takes leave for more than two weeks, the City may require the employee to periodically report on his or her status and intent to return to work.
- J. **Health Insurance:** Employees covered by the City's group health plan (medical, dental or vision) will continue to receive paid health insurance during family leave on the same basis as during regular employment. Employees that do not return to work after the leave will be required to pay back the portion of the insurance premiums paid by the City unless failure to return to work was beyond the employee's control.
- K. **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.
- L. **Couples Employed by The City:** If employees married to each other request leave for the birth, adoption or foster care placement of a child, the total family leave available to the couple is 12 weeks. The City may grant leave to only one parent at time. If the leave requested is due to a serious health condition (the employee's or that of the child, spouse or parent), each employee is independently entitled to 12 weeks.
- M. **Determining Leave Availability:** Family leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the 12-month period is a rolling 12-months measured from the first date any family leave is used. All leave qualifying for family leave shall be designated and tracked as family leave.

N. **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.

O. **Return Rights After Family Leave:** When an employee returns to work after family leave:

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

6.07 Medical Leave of Absence

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

6.08 Continuation of Benefits

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

6.09 Bereavement Leave

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

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

Part-time regular employees shall be entitled to a pro-rata share of bereavement leave, based upon their regular scheduled work hours.

6.10 Court and Jury Duty Leave

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

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

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

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

6.11 Military Leave (Military Training)

Any regular employee may take up to fifteen work days per year for active duty training if he/she is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or Marine Corps Reserves of the United States. This leave is in addition to regular vacation leave.

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

6.12 Leave for Active Duty Military Service

Regular employees who are called to, or volunteer for active duty military service will be placed on an indefinite unpaid leave of absence for the entire time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may, at his or her option, use any or all accrued vacation leave or comp time prior to moving to the unpaid status. Any unused leave accruals remaining at the time the unpaid leave begins will be held until return to active employment with the City. Vacation and sick leave will not accrue during the time of the unpaid leave. The employee may choose to have the City continue to pay for the cost of dependent medical coverage; an employee choosing to do so needs to contact Human Resources to arrange the coverage prior to leaving for active duty.

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

6.13 Leave of Absence Without Pay

The City Manager may grant regular employees a leave of absence without pay for an absence not covered by family leave or medical leave of absence and if all leave balances are exhausted. Examples of situations for which leave without pay may be granted include personal reasons not covered by family leave, such as parenting or caring for an ill relative; other reasons in the best interest of the City and not solely for the employee's personal gain or profit; or fulfilling a lengthy military obligation.

To request a leave of absence without pay, the employee shall submit a written request to the City Manager. The request shall state the reason for and the proposed length of the leave. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave.

7.00 HEALTH AND WELFARE BENEFITS

A number of benefits are provided to regular employees that contribute to total compensation. Complete descriptions of these benefits are available from Human Resources. The benefits that you may receive are as follows:

7.01 Social Security Replacement Plan

All regular employees must participate in a Social Security Replacement Plan (401 a) and Medicare. Extra help employees and interns are also covered by this program.

7.02 Group Insurance

Regular employees and their dependents are generally eligible for medical, dental, vision, long term disability and life insurance as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits. Part-time regular employees and their dependents, if eligible, receive City contributions for such insurance on a pro-rata basis. Extra help employees and interns are not eligible for these benefits.

The City provides an employee assistance program (EAP) for its employees. The program is provided as part of the group medical coverage.

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

7.03 Retirement

The City contributes to the Washington State Public Employees Retirement System (PERS) as prescribed by law. State law determines employee eligibility.

7.04 457 Plan

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

8.00 STANDARDS OF EMPLOYEE CONDUCT

8.01 General Policy

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

8.02 Personal Appearance and Demeanor

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

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

8.03 Absenteeism and Tardiness

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

8.04 Solicitations and Distribution of Literature

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

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

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

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

8.05 Drug-Free Workplace

- A. It is the policy of the City to maintain a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988, other state and federal regulations and in keeping with the City's own standards. Actions in violation of this policy are inconsistent with the behavior expected of employees, subject all employees and visitors to our facilities to unacceptable safety risks and undermine the City's ability to operate effectively and efficiently.
- B. The unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance, alcohol or other intoxicant in the workplace or while engaged in City business on or off the premises or in a City vehicle is strictly prohibited. Such conduct is also prohibited to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City. Therefore:
 - 1. When employees are on the job, they are expected to be physically free from any impairment or substance that could contribute to an injury, property damage, or interfere with productivity. An employee shall not consume any alcohol during lunch or any other break occurring prior to the end of that employee's work day. Workday in this context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be "fit for work".
 - 2. Use or possession of prescription or non-prescription medication is not prohibited when taken in accord with prescription or standard dosage recommendations. However, employees shall notify their supervisors when they are taking over-the-counter or prescription drugs that could prevent the employee from performing his or her job safely and effectively. The employee and supervisor shall work together to determine the employee's fitness for duty or to establish a light duty assignment if available and appropriate. If no agreement is reached, the fitness for duty determination shall be made by the Department Director, after consulting Human Resources.
 - 3. An employee convicted of a controlled substance-related violation must inform the City within five days of such conviction.
 - 4. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.

5. 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; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used in an employer action with regard to the employee.
6. Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances. The City has an employee assistance referral center to assist employees in dealing with personal problems. Details are available from the Human Resources Department.

8.06 Safety

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

8.07 Weapons Policy

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

8.08 Workplace Violence

The City is concerned about the increased violence in society, which has filtered into many workplaces throughout the United States. It is the policy of the City to have zero tolerance of any acts or threats of violence by any employee in or about City facilities or elsewhere at any time. The City will not condone any acts or threats of violence against employees, customers or visitors in or about City premises at any time or while they are engaged in business with or on behalf of the City off City premises.

In keeping with the spirit and intent of this policy and to ensure City objectives in this regard are attained, the City is committed to the following:

- A. To provide a safe and healthful work environment, in accordance with the City safety policy.

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

In furtherance of this policy, employees have a “duty to warn” their supervisors, managers or Human Resources of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve themselves or other employees, customers or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum 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.

8.09 Smoking Policy

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking in City offices and work places, including City owned vehicles, is prohibited. Employees should avoid smoking near building entrances and any open windows. Violation of this policy may be grounds for disciplinary action, up to and including termination.

8.10 General Conduct

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

- A. Insubordination;
- B. Theft or other criminal activity;
- C. General dishonesty including falsifying employment or other City records;
- D. Failing to maintain confidentiality of City information;
- E. 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.

8.11 Searches of Property

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

8.12 E-Mail, Voice Mail and Other Communication Systems and City Equipment

Computers, electronic mail, telephones, voice mail, facsimile machines, copy machines and other information related City equipment are provided to employees to be used for City business purposes. Employees are granted access to the City's e-mail and voice mail systems, but employees should keep in mind that this City equipment, including e-mail and other computer files are supplied for business purposes and may be accessed by other City staff. No message or file monitoring by the City will occur without prior permission of the City Manager.

As a public agency, most City records are public and can be protected from disclosure only as provided by law. As a result, employees must be aware that e-mail, along with most other written documents, may be subject to public disclosure.

Employees are not to attempt to gain access to another employee's computer file, e-mail messages or voice mail messages without that employee's permission.

The City's e-mail, voice mail and other information systems may not be used in a way that could be disruptive or offensive to others. Employees shall not negligently or willfully damage City equipment nor engage in excessive or unauthorized use. The cost of any personal use of equipment should be minimized and must be authorized by the Department Director, recorded and reimbursed to the City.

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

8.13 Corrective Action Procedure

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 who make improvements in their performance or correct the behavior that was a problem.

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

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

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

The following are examples of a pattern of progressive discipline

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

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.

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

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

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion.

8.14 Pre-Disciplinary Hearing.

- A. This section does not apply to at will employees or to employees who have not completed their initial orientation period.
- B. When considering termination or other discipline that would deprive an employee of pay, the City will conduct a pre-disciplinary hearing. The hearing serves as a check against a mistaken decision and as an opportunity for an employee to furnish reasons why he or she should not be disciplined before the decision is finalized.

- C. The employee shall be provided with a notice of the pre-disciplinary hearing. The notice shall include an explanation of the charges on which the potential discipline is based, and the time and date for the hearing.
- D. The hearing will be presided over by the Department Director or a designated representative. The hearings are intended to be informal. The employee will be given an opportunity to explain why the serious discipline should not be taken. The employee may bring one person to the hearing as a representative. If the employee fails or refuses to appear, the Department Director shall determine the discipline without the employee's input.
- E. 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.

8.15 Complaint Resolution Procedure

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.

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

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

- A. **Complaint Defined:** A complaint is a written allegation by an employee or former employee who has been involuntarily terminated that he or she has not been treated according to the personnel policies, or other rules or regulations. Complaints must be initiated within 30 days of the alleged act and a copy of the complaint provided to Human Resources.
- B. **Step 1** - An employee should present the complaint to the supervisor and request time to meet and discuss the complaint. In consultation with Human Resources, the supervisor shall consider the complaint and all relevant information and respond to the employee in a timely manner.

- C. **Step 2** - If the problem is not resolved at Step 1, the employee shall next request a meeting with the Department Director. In consultation with Human Resources, the Department Director will conduct an investigation and review the matter with appropriate persons. The Department Director shall respond to the employee within 10 working days, unless the response will take longer, in which case the director will keep the employee informed when the response will be available.
- D. **Step 3** - If the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, he or she shall request a meeting with the City Manager. The City Manager shall meet with the employee. The City Manager shall also conduct an investigation or otherwise consider information relevant to the complaint.
- E. The City Manager shall issue a decision within 15 working days unless more time is needed, in which case the City Manager shall keep the employee informed of when the response will be available. The City Manager's decision shall be final and binding on the parties.

9.00 SEPARATION FROM EMPLOYMENT

9.01 Resignation

The City expects an employee resigning to give written notice to his/her supervisor at least 14 days in advance of the final working day.

9.02 Unauthorized 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.

9.03 Separation Procedures

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

9.04 Layoff (Reduction in Force)

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

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

- B. Extra help employees performing similar work will be laid off first.
- C. Regular employees will be retained on the basis of their ability to perform the remaining work, and on the basis of the City's ability to meet program needs. Length of service will be taken into consideration when the ability to perform and qualifications of the employees are equal.
- D. Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions may also be explored, at the discretion of the City Manager.
- E. **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. The City will honor an employee's written request to not be placed on or to be removed from the list. When hiring for any vacancy, the Department Director shall first consult Human Resources to determine if any employee on the rehire list is qualified for the vacancy. If there is a qualified employee on the rehire list, the employee shall be offered the position. In the case of more than one qualified employee on the rehire list, the position shall first be offered to the employee with the longest term of service with the City. An employee shall be removed from the list upon rehire by the City, refusal of a City job offer or the expiration of one year, whichever comes first.

1.00 INTRODUCTION

~~This Handbook is intended to provide a framework that will guide you in your employment with the City. We sincerely hope that you will be challenged by the mission of the City, which is to provide high quality, user friendly government services to our citizens. As you become familiar with this mission, you will understand its value to the citizens we serve. The kinds of services we provide offer the opportunity to assist others in many ways. We hope that you will be personally challenged by your participation in the delivery of these services.~~

The Handbook is prepared so that ~~you~~ employees will better understand how the City operates and what is expected of ~~you as an~~ employees. It is a summary of the City's personnel policies and practices, and is intended as a general guide ~~as 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 ~~your~~ the employment relationship ~~with us~~ will be positive, ~~we recognize that~~ things do not always work out as planned. Either ~~of us~~ party may decide to terminate the employment relationship ~~at any time~~. No supervisor, manager or representative of the City, other than the City Manager, has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the contents of this handbook. This handbook is not intended as a contract, express or implied, or as a guarantee of employment for any specific duration. As the need arises, the City may from time to time modify these policies. The City also reserves the right, at its sole discretion, to depart from the guidelines outlined in this handbook, in order to meet the business needs of the City. If you have any questions about any of our policies, please ask your supervisor or Human Resources.

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

2.00 APPLICABILITY AND AUTHORITY

- A. Except as hereafter set forth, this Handbook is applicable to all employees of the City except the City Manager who serves at the discretion of the City Council.
- B. ~~In addition, notwithstanding any other provision of these policies, t~~The City Manager may ~~has~~ designated, in writing, ~~that~~ specified senior management positions whose employment ~~are~~ is "at will" and employees in those positions shall serve at the discretion of the City Manager. No provisions of this Handbook shall change that at will status.~~In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern.~~
- C. In cases where these policies are in conflict with local, state or federal law, the provisions of local, state or federal law will govern. If any provision of these policies or their application to any person or circumstance is held invalid, the remainder of the policies will not be affected.
- D. Authority to take personnel actions is vested in the City Manager ~~or his/her designee~~. This authority shall include but not be limited to hiring, upgrading promoting, downgrading demoting, evaluating, reclassifying and separating terminating employees. ~~In addition, the City Manager or his/her~~

designee shall serve as the coordinator for personnel actions of all departments. It is the policy of the City to Authority for personnel actions is frequently delegated responsibility for personnel actions to Department Directors and immediate supervisors; however, coordination of all such actions through the City Manager or his/her designee Human Resources is required. The Personnel Policies and the Compensation Plan will be reviewed on an annual basis.

3.00 DEFINITIONS

The laws that govern personnel administration have become highly technical and complex. Some definitions referenced in this document are as follows:

-3.01 Exempt Employee

An employee exempt employee acts in a bona fide executive, administrative or professional capacity from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as defined under the Fair Labor Standards Act (FLSA) or by that Act applicable or applicable state law and is designated as such by the City Manager. These employees are not entitled to receive overtime for hours worked in excess of 40 hours in a week. An exempt employee will not have deductions taken (either in pay or reductions to accumulated paid leave balances) for absences of less than a day. A list of exempt positions is maintained by Human Resources.

3.02 Non-exempt Employee

An employee covered by the minimum wage and overtime provisions of the Fair Labor Standards Act. Non-exempt employees are required to be paid overtime or compensatory time at the rate of time and one half their regular rate of pay for all hours worked beyond 40 hours in a work week in accordance with the FLSA, and applicable state laws. Compensatory time may not accumulate beyond 40 hours. A list of non-exempt positions is maintained by Human Resources.

3.03 Full Time Regular Employee (Full-time)

Regular full-time An employees are hired to work a 40-hour40-hour week in a regular position established by the City budget and expected to be an ongoing position for a period of at least five consecutive months in a calendar year. This status does not guarantee employment for any specified length of time.

3.04 Part Time Regular Employee (Part-time)

Regular part-time An employees are hired to work an average of at least 20 but less than 40 hours per week in a calendar year in a regular position established by the City budget and expected to be an ongoing position but less than 40 hours per week for a period of at least five consecutive months in a calendar year.

3.05 Temporary Extra Help Employee

Temporary An employees are employed for an indefinite, fluctuating or intermittent work schedule not to exceed 69 hours in a calendar month for more than four calendar months in any 12-month period hired for a period expected to not exceed 1040 hours in a calendar year or expected to end in less than a year.

3.06 Immediate Family

Unless defined otherwise herein ~~this handbook, these policies,~~ immediate family is defined as the employee's grandparent, parent, parent-in-law, foster parent, spouse, child, step child, foster child, grandchild, sister, sister-in-law, or brother or brother-in-law, ~~and no other persons.~~ In appropriate circumstances, an employee may believe that another individual should be considered a member of the immediate family for the purpose of applying these policies. The employee shall make a written request explaining to Human Resources why the employee believes that this individual should be considered a member of the immediate family. If Human Resources concurs, they shall forward a recommendation to the City Manager for approval. The City Manager shall decide to approve or deny the request. (The definition of immediate family may be different in certain benefit plans or policies; in those cases, the provisions of those plans or policies will govern.)

3.07 Work Week ~~and Work Day~~

~~The work day is defined as a consecutive twenty four (24) hour period. For most employees, the standard work day consists of the period from 12:01 a.m. Sunday to 12:00 midnight Saturday. Where this is not the case, the City Manager will define an appropriate work day and communicate that to the employees.~~

~~The work week is defined as a~~ A ~~fixed and regularly recurring period of one hundred sixty-eight (168) hours; i.e., seven (7) consecutive twenty-four (24) hour periods. The standard work week~~ workweek ~~for most employees consists of the period from midnight 12:01 a.m. Sunday to 11:59 p.m. 12:00 midnight the following Saturday. Where a different work week~~ workweek ~~is required, the City Manager will define an appropriate work week~~ workweek ~~and communicate that to the employees.~~

3.08 Flex-Time

~~Flex time is a~~ A ~~work schedule that permits flexible starting and quitting times or other alternative work schedules within limits set by the respective Department Director. Core hours for the City are 8 AM to 5 PM, Monday through Friday, with the exception of holidays, during which each department is expected to be prepared to serve the public. As the need arises, telecommuting may be permitted, consistent with the standards adopted and published by the City Manager.~~

3.09 Length of Service

~~Length of service is the length of the employee's continuous regular full-time or regular part-time employment with the City since the employee's most recent date of hire. The City Manager may adjust the date of hire under certain circumstances.~~

3.10 Controlled Substances

~~Controlled substances are those whose dissemination is regulated by state or federal law including but not limited to, narcotics, depressants, stimulants, hallucinogens, cannabis and other drugs.~~

3.11 3.09 Drugs

~~Drugs~~ Includes any substance which, ~~in the opinion of an employee's supervisor, impairs an employee's ability to perform his or her job or which poses a threat to the safety of others~~ is controlled in its distribution by federal or state law, including but not limited to, narcotics, depressants, stimulants, hallucinogens, cocaine and cannabis. ~~This definition Does not includes prescription and over-the-counter medications or prescription medication used according to prescription or consistent with standard dosage.~~

3.12 3.10 City

The City refers to the City of Shoreline, Washington.

3.13 ADA

~~The ADA is the Americans with Disabilities Act, a federal law passed in 1990, which prohibits discrimination against individuals with disabilities in the areas of employment, public service (including transportation), public accommodations and services operated by private entities, and telecommunications.~~

3.14 3.11 Interns

~~An intern~~ A position that is a form of on-the-job training that may be either voluntary or on paid status. ~~Sources for interns include trade schools, high schools, colleges and universities.~~

3.15 Independent Contractors

~~Independent contractors are individuals or firms which are defined by the 20 item IRS test and general accounting standards.~~

3.16 3.12 Core Hours

~~Core hours are t~~ Those hours during which ~~non-public safety~~ City offices are open to the public and during which staffing ~~shall be~~ is available to reasonably provide a maximum standard of ~~service to our customers service.~~ Core hours for the City are 8:00 a.m. to 5:00 p.m. Monday through Friday.

3.17 3.13 Anniversary Date

~~The anniversary date for each employee is that~~ The date used for the purpose of calculating leave benefits and length of service. Usually the anniversary date is the date when the employee began first worked for the City, of Shoreline but. ~~Adjustments may shall be made to the anniversary date to allow for unpaid time off, especially in calculating benefits or other purposes.~~

3.14 Step Increase Date

The date that is used for the purpose of annual performance review and step increase. Usually the step increase date is the date the employee began work in his or her current position. Adjustments shall be made for unpaid time off or other purposes.

3.18 — Management

~~Those individuals responsible for developing, directing, and evaluating programs and individuals on behalf of and in support of the City of Shoreline. A list of such individuals is maintained in the Human Resources office.~~

3.15 — 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.

3.16 — 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.

3.17 — Promotion

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

3.18 — Transfer

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

3.19 — Demotion

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

3.20 — Y-Rating

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

3.21 — City Manager

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

3.22 Department Director

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

3.23 Insubordination

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

3.19 Bona Fide

Made in good faith without fraud or deceit.

3.24 Telecommuting

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

3.25 Telecommuter

An employee who has entered into a current Telecommuting Agreement.

3.26 Regular Office

The office to which an employee is generally assigned.

3.27 Alternate Workplace

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

4.00 EMPLOYMENT POLICIES

4.01 Merit Employment Selection

~~It is very important that well qualified employees be hired to fill positions within the City organization. The overall consideration in the selection, placement and retention of employees (both new and existing) is on the basis of merit. The City's policy is to hire the best candidate for any job vacancy. defines merit employment as t~~The best candidate is determined by the strongest match between the knowledge, skills and abilities, and skills of the individual and the work responsibilities of a position. The City will make reasonable efforts to see that selection processes are job related, and to measure a candidate's knowledge, abilities, and skills as related to the work responsibilities of the position.

~~The selection processes for the City include a comprehensive job analysis, a reasonable amount of time to post and advertise the opening, a thorough screening and evaluation of application materials, an interview panel which includes a subject matter specialist, and a detailed check of applicable references. Comprehensive procedures for hiring and selection are maintained in the Human Resources office.~~

~~In order to provide every consideration for active a current City employees who applies for an open position in regard to promotion and or transfer, an interview will be granted provided they are he or she is a good match of knowledge, skills and abilities for any the open positions, and that their promotion or transfer is in the best interests of the City. The employee must make known his/her interest and comply with the application process within the announced timeframe.~~

4.02 Job Posting

~~The City encourages promotion from within the organization. All openings will be posted internally via e-mail so that employees may become aware of openings and apply for positions for which they are interested and qualified. Regular employees shall have preference over Temporary employees. To be eligible to compete for a posted position, an employee must be capable of performing the essential functions of the job, with or without a reasonable accommodation for a disability; be an employee in good standing in terms of overall work record, and have completed their orientation period (ref. 4.07). An independent contractor presently filling a position is also eligible to apply for an internal posting.~~

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

4.03 Reference Checking

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

~~It is the policy of the City to check references on all potential City employees. Written permission of job applicants is required prior to obtaining references. This permission is included on the City's job application form.~~

4.04 Political Activities

~~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:~~

- ~~A. Use of City resources and property- for political activity. may not be utilized, and the activity may not adversely affect the responsibilities of the employees in their official duties. Employees may not campaign on City time or in City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities.~~

B. Use of ~~official~~ City authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office ~~is prohibited~~.

C. Directly or indirectly coercing, attempting to coerce, or commanding, a state or local officer or employee to pay, lend, or contribute anything of value to any party, committee, organization, agency, or person for political purposes ~~is prohibited~~.

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

~~D. An employee cannot sService as an elected official of the City, a member of a City commission, or a member of a City board, and be while an employee of the City at the same time.--~~

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

Violation of any part of this ~~section policy~~ may be ~~sufficient cause~~ grounds for disciplinary action, up to and including immediate termination of employment.

4.05 Conflict of Interest and Code of Ethics

The following standards are established for all City employees. ~~In addition, all provisions of the City of Shoreline Code of Ethics will apply. (See Reference A, "Exhibit A to Resolution #30", attached hereto.)~~ Employees shall emphasize friendly and courteous service to the public and seek to improve the quality and image of public service.

Employees are prohibited from:

- A. ~~It is prohibited to rReceivinge~~ proceeds or ~~haveing~~ any financial interest in any sale to the City of any service or property when such proceeds or financial interest was received with the prior knowledge that the City intended to purchase such property or obtain such service.
- B. ~~It is prohibited to sSoliciting, or accepting~~ anything of economic value as a gift, gratuity, or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action of the City; provided, that the such prohibitions shall not apply to:
- 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;
 - An award publicly presented in recognition of public service.
 - Attendance at a hosted meal where general information is being presented, but where no active consideration of a contract is being discussed.

- Advertising items of no material value which are widely distributed to others under essentially the same business relationship with the donor or any other gift that is deemed by the City Manager to be of insignificant value such that it does not present a conflict of interest.
- C. ~~It is prohibited to~~ disclose confidential information (except as provided for under public disclosure regulations), ~~participating~~ in the making of a contract, ~~accepting~~ providing private employment or ~~providing~~ private services that would be in conflict or incompatible with the performance of official duties as a City employee.
- D. ~~Campaigning for any City of Shoreline election while on City property and/or on City time is prohibited while employed by the City in any capacity.~~

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

4.06 Employee Orientation

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

4.07 Orientation Period for Initial Hire

- A. ~~Upon hire to a regular position, or appointment~~ each employee will go through a six-month period of orientation, ~~or as otherwise determined by the City Manager.~~ Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 6 months at the discretion of the City Manager.
- B. ~~The~~ orientation period is part of the selection process and affords the employee and the City an opportunity to evaluate whether the match between the job and the employee is appropriate. ~~During this time there may be more intensive training and orientation to the job, evaluation, and feedback on performance.~~
- C. An employee may be discharged without cause or notice prior to the completion of the 6 month orientation period. Successful completion of the orientation period should not be construed as creating a contract or ~~an~~ as guaranteeing employment for any specific duration. ~~The employment relationship is "at will", and the employee may resign or be discharged without cause or notice prior to the completion of the orientation period.~~
- D. This section shall not apply to at will employees.

4.08 Orientation Period for Promoted or Transferred Employees

- A. A promoted or transferred employee shall serve a 3 month orientation period in the new position. Upon the recommendation of the Department Director and the Human Resources Director, the orientation period may be extended up to an additional 3 months at the discretion of the City Manager.
- B. The promoted or transferred employee may be removed from the new position at any time prior to the completion of the orientation period by the Department Director giving written notice of failure to complete the orientation period. The Department Director shall consult with Human Resources before making the decision to remove an employee.
- C. If removed, the employee may return to the position from which he or she promoted or transferred by providing written notice to the Department Director for the former position. This notice must be provided within 5 days of the notice of failure to complete the orientation period.
- D. During the orientation period, the promoted or transferred employee may request to voluntarily return to the former position by making a written request to the Department Director for the former position. If the position has not yet been offered to a new employee, the Department Director, after consulting with Human Resources and any other affected department, may approve the return.
- E. This section shall not apply to at will positions.

4.09 Equal Employment Opportunity

It is the intent of the City to provide equal employment opportunity (~~ref: RCW 49.60~~) for all employees and applicants for employment without regard to race, color, religion, gender, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law). This policy applies to all terms and conditions of employment, including, but not limited to: ~~hiring~~, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. If an employee believes that his or her rights under this provision have been violated, please he or she should follow the complaint reporting and resolution process outlined in Section 8.14 in these is handbook policies. (reference)

4.10 Prohibition of Employee Harassment

The City expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, marital status, age, sexual orientation or disability (as defined under state and federal law) of employees, which includes behavior by co-workers, supervisors, vendors, citizens, or any other individual or group with whom an employee may come in contact in the course of his/her 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:

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

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
 3. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- B. Offensive comments, jokes, innuendoes, and other sexually oriented statements or displays.
- ~~C. 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. A list of members of management is maintained in the Human Resources office.~~

~~4.10~~ 4.11 Discrimination Complaint Procedure

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

- A. If an employee believes he or she has experienced any job related harassment based upon sex, race, color, religion, national origin, marital status, age, sexual orientation or disability ~~or any other factor~~, or believes he or she has been treated in an unlawful, discriminatory manner, the employee ~~must~~ should promptly report the incident to his or her ~~the~~ supervisor. The supervisor will immediately report the information to the Department Director who will, who will investigate the matter and take appropriate action, which will include reporting it to consult with Human Resources and together they will determine how to investigate the matter and ensure that appropriate action is taken. Human Resources shall also report the information to the City Manager.
- B. If an employee believes it would be inappropriate to discuss the matter with his or her supervisor, the employee may bypass the supervisor and report the complaint directly to the ~~next highest manager~~ Department Director or to Human Resources ~~and/or to the City Manager. The person receiving the report shall consult with other appropriate parties, any one of whom will immediately and together they will determine how to undertake an investigation and ensure appropriate action is taken.~~
- C. The complaint will be kept confidential to the extent possible.
- D. If the City determines that an employee is guilty of harassing or discriminating discriminating against another employee, appropriate disciplinary ~~action~~ action will be taken against the offending employee, up to ~~and including~~ and including termination of employment.
- E. The City prohibits any form of retaliation against any employee for filing a ~~sincere and genuine~~ good faith complaint under this policy or for assisting in a complaint investigation.

- F. 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.

~~4.11~~ **4.12 Employment of Immediate Family**

- A. Members of the immediate family of City elected officials will not be employed by the City in any capacity.
- B. Members of the immediate family of employees will not be hired if:
1. One individual would have the authority or power to influence decisions, supervise, hire, remove or discipline the other;
 2. One individual would be responsible for financially auditing the work of the other;
 3. One individual would handle confidential material that creates improper or inappropriate exposure to that material by the other; or
 4. The member of the immediate family (other than a spouse) would be employed in the same department as the employee. Spouses may be employed in the same department if none of the conflicts outlined in 4.11 B. 1-3 exist.

If two employees marry, ~~or become related or begin sharing living quarters with one another,~~ and in the judgment of the City Manager, the potential problems noted above exist or could exist, one of the employees will be required to terminate employment unless ~~reasonable accommodation~~ some step can be ~~made taken~~ to eliminate the problem. The decision to define and implement a "reasonable accommodation" 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, ~~become or become~~ related ~~or begin sharing living quarters~~. ~~If a the parties do not make a decision a decision cannot be made by the two parties within 30 days,~~ the City Manager shall make the determination.

~~4.12~~ **4.13 Personnel Files**

~~A confidential personnel file is maintained for each employee. This file contains documentation regarding an employee's tenure with the City including but not limited to such items as job application forms, performance appraisals, benefit enrollments, beneficiary designation forms, I-9 forms, emergency numbers and contacts, disciplinary warning notices, termination actions, and letters of commendation. In general, information kept in the personnel file is information which the employee has seen or has been provided a copy. Official personnel files are maintained by Human Resources. The City Manager may establish a uniform policy for the removal of negative job performance materials from the official personnel file. You~~ An employee hasve the right to inspect his or her ~~your~~ official personnel file at reasonable times during regular business hours. An employee ~~If you~~ wishing to see his or her ~~your~~ personnel file, ~~please should make your request to~~ contact Human Resources. ~~You~~ An employee hasve the right to have a copy of any information in your his or her personnel file.

Personnel files are kept confidential to the maximum extent permitted by law. ~~State law (RCW 42.17.310) exempts information contained in an employee's personnel file to the extent that disclosure would violate the employee's right to privacy. What constitutes a violation of a person's right to privacy is defined as the disclosure of information about the person that would be "highly offensive to a reasonable person", and "is not of legitimate concern to the public" (RCW 42.17.255). The following employee information is considered public information: job classification; pay; tenure; prior employment history, including names of employers, titles or job classifications, duties and responsibilities; education, including the name of institutions attended, dates attended, and degrees obtained; and occupational licensing.~~

~~Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a simple written request for specific information. This request may be made by fax. The employee will be informed by the City Clerk's office that access was granted under the laws regulating public disclosure. Exceptions, such as providing information to state unemployment agencies, both federal and state investigators and the like, may be made by Human Resources with the approval of the City Manager.~~

~~is local government,, a 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.~~

4.13 4.14 Reporting Improper Governmental Action and Protecting Employees Against Retaliation

~~A. In accordance with the Local Government Whistleblower Protection Act, RCW 41.41, i~~It is the policy of the City to encourage reporting by its City employees of improper governmental action taken by the City of Shoreline elected officials or employees, and to protect City employees who have reported improper governmental action in accordance with City policy by providing remedies for retaliation. ~~The law also safeguards legitimate employer interests by encouraging complaints to be made first to the local government and by providing for speedy dispute resolution. An employee may consult with the Human Resources Director for further interpretation of this policy.~~

B. Key Definitions:

1. Improper Governmental Action is any action by a ~~local government~~ City officer or employee that is:

- a. undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and
- b. in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and a specific danger to the public health or safety, or is a gross waste of public funds. "Improper governmental action" does not include personnel actions. In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

2. Retaliatory Action means 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, letters of reprimand, 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.

3. Emergency means a circumstance that if not immediately changed may cause damage to persons or property.

- C. Reporting Mechanism: An Employees who feel becomes aware of that improper governmental action is being undertaken in the performance of official duties must first shall report all findings regarding the action to the department Department Directorhead. If the employee reasonably believes that the improper governmental action involves the department Department Directorhead, then the employee must shall report all findings the action to the City Manager. If the employee reasonably believes that the improper governmental action involves the City Manager, then the employee shall report the action to the Mayor. -In all instances- The person receiving the report to whom these findings are reported will shall notify the City Attorney of all the facts/findings. In an emergency, the employee may report the improper governmental action directly to the government agency with responsibility for investigating the improper action.
- D. Investigation. The person receiving the report shall confer with the City Attorney and they shall agree upon an appropriate method of investigation. The person receiving the report shall ensure that prompt action is taken to properly investigate.
- E. Confidentiality. The investigation should be conducted as confidentially as possible. Until the investigation is final, the identity of all employees involved shall be kept confidential to the extent permitted by law. At all times, the identity of the reporting employees shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.
- F. When the investigation is completed, the person receiving the report shall advise all employees involved in the investigation of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
- G. If an employee fails to make a good faith attempt to follow the provided reporting mechanism, the employee shall not be entitled to receive the protection against retaliation provided by this policy
The City will also report all findings to the local County Prosecuting Attorney. Employees must report governmental improprieties to the City before going to outside entities. Employees can bypass this requirement in the case of an emergency e.g., illegal hazardous waste dumping. In that case the employee would report this directly to the appropriate Federal, State, or local agency.
Employees who fail to make a good faith attempt to report to the local government first when required will not be protected by state law. Any false or frivolous claims or reporting will be subject to disciplinary action up to and including termination.
The identity of a reporting employee shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his/her identity in writing.
- H. PROHIBITIONS: Protection Against Retaliatory Actions
It is unlawful for a local government The City is prohibited from to takinge retaliatory action because against an employee, because he or she has -in good faith, provided information that reported an improper government action in accordance with this policy occurred. The employee must prove a causal link between his reporting and the employer's adverse action. The employee, not a third party, must provide the information regarding the improper government action.

PROCEDURE FOR SEEKING RELIEF:

An Employees who believes he or she has been retaliated against -must shall provide written notice of the charge of retaliatory action to the City Manager (or to the City Attorney if the charge is against the City Manager-within) within 30 days of the alleged retaliatory action.

The notice shall specify the alleged retaliatory action and the relief requested.

~~The City Manager shall direct the notice to the appropriate City staff, for a response.~~ The City Manager/staff shall have 30 days to respond to the charge.

~~H.I. 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 ~~to for the purpose of establishing~~ that a retaliatory action occurred and to obtain appropriate relief ~~as defined in this section provided by law.~~ The employee must submit the request for a hearing to the City Manager within 15 days of delivery of the City Manager's response, or within 15 days after the response period has expired.

Within 5 working days of receipt of a request for hearing, the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge (ALJ).

~~At the hearing, the employee must prove his/her claim by a preponderance of the evidence.~~

~~The final decision of the ALJ is subject to judicial review under the "arbitrary and capricious" standard, meaning that a court may overturn the ALJ's decision if the court determines there was no rational, factual, or legal basis for arriving at such a decision.~~

J. RELIEF GRANTED UNDER THE ACT:

~~A.1.~~ Reinstatement, with or without pay.

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

~~C.3.~~ Costs and reasonable attorneys' fees.

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

~~E.5.~~ State law does not provide for general economic damages or damages for emotional distress.

K. 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
17544 Midvale Ave. N.
Shoreline, WA 98133
(206) 546-1700

KING COUNTY

King County Ombudsman
213 King County Court House
Seattle, WA 98104
(206) 296-3452

King County Prosecuting Attorney
King County Court House
Seattle, WA
Criminal Division (206) 296-9000
Fraud Division (206) 296-9010
Civil Division (206) 296-9015

STATE OF WASHINGTON

State Auditor's Office
PO Box 40021
Olympia, WA 98504-0021
(360) 753-5280__

State Dept. of Ecology
3190 - 160th SE
Bellevue, WA 98008-5852
(206) 649-7000

State Human Rights Commission
402 Evergreen Plaza Bldg. FJ-41
711 South Capitol Way
Olympia, WA 98504-2490

____State Dept. of Labor and Industries
____300 West Harrison, Room 201
____Seattle, WA
(206) 281-5400

UNITED STATES GOVERNMENT

Equal Employment Opportunity Commission
2815 Second Avenue, Suite 500
Seattle, WA
(206) 553-8306

Department of Labor
1111 Third Ave., Suite 715
Seattle, WA
(206) 553-5930

A complete listing of agencies to which complaints of improper governmental action may be made is available from ~~the City Clerk's Office in City Hall~~ Human Resources.

4.14 4.15Outside Employment

The City of Shoreline ~~discourages~~ expects that it shall be the primary employer for all regular ~~full-time~~ employees ~~from holding second jobs, or having an active interest in outside enterprises. Therefore~~ Therefore, employees shall not engage in, accept public or private employment from, or render services for pay for any public or private interest 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. Stem from privileged information or contacts made during City employment which would give an unfair insider advantage
- E. Take preference over extra duty required by City employment
- F. Interfere with emergency callout duty
- G. Tend to impair independence of judgment or action in performance of official duties
- H. Involve the use of any City resources such as copiers, telephones, supplies, other equipment, or time or
- I. Interfere in any other manner with the employee's provision of quality customer service

Prior to engaging in any outside employment, an employee shall provide his or her Department Director with written notice of his or her intent to engage in the outside work. If an employee is unsure as to these criteria or the effect of his or her outside employment, he/she should consult with his or her department directorDepartment Director or the Human Resources Director for clarification. After receiving the employee's request, the Department Director shall consult Human Resources and if the request complies with this policy, the Director may approve the outside employment. If it is the Department Director, in consultation with the Human Resources Director, determinesd that the outside employment interferes with or reduces the efficiency of City employment, then the Director shall recommend to the City Manager that the request to engage in the employment shall be denied. After considering the employee's written request and the recommendation of the Department Director and Human Resources, the City Manager shall make a decision approving or denying the request.

Failure to comply with these provisions concerning outside employment -there may be grounds for disciplinary action, up to and including termination. This decision will be made by the City Manager.

5.00 GENERAL WORKING CONDITIONS AND PERSONNEL ADMINISTRATION

5.01 Working Hours

The ~~work-weekworkweek~~ for regular, full-time employees is 40 hours. The daily hours of work shall be set by the ~~City Manager~~ Department Director with respect to each department as necessary for the efficient operation of the City. ~~Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, holidays excepted.~~ Employees may be requested to work ~~other different~~ schedules, including varying shifts, weekends, holidays and overtime to meet the needs of the City or of specific departments. ~~This Varying schedules or overtime may also be required in emergency situations as defined by the City Manager.~~

Employees may request to work flex time or to job share. Flex time and job share arrangements may not interfere with efficient City operation and must provide for effective service delivery. Flex time and job share must be approved by the Department Director, after consultation with Human Resources. See section 3.07 for definitions of the work day and work week.

5.02 Lunch and Rest Breaks

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

Breaks shall be arranged so as not to interfere with normal business operations. All breaks should be taken away from the employee's immediate work area. Breaks cannot be combined or saved until the end of the day in order to arrive at work late or to leave work early.

5.03 Overtime, Standby and Callback (non-exempt employees)

Overtime: All ~~non-exempt~~ employees ~~classified as non-exempt~~ will receive compensation for approved ~~overtime work time in paid status~~ in excess of 40 hours in a work week. Employees ~~will receive~~ overtime pay will be paid at one and one-half the regular hourly rate of pay, ~~except that employees may request compensatory time off in lieu of overtime pay.~~ All overtime must be authorized in advance by the supervisor. ~~Holidays, sick leave, and vacation time are not counted as hours worked when computing overtime.~~

Standby: ~~Based on service needs, each department may establish a roster of qualified personnel who would be available for callback as defined below, during an emergency situation. A department may assign~~ If an employee who may be needed to work during off-hours, ~~the employee will be placed to be on standby assignment.~~ Standby assignment normally will be rotated among similarly situated employees. ~~An~~ Employees placed on standby shall be provided with a paging device. ~~This will to enable the employee to conduct his or her personal business within range of the paging device. Employees will be expected to report for work within an hour of a request.~~ Each employee on standby will receive \$1.50 per hour compensation at the currently established rate for those hours on standby, and this allowance will be suspended ~~upon~~ when callback commences. Standby is not to be counted as hours worked for purposes of computing overtime or eligibility to receive ~~fringe~~ benefits. Employees on standby will be expected to report for work within an hour of a request. ~~If an employee on standby status fails to respond to a call to return to work, he or she may be subject to disciplinary action.~~

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

5.04 Compensatory Time (Non-Exempt Employees)

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

5.05 Inclement Weather

~~It is important to understand that~~ The City is in the business of providing vital public services and - therefore - ~~This means that the City~~ does not cease its 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.

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 annual vacation leave, compensatory time, or take leave without pay for the time missed. Tardiness due to an employee's inability to report for scheduled work because of severe weather conditions may be allowed up to one hour at the beginning of the work day or at the discretion of the City Manager. Inclement weather or natural disaster tardiness in excess of that allowed by the City Manager shall be charged as provided above.

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

5.06 Performance Reviews Management System

Each regular employee's performance will be evaluated by ~~their~~ his or her supervisor on an ongoing basis. The City's Performance Management System involves annual evaluations and quarterly reviews. An employee must receive passing scores on both the essential knowledge, skills and abilities and the City values on diversity and ethics in order to receive the annual merit step increase. The System also includes performance development planning. Detailed information concerning the System is contained on the System's forms. There will also be periodic written evaluations. Such written evaluations will normally occur on the anniversary date. In addition, if an employee is promoted or transferred to another position, performance will generally be evaluated in writing after six months in the new position. Performance reviews conducted for newly hired or promoted employees should be regarded as a part of the selection and orientation process.

~~All performance reviews will be based on overall performance in relation to job responsibilities and will take into account conduct, demeanor, and record of attendance and tardiness.~~

~~Special written performance evaluations will be conducted to advise employees of the existence of performance problems. This is done to give the employee the opportunity to take corrective action when appropriate. Employees who disagree with their performance evaluations may provide comments on the evaluation form itself and may also submit a rebuttal in writing that will be attached to a copy of their performance evaluation and kept in their official personnel file. Employees may also appeal pursuant to ??? Complaint Resolution Procedure.~~

5.07 Salary Policy Classification and Compensation Plan

~~It is the intent of the City~~ The City has a strong interest in to attract and retaining quality excellent employees. It is the policy of the City to maintain a comprehensive classification and compensation program. Within budget limitations, the City endeavors to pay salaries competitive with those paid within comparable jurisdictions and by other employers in our industry and within the applicable labor market. ~~Salaries are reviewed on an annual basis, and, budgetary restraints permitting, salaries may be granted a COLA at the discretion of the City Council.~~

~~Salary increases may also be received by regular employees if performance meets or exceeds standards after the completion of an annual performance evaluation. The procedures for the granting of increases and the amount shall be established by the City and defined in a compensation plan, and each employee shall receive a copy of the current plan.~~

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

~~5.08~~ Position Classification System

A. Classifications. ~~A classification description consisting of an appropriate title, description of duties, statement of minimum education, experience and training is prepared and maintained for all regular positions within the City. The City maintains a job classification system. Each position is periodically reviewed and classification is assigned a salary grade and corresponding salary range by the Human Resources Director and the City Manager, with input from the appropriate Department Head Director. Each grade is then assigned a corresponding salary range. Periodically, the City may revise its job classification descriptions and re-evaluate individual jobs. Job specifications are reviewed to ensure that they are directly job related and that the essential functions of the job are identified. Additionally, each new position will be assigned a salary grade by the Director of Human Resources with input from the applicable department director, and with final approval of the City Manager~~

~~Classification Review Committee: A Classification Review Committee is established to make recommendations on whether or not individual positions have been allocated to their proper classification. Any position may be reviewed by the Committee upon request of the incumbent employee and/or the department head.~~

C.B. Classification Review. ~~An Employees who does not believe that their his or her classification accurately reflects the current duties of their position may request a review of his/her classification submit a revised job description to their by the dDepartment Directorhead, with a request for review of his/her classification. After review by the dDepartment head Director and the Human Resources Director, the any changes will then be reviewed by the Committee. The Committee shall make be recommendedations 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 or assignment~~ of duties to employees. Any changes in ~~classification which would increase an employee's pay rate~~ classification that would increase an employee's pay rate will be retroactive to the date of submittal of the request for review.

~~The Committee shall consist of two department heads, two non-management employees and the Director of Human Resources. The members of the Committee shall be appointed by the City Manager to serve a one year term. A member of the committee may not review his/her own position.~~

C. Steps. The compensation plan consists of minimum and maximum salaries and six salary steps for each class of positions. The steps are set at 4% increments. Each step is an annual step. Once the top step is reached, the employee remains in the top step as long as the employee remains in the position

~~5.09~~ Salary Administration

~~D. Starting Rates of Pay: New: New employees generally will begin their employment at the minimum step 1 of the range for the classification. At the request of a dDepartment head Director, the Human Resources Director may recommend to the City Manager that a new employee may be started at a higher step, between the minimum and the midpoint, if the department head determines that the best-qualified applicant has experience and qualifications to place him or her above the minimum of the range. In exceptional circumstances, the City Manager may approve compensation above the midpoint, in order to hire the person who is the best match for the City. The City Manager must give approval prior to offering a salary above step 1. Offers will be extended by either the Human Resources Department or the Department Director.~~

Circumstances that support hiring above Step 1 include

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions, including the applicant's current salary, that support a higher starting salary
3. The proposed higher salary will not create inequities with existing internal salaries

Compensation upon Termination: If you terminate employment with the City, you will receive regular wages for all work up to the time of termination. This will include any pay not already paid, any overtime or holiday pay due, and payment of any accrued but unused vacation and compensatory time.

- ~~E. Step Increase. Regular employees not at the top step will be considered annually for advancement to the next step. The employee will receive the step increase if approved by the Department Director as part of the employee's annual performance evaluation. The step increase will be effective on the step increase date.~~
- ~~F. Promotion. A regular employee receiving a promotion shall be placed in the first step in the new range that provides for at least a 5% increase or the top step of the new range if there is not step that allows at least a 5% increase. The employee's promotion date becomes the employee's step increase date.~~

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

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions that support a higher starting salary

3. The proposed higher salary will not create inequities with existing internal salaries
- G. **Transfer.** A regular employee receiving a transfer shall remain in the same step and retain the same step increase date.
- H. **Demotion.**
1. **Disciplinary Demotion.** If the demotion is a result of a disciplinary action, the employee shall be placed in the highest step in the new range that provides for a decrease. The demotion date will become the employee's new step increase date.
 2. **Any Other Demotion.** If the demotion is a result of any reason other than discipline and the employee's current salary is within the new pay range, the employee shall remain at the same rate of pay until the employee's next step increase date. On the step increase date, the employee shall move to the next step in the new range that provides for an increase. The employee shall retain the same step increase date.
- If the employee's current salary is higher than the top step of the new salary range, the employee shall be placed in the top step of the new range.
- J-I. **Y-Rating.** When a regular employee's position has been y-rated, the employee will remain at the same rate of pay until the pay range increases enough to include that rate. At that time, the employee shall be placed in the first step that does not provide for a decrease. No COLA or step increase will be awarded during this period.

5.08 Out of Class Pay

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

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

1. Additional and directly applicable education or experience above the minimum requirements
2. Market conditions that support a higher starting salary
3. The proposed higher salary will not create inequities with existing internal salaries
4. The proposed higher salary is not higher than would be awarded if the employee were promoted into the position.

5.10 5.09 Garnishment

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

5.11 5.10 Employee Training and Development

It is the intent of the City to provide training opportunities to employees for building of skills directly related to the job. These opportunities may include in-house workshops, or workshops and seminars sponsored by other agencies or institutions. ~~Employees are also encouraged to take relevant training courses on their own. Limited reimbursement may be provided for pre-approved job related courses and workshops. (See current applicable financial policies.)~~

5.11 Educational Reimbursement Program

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

Under the program, educational reimbursement is provided for courses offered by approved institutions of learning, such as accredited colleges, universities and secretarial and trade schools. Courses must be, in the City's opinion, directly or reasonably related to the employee's present job or consistent with the employee's performance development plan. Courses must not interfere with job responsibilities and must be taken on the employee's own time.

Reimbursement covers actual costs of tuition and registration fees only and is limited to a maximum of six credits per semester or nine credits per quarter for approved courses. The employee must pass the course in order to receive reimbursement.

Employees eligible for reimbursement from any other source (e.g., a government sponsored program or a scholarship) may seek assistance from this program but will be reimbursed only for the difference between the amount received from the other funding source and the actual course cost up to the maximum reimbursement allowable under this policy.

To be eligible for reimbursement, the employee must submit a tuition reimbursement form to his or her supervisor prior to the scheduled commencement of the course(s), receive written approval from the Department Director and Human Resources in advance, be actively employed by the City at the time of course completion and pass the course. The employee should also have raised the issue of pursuing this education as part of the performance development planning discussions of the Performance Management System.

On completion of the course, the employee must submit to the Human Resources Department an official transcript from the school, indicating grade received and a receipt or other official proof of payment.

5.12 Telecommuting Policy

- A. General Policy.** Telecommuting is a management program that may be used to reduce employee commute trips, to accommodate special needs of employees, to increase employee motivation and/or productivity. The City encourages the use of telecommuting as a work option in situations where it will work to the mutual benefit of the employee, the City and the City's customers.
- B. Purpose.** The purpose of this Policy is to define the telecommuting program and the guidelines and rules under which it will operate. The City recognizes situations may arise where an employee may work at home on a temporary, short term basis to accomplish a particular assignment or project. A temporary arrangement planned for less than one month duration is within management's discretion and does not require compliance with this Policy. All managers, supervisors and telecommuters should be familiar with the contents of this Policy.
- C. Terms of Employment.** Telecommuting does not change salaries, benefits, job responsibilities, sick leave, vacation leave policies or any other basic terms of employment.
- D. Selection.** Telecommuting is only feasible for those tasks within a job which are amenable to being performed away from the regular office. Selection of employees shall not be arbitrary, but shall be based on specific, written work related criteria established by management. Selection may be based upon reasonable accommodation provisions for

employees with disabilities. Employee participation in telecommuting is voluntary. Final selection decisions shall be within the sole discretion of the City.

E. Criteria In deciding whether to approve telecommuting arrangements for an employee, managers must consider:

1. the nature of the employee's job and
2. the employee's demonstrated performance.

a. *Job Characteristics* A job that is appropriate for telecommuting typically has the following characteristics:

- Face-to-face interactions can be scheduled.
- Internal and external customer needs can be satisfied from the alternate workplace
- Use of resources that must stay at the regular office can be scheduled (such as reference materials or special equipment)
- Clear objectives can be set and tasks can be clearly defined
- Work flow can be scheduled
- Certain tasks can best be completed during quiet, uninterrupted time.
- Telecommuting can occur without negatively impacting customer service or other employees' work.

b. *Performance Characteristics* Before allowing an employee to work at an alternate workplace, the manager should determine that the employee has demonstrated the following kinds of performance characteristics:

- Completes assignments independently and on time, meeting the manager's standards for quality
- Asks for assistance when it is needed
- Communicates effectively with supervisor, co-workers, support staff and customers
- Sets appropriate priorities, changes priorities as needed and maintains a suitable alternate workplace
- Demonstrates dependability and responsibility
- Operates, adjusts and/or repairs computer or other equipment independently, to the degree required at the alternate workplace

F. Scheduling Telecommuters need regular contact with supervisors and co-workers and access to specialized files and/or equipment. In addition, the supervisor must take actions to prevent the telecommuter from becoming isolated from the regular office staff. Therefore, telecommuters should spend the majority of their work time in the regular office, except under unusual conditions.

Office needs take precedence over telecommute days. A telecommuter must forgo telecommuting if needed in the office on the regularly scheduled telecommute day.]

G. Hours of Work and Overtime All work schedules are discretionary and require management approval. Any work schedule may be approved for an individual telecommuter as long as the work schedule is consistent with the requirements of the employee's position and agreed to by the Department Director. A telecommuter may telecommute for part of a day to avoid peak commute periods.

Overtime and call back must be authorized by management in accordance with these personnel policies. Compensatory time off will be authorized by management in accordance with these personnel policies.

As with any work schedule, changes in work schedules may be made to meet management needs or to accommodate an employee's request and shall be at the discretion of the City.

Normal leave policies apply to any instance where the telecommuter does not perform work at the alternative workplace as scheduled.

H. Equipment and Software

1. **Voucher** At the start of telecommuting, the City will provide the telecommuter with a one time voucher to be used to purchase or to modify necessary equipment and software. The voucher is paid as reimbursement to the telecommuter for actual purchases and shall be supported by appropriate receipts. The maximum amount of the voucher shall be \$750. In order to be eligible for the voucher, the telecommuter must receive prior written approval of the purchases/modifications and the amount by the manager.
2. **Owner**. The equipment and software purchased by the telecommuter shall become the property of the telecommuter. Any expenses beyond the amount of the voucher shall be the responsibility of the telecommuter.
3. **Reimbursement**. If the telecommuting relationship ends prior to the completion of one year, the employee shall reimburse the City the full amount of the voucher. If the telecommuting relationship ends after one year, but prior to the completion of two years, the employee shall reimburse the City one-half the amount of the voucher. After more than two years of telecommuting, the employee shall not owe the City any reimbursement upon termination of telecommuting.
4. **Network Connections** Telecommuters connecting their own personal computer equipment to City equipment must obtain advance approval and must follow instructions provided by the City. If the telecommuter makes changes to the computer that result in an incompatible or unsupported PC configuration, the telecommuting agreement may be terminated. The telecommuter must take adequate measures to protect against computer viruses, including scanning any disks for viruses prior to using.
5. **Maintenance, Repair and Replacement** In the event of equipment malfunction, the telecommuter must notify his/her supervisor immediately. The City will not provide onsite assistance at the alternative workplace, but may be able to provide troubleshooting assistance over the telephone. If repairs will take some time, the telecommuter may be asked to report to the regular office until the equipment is usable.

Repairs to telecommuter owned equipment will be the responsibility of the telecommuter. If necessary equipment is stolen or malfunctions and the telecommuter determines not to replace or repair the equipment, the telecommuting agreement shall be terminated.

- I. **Confidential and Sensitive Information** As with all employees, telecommuters are expected to adhere to all laws, policies, regulations and procedures regarding security and confidentiality for the computer, its data and information and any other information handled in the course of work. Telecommuters must protect confidential information and irreplaceable documents.
- J. **The Alternate Workplace Environment** Alternate workplaces must be clean and free of safety hazards. The alternate workplace must be in compliance with all building codes. The facility must be free of hazardous materials. The telecommuter is responsible for ensuring his or her alternate workplace complies with these health and safety requirements. Management may deny an employee the opportunity to telecommute or may rescind a telecommuting agreement based on safety of the alternate workplace. Management may also have the alternate workplace

inspected for compliance with health and safety requirements. Inspections will be by appointment only.

If a telecommuter incurs a work-related injury while telecommuting, worker's compensation law and policies apply. Telecommuters must notify their supervisors immediately and complete all necessary and/or management requested documents regarding the injury.

The opportunity to participate in the telecommuting program is offered with the understanding that it is the telecommuter's responsibility to ensure a proper work environment is maintained. Telecommuting is not a substitute for dependent care and the telecommuter must make regular dependent care arrangements. Personal disruptions such as non-business telephone calls and visitors must be kept to a minimum. Failure to maintain a proper work environment, as determined by management, provides cause for an employee's immediate termination from the telecommute program.

K. Termination

1. **Termination of Telecommuting Program** Management may terminate the City's Telecommuting Program for any reason, at any time, with advance written notice to the employees.
2. **Termination of Individual Telecommuter's Participation in Program Because** participation in telecommuting is a bilateral voluntary agreement, management may terminate an individual telecommuter's participation in the program, without cause, at any time, with advance written notice. Termination of a telecommuter's participation for cause may be immediate and does not require advance written notice. The telecommuter may also request to terminate participation, without cause, at any time. Management will make arrangements for the employee to begin working at the regular office as quickly as possible

Telecommuting opportunities are based upon program requirements as determined by management. Therefore, employees previously participating in a telecommuting assignment are not assured of a telecommuting assignment when returning from a leave of absence or after a job transfer.

- L. Telecommuter's Agreement and Supervisor's Checklist** The Telecommuter's Agreement documents the mandatory policies in effect and the results of any other agreements between the supervisor and the telecommuter. This Agreement must be signed by both parties prior to the start of telecommuting and must be reviewed and renewed at least annually to ensure that the guidelines for participating in the program are well understood.

The Supervisor's Checklist provides a way to verify that all essential parts of the start-up of a telecommuting arrangement with an employee have been covered prior to the actual start of telecommuting.

- M. Renewal of Telecommuting Agreements** Each Agreement should be discussed and renewed at least annually, whenever there is a major job change or whenever the telecommuter or supervisor changes positions. Because telecommuting was selected as a feasible work option based on a combination of job and performance characteristics, a change in any one of these elements may require a review of the telecommuting arrangement.

6.00 EMPLOYEE BENEFITS AND TIME OFF

6.01 Annual Vacation

Regular ~~full-time and part-time~~ employees shall be given annual vacation. Regular part-time employees shall accrue vacation based on the ratio of ~~hours actually worked to their normally scheduled workweek~~ to a ~~forty-hour~~forty-hour week. ~~Extra help~~Temporary employees are not eligible for these benefits. Vacation shall be accrued monthly as follows:

Time	Days	Hours/month
Zero to 12 months	12 days of vacation	8.0 hours
After 1 year employment	13 days of vacation	8.6 hours
After 2 years employment	14 days of vacation	9.3 hours
After 3 years employment	15 days of vacation	10.0 hours
After 4 years employment	16 days of vacation	10.6 hours
After 5 years employment	17 days of vacation	11.3 hours
After 8 years employment	18 days of vacation	12.0 hours
After 10 years employment	19 days of vacation	12.6 hours
After 12 years employment	20 days of vacation	13.3 hours
After 15 years employment	23 days of vacation	15.3 hours

- A. The maximum number of vacation hours that may be carried over from December 31 of one year to January 1 of the next year is equal to two years' accumulation, ~~or 240 hours at retirement.~~In cases where City operations have prevented an employee from using vacation time, the ~~department~~Department Directorhead with the approval of the City Manager may allow unused accrual in excess of the amount specified above to be carried over. Vacation leave not used shall be forfeited unless in conformance with the above.
- B. In requesting vacation, employees should consider the City's needs to conduct the public business and to have time to plan for vacation coverage. Managers should respect employees' needs to take vacation. An employee's reasonable request for vacation should be approved unless the granting of the vacation would negatively compromise the business needs of the City. Requests for annual leave must be submitted in writing to your supervisor at least 3 working days in advance. In case of conflict in scheduling ~~vacation~~annual leave, ~~the employee with the longest tenure, and then normally~~ the earliest request shall be given the preferred vacation choice. ~~Each department is responsible for scheduling its employees' vacations according to their own procedures.~~
- C. An exempt employee shall not have deductions taken for vacation absences of less than a full day.
- D. In the event of separation from service for any reason other than retirement, the employee shall be paid for any accrued vacation earned and not taken. In the case of retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, the maximum cash out shall be 240 hours.

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

6.02 Management Leave

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

6.02 6.03 Holidays

The following holidays are granted to regular employees as the normal work day off with full pay:

New Years Day	January 1st
Martin Luther King's Birthday	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11th
Thanksgiving	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas	December 25th
Personal Day	Two (2) days

Extra help employees are not eligible for these benefits.

- A. A personal day needs to be scheduled by mutual agreement of the employee and the supervisor and may be used for any reason, or as an extension of vacation or sick leave. Non-exempt staff may use these days as a full normal workday or as 16 hours in increments of one or more hours. Exempt staff must utilize a full eight hours day at a time.
- B. Personal Days will be awarded effective January 1 of each year. An employee hired July 1 or later will receive only one personal day in that calendar year. Any personal days not used by the end of the calendar year will be forfeited.
- C. If a designated holiday falls on a Saturday, the preceding Friday shall be observed and if the holiday falls on a Sunday, the following Monday shall be observed. If a designated holiday falls on any other regularly scheduled day off, the holiday shall be observed on either the immediately preceding or immediately following workday, as determined by the City Manager.
- D. Employees must be in a pay status on the work day prior to and the work day following a holiday to be eligible for holiday pay.

- E. Regular part-time employees shall observe the established holidays and be compensated for same on a pro rata basis.
- F. If an employee's religious beliefs ~~require~~ include observance of a holiday ~~not included in the basic holiday schedule that is not a City holiday~~, the employee may, with approval of the ~~department~~ **Department Directorhead**, take the day off using a personal day, vacation, compensatory time, or leave without pay.
- G. Nonexempt regular employees working on a holiday (either the actual holiday or the City recognized holiday) shall be paid at time and a half for all hours worked. In the case that an employee works both the actual holiday and the corresponding City recognized holiday, the employee shall only receive the holiday pay for one of the days. The pay shall be for the hours worked on actual holiday, unless the employee makes a written request for pay for the City recognized holiday instead of the actual day. Example: Independence Day falls on Sunday, July 4th, the City recognized holiday is Monday, July 5th. Employee A works Sunday and receives time and a half for all hours worked. Employee B works Monday and receives time and a half for all hours worked. Employee C works both Sunday and Monday and will be paid time and a half only for the hours worked on Sunday, unless he or she makes a written request to be paid time and a half for the hours worked Monday, instead of Sunday.

6.03 6.04 Sick Leave

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

- A. Full-time regular employees shall accrue sick leave at the rate of eight hours for each month worked. Regular part-time employees shall accrue sick leave based on a pro-rata amount to reflect their normally scheduled ~~work weekworkweek~~ as compared to a full-time ~~work weekworkweek~~ of 40 hours. Extra help employees are not eligible for these benefits.
- B. Sick leave may be taken when an employee is ill, injured, disabled (including a disability due to pregnancy or childbirth) or has been exposed to a contagious disease where there is a risk to the health of others, or for medical or dental examinations or treatment when such appointments cannot be scheduled outside of working hours. Sick leave may also be used to care for a family member of the immediate family under these conditions.
- ~~C. You~~ C. A regular employee may also use sick leave for family leave as provided in section 6.04. 6.06.
- ~~D. You~~ A regular employee may use sick leave when the use of a prescription drug impairs job performance or safety.
- E. After three days of sick leave you an employee may be asked to provide a doctor's ~~certificate~~ note or other evidence of inability to work at the discretion of your supervisor or ~~department~~ Department Directorhead.
- F. Each employee, or someone on his/her behalf, should inform his/her 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 ~~that~~ arrangements can be made to cover the absence.

- G. ~~An employee may donate up to 25 hours annually of his/her sick leave balance to a fellow employee who has demonstrated special need for additional sick leave. This will be done upon written request of the donating employee to Human Resources. Donated hours will be converted to a dollar value based upon the donor's straight time hourly rate. This dollar value will be divided by the receiving employee's hourly rate to determine the actual number of hours available to the recipient. The hours donated will be charged to the donor's sick leave bank and budget. Sick leave hours so transferred shall not be utilized for the purposes authorized in 6.03 I. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained.~~
- G. If an employee on approved vacation is hospitalized or experiences a similar extraordinary sick leave event, the employee may make a written request to the City Manager to convert the sick leave connected time from vacation leave to sick leave. The City Manager shall consider the facts involved and shall approve or deny the request.
- H. Sick leave accrual is capped at 1040 hours or a pro-rata share for part-time employees.
- I. Upon retirement as defined by the rules and regulations of the Washington State Public Employees Retirement System, an employee shall be paid for 10% of their accrued but unused sick leave.
- J. An employee who has an on-the-job injury and receives time loss payments from the Washington Department of Labor and Industries (L & I) may not use sick leave for the same hours for which the employee receives the time loss payment. An employee may use sick leave to supplement the time loss payment for the purpose of continuing to receive his or her normal salary. If sick leave is exhausted, the City will use other available leave to supplement the time loss, unless the employee otherwise notifies Payroll in writing. If an employee is awarded time loss payments for a period that the employee has already used sick leave or other available leave, the employee shall submit the L & I check to Finance and "buy back" the equivalent amount of leave used. While on time loss, the employee's salary may not exceed the employee's normal salary.

6.05 Donated Leave

- A. **Criteria.** A Department Director, after consulting with Human Resources, may recommend that the City Manager allow a regular employee to receive donated sick leave from another regular employee. The City Manager may approve the donated leave if he or she finds that the employee meets all of the following criteria:
1. The employee needs leave that qualifies for sick leave, which is of an extraordinary or severe nature and that has caused, or is likely to cause, the employee to either go on leave without pay or to terminate employment; and
 2. The employee has depleted all of his or her available leave time; and
 3. The employee has abided by all applicable policies regarding sick leave use; and
 4. The employee has been found ineligible for benefits under Chapter 51.32 RCW (Worker's Compensation).
- B. **Donation.** An employee may donate up to 25 hours annually of his/her sick leave balance to a fellow employee who has demonstrated special need for additional sick leave. An employee is not eligible to donate sick leave hours unless a balance of 80 hours will be maintained. An

employee may also choose to donate accrued vacation leave. The donating employee in either case shall. This will be done upon submit a written request of the donating employee to Human Resources.

- C. 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 converted to a dollar value based upon the donor's straight time hourly rate. This dollar value will be divided by the receiving employee's hourly rate to determine the actual number of hours available to the recipient. The hours donated will be charged to the donor's sick leave bank and budget.
- D. Treatment of Leave Remaining.** If more leave is donated than is used, the hours of leave that remain shall be returned to the employee(s) donating the leave on a pro rata basis. Sick leave hours so transferred shall not be utilized for the purposes authorized in 6.03 II.

6.04 6.06 Family Leave

A. The City complies with the Federal Family and Medical Leave Act of 1993 (the FMLA - 29 U.S.C.A., 2611) and all applicable state laws (RCW 49.78) related to family and medical leave. This policy provides detailed information concerning the terms of FMLA. -

B. Length of Family Leave and Eligibility:- The FMLA Eligible employees may take provides up to 12 weeks of unpaid, job protected family leave every 12 months to eligible employees for certain family and medical reasons. -To be eligible, an employee must have worked for the City for at least one year, 12 months and for at least 1,250 hours over the previous 12 months.

C. Reasons for Taking Leave: Unpaid FMLA Family leave is granted provided for any of the following reasons:

1. To care for your an employee's child after birth or placement for adoption or foster care.
2. To care for your an spouse employee's spouse, son, daughter child or parent who has a serious health condition.
3. For a If a serious health condition that makes you an employee unable to perform the essential functions of your his or her job.

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.

D. Definitions. For the purposes of this policy, the following definitions apply:

1. **Child:** a) 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 b) 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
2. **Parent:** A biological parent of an employee or an individual who stood in loco parentis to that employee when the employee was a child.
3. **Serious Health Condition:** An injury, illness, impairment or physical or mental condition that involves:
 - a) hospital care: any period of incapacity or subsequent treatment connected with or consequent to inpatient care (an overnight stay) in a hospital, hospice or residential medical care facility; or

- b) **absences plus treatment:** any period of incapacity of more than three consecutive calendar days including any subsequent treatment or period of incapacity relating to the same condition that also involves 1) treatment 2 or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider; or 2) treatment by a health care provider on at least 1 occasion which results in a regimen of continuing treatment under the supervision of a health care provider;
- c) **pregnancy:** any period of incapacity due to pregnancy or for prenatal care; or
- d) **chronic conditions requiring treatments:** a chronic condition which 1) requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under the direct supervision of a health care provider; b) continues over an extended period of time; and c) may cause episodic rather than a continuing period of incapacity;
- e) **permanent/long term conditions requiring supervision:** a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
- f) **multiple treatment (non-chronic conditions):** any period of absence to receive multiple treatments (including any period of recovery therefrom) 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.

4. **Incapacity:** inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore or recovery therefrom.

D.E. Intermittent Leave: Under some circumstances, FMLA family leave may be taken intermittently — which means taking leave in separate blocks of time, or by reducing a normal weekly or daily work schedule. FMLA Family leave may be taken intermittently if medically necessary because of a serious health condition (your own ~~the employee's~~, or that of a spouse, son, daughter child or parent). If FMLA family leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to ~~department~~ Department Director approval.

F. **Substitution of Paid Leave:** -Certain kinds of paid leave must be substituted for unpaid FMLA family leave. Accrued vacation, personal days and comp time must be substituted for any type of FMLA family leave. Accrued sick leave must be substituted in the circumstances where City policies ~~or state law~~ allow employees to use that paid sick leave. When ~~vacation and sick~~ paid leave is available and allowed, that paid leave must be exhausted before unpaid leave is allowed as ~~part of your~~ FMLA family leave.

If ~~Both paid and unpaid~~ leave is used for a purpose for which FMLA leave would be available, paid leave will count against the FMLA 12-month week allowance. ~~You are~~ The employee is required to notify the City if ~~any paid~~ leave is used for a reason covered by the FMLA family leave.

F.G. Advance Notice and Medical Certifications: ~~You must~~ An employee shall provide advance leave notice, ~~with medical certification,~~ of the need for a family leave along with the requested dates for the leave, ~~related to a health condition, and with medical certification of fitness to return to duty after a medical leave.~~ Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

~~Such a~~ Notice must be provided at least 30 days in advance of the request for leave if the reason for the leave is ~~foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment.~~ If 30 days notice is not practical, ~~possible due to the employee taking physical custody of the child at an unanticipated time,~~ notice must be given as soon as possible and at least, ~~usually within one or two business~~ 5 working days of the placement. The employee shall adhere to the dates of leave requested unless the birth is premature, the mother is incapacitated by the birth and is unable to care for the child, the employee takes physical custody at an unanticipated time or the employee and Department Director agree to alter the dates. If there is a premature birth, incapacity or unanticipated placement, the employee must give notice of revised dates as soon as possible and at least within 5 working days when the need for leave becomes apparent.

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

If 30 days advance notice is not provided, and if the need for the leave and the approximate date of the leave were clearly foreseeable by the employee, the City may deny the request for leave until at least 30 days after the date notice is given.

G.H. Medical Certification. The City requires the provision of a medical certification to support a request for leave because of a serious health condition (~~your own~~ the employee's, or that of a ~~your dependent~~ child's, spouse's or parent's) whenever the leave is expected to extend beyond five consecutive working days or will involve intermittent or part-time leave. The City may require second or third opinions, at its option, at City expense.

The City requires all employees on family leave due to the employee's serious health condition or due to the birth of a child to provide a medical certification of fitness for duty prior to return to work after a medical leave that extends beyond 10 consecutive working days.

H.I. Periodic Reporting: -If an employee takes leave for more than two weeks, the City may requires ~~at least every two weeks~~ the employee to periodically report on his or her on your status and intent to return to work.

I.J. Health Insurance: -Employees covered by the City's group health plan (medical, dental or vision); will continue to receive paid health insurance during FMLA family leave on the

same basis as during regular employment. Employees that do not return to work after the leave will be required to pay back the portion of the insurance premiums paid by the City unless failure to return to work was beyond the employee's control.

J.K. Other Insurance: -For employees covered by other insurance plans through the City, those coverages ~~may~~ will continue during paid leave on the same basis as during regular employment. For any period of unpaid leave, the Employees wishing the insurance to continue must pay any additional amounts for the coverage on a monthly basis prior to the month of coverage. Check with Human Resources for current information and costs for coverages.

K.L. Couples Employed by The City: -~~If an employees married to each other and their spouse both work for the City and request leave for the birth, adoption or foster care placement of a child, to care for a new child, or to care for a sick parent, the total annual FMLA family leave available to the couple for those purposes is 12 weeks. The City may grant leave to only one parent at time. If the leave requested is due to a serious health condition (the employee's or that of the child, spouse or parent), each employee is independently entitled to 12 weeks.~~

L.M. Determining Leave Availability: ~~FMLA Family leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the 12-month period is a rolling 12-months measured from the first date any FMLA family leave is used. All leave qualifying for family leave shall be designated and tracked as family leave.~~

M.N. 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.

~~Employees are entitled to unpaid leave for the full period of a physical disability resulting from pregnancy and childbirth, even if they are disabled for more than 12 weeks, and even if they don't qualify for leave under the federal law.~~

O. Return Rights After Family Leave: When an employee returns to work after family leave:

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

6.05 6.07 Medical Leave of Absence

In addition to family leave, An unpaid leave of absence of up to six months may be granted in the case of an employee's sickness or disability when approved by the City Manager and when

the leave will not adversely impact City operations. The request must be ~~when~~ supported by a physician's certificate of necessity and reasonable expectation of a timely return to duty. Prior to application for a medical leave of absence, an employee's accrued sick leave, ~~vacation~~ annual leave, compensatory time and personal days must be exhausted.

~~6.06~~ 6.08 Continuation of Benefits

Employees on any paid sick leave, ~~vacation, military training leave, or jury duty leave~~ shall continue to receive all benefits including the accrual of vacation, sick leave, holiday pay, pension, and all insurance benefits. ~~These Employees in other than unpaid leave-status shall not be entitled to and shall not accrue any of the benefits of the City, except as may apply through FMLA-provided under family leave.~~

~~6.07~~ 6.09 Bereavement Leave

Full-time regular employees may be granted up to three days of paid leave to make arrangements for or to attend the funeral of, or memorial service for, a member of their immediate family ~~or any person related by blood or affinity whose close association was such as to have been the equivalent of a family relationship.~~ If more than three days leave is necessary, earned vacation, sick leave or compensatory time may also be used.

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

Part-time regular employees shall be entitled to a pro-rata share of bereavement leave, based upon their regular scheduled work hours.

~~6.08~~ 6.10 Court and Jury Duty Leave

Employees called to jury duty are strongly encouraged to fulfill their legal and civic responsibility. A regular employee will be granted leave at his/her 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 the any allowance—mileage reimbursement received from the court ~~for such service at the discretion of the City.~~

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

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

~~6.09~~ 6.11 Military Leave (Military Training)

Any regular employee may take up to fifteen work days per year for active duty training if he/she is a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard or

Marine Corps Reserves of the United States. This leave is in addition to ~~your~~ regular vacation leave.

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

6.10 ~~6.12~~ Leave for Active Duty Military Service

Regular employees who are called to, or volunteer for active duty military service will be placed on an indefinite unpaid leave of absence for the entire time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. ~~You~~ The employee may, at ~~your~~ his or her option, use any or all of accrued vacation leave or comp time prior to moving to the unpaid status. Any unused ~~vacation or sick~~ leave accruals remaining at the time the unpaid leave begins will be held until return to active employment with the City. Vacation and sick leave will not accrue during the time of the unpaid leave, ~~nor will you be entitled to health or other benefits.~~ The employee may choose to have the City continue to pay for the cost of dependent medical coverage; an employee choosing to do so needs to contact Human Resources to arrange the coverage prior to leaving for active duty.

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

6.11 ~~6.13~~ Leave of Absence Without Pay

The City Manager may grant regular ~~full-time and part-time~~ employees a leave of absence without pay for an absence from work in excess of 30 days, and not covered by ~~any other type of family leave or medical leave of absence or and if other~~ all leave balances are exhausted. Examples of situations for which leave without pay may be granted include personal reasons not covered by family leave, such as ~~prolonged illness~~, parenting, ~~or~~ caring for an ill relative; other reasons ~~which would be~~ in the best interest of the City and ~~are~~ not solely for the employee's personal gain or profit; or fulfilling a lengthy military obligation.

~~An employee on a leave of absence without pay does not accrue vacation or sick leave and all other benefits paid or unpaid cease, unless continued under COBRA regulations.~~

~~An employee on leave must notify the City at least fourteen days prior to the end of the leave of his/her desire to be considered for reinstatement. Efforts will be made to return the employee to the same or similar position of one is available. If one is not available, the employee on leave will be put on the notification list for all available positions at the City for a period of one year.~~

To request a leave of absence without pay, the employee shall submit a written request to the City Manager. The request shall state the reason for and the proposed length of the leave. If the leave is approved, the employee and City Manager will enter into an agreement detailing the terms and conditions of the leave.

7.00 HEALTH AND WELFARE BENEFITS

A number of benefits are provided to regular employees that contribute to total compensation. Complete descriptions of these benefits are available from Human Resources. The benefits that you may receive are as follows:

7.01 Social Security Replacement Plan

All regular employees must participate in a Social Security Replacement Plan (401 a) and Medicare. Extra help employees and interns are also covered by this program.

7.02 Group Insurance

Regular employees and their dependents are generally eligible for medical, dental, vision, long term disability, and life insurance ~~and retirement plans~~ as defined by the City and as authorized by the carrier. The City makes contributions to the cost of these benefits. Part-time regular employees and their dependents, if eligible, receive City contributions for such insurance on a pro-rata basis. Extra help ~~Temporary employees and interns~~ are not eligible for these benefits.

The City provides an employee assistance program (EAP) for its employees. The program is provided as part of the group medical coverage.

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

~~7.03 Pensions: Retirement~~

The City contributes to the Washington State Public Employees Retirement System (PERS) ~~or the Law Enforcement Officers Fire Fighters Retirement System (LEOFF)~~ as prescribed by law. State law determines employee eligibility. Temporary employees are not eligible for this benefit.

~~7.04 Employee Assistance Program (EAP)~~

~~The City has established an EAP for its employees. The program is a counseling referral service designed to assist employees in dealing with personal issues that may interfere with your ability to function as an employee. If you need assistance, information on the program is available from the Human Resources Department. Use of this service is confidential.~~

~~7.05 7.04457 Plan~~

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

8.00 STANDARDS OF EMPLOYEE CONDUCT

8.01 General Policy

~~It is the tradition of the City to expect~~ The City expects all employees to strive for excellence, from our employees and to exhibit the City Values in their work, together as a team to accomplish

organizational and individual performance goals and to provide excellent superior customer services. ~~When employees fail to meet standards, it may be necessary to take corrective action.~~

8.02 Personal Appearance and Demeanor

~~City e~~Employees are expected to dress in attire appropriate to their job tasks; and to ~~conduct themselves~~ 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.

8.03 Absenteeism and Tardiness

Employees are expected to report for work promptly and maintain good attendance. The supervisor must be advised of absence or late arrival prior to the beginning of the shift. ~~A doctor's statement may be required upon return to work. Unexcused or excessive a~~ Absenteeism or tardiness that is unexcused may be grounds for disciplinary action, up to and including ~~dismissal~~ termination.

8.04 Solicitations and Distribution of Literature

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

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

Employees may utilize the employee newsletter or the employee ~~lounge~~ lunch room bulletin board, if approved by the ~~Public Information Officer, City Manager's Office~~ for personal messages of this nature. ~~The City Manager may grant exceptions to this policy in special circumstances.~~

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.

8.05 Drug-Free Workplace

- A. It is the policy of the City to maintain a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988, other state and federal regulations; and in keeping with the City's own standards. The use of controlled substances Actions in violation of this policy is are inconsistent with the behavior expected of employees, subjects all employees and visitors to our facilities to unacceptable safety risks; and undermines the ~~organization's~~ City's ability to operate effectively and efficiently.
- B. ~~This also includes the misuse of alcohol while on duty.~~ 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 ~~during non-working time~~ to the extent that in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City. Therefore:

1. When employees are on the job, they are expected to be physically free from any impairment or ~~substance which~~ substance that could contribute to an injury, property damage, or interfere with productivity. An employee shall not consume any alcohol during lunch or any other break occurring prior to the end of that employee's work day. Work day in this context includes any evening meeting or other similar activity on behalf of the City. Employees are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all City employees are expected to be "fit for work".
2. Use or possession of prescription or non-prescription medication is not prohibited when taken in accord with prescription or standard dosage recommendations. However, Employees are encouraged to shall notify their supervisors when they are taking over-the-counter or ~~doctor~~ prescriptioned drugs that could prevent the employee from performing his or her job safely and effectively. The employee and supervisor shall work together to determine the employee's fitness for duty or to establish a light duty assignment if available and appropriate. If no agreement is reached, the fitness for duty determination shall be made by the Department Director, after consulting Human Resources.
3. ~~The City will establish a drug-free awareness program for its employees.~~
4. ~~The City will publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace.~~
5. ~~3.~~ An employee convicted of a controlled substance-related violation must inform the City within five days of such conviction.
6. ~~The City is required to inform any federal granting agency within ten days after receiving notice of any employee convicted of a violation as described above that occurs in the workplace.~~
7. ~~4.~~ Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. The City may require employees who violate this policy to successfully complete a drug abuse rehabilitation program as a condition of continued employment.
5. 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; or in cases where employment has been conditioned, in a return to work agreement, upon remaining alcohol, drug or controlled substance free following treatment. Refusal to submit to testing when requested, may result in immediate disciplinary action up to and including termination. Testing information shall be confidential unless used by an employer action with regard to the employee.

~~9. Employees who hold a commercial driver's license (CDL) and who operate commercial vehicles while employed by the City are required by the federal government to be tested on a random basis and under certain conditions.~~

~~Employees who fall into this category shall be informed by their Department Head of the rules and circumstances of the testing program established by the City to comply with the law.~~

10.6. Employees who voluntarily enter treatment programs for drug or alcohol addiction shall not be subject to discrimination or retaliation. Such occurrences will be regarded as medical conditions with regard to City provided benefits and rights. However, the City may condition continued employment on the employee's successful completion of treatment or counseling programs and future avoidance of alcohol, drugs or other controlled substances. The City has an employee assistance referral center to assist employees in dealing with personal problems. Details are available from the Human Resources Department.

8.06 Safety

The City is committed to providing a safe and healthful working environment. The City makes every effort to comply with applicable federal and state occupational health and safety laws and to develop the best feasible operations, procedures, technologies and programs conducive to such an environment. Safety policy is contained in the Accident Prevention and Safety Manual. This policy is aimed at minimizing the exposure of our employees, clients and visitors to health and safety risks. To accomplish this objective, each employee is expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating practices.

~~Responsibilities include:~~

~~Exercising maximum care and good judgment at all times to prevent accidents and injuries;
Reporting to supervisors and seeking first aid for all injuries occurring on the job, regardless of how minor;
Reporting unsafe conditions, equipment, or practices to your supervisor on the prescribed forms provided by the City;
Using safety equipment provided by the City at all times including seat belts in City vehicles;~~

~~Observing all safety rules and regulations at all times;~~

~~Notifying your supervisor, before the beginning of the workday, of any medication being taken, that may cause drowsiness or other side effects that could lead to injury to yourself or your co-workers.~~

8.07 Weapons Policy

~~No employee, unless employed in a public safety position, 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.~~

8.08 Workplace Violence

The City is concerned about the increased violence in society, which has filtered into many workplaces throughout the United States. It is the policy of the City to have zero tolerance of any acts or threats of violence by any employee in or about City facilities or elsewhere at any time. The City will not condone any acts or threats of violence against employees, customers or

visitors in or about City premises at any time or while they are engaged in business with or on behalf of the City off City premises.

In keeping with the spirit and intent of this policy and to ensure City objectives in this regard are attained, the City is committed to the following:

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

In furtherance of this policy, employees have a "duty to warn" their supervisors, managers or Human Resources of any suspicious workplace activity or situations or incidents that they observe or that they are aware of that involve themselves or other employees, customers or visitors and that appear problematic. This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks and the like. Employee reports made pursuant to this policy will be held in confidence to the maximum 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.

8.07 8.09 Smoking Policy

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking in City offices and work places, including City owned vehicles, is prohibited. This includes City owned vehicles. Employees should avoid smoking near building entrances and any open windows. Violation of this policy may be grounds for disciplinary action, up to and including termination.

8.10 General Conduct

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

- A. Insubordination;
- B. Theft or other criminal activity;
- C. General dishonesty including falsifying employment or other City records;
- D. Failing to maintain confidentiality of City information;
- E. 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.

8.08 8.11 Searches of Property

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

~~Any employee failing to consent to such a search~~ Violation of this policy may be grounds for ~~subject to disciplinary action, up to and including termination. Searches must be conducted by and authorized by the City Manager or his or her designee.~~

8.09 8.12 E-Mail, Voice Mail and Other Communications Systems and City Equipment

Computers, E-electronic mail, telephones, -voice mail, facsimile machines, copy machines and other information related City equipment are provided to employees is to be used only for City business purposes, -unless specifically authorized by the City Manager. Employees who are granted access to the City's E-Mail e-mail and voice mail systems will be issued an identifying password-, but employees should keep in mind that this City equipment, including e-mail and other computer files are supplied for business purposes and may be -The city will retain all passwords and may periodically monitor messages accessed by other City staff. No message or file monitoring by the City will occur without prior permission of the City Manager.

As a public agency, most City records are public and can be protected from disclosure only as provided by law. As a result, employees must be aware that e-mail, along with most other written documents, may be subject to public disclosure.

Employees are not to attempt to gain access to another employee's computer file, or E-Mail e-mail messages or voice mail messages without that employee's permission. ~~All computer codes must be available to the City. Employees may not use pass codes unknown to the City.~~

The City's ~~electronic~~ e-mail, voice mail and other information systems may not be used in a way that could be disruptive or offensive to others. Employees shall not negligently or willfully damage City equipment nor engage in excessive or unauthorized use. -The cost of any personal use of equipment should be minimized and must be authorized by the Department Director, recorded and reimbursed to the City.

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

8.10 — Use of City Equipment and Facilities

The use of telephones, facsimile machines, computers and copy machines as well as all other City equipment and facilities are for business purposes only. Any material violation of this policy may result in disciplinary action up to and including termination.

The cost of any personal use of equipment must be authorized by the department head, recorded and reimbursed to the City.

8.11 — Guidelines for Appropriate Conduct

All employees are expected to adhere to acceptable business principles in matters of personal conduct and exhibit a high degree of personal integrity at all times. This involves sincere respect for the rights and feelings of others in both work and personal lives. Examples of behavior and conduct that are considered inappropriate are listed below. This list contains examples only, and is not exhaustive. The City may discipline or terminate employees for other reasons not stated below.

A. Violating nondiscrimination and/or sexual harassment policies;

B. Arriving on the job under the influence of intoxicating beverages or drugs; or using intoxicating beverages or non-prescription drugs on the premises; or misuse of prescription drugs on the job that cause a potential hazard to other employees or to the public; or any other violation of the City's drug free workplace rules;

C. Insubordination; which includes but is not limited to intentional violation of workplace standards and policies, refusal to obey reasonable direction from a supervisor, and advocating disrespect or disobedience in the workplace.

D. Excessive absence, tardiness, or the abuse of sick leave;

Violation of these policies or other City operating procedures or regulations;

Unauthorized absence from work;

G. Violation of safety rules or personal conduct at work which is dangerous to others;

Interfering with or disrupting the work of other employees on the job;

I. Negligent or willful damage to the City's property, waste of supplies and equipment such as personal use of fax machines, copiers, City vehicles, and long distance telephone calls, and/or theft of co-workers' or City assets or property;

J. Falsifying employment or other City records or general dishonesty;

K. Fighting or using obscene, abusive or threatening language or gestures;

Failing to maintain the confidentiality of City or individual private information;

M. Discourteous treatment of employees of other entities or agencies, of co-workers, or of the general public.

N. Unwillingness to maintain an acceptable level of work performance;

The above items are intended as examples of the high standards we expect of our employees. Should your performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory based on violations either of the above or of any other policies, rules, or regulations, you may be subject to disciplinary action, up to and including dismissal.

8.12 ~~8.13~~ Corrective Action Procedure

In taking disciplinary action, managers and supervisors may use a variety of measures. Where appropriate, managers and supervisors will follow a program of This procedure is progressive discipline in nature and is designed to give the employees 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 who make improvements in their performance or correct the behavior that was a problem.

Please note that any or all of the steps outlined below or other appropriate measures may be utilized, depending upon individual circumstances and the nature of the offense. Exceptions to this procedure may occur if authorized by the City Manager. Serious discipline, including Immediate termination may occur even on the first offense, in some circumstances, depending on the severity of the situation.

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

The City may use administrative leave with pay while conducting an investigation into an alleged ~~wrong doing~~wrongdoing. This leave may be used when it is necessary to remove the employee from the work place pending the outcome of the investigation. ~~However, when appropriate, the following procedure will be used:~~

The following are examples of a pattern of progressive discipline

Step One: ~~Verbal: Verbal Counseling or Warning:~~ ~~This:~~ This step is used for relatively minor offenses and problems. The supervisor ~~may call the employee aside to discuss the offense and verbally discusses the concerns with the employee and lets the employee know the nature of the problem. The supervisor should make a notation in his/her own log to provide reference for future counseling if needed.~~ Written documentation of the verbal warning shall be placed in the employee's personnel file.

Step Two: ~~Formal Counseling Session~~ Written Warning: ~~This:~~ This step is used for a repeated offense where the counseling discipline in Step 1 has failed to correct the problem or behavior, or for more serious problems that initially require ~~more immediate~~ stronger action. Under this step, ~~there will be a formal counseling session and a letter~~ written warning is given to the employee and put in the employee's personnel file documenting the problem.

Step Three: ~~Suspension: Decision Making Paid Leave:~~ ~~This:~~ This step is used for repeated offenses where ~~the counseling in Steps 1 and 2~~ has failed to correct the problem or behavior, or for more serious problems that initially require stronger corrective action than the above steps. An employee is sent home without pay for a specified period of time. For an exempt employee, unpaid suspensions shall be in increments of workweeks. An exempt employee may also ~~After discussing the problem with the supervisor, the employee will be given the rest of the day a~~

period of time off with pay to make a personal decision as to whether to change behavior and continue employment with the City.

~~Step Four: ; Follow-up Meeting Regarding Decision: The employee will return to work the following day and a meeting between the employee and the supervisor will take place to review the employee's decision. The purpose of the meeting is to reach an agreement on the proposed action of the employee. If the employee decides to terminate employment a separation date will be established. The supervisor may also decide that separation is the most appropriate course of action at this point.~~

Step Five: Termination: This step is to be used for instances where an employee has failed to correct his/her behavior after ~~going through the above established procedure, previous discipline~~ or if there is a serious violation of City standards of conduct where immediate termination is warranted.

Other examples of disciplinary methods that may be used include withholding a scheduled pay increase, pay reduction and demotion.

8.13 8.14 Pre-Termination Disciplinary Hearing

- A. This section does not apply to at will employees or to employees who have not completed their initial orientation period.
- B. In the case of termination of When considering termination or other discipline that would deprive an employee of pay an employee, other than an employee who has not completed his/her orientation period, the City will conduct a pre-termination disciplinary hearing. The pre-termination hearing serves as a check against a mistaken decision and as an opportunity for an employee to furnish additional facts before a reasons why he or she should not be termination disciplined before the decision is finalized.
- C. ~~In the event that a decision is made to terminate an employee, (The employee shall be provided with a notice of the recommendation for pre-termination disciplinary hearing. The notice shall include an explanation of the charges on which the recommendation potential discipline is based, and the time and date for the pre-termination hearing. If the employee fails or refuses to appear, the termination may proceed.~~
- D. The hearing will be presided over by the City Manager 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 may show cause why he/she should not be terminated. The employee may bring one person to the hearing as a representative. If the employee fails or refuses to appear, the Department Director shall determine the discipline without the employee's input.
- E. Within forty-eight hours a After the hearing, the City Manager Department Director will consider the information provided and will consult with the Human Resources Director. As soon as possible, the director will issue a the decision, on whether there are reasonable grounds to believe the charges against the employee are true and support termination. A longer review period may be required in more complex situations, and the employee will be so informed.

8.14 8.15 Complaint Resolution Procedure

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.

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

An employee who has been involuntarily separated from employment with the City has the right to participate in this process pursuant to the terms outlined below. Any complaint by a terminated employee must begin with step 23.

A. Complaint Defined: A: A complaint is an action written allegation by an employee or former employee who has been involuntarily terminated alleging that he or she has not been treated according to justly concerning the administration of the personnel policies, or other rules or regulations. Complaints must be initiated within 30 days of the alleged act and a copy of the complaint provided to Human Resources.

B. Step 1 - Discussion of the problem with the immediate supervisor is encouraged as a first step. An employee should present the complaint to the supervisor and request time to meet, explain the and discuss the problem or complaint, and allow the supervisor to respond. The supervisor may wish to gather additional information, then meet again with the employee to seek a mutually agreeable solution. At this step, either the employee or supervisor may seek counsel or advice from the Human Resources Director. The supervisor should keep notes of this discussion for future reference. In consultation with Human Resources, the supervisor shall consider the complaint and all relevant information and respond to the employee in a timely manner.

C. Step 2 - If the problem is not resolved after discussion with your supervisor, you at Step 1, the employee are encouraged shall next to request a meeting with your the department Department Directorhead. In consultation with Human Resources, The department Department Directorhead or a designee will conduct an investigation and review the matter with appropriate persons. You should normally receive a response within 10 working days of your meeting. Sometimes investigations take longer due to factors beyond the control of the investigator. If this should be the case, you will be informed of the status of the investigation and provided with a revised estimated time of completion. The Department Director shall respond to the employee within 10 working days, unless the response will take longer, in which case the director will keep the employee informed when the response will be available.

During this process, either the employee or the department head may consult with the City Manager or the Human Resources Director. The department head should keep notes of this investigation for future reference.

D. Step 3 - Disputes not settled If the problem is not resolved at Step 2 and the employee wishes to pursue the complaint, he or she shall request a meeting with the City Manager. ~~may be referred to a dispute resolution committee. This committee will be composed of three employees, none of whom is involved in the complaint. The City Manager shall meet with the employee. The City Manager shall also conduct an investigation or otherwise consider information relevant to the complaint.~~

~~The committee shall be composed of the following: a) one employee appointed by the complainant, b) a second employee appointed by the City Manager, and c) a third employee selected by the other two appointees. The committee shall review the situation, hear testimony from the complainant, conduct interviews of persons involved in or knowledgeable of the complaint, and conduct further investigations as needed.~~

E. A ~~The City Manager shall issue a decision will be issued within 15 working days unless more time is needed, in which case the City Manager shall keep the employee informed of when the response will be available and shall be a recommendation to the City Manager. The City Manager's shall review the recommendation and make a final decision which shall be final and binding on the parties. Notes should be kept by the City Manager of this investigation and the final decision.~~

9.00 SEPARATION FROM EMPLOYMENT

9.01 Resignation in Good Standing

The City expects ~~To resign in good standing, an employee resigning to should give written notice to his/her supervisor at least 14 days in advance, of stating the reason for the resignation and the final working day.~~

9.02 Resignation Not in Good Standing Unauthorized 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~~ **Department Directorhead**. ~~Failure to give advance notice of resignation can impact your ability to be re-hired.~~

9.03 Discharge

~~Any employee who is unable or unwilling to meet performance standards for the position, and whose performance does not improve with additional training, counseling, or corrective action, may be discharged from employment. Also, at the discretion of the City Manager or his designee, an employee may be discharged for disciplinary reasons.~~

9.04 9.03 Separation Procedures

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

Regular employees shall receive full pay for unused vacation and compensatory time.

9.05 9.04 Layoff (Reduction in Force)

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

- A. Whenever a layoff is anticipated, employees whose jobs may be affected will be notified of the situation and options available as soon as possible to allow time to make necessary arrangements.
- B. ~~Extra help~~ Temporary employees performing similar work will be laid off first.
- C. Regular employees will be retained on the basis of their ability to perform the remaining work, and on the basis of the City's ability to meet program needs. Length of service will be taken into consideration when the ability to perform and qualifications of the employees are equal.
- D. Options such as part-time work schedules, job sharing and voluntary time and/or pay reductions may also be explored, at the discretion of the City Manager.
- E. **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. The City will honor an employee's written request to not be placed on or to be removed from the list. When hiring for any vacancy, the Department Director shall first consult Human Resources to determine if any employee on the rehire list is qualified for the vacancy. If there is a qualified employee on the rehire list, the employee shall be offered the position. In the case of more than one qualified employee on the rehire list, the position shall first be offered to the employee with the longest term of service with the City. An employee shall be removed from the list upon rehire by the City, refusal of a City job offer or the expiration of one year, whichever comes first.

RESOLUTION NO. 154

**A RESOLUTION OF THE CITY OF SHORELINE,
WASHINGTON, ADOPTING REVISED PERSONNEL POLICIES
FOR THE CITY OF SHORELINE**

WHEREAS, the City of Shoreline has been operating under Personnel Policies adopted September 23, 1996 by Resolution No. 104; and

WHEREAS, the City Council wishes to adopt revised Personnel Policies; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SHORELINE, WASHINGTON AS FOLLOWS:**

Section 1. Authorization. The City Manager is authorized to implement the Personnel Policies, which have been filed with the City Clerk and given Clerk's Receiving Number _____; and to apply these policies to employees of the City of Shoreline until modified by future action of the Council.

Section 2. Effective Date. These Personnel Policies shall take effect July 1, 1999.

ADOPTED BY THE CITY COUNCIL ON _____, 1999.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk