

City of Stanwood



City Council Packet

Stanwood City Council Regular Meeting

Thursday, December 10, 2020



AGENDA CITY COUNCIL REGULAR MEETING

Monday, December 10, 2020 – 7:00 p.m.

This meeting will be conducted by telephone and online,
connection information will be posted on City Website—
<https://www.stanwoodwa.org>

Stanwood City Hall
10220 270th St. NW, Stanwood, WA 98292

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF THE AGENDA**
4. **CITIZEN COMMENTS**
Anyone wishing to provide written or oral public comment, must pre-register by 9:00 a.m. the day of the meeting, by calling 360-454-5213, or by clicking on this link: <https://stanwoodwa.org/FormCenter/City-Clerk-5/City-Council-Meeting-Remote-Public-Comme-61>
5. **STAFF REPORTS**
 - a. Police Compstat Report – October, 2020 5-1
6. **COMMITTEE REPORTS**
 - a. Public Safety Committee Meeting Minutes- November 23, 2020 6-1
 - b. Parks and Trails Advisory Committee Meeting Minutes–October 19, 2020 6-4
 - c. Planning Commission Meeting Minutes – November 9, 2020 6-9
7. **CONSENT AGENDA**
 - a. Approve Vouchers and Payroll Checks 7-1
 - b. Approve November 23, 2020 Regular Meeting Minutes 7-5
 - c. 2021 City Council Committee Selection 7-10
 - d. 2021 City Council Meeting Schedule 7-18
 - e. Authorize Mayor to execute Legal Services Retainer Agreement 7-23
 - f. Authorize Mayor to execute Snohomish County Regional Drug Task Force Interlocal Agreement 7-28
 - g. Authorize Mayor to execute Washington State Transportation Board (TIB) Overlay Grant Agreement– 276th Street Overlay 7-53
8. **PUBLIC HEARING**
Anyone wishing to provide written or oral public comment, must pre-register by 9:00 a.m. the day of the meeting by, by calling 360-454-5213, or by clicking on this link: <https://stanwoodwa.org/FormCenter/City-Clerk-5/Council-Meeting-Public-Hearing-Public-Co-69>
 - a. 2020 Docket Request 8-1
 - i. Receive Public Comment on the Proposed Ordinance
 - ii. Final Adoption of Resolution 2020-13
 - b. Enhanced Service Facilities 8-7
 - i. Receive Public Comment on the Proposed Ordinance
 - ii. Renewal of Ordinance 1493
9. **NEW BUSINESS**
 - a. Resolution #2020-14 City Beautification Action Plan 9-1
 - b. Resolution #2020-15 Personnel Policy Updates 9-63
10. **CITIZEN CLOSING COMMENTS – REMOVED VIA MOTION AT THE 3-26-20 MEETING**
11. **REPORTS OF OFFICERS AND COMMITTEES**
 - a. Mayor’s Report
 - b. City Administrator’s Report
 - c. Councilmember Reports/Questions
12. **ADJOURN TO EXECUTIVE SESSION TO DISCUSS POTENTIAL OR PENDING LITIGATION, RCW 42.30.110(1)(i)**
13. **RECONVENE AND ADJOURN**

Upcoming Meetings:

December 24, 2020 Cancelled

January 14, 2020 Regular Meeting



**CITY OF STANWOOD
COUNCIL AGENDA STAFF REPORT**

ITEM NUMBER: 5a
DATE: December 10, 2020
SUBJECT: Police Compstat Report
CONTACT PERSON: Chief Rob Martin
ATTACHMENTS: October, 2020 Compstat Report

SUMMARY STATEMENT

Attached is the October, 2020 Compstat Report for council review.

Stanwood Police Department

October 2020

Administrative Personnel

Chief Rob Martin

Sergeant Jason Toner

Amanda Slattery – Stanwood City Employee

Stacey Davis – Stanwood City Employee

Operational Personnel

	Assigned	Vacancies	Percentage
Sergeants	2	0	100%
MPD	0	0	N/A
Deputies	6	0	100%
SRO	1	0	100%
Detectives	1	0	100%
Total	10	0	100%

Area of Operation

The City of Stanwood contracts its police services through the Snohomish County Sheriff's Office. The population for Stanwood is currently 7,070. Stanwood's city limit encompasses 2.8 square miles.



COMPSTAT REPORT

Type of Crime	October 2020	Year to Date 2020	October 2019	Year To Date 2019
Homicide	0	0	0	0
Rape	0	3	0	0
Robbery	0	0	0	1
Assault	1	32	2	34
Burglary	3	21	5	15
Larceny	8	127	7	116
Motor Vehicle Theft	1	11	0	9
General	October 2020	Year to Date 2020	October 2019	Year To Date 2019
Calls for Service (Incidents)	945	8473	857	8564
Case Reports	43	511	42	523
Traffic Collisions	4	68	8	93
Arrests (Adult/Juvenile)	10	128	12	164
Drug Arrests	0	6	1	15
Warrant Arrests	2	18	6	48
Impaired Driving Arrests	0	10	1	14
Infractions Issued	23	168	14	276
Public Disclosure Requests	26	351	43	344
Concealed Pistol Licenses	15	239	67	463
Pistol Transfer Checks	28	423	26	219
Fingerprinting & Approx. timeframe	0	78 = 19.5 hrs	30 @ 7.5hrs	411 @ 202.75 hrs

City Collisions for October 2020

City Collisions for October Totals: 4					
Date	Case Number	Location	H & R	Injured	Reason
10/1/2020	2020-7515	26600 Block of 72nd Ave NW	x		Hit & Run in parking lot
10/3/2020	2020-7577	10200 Block of SR 532			Failure to yeild
10/3/2020	2020-7585	27400 Block of Cedarhome DR NW			Excess speed/Vehicle left roadway
10/13/2020	2020-7876	9900 Block of 272nd St NW			Inattentive parking/exit parking

Stanwood School Dist. Resource Officer (SRO) Activity Report

No School in person school

Detective Report October Newsletter



Update Stanwood Case 2020-6718 Burglary at the Stanwood Middle School

On 09-02-2020 at about 1:06 am an alarm company reported an alarm at the Stanwood Middle School after hearing noises from inside a building at the school. Deputies responded but did not locate anyone on the property.

Deputy Scott responded to the report of a burglary at the school at about 7:00 am and discovered unknown subjects had stolen mobile electronic devices and tools.

Detective Martin served several search warrants on Internet Service Providers associated use of electronic devices after they were stolen. The responsive records did not provide any information identifying a specific subscriber.

Bothell Police contacted a male suspect and found two electronic devices stolen from the middle school in his possession. Detective Martin interviewed the male suspect on 10-27-2020. The suspect denied being involved in the burglary but admitted he possessed the stolen laptops. The suspect claimed he obtained the laptops from a homeless person at a drug house in the Smokey Point area, after giving the homeless person about \$200.00 worth of heroin.

Update Stanwood Case 2020-7081 Vehicle Prowl/Identity Theft

On 09-16-2020 Deputy Scott responded to a vehicle prowling complaint and learned the victim's credit card had been used at a gas station in Arlington. The victim left her purse in an unlocked car.

Detective Martin contacted the registered owner of the vehicle shown in video from the gas station and identified the subject who used the victim's credit card. The subject has a history of vehicle prowls in the Stanwood area.





Stanwood Case 2020-7859

Vehicle Prowl/Identity Theft/Forgery

On 10-13-2020 Deputy Scott responded to the theft of purse from a vehicle and subsequent unauthorized use of the victim's credit card.

During the investigation, Detective Martin learned the victim's business checks were also stolen during the vehicle prowling. Several of the checks were forged and used at area Costco stores.

Detective Martin obtained video from the associated retailers showing a male and female suspect. The suspects have been identified and appear to be involved in multiple cases of theft and identity theft in Snohomish County and Island County.



Several police agencies are currently attempting to locate the suspects.



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 6a

DATE: December 10, 2020

SUBJECT: Public Safety Committee Meeting Minutes

CONTACT PERSON: Rob Martin, Police Chief

ATTACHMENTS: A – November 23, 2020 Public Safety Minutes

SUMMARY STATEMENT

Minutes from the November 23, 2020 Public Safety Committee Meeting are attached to this staff report for approval as presented.

**CITY OF STANWOOD
PUBLIC SAFETY COMMITTEE MEETING MINUTES**

November 23, 2020

LOCATION:

The Public Safety Committee meeting was held via ZOOM meeting.

ATTENDANCE:

- Public Safety Committee Chair Person (councilmember)- Timothy Pearce
- City Councilmember- Dianne White
- City Councilmember- Steve Shepro
- Stanwood Police- Chief Rob Martin
- North County Regional Fire- Chief John Cermak
- City of Stanwood- City Administrator Jennifer Ferguson

AGENDA:

1. 80th Avenue NW Traffic Emphasis
2. 2021 Jail ILA – rate changes
3. 2021 Drug Task Force ILA – rate changes
4. 9-11 Tribute Highway

CALLED TO ORDER:

6:00 pm by Chairperson Timothy Pearce

DISCUSSION:

- Traffic study was conducted over a two-week period on 80th Ave NW. Data collected showed roughly 36,000 vehicles traveled on 80th Ave NW in that time. The average speed was 32-mph in the 25-mph speed zone. There were approximately 5400 enforceable speed violations, mainly occurring on weekdays during normal commute times. Stanwood Police, in conjunction with the Sheriff's Officer Traffic Motorcycle Unit, will be working speed enforcement in the area for the next several weeks. The radar/data collection device will be deployed in other parts of the city to collect similar data.
- Staff reviewed the proposed 2021 Jail Services interlocal agreement. Snohomish County is changing how the bill for daily inmate housing. In the current contract, inmates are housed based on a classification system. General housing, medical and special needs housing and mental health housing. Each housing classification is billed at a separate rate. The proposed ILA will move away from housing classification to a flat rate model. The flat rate model will likely increase what the city pays for jail services. Councilmember Pearce asked how often Stanwood is billed for special or mental health housing vs. general housing. Chief Martin said approximately 80% of Stanwood bookings go to general housing. Staff has compared the jail service costs from 2018, 2019 and 2020 with the proposed rate change. Chief Martin will

monitor monthly booking invoices and work to mitigate costs. Councilmember Shepro asked about how often we are billed and can review this information. Chief Martin stated he receives a monthly bill for bookings and housing, in addition to medical and pharmaceutical costs. City Administrator Ferguson added this is also tracked in the budget vs. actual report sent to Council. Councilmember Shepro asked about alternatives. City Administrator Ferguson discussed alternate booking locations, including long term stay at another facility.

- Staff reviewed the proposed 2021 Snohomish Regional Drug Task Force ILA. Changes were made to remove outdated and irrelevant language. The funding formula for city contributions is the most significant change. Stanwood will see a 27% reduction in costs in 2021. This is due to the disappearance of Byrne/Jag Grant.
- Chief Cermak proposed the renaming of a section of SR 532, between Pioneer Highway and 72nd Ave NW, in honor of the first responders who lost their lives on 9-11. Chief Cermak explained the process and intent to form a committee to determine what the name would be. Signs indicating the name would be placed along SR 532. The process would then come before council for resolution. Committee members were in favor of the proposal and requested Chief Cermak move forward with the process.

OTHER BUSINESS:

- Meeting adjourned at 6:27 pm



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 6b

DATE: December 10, 2020

SUBJECT: Parks and Trails Advisory Committee Meeting Minutes

CONTACT PERSON: Patricia Love, Community Development Manager

ATTACHMENTS: A – October 19, 2020 Meeting Minutes

SUMMARY STATEMENT

Minutes from the October 19, 2020 Parks and Trails Advisory Committee Meeting are attached to this staff report for approval as presented



Parks and Trails Advisory Committee

Meeting Minutes

October 19, 2020

Zoom meeting – virtual attendance

Call to Order & Attendance: 3:05pm

Present:

Matt Withers
Dave Hall
Gordon Bell

Gordy Holmes
Lisa Bruce
Rick Hawkins

Staff:

Carly Ruacho
Sara Robinson

Absent: David Moynahan

Also known to be present: Deb Bell

Citizen Comments:

Lisa Bruce presented some questions on behalf of the community regarding Church Creek Park.

- Are there any plans to eventually add a splash park at Church Creek Park? Carly Ruacho explained there are no formal plans to add a splash park to any of the current parks, but it could be something to consider. There was some discussion previously about locating a splash park in the lot next to City Hall, but no plans were formalized.
- Any possible expansion of the current skate park at Heritage Park? Lisa commented that the current area of the skate park is fairly small and at a recent outing there were upwards of 20+ kids present and it seemed pretty crowded. Carly expressed there isn't any plans at this time for expanding the skate park, but it could be considered as Heritage Park is improved and expanded.

Approval of Minutes:

Gordon Bell made a motion to approve the minutes of the September 21, 2020 meeting. Lisa Bruce seconded the motion and it passed unanimously.

Interpretive Signage:

- **Style**
 - Looking at many design options in the hopes to pick out a more modern style that would reflect the style and color schemes the City of Stanwood want to use going forward. The Commission is in agreement the City needs not only better signage, but more signage as well in our Parks and Trails.
 - Skagit Wildlife Area has a kiosk at their Leque Island Eide Rd. trail that the Commission is in favor of. The Commission is also in favor of one that is similar to Iverson Point's on Camano Island but prefer it with a metal roof.
- **Location**
 - Hamilton Park
 - Two interpretive signs will be along the river frontage at Hamilton Park. One by the smokestack, and one along the trail by the viewing benches. The "Kiosk" sign will be closer to the parking area.
 - Port Susan Trail
 - Lisa Bruce thinks having a sign at the four main corners/view points of the "lagoon area" would be beneficial.
 - Dave Hall also likes the four main view point areas for signs as well as a sign up on the newly built berm explaining something about why the floods can hurt and help the



Parks and Trails Advisory Committee Meeting Minutes October 19, 2020

Stanwood area and how having the berm in place will help prevented flooding in downtown.

- Carly thinks a good location for an interpretive sign showing a map of the trail would be at the park & ride.

- **Design/Content**

- The Commission prefers the frames to be in black and keep the color scheme in neutral tones. They really like the one designed by JA Brennan as it has a lot of photos and colorful mapping along with the clear legend that shows what it is you're looking at on the trail.

Hamilton Park

- Dave recommends doing one sign near the smokestack and the historical purpose it served during the time it was running, include some older photos perhaps to explain the history of the smokestack. Then have another sign talking about the river itself and the environment. The Larger Kiosk would be used as a "landing spot" of information.
- Lisa Bruce wants to have a sign or an area that children could use interactively to keep them engaged in the park.
- Gordon Bell likes the idea of incorporating historical information on the signs at Hamilton Park.

Port Susan Trail

- Gordy Holmes likes the idea of having one with maps to show you where you are going and what you'll see along the trail.
- Gordon Bell & Lisa Bruce want something mentioned as to what the lagoon is and perhaps explain what a wastewater treatment plant does.

Church Creek Park Walk Through Results:

- Recently Carly, Gordy and Gordon went to Church Creek Park to determine where the tees and baskets were for the disc golf course. It was pretty difficult finding each tee and basket per the map we currently have. Part of the reason we couldn't find many of them is due to some of the "holes" still being under construction or haven't even been started on yet. With this walk through, it took away some of the worry about moving the golf tees in order to upgrade trails and add new trails as many of the tees still need to be constructed. This will make it somewhat easier to realign the disc golf holes in order to accommodate the new trail plan. Gordon requests a forestry or other resource agency representative to do a walk through to perform an impact on the disc golf and the existing tree condition.
To do our trail plan justice, we will likely need to budget in some funds for someone to GPS the trails/disc golf course. The current map is not accurate. We want to design a trail with the least amount of crossings through the disc golf fairways as possible.
- We looked over the proposed pickle ball court area and measured to see if we could fit two pickle ball courts where the existing basketball court is, and it is a feasible option. The other option is having one court in the current basketball area and the other one in the alternative location in the field area. Once we get closer to doing that project, we can make a decision.

Comments/Concerns Include:



Parks and Trails Advisory Committee Meeting Minutes October 19, 2020

- Gordy was glad to have toured Church Creek Park and feels the disc golf course people need to have a much better map showing where the course actually is. He also feels the Park needs many of the lower hanging branches trimmed up and some underbrush removed to “lighten up” the feel of the park and bring in more natural light and make it more hospitable to park goers.
- Gordon agrees some branches and underbrush in the more developed areas should be cleaned up, but keeping more of the undeveloped areas of the park as it is to preserve the natural habitat. He also believes the disc golf course shouldn’t have access so close to the creek to build or play golf as he believes they are contributing to some of the erosion. Gordon also requests a Rep to go to Church Creek Park and do a walk through.
- Lisa Bruce feels the visibility needs to be greatly improved at Church Creek Park and definitely sees the need to lighten up the park by removing many of the tree limbs up to a height that allows greater visibility and light.

Park Updates:

Church Creek Park Playground Equipment

Recently there was a power issue due to a power getting cut, and there wasn’t power to the picnic shelter or the sprinkler system at the baseball field. We reached out to the contractors and they said they didn’t feel they were responsible for the power loss as they had dug near any power locates. The City did the investigation as to where the power was cut at and found it was a slice in the wire that was buried in the ground right below one of the posts installed in the new playground. After receiving photo evidence of the location of the cut wire, the contractor took responsibility and agreed to pay/reimburse the City to fix the power loss issue.

Heritage Park – Baseball Field Renovation

The consultants went to the Park to dig holes for the cultural resources (historical artifact) survey. The report was made and turned in a short time afterwards to the State and we are still waiting to hear back.

Originally we had the option to either sod or seed the outfields. With the sod option it would have allowed us to get the fields ready in time for the next season’s field usage. The City Council liked the option of putting sod down however with the delay to the dirt work getting done in the fields, putting sod down is now no longer an option. The sod wouldn’t have enough time to establish and be ready to play on in time. So we are back to the seeding option. The good news is the same contractor who would have laid the sod, also does a lot of paving. So they provided a bid for redoing the parking lot in exchange for doing the sod and their bid came in around \$300,000. About \$135,000 of that would have been the cost for sod, so it was way less than we anticipated the parking lot would cost to redo. There is support at the PW Committee level and it will now go to Council for approval.

- Lisa Bruce wants to get the soccer fields fixed as soon as possible as she feels it’s a safety issue.

Hamilton Park – Park/Boat Launch Projects

The pump house was worked on which required work in the slough and use of most of the park. While under construction there was a lot of dirt work done causing some of the vegetation to be lost which is why this was done first and we pushed back building Hamilton Park. The area is now put back to original grade.



Parks and Trails Advisory Committee Meeting Minutes October 19, 2020

- Gordon is wondering who applied for the permits on the park/boat launch project, the City of Stanwood or the WDFW did? Carly explained both agencies did.

There have been mitigations and discussions for the impact of building the boat launch. The Dept. of Fish & Wildlife were going to remove all of the creosote pilings where the old dock used to be. The Dept. of Ecology was only going to give approximately 2sq. ft. per piling mitigation credit and no habitat credits whatsoever. With this decision Fish & Wildlife pulled the plan to remove the pilings. Due to the mitigation costs being over budget Fish & Wildlife indicated that they may not be able to move forward with the project, however, after much discussion it appears there may be a workable solution and we are back on track and hopeful to keep moving both projects forward.

Next Meeting: November 16, 2020 @ 3:00pm.

PTAC committee takes place on the third Monday of the month.

Until Stanwood moves into Phase 3, City Hall remains closed to the public. This means remote meetings will continue until that happens.

Adjourn – 5:03pm



**CITY OF STANWOOD
COUNCIL AGENDA STAFF REPORT**

ITEM NUMBER: 6c
DATE: December 10, 2020
SUBJECT: Planning Commission Meeting Minutes
CONTACT PERSON: Patricia Love, Community Development Director
ATTACHMENTS: A – November 9, 2020 Meeting Minutes

SUMMARY STATEMENT

Minutes from the November 9, 2020 Planning Commission Meeting are attached to this staff report for approval as presented



Planning Commission
Meeting Minutes
November 9, 2020

Call to Order 6:31 pm

Roll Call

Present: Marcus Metz Patrick Hosterman
Justin Burns Larry Sather
Monae Birkhofer

Staff Present: Patricia Love
Amy Rusko
Amy Bergemeier

Absent: Linda Utgard

Also known to be present: Lauren Mitchel, Tim Schmidt, Josh & Katie Larson

Approval of Minutes:

The Minutes of the October 26, 2020 Planning Commission Meeting were approved as presented with a motion by Larry Sather and a second by Patrick Hosterman.

New Business:

Public Meeting – 2020/2021 Docket Items for Comprehensive Plan and Zoning Code Amendments

- Amy Rusko went over the Annual Docket Process with the Commission and the 5 steps involved during the process. She then discussed the applicants for the current docket process and below are the (3) three applicants for this session:
 1. Lauren Mitchel & Joshua Larson are applicants 1 & 2- both requesting a change to the same Code:

Revise Title 8- Animals, to consider the following changes:

 - Separate small animals from the livestock definition, pet pigs and goats not to be considered typical livestock
 - Number of animals allowed on property
 - Lot size requirement adjustments
 - Other affected code sections
 - A. Lauren Mitchell, Address is 8118 274th St NW, Stanwood WA 98292- She wants to have the option of labeling her pig, “maple” as a pet rather than having her labeled as livestock. She had a previous issue with having goats on her property as the code currently only allows one livestock animal regardless of their size. Lauren wants the code changed to allow more than one livestock animal if those animals are smaller in size.
 - B. Joshua & Katie Larson, Address is 8411 276th Pl. NW, Stanwood WA 98292- They recently moved to Stanwood and along with their family they own a pet pig. With the current code rule, their pig is not allowed on their ¼ of an acre at this time. They want the code changed to allow their pig, who they consider as their pet, to be allowed on their property by perhaps changing the size requirement of your property to be lowered to ¼ of an acre or having their pig labeled as a pet.



Planning Commission
Meeting Minutes
November 9, 2020

- Commission member Sather asks; what is the likelihood more citizens will apply in the future, to have animals other than pigs and goats be labeled as “pets” rather than “livestock”?
 - Director Love is recommending looking at categories of animals for classification purposes going forward in this amendment process.
2. Tim Schmitt, 27308 101st Ave NW Stanwood WA 98292 is applicant 3 – He is requesting a New goal to the Land Use Element of the plan:
- Proposed new goal that would provide guidance for documenting interpretations of city code and the comprehensive plan
 - Proposal would provide policy support for current processes and provide the opportunity to re-evaluate current practices
- A. Tim submitted a written statement as his video feed was affected by his connection, but for this meeting, Director Love is summarizing his request: Tim is looking for goals and policy guidance’s for when staff has to make interpretations on projects or comp plans.

Staff Recommendation: Approve all of the 2020 Docket applications. Place the code amendment on the Planning Commission’s 2021 work plan and place the comprehensive plan amendment on the Planning Commission’s 2021-2023 work plan for the 2024 Comprehensive Plan Update.

Proposed Motion:

THE PLANNING COMMISSION RECOMMENDS THAT THE 2020 DOCKET APPLICATION BE PLACED ON THE FINAL DOCKET, WITH CODE AMENDMENTS TO BE INCLUDED IN THE PLANNING COMMISSIONS 2021 WORK PLAN AND THE COMPREHENSIVE PLAN AMENDMENT TO BE INCLUDED IN THE PLANNING COMMISSION’S 2021 – 2023 WORK PLAN FOR THE 2024 COMPREHENSIVE PLAN UPDATE.

- Motion to approve by Larry Sather, Second by Patrick Hosterman. All in favor.

Old Business:

2019/2020 Docket - Comprehensive Plan Amendments and Zoning Code Amendment Final Edits and Review

- Ordinance 1941: Comprehensive Plan Amendment Ordinance. This is the actual document that changes the Future Land Use Map and the Zoning Map. It includes the uptown rezones, 271st rezone, park rezones, Capital Improvement Plan, and the Finance & Fact & Conclusions.
- Ordinance 1492: Implementing zoning changes: This includes creating the new districts like the Mixed-Use overlay and Parks and Open Space. Then we had to put them into the permitted use matrix. Changed the height allowance in the mixed use overlay and multi-family to allow for the option of pitched roof lines. Allowing Vertical and Horizontal Mixed Use.

Public Hearing is scheduled for Monday November 16th. This will provide a summary of the Ordinances and it will involve a bit more of explanation given on the Ordinances. It can also involve public testimony, comments and questions. At the public hearing, the Commission has the option to



Planning Commission
Meeting Minutes
November 9, 2020

close the hearing/meeting that night and make a recommendation or you want to discuss things further, you can continue the hearing to another date. We then take your decision to the Council.

- Commission Member Hosterman has a question regarding the upcoming public hearing and what to expect regarding some of the possible issues that could be brought up. He's hearing parking and traffic are some of the issues and as the Commission works with zoning, how are those issues going to be addressed?
- Director Love says if the questions are geared towards parking they would be directed to address those concerns by project and not during this hearing. If they question the traffic impact, Patricia included an analysis of what the traffic would do to 72nd Ave. and shows the level of delay these rezones create won't affect the level of services the City has adopted.

Upcoming Items

- November 16, 2020 – Public Hearing on 2019-2020 Comprehensive Amendment Package
- Public Meeting - Wolfkill Property Project Submittal
- The first meeting in January will include deciding on a Chair and Vice Chair for the Planning Commission.

A motion to adjourn was made by Larry Sather and seconded by Patrick Hosterman.

Adjourn: 7:39 pm

Amy Bergemeier, Administrative Assistant



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7a

DATE: December 10, 2020

SUBJECT: Approval of Voucher and Payroll Checks

CONTACT PERSON: Reina Barber, Accounting Specialist

ATTACHMENTS: A - Voucher Check Detail

SUMMARY STATEMENT

Approve issuance of Washington Federal Bank electronic funds transfers and Washington Federal Bank voucher checks 33357 through 33398 in the amount of \$455,478.55. Approve issuance of Washington Federal Bank electronic payroll funds transfers in the amount of \$32,500.00

RECOMMENDED MOTION

I MOVE TO APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK ELECTRONIC FUNDS TRANSFER AND WASHINGTON FEDERAL BANK VOUCHER CHECKS 33357 THROUGH 33398 IN THE AMOUNT OF \$455,478.55. APPROVE ISSUANCE OF WASHINGTON FEDERAL BANK ELECTRONIC PAYROLL FUNDS TRANSFERS IN THE AMOUNT OF \$32,500.00.

CHECK REGISTER

City Of Stanwood
MCAG #: 0695

11/19/2020 To: 12/02/2020

Time: 12:23:47 Date: 12/03/2020

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
5665	11/24/2020	Claims	3	EFT	WA St Dept of Revenue **	16,673.64	B&O & Excise Tax - October 2020
5681	11/24/2020	Claims	3	EFT	US Bank	5,183.55	4485-5945-5564-1495
5666	11/24/2020	Claims	3	33357	Allplay Systems	3,262.24	City Of Stanwood
5667	11/24/2020	Claims	3	33358	Bonner Electrical Contracting LLC	366.91	City Of Stanwood
5668	11/24/2020	Claims	3	33359	Hometown Brew Coffee House LLC	1,200.00	City Of Stanwood
5669	11/24/2020	Claims	3	33360	Jessica McCready	1,883.34	City Of Stanwood
5670	11/24/2020	Claims	3	33361	KBA Inc.	7,577.15	City Of Stanwood
5671	11/24/2020	Claims	3	33362	Pace Engineers, Inc	18,905.96	City Of Stanwood; City Of Stanwood
5672	11/24/2020	Claims	3	33363	SAAL Brewing Company	1,600.00	City Of Stanwood
5673	11/24/2020	Claims	3	33364	SRV Construction, Inc.	110,823.29	City Of Stanwood
5674	11/24/2020	Claims	3	33365	Skagit Farmers Supply	1,182.66	135052; 135052
5675	11/24/2020	Claims	3	33366	Sno Co Information Services *	4,926.97	DIS1107
5676	11/24/2020	Claims	3	33367	Sno Co Sheriffs Office *	152,121.75	SSH00001
5677	11/24/2020	Claims	3	33368	Snohomish County Public Def Association	2,043.44	City Of Stanwood
5678	11/24/2020	Claims	3	33369	Stanwood Area Historical	1,000.00	City Of Stanwood
5679	11/24/2020	Claims	3	33370	The Cookie Mill	7,500.00	City Of Stanwood
5680	11/24/2020	Claims	3	33371	WA St Auditor's Office	9,605.30	City Of Stanwood
5706	11/30/2020	Claims	3	33372	Community Resources Foundation	30,000.00	City Of Stanwood
5720	12/02/2020	Claims	3	33373	Ace Hardware	186.44	20013
5721	12/02/2020	Claims	3	33374	Aramark Uniform Services Inc	254.48	937963000
5722	12/02/2020	Claims	3	33375	BHC Consultants, LLC	15,814.63	City Of Stanwood
5723	12/02/2020	Claims	3	33376	Bonner Electrical Contracting LLC	7,846.40	City Of Stanwood; City Of Stanwood
5724	12/02/2020	Claims	3	33377	Branom Instrument Co.	116.84	City Of Stanwood
5725	12/02/2020	Claims	3	33378	Cascade Septic, LLC	140.00	City Of Stanwood
5726	12/02/2020	Claims	3	33379	Cedarhome Square	123.02	04 1690 25 - 28109 67TH WAY NW
5727	12/02/2020	Claims	3	33380	Columbia Ford	48,234.75	City Of Stanwood
5728	12/02/2020	Claims	3	33381	Edge Analytical Inc	262.00	STA01; STA01; STA01
5729	12/02/2020	Claims	3	33382	Forest Land Services Inc	188.70	City Of Stanwood
5730	12/02/2020	Claims	3	33383	HB Jaeger	236.49	CITSTA
5731	12/02/2020	Claims	3	33384	Hamilton Lumber LLC	1,760.06	City Of Stanwood
5732	12/02/2020	Claims	3	33385	KCDA Purchasing Cooperative	69.22	101453
5733	12/02/2020	Claims	3	33386	National Safety, Inc.	70.99	20-STACIT
5734	12/02/2020	Claims	3	33387	Office Depot	97.64	36274097; 36274097; 36274097; 36274097
5735	12/02/2020	Claims	3	33388	PUD Of Snohomish County *	102.37	200738672
5736	12/02/2020	Claims	3	33389	Refund - Gary Schaeffer	630.00	Refund - Gary Schaeffer Variance Permit - Applicant Withdrew The Permit Prior To Full Review
5737	12/02/2020	Claims	3	33390	Safeway	7.57	191483
5738	12/02/2020	Claims	3	33391	Sno Co District Court	2,393.94	DCT34003
5739	12/02/2020	Claims	3	33392	Stanwood Auto Parts	36.16	56100
5740	12/02/2020	Claims	3	33393	Stanwood Camano News	230.46	261981; 261981; 261981;
5741	12/02/2020	Claims	3	33394	Stanwood City Utility	205.15	City Of Stanwood
5742	12/02/2020	Claims	3	33395	Stanwood Hardware	273.82	1414
5743	12/02/2020	Claims	3	33396	Wave Broadband	122.25	3201-0316547-01
5744	12/02/2020	Claims	3	33397	Western Exterminator Company	136.50	683591
5745	12/02/2020	Claims	3	33398	Ziply Fiber	82.47	360-939-0579-080320-5
001 General Fund						222,678.68	
101 Street Fund						7,692.57	
103 Street Construction Fund						110,823.29	
107 Equipment Reserve Fund						48,234.75	

CHECK REGISTER

City Of Stanwood

Time: 12:23:47 Date: 12/03/2020

MCAG #: 0695

11/19/2020 To: 12/02/2020

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			115		Tourism And Promotion DSC	5,271.34	
			401		Sewer Fund	10,494.68	
			403		Sewer Construction Fund	15,814.63	
			410		Drainage Fund	497.11	
			411		Drainage Construction Fund	18,905.96	
			421		Water Fund	13,149.53	
			422		Water Construction Fund	1,916.01	
							Claims: 455,478.55
					* Transaction Has Mixed Revenue And Expense Accounts	455,478.55	

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Stanwood, and that I am authorized to authenticate and certify to said claim.

☒ Finance Director () Auditing Officer Wendy Dowhower Date: 12/3/2020
() Deputy Finance Director

CHECK REGISTER

City Of Stanwood
MCAG #: 0695

11/19/2020 To: 12/02/2020

Time: 12:24:33 Date: 12/03/2020
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
5586	11/23/2020	Payroll	3	EFT		2,600.00	November 2020 Draw
5587	11/23/2020	Payroll	3	EFT		1,000.00	November 2020 Draw
5588	11/23/2020	Payroll	3	EFT		1,700.00	November 2020 Draw
5589	11/23/2020	Payroll	3	EFT		2,000.00	November 2020 Draw
5590	11/23/2020	Payroll	3	EFT		1,000.00	November 2020 Draw
5591	11/23/2020	Payroll	3	EFT		1,850.00	November 2020 Draw
5592	11/23/2020	Payroll	3	EFT		3,500.00	November 2020 Draw
5593	11/23/2020	Payroll	3	EFT		1,600.00	November 2020 Draw
5594	11/23/2020	Payroll	3	EFT		1,000.00	November 2020 Draw
5595	11/23/2020	Payroll	3	EFT		2,000.00	November 2020 Draw
5596	11/23/2020	Payroll	3	EFT		2,000.00	November 2020 Draw
5597	11/23/2020	Payroll	3	EFT		800.00	November 2020 Draw
5598	11/23/2020	Payroll	3	EFT		1,000.00	November 2020 Draw
5599	11/23/2020	Payroll	3	EFT		2,000.00	November 2020 Draw
5600	11/23/2020	Payroll	3	EFT		2,000.00	November 2020 Draw
5601	11/23/2020	Payroll	3	EFT		500.00	November 2020 Draw
5602	11/23/2020	Payroll	3	EFT		3,450.00	November 2020 Draw
5603	11/23/2020	Payroll	3	EFT		1,500.00	November 2020 Draw
5604	11/23/2020	Payroll	3	EFT		1,000.00	November 2020 Draw
001 General Fund						32,500.00	
						32,500.00	Payroll:
							32,500.00

CERTIFICATION: I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Stanwood, and that I am authorized to authenticate and certify to said claim.

(☒) Finance Director () Auditing Officer Wendy Dowhower Date: 12/3/2020
() Deputy Finance Director



**CITY OF STANWOOD
COUNCIL AGENDA STAFF REPORT**

ITEM NUMBER: 7b

DATE: December 10, 2020

SUBJECT: City Council November 23, 2020 Regular Meeting Minutes

CONTACT PERSON: Jennifer Ferguson, City Administrator/City Clerk

ATTACHMENTS: A – Council Regular Meeting Minutes

SUMMARY STATEMENT

Minutes of the November 23, 2020 Regular City Council Meeting are attached.

RECOMMENDED MOTION

I MOVE TO APPROVE THE MINUTES OF THE NOVEMBER 23, 2020 REGULAR COUNCIL MEETING AS PRESENTED.

CITY OF STANWOOD
Regular Meeting of the City Council
Thursday, November 23, 2020 – 7:00 p.m.
Zoom Online Meeting & Telephone
MINUTES

1. Call to Order

Mayor Elizabeth Callaghan called the meeting to order at 7:00 p.m.

2. Roll Call

Deputy Clerk Sara Robinson called the roll with the following Councilmembers present: Rob Johnson, Diane White, Darren Robb, Timothy Pearce, Steve Shepro, Sid Roberts and Judy Williams. The meeting was quorate.

Also present: Community Development Director Patricia Love, Public Works Director Kevin Hushagen, Attorney Brett Vinson, Fire Chief John Cermak, Police Chief Rob Martin, City Administrator Jennifer Ferguson and Deputy Clerk Sara Robinson.

3. Approval of the Agenda

Motion by Councilmember Pearce, second by Councilmember Johnson to approve the agenda. Motion carried unanimously.

4. Citizen Comments

The City did not receive written comments or any citizens who would like to verbally address the Mayor and City Council. Citizens who wished to speak verbally, were required registered on the City Website by 9:00 am today, must be visible on camera and identify them-self with name and address.

5. Committee Reports

- a. Community Development Committee Meeting Minutes – October 15, 2020

6. Consent Agenda

- a. Approve Vouchers and Payroll Checks
- b. Approve November 12, 2020 Regular Meeting Minutes
- c. Authorize the Mayor to accept Viking Way Project – Phase 2 PRSC Grant Funds

Motion by Councilmember White, Second by Councilmember Johnson, to approve the Consent Agenda items a thru c. Motion carried unanimously.

Stanwood City Council Meeting Minutes – November 23, 2020

7. Public Hearing

The public was invited to submit written public comments or by registering to speak via the City website.

The City Clerk did not receive any Public Comment written submissions or registrations to speak.

a. 2020-2021 Biennial Budget

- i. Receive public comment on the proposed Ordinance
- ii. Second Reading and Final Adoption of Ordinance 1489 with Exhibit A 2021-2022 Biennial Budget

City Administrator, Jennifer Ferguson explained to council that the purpose of this agenda item is for the second reading and final adoption of Ordinance 1489 and to conduct a public hearing on the proposed 2021-2022 Biennial Budget, which is required by State Law, Ch, 35A.34 RCW. The City Council will consider the second reading and adoption of Ordinance 1489.

The first reading was presented and discussed during a Public Hearing held at the November 12, 2020 Regular City Council Meeting.

The Mayor opened the Public Hearing at 7:02 pm.

With there being no requests for public comment the Mayor Closed the Public Hearing at 7:03 pm.

Council discussed the proposed Ordinance.

Motion by Councilmember Johnson, second by Councilmember White to approve the first readings and adoption of Ordinance 1489 with exhibit A for adoption of the 2021-2022 biennial budget.

Councilmember Johnson – Yes, Councilmember White – Yes, Councilmember Robb – Yes, Councilmember Pearce – Yes, Councilmember Shepro – Yes, Councilmember Roberts – Yes, Councilmember Williams – Yes.

Motion carried unanimously.

8. New Business

a. Snohomish County Public Utility District (PUD) Easement Request

Community Development Director, Patricia Love presented this item for Council consideration and granting of an easement to Snohomish County Public Utility District (PUD) for the purpose of installing an underground feeder vault on the SW corner of the Fox Hill Estates detention pond. As part of the Twin City Substation project, PUD is requesting a non-exclusive 45' x 20' easement from the City on the SW corner of the Fox Hill Estates detention pond to install (2) Feeder vaults, conduit and underground cable to

Stanwood City Council Meeting Minutes – November 23, 2020

feed the existing and new overhead lines that will be fed from the new Twin City Substation. The vaults will be fed via underground lines entering and exiting the easement in the public right of way. An appraisal has been prepared indicating an easement value of \$1,000.00 which PUD will pay if Council approves the easement. The Council discussed the proposed easement.

Motion by Councilmember Johnson, second by Councilmember White to authorize the mayor to sign the Snohomish County Public Utility District (PUD) easement for the purpose of installing an underground feeder vault on the southwest corner of the Fox Hill Estates detention pond subject to:

- *Payment of the assessed value of the property;*
- *PUD obtains all necessary construction permits;*
- *Final design shall avoid conflicts with city utilities;*
- *Pavement and restoration of the detention pond drive isle; and*
- *Minimizing closures of the pedestrian walkway along pioneer highway.*

Motion carried unanimously.

9. Citizen Closing Comments – Removed via motion at the 3-26-2020 Meeting

10. Reports of Officers and Committees

a. Mayor's Report –

Mayor Callaghan wanted to let the Council know that they should be expecting an email from the State Auditors. The audit team may reach out to you for your information. When the audit is finished the City will get an exit audit presented at the Council meeting. Also a reminder about the Council Committee Selection forms. This weekend is Small Business Saturday. Please support our local stores.

b. City Administrator's Report-

Jennifer Ferguson wanted to tag on about the Council Committee Selection forms. We hope to have the submissions reviewed and on the agenda for the December meeting. Also please provide comments about the 2021 meeting dates so we can also set those at the December meeting.

Director Sound bites-

Fire Chief John Cermak reported that the COVID numbers are still high in Snohomish County. The Fire Department is doing a drive-by Santa and are collecting toys and food for the Christmas House.

Patricia Love was happy to report that the major project of automating the permit system is finally complete and is up and working. We are all happy to see it functioning.

Kevin Hushagen added that there is a lot going on in Public Works. They interviewed today for the open Supervisor position. The City was awarded a major TIB grant recently – Great work Shawn.

Police Chief Rob Martin wanted to let everyone know that the porch package thieves are out again. There has only been one so far in Stanwood, but it is that time of year.

Stanwood City Council Meeting Minutes – November 23, 2020

Ferguson also noted that the City is waiting on round 3 of the CARES act funds from the State. There were only a couple of eligible businesses the first round, so we are pushing it out again on the City Website. We will hope to receive more funds to be granted.

The Christmas decorations are at City Hall. Staff has been fluffing garland and putting together wreaths. They will be handed off to the Public Works staff for installation next week. We really look forward to decorating the community.

c. Councilmember Reports and Questions-

Councilmember Pearce asked the question- Are the lights on Viking Way are turned on yet? Shawn Smith replied noting that the schedule keeps getting pushed out but we are told they are ready and just need the go ahead from PUD.

Councilmember Shepro inquired about the traffic cones at the intersection on 72nd Ave NW near McDonalds. Smith said that they are still doing some channelization and we have been told it will be complete next week, but that schedule is unknown at this time.

Councilmember Roberts pointed out that the Council Rules state that the Council Committees will be set in January of the New Year. Is setting them in December out of compliance?

The council discussed this matter. The committees will be set in January the selections are being done now so that we can hit the ground running in January.

12. Adjourn

Mayor Callaghan adjourned the meeting at 7:30 pm.

CITY OF STANWOOD

ATTEST:

Elizabeth Callaghan, Mayor

Jennifer Ferguson, City Clerk



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7c
DATE: December 10, 2020
SUBJECT: 2021 Council Standing Committee Assignments
CONTACT PERSON: Elizabeth Callaghan, Mayor
ATTACHMENTS: A – 2021 Council Standing Committee Assignments

Resource Link:

<https://www.stanwoodwa.org/DocumentCenter/View/2390/Rules-of-Procedure-PDF>

PURPOSE

The purpose of this agenda item is for Council consideration of and confirmation of the 2021 City Council Committee Assignments.

BACKGROUND

Council's Rules of Procedure (See Resource Link above) Rule 29 guides the procedure for annual selection and governance of City Council Standing Committees.

ANALYSIS

In an effort to assign standing committee for 2021 prior to the start of the new year, City Council members submitted their committee assignment requests. The Mayor, Mayor Pro Tem and longest serving Councilmember have reviewed the requests and assigned City Council members for 2021 (Attachment A).

Fiscal Impact			
There is no fiscal impact			
Fund(s):	N/A		
Amount:	\$	Project Estimate:	\$ -
Budget Authorized	☐ Yes ☐ No	Amendment Required	☐ Yes ☐ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation: Staff recommends setting the 2021 City Council Standing Committee Assignments as presented by the Mayor.

Committee/Board Recommendation: The full City Council considers and approves the standing committee assignments.

CITY COUNCIL OPTIONS

1. The Council may approve the 2021 City Council Standing Committee Assignments as presented
2. The Council request changes to the proposed 2021 city council committee assignments and approve amended assignments
3. The Council may request the Mayor to bring back alternative council committee assignments at a later date

PROPOSED MOTION

MOTION TO APPROVE THE 2021 CITY COUNCIL STANDING COMMITTEE ASSIGNMENTS



City of Stanwood

2021

**City Council
City Council Committees
Boards and Commissions**



Mayor and City Council

Position #	Name and Address	Term
Mayor	<i>Elizabeth Callaghan</i> elizabeth.callaghan@ci.stanwood.wa.us	2018-2021
1	<i>Rob Johnson</i> rob.johnson@ci.stanwood.wa.us	2018-2021
2	<i>Dianne White</i> dianne.white@ci.stanwood.wa.us	2018-2021
3	<i>Darren Robb</i> Darren.robb@ci.stanwood.wa.us	2020-2021
4	<i>Timothy Pearce</i> timothy.pearce@ci.stanwood.wa.us	2020-2024
5	<i>Steve Shepro</i> Steve.shepro@ci.stanwood.wa.us	2020-2024
6	<i>Sid Roberts</i> sid.roberts@ci.stanwood.wa.us	2020-2024
7	<i>Judy Williams</i> judith.williams@ci.stanwood.wa.us	2018-2021



City Council Committees

	Community Development / Economic Development	
	Judy Williams Sid Roberts Tim Pearce Alternate – Steve Shepro	Schedule: Meets prior to the 1 st council meeting of the month at 6:00 pm via Zoom Online Meeting or at the Stanwood School District Board Room 26920 Pioneer Highway, Stanwood
	Finance / Personnel	
	Dianne White Steve Shepro Rob Johnson Alternate – Judy Williams	Schedule: Meets prior to the 2 nd council meeting of the month at 6:00 pm via Zoom Online Meeting or at the Stanwood School District Board Room 26920 Pioneer Highway, Stanwood
	Public Safety	
	Dianne White Steve Shepro Darren Robb Alternate – Tim Pearce	Schedule: Meets prior to the 2 nd council meeting of the month at 6:00 pm via Zoom Online Meeting or at the Stanwood School District Board Room 26920 Pioneer Highway, Stanwood
	Public Works / Parks	
	Rob Johnson Tim Pearce Judy Williams Alternate – Sid Roberts	Schedule: Meets prior to the 1 st Monday of the month at 5:30 pm via Zoom Online Meeting or at the Stanwood Wastewater Treatment Plant 10220 270th Street NW, Stanwood



Planning Commission

Position #	Name and Address	Term
1	Linda Utgard, <i>Chair (last elected 1/20)</i> Linda.Utgard@ci.stanwood.wa.us	Expires 12/2022
2	Monae Birkhofer Monae.birkhoffer@ci.stanwood.wa.us	Expires 12/2024
3	Marcus Metz, Vice <i>Chair (last elected 1/20)</i> Marcus.Metz@ci.stanwood.wa.us	Expires 12/2022
4	Patrick Hosterman Patrick.hosterman@ci.stanwood.wa.us patrick.hosterman@yahoo.com	Expires 12/2024
5	VACANT	Expires 12/2022
6	Justin Burns jburns@coastalbank.com Justin.burns@ci.stanwood.wa.us	Expires 12/2024
7	Lawrence Sather Lawrence.sather@ci.stanwood.wa.us la.sather@frontier.com	Expires 12/2024



Parks & Trails Advisory Committee

Position #	Name and Address	Term
1	Gordon Bell Ggear.bee@icloud.com	Expires 12/31/2021
2	Matt Withers mattatband@aol.com	Expires 12/31/2023
3	Dave Hall dhall@marysvillewa.gov	Expires 12/31/2023
4	Lisa Bruce Lisa.j.bruce@gmail.com	Expires 12/31/2023
5	Rick Hawkins 1rickhawkins@gmail.com	Expires 12/31/2021
6	Gordy Holmes Gordyholmes1@gmail.com	Expires 12/31/2023
7	David Moynahan David.patrick.moynahan@gmail.com	Expires 12/31/2021



Economic Development Board

Position #	Name and Address	Term
1	VACANT	2020/2021
2	Randy Heagle Windermere Realty rheagle@windermere.com	2019-2020
3	Dave Pelletier Pelletier & Schaar Architects dpelletier@pelletierschaar.com	2020-2021
4	Les Anderson Twin City Idler's Car Show andrsns@frontier.com	2019-2020
5	John Russell UPS Store russellstanwood@mac.com store4798@theupsstore.com	2019-2020
6	Chantel Keller Mammoth Burger chantelkeller@hotmail.com	2019-2020
7	Kristine Birkenkopf S.A.A.L Brewing Co. kristine@saalbrewingco.com	2020-2021



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7d
DATE: December 10, 2020
SUBJECT: Set 2021 City Council Meeting Calendar
CONTACT PERSON: Jennifer Ferguson, City Administrator
ATTACHMENTS: A – 2021 City Council Meeting Calendar

Resource Link:

<https://www.stanwoodwa.org/DocumentCenter/View/2390/Rules-of-Procedure-PDF>

PURPOSE

The purpose of this agenda item is for Council consideration of and approval of the 2021 City Council Meeting Calendar

BACKGROUND

Council's Rules of Procedure (See Resource link above) Rule 2 states that the Stanwood City Council shall hold regular meetings on the second and fourth Thursday of each month and shall hold four (4) quarterly special meetings, commonly known as Council workshops.

ANALYSIS

The 2021 calendar prepared for council approval includes setting all regular city council meetings, setting four special meetings, moving meetings that may fall on a holidays, and cancellation of two meetings.

Fiscal Impact			
There is no fiscal impact			
Fund(s):	N/A		
Amount:	\$	Project Estimate:	\$ -
Budget Authorized	☐ Yes ☐ No	Amendment Required	☐ Yes ☐ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation: Staff recommends setting the 2021 City Council Meeting Calendar as proposed.

Committee/Board Recommendation: The full City Council considers and approves the annual meeting calendar.

CITY COUNCIL OPTIONS

1. The Council may approve the 2021 City Council Meeting Calendar as presented
2. The Council may direct changes to the proposed 2021 City Council Meeting Calendar and approve an amended version
3. The Council may direct staff to bring back alternative meeting dates and a revised 2021 Meeting Calendar at a later date

PROPOSED MOTION

MOTION TO APPROVE AND SET THE 2021 CITY COUNCIL MEETING CALENDAR AS PRESENTED AND TO PUBLISH ALL DATES ON THE CITY WEBSITE

Proposed 2021 City Council Calendar

January 2021

Monday, January 4 Public Works Committee 5:30 pm

Thursday, January 14 Community Development Committee 6:00 pm
Thursday, January 14 Regular City Council Meeting 7:00 pm

Thursday, January 28 Finance/Personnel Committee 6:00 pm
 Thursday, January 28 Public Safety Committee 6:00 pm
Thursday, January 28 Regular City Council Meeting 7:00 pm

February 2021

Monday, February 1 Public Works Committee 5:30 pm

Thursday, February 11 Community Development Committee 6:00 pm ** CANCELLED
Thursday, February 11 Special Workshop Meeting 5:00 pm
Thursday, February 11 Regular City Council Meeting 7:00 pm

Thursday, February 25 Finance/Personnel Committee 6:00 pm
 Thursday, February 25 Public Safety Committee 6:00 pm
Thursday, February 25 Regular City Council Meeting 7:00 pm

March 2021

Monday, March 1 Public Works Committee 5:30 pm

Thursday, March 11 Community Development Committee 6:00 pm
Thursday, March 11 Regular City Council Meeting 7:00 pm

Thursday, March 25 Finance/Personnel Committee 6:00 pm
 Thursday, March 25 Public Safety Committee 6:00 pm
Thursday, March 25 Regular City Council Meeting 7:00 pm

April 2021

Monday, April 5 Public Works Committee 5:30 pm

Thursday, April 8 Community Development Committee 6:00 pm
Thursday, April 8 Regular City Council Meeting 7:00 pm

Thursday, April 22 Finance/Personnel Committee 6:00 pm
 Thursday, April 22 Public Safety Committee 6:00 pm
Thursday, April 22 Regular City Council Meeting 7:00 pm

Proposed 2021 City Council Calendar

May 2021

Monday, May 3 Public Works Committee 5:30 pm

Thursday, May 13 Community Development Committee 6:00 pm ****CANCELLED**
*Thursday, May 13 **Special Workshop Meeting 5:00 pm***
Thursday, May 13 Regular City Council Meeting 7:00 pm

Thursday, May 27 Finance/Personnel Committee 6:00 pm
Thursday, May 27 Public Safety Committee 6:00 pm
Thursday, May 27 Regular City Council Meeting 7:00 pm

June 2021

Monday, June 7 Public Works Committee 5:30 pm

Thursday, June 10 Community Development Committee 6:00 pm
Thursday, June 10 Regular City Council Meeting 7:00 pm

Thursday, June 24 Finance/Personnel Committee 6:00 pm
Thursday, June 24 Public Safety Committee 6:00 pm
Thursday, June 24 Regular City Council Meeting 7:00 pm

July 2021

Monday, July 5 Public Works Committee 5:30 pm

Thursday, July 8 Community Development Committee 6:00 pm
Thursday, July 8 Regular City Council Meeting 7:00 pm

Thursday, July 22 Finance/Personnel Committee 6:00 pm
Thursday, July 22 Public Safety Committee 6:00 pm
Thursday, July 22 Regular City Council Meeting 7:00 pm

August 2021

Monday, August 2 Public Works Committee 5:30 pm

Thursday, August 12 Community Development Committee 6:00 pm **** CANCELLED**
*Thursday, August 12 **Special Workshop Meeting 5:00 pm***
Thursday, August 12 Regular City Council Meeting 7:00 pm

Thursday, August 26 Finance/Personnel Committee 6:00 pm **** CANCELLED**
Thursday, August 26 Public Safety Committee 6:00 pm **** CANCELLED**
Thursday, August 26 Regular City Council Meeting 7:00 pm ** CANCELLED****

Proposed 2021 City Council Calendar

September 2021

Monday, September 6	Public Works Committee 5:30 pm
Thursday, September 9	Community Development Committee 6:00 pm
Thursday, September 9	Regular City Council Meeting 7:00 pm
Thursday, September 23	Finance/Personnel Committee 6:00 pm
Thursday, September 23	Public Safety Committee 6:00 pm
Thursday, September 23	Regular City Council Meeting 7:00 pm

October 2021

Monday, October 4	Public Works Committee 5:30 pm
Thursday, October 14	Community Development Committee 6:00 pm ** CANCELLED
Thursday, October 14	Special Workshop Meeting 5:00 pm
Thursday, October 14	Regular City Council Meeting 7:00 pm
Thursday, October 28	Finance/Personnel Committee 6:00 pm
Thursday, October 28	Public Safety Committee 6:00 pm
Thursday, October 28	Regular City Council Meeting 7:00 pm

November 2021

Monday, November 1	Public Works Committee 5:30 pm
Monday, November 8	Community Development Committee 6:00 pm
Monday, November 8	Regular City Council Meeting 7:00 pm
Monday, November 22	Finance/Personnel Committee 6:00 pm
Monday, November 22	Public Safety Committee 6:00 pm
Monday, November 22	Regular City Council Meeting 7:00 pm

December 2021

Monday, December 6	Public Works Committee 5:30 pm
Thursday, December 9	Community Development Committee 6:00 pm
Thursday, December 9	Regular City Council Meeting 7:00 pm
Monday, December 23	Finance/Personnel Committee 6:00 pm ** CANCELLED
Monday, December 23	Public Safety Committee 6:00 pm ** CANCELLED
Monday, December 23	Regular City Council Meeting 7:00 pm **CANCELLED



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7e
DATE: December 10, 2020
SUBJECT: Legal Services Retainer Agreement 2021-2022
CONTACT PERSON: Jennifer Ferguson, City Administrator
ATTACHMENTS: A – Weed, Graafstra, & Associates Retainer 2021-2022

PURPOSE

The purpose of this agenda item is for Council consideration and approval of a two-year legal services retainer, covering 2021-2022, with Weed, Graafstra & Associates.

BACKGROUND

The municipal attorney is an essential member of the City municipal team for purposes of managing legal affairs, risk management and assisting the city in making legally sound policy decisions. The selection and continuity of the city attorney is one of the most important decisions for a City Council. General municipal attorney services include attending council meetings, legal services to the Mayor, City Council and staff, preparation and review of ordinances, resolutions, contracts and other legislative documents, and legal representation in civil matters such as land use hearings and appeals.

Weed, Graafstra and Associates specialize in providing municipal law services for cities, towns and special purpose districts and have done so since the 1960's.

ANALYSIS

The law firm of Weed, Graafstra, and Associates, P.S. has provided municipal attorney services to Stanwood since 2004. The firm proposes a rate increase of \$5.00 per hour beginning January 1, 2021. These rates appear reasonable.

The city has spent approximately \$73,000 on attorney services through October 2020 – approximately \$7,300 per month. The city has experienced a higher than average legal cost in 2020, attributed to right of way acquisitions related to the Viking Way Street Improvement project and appeal of land use decisions. The 2021-2022 Biennial Budget has been adopted with an increased allocation for legal services

Fiscal Impact			
The 2021-2022 Budget includes sufficient allocations for legal services			
Fund(s):	General and Utility Funds		
Amount:	\$ 272,000	Project Estimate:	\$ -
Budget Authorized	☒ Yes ☐ No	Amendment Required	☐ Yes ☐ No ☒ Monitor

RECOMMENDATIONS

Staff Recommendation: Staff recommends approval of the legal services retainer for 2021-2022 as proposed

Committee/Board Recommendation: The full City Council considers and approves the legal services retainer.

CITY COUNCIL OPTIONS

1. The Council may approve the 2021-2022 legal services retainer as presented
2. The Council may direct staff to bring back an alternative retainer agreement at a later date

PROPOSED MOTION

MOTION TO AUTHORIZE THE MAYOR TO EXECUTE A TWO-YEAR LEGAL SERVICES RETAINER AGREEMENT ENDING DECEMBER 31, 2022 WITH WEED, GRAAFSTRA AND ASSOCIATES

**CITY ATTORNEY RETAINER AGREEMENT
CALENDAR YEARS 2021 AND 2022**

I - PARTIES/EMPLOYMENT

The CITY OF STANWOOD (hereinafter "CITY") agrees to retain the law firm of WEED, GRAAFSTRA & ASSOCIATES, INC., P.S., 110 Cedar Avenue, Suite 102, Snohomish, Washington, and said law firm (hereinafter "CITY ATTORNEY") agrees to serve as CITY ATTORNEY on the terms and conditions stated below. The CITY ATTORNEY shall serve at the pleasure of the Mayor; PROVIDED, that all decisions relative to such employment, or termination of the same, shall be subject to confirmation by a majority vote of the City Council.

II - QUALITY OF SERVICES

The CITY ATTORNEY shall perform all legal services covered by this contract in a capable and efficient manner, and in accordance with the professional and ethical standards of the Washington State Bar Association.

III - COMPENSATION

A. Basic Retainer: The CITY shall pay the CITY ATTORNEY a retainer in the amount of \$5,000.00 per month, which retainer shall be compensation for up to 25 hours of work per month for the following legal services:

1. To attend the two regularly scheduled meetings of the City Council per month.
2. To provide legal advice to the Mayor, Councilpersons, and administrative heads of the various departments of the CITY.
3. To prepare such ordinances, resolutions, and instruments as the Mayor, City Council and department heads may direct, to render legal advice on all civil matters, and to prepare or review such correspondence, contracts, easements, and instruments as may be necessary and appropriate.

B. Additional Services: The CITY shall pay the CITY ATTORNEY for the following additional or special legal services at the rate of \$210.00 per hour, or, if said services are performed by a paralegal in the CITY ATTORNEY's office the same shall be compensated at the rate of \$165.00 per

hour:

1. Time in excess of basic retainer. Any and all hours expended on legal services referred to in paragraph A above (Basic Retainer) in excess of 25 hours per month.

2. Extra meetings. Attendance, at the request of the City, at evening meetings of CITY boards, commissions or committees, except for regular City Council meetings held twice a month.

3. Local Improvement Districts. All legal services performed in connection with the formation and financing of any LID or ULID (although it is understood that the primary responsibility for this type of legal work will fall under the exceptions referred to in paragraph V below).

C. Litigation. The CITY shall pay the CITY ATTORNEY for all superior and appellate court litigation and all administrative hearings of a quasi-judicial nature, except those conducted by the CITY itself, at the rate of \$220.00 per hour.

D. Time Records. In order to determine appropriate compensation, the CITY ATTORNEY shall maintain accurate time records, copies of which shall be made available to the CITY.

E. Time for Payment. The CITY shall pay all compensation provided herein to the CITY ATTORNEY on a monthly basis, and within two weeks of the date on which each billing statement is received.

IV - REIMBURSEMENT

In addition to compensation for the legal services specified above, the CITY shall reimburse the CITY ATTORNEY for direct expenses incurred, and costs advanced, including but not limited to court costs, filing fees, witness fees, recording fees, copying expenses at cost, long distance phone calls, library charges for municipal law books, and the cost of travel, lodging and tuition relating to meetings of the Association of Washington Cities and Association of Municipal Attorneys. However, ordinary law office operating expenses, such as rent and secretarial services, shall not be compensated or reimbursed.

V - EXCEPTIONS

This contract shall not cover legal representation relating to insurance defense, the formation and financing of local improvement districts, or other specialized fields where it is agreed by the parties that outside legal counsel should be retained.

VI - INSURANCE COVERAGE

To the extent provided by the Washington Cities Insurance Authority, the CITY shall provide insurance coverage for the CITY ATTORNEY's errors and omissions, and malpractice, while acting in the capacity of CITY ATTORNEY, and shall indemnify and hold the CITY ATTORNEY harmless from any and all claims brought by third parties against the CITY ATTORNEY in said capacity.

The City Attorney shall also provide errors and omissions and malpractice coverage with limits of not less than one million (\$1,000,000) dollars coverage and shall indemnify and hold the City, its officers, agents, employees and elected officials harmless from all claims arising out of the sole negligence of the City Attorney.

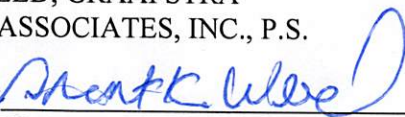
VII - EFFECTIVE DATE AND DURATION

This contract shall take effect on and after January 1, 2021 and shall continue in effect until December 31, 2022 unless earlier terminated by the City Attorney or action of the City Council with at least 60 days written notice or renegotiated by either party with at least 60 days' written notice. To aid in the annual budget process, the City Attorney will notify the City on or before July 31 of any revisions to the Compensation Provisions of Article III or Article IV of this contract for calendar year 2022.

DATED this _____ day of _____, 2020.

WEED, GRAAFSTRA
& ASSOCIATES, INC., P.S.

By


GRANT K. WEED, PRESIDENT

CITY OF STANWOOD

By

ELIZABETH CALLAGHAN, MAYOR

ATTEST:

By

CITY CLERK



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7f

DATE: December 10, 2020

SUBJECT: 2021 Snohomish Regional Drug Task Force Interlocal Agreement

CONTACT PERSON: Rob Martin, Police Chief

ATTACHMENTS: A – 2021 Drug Task Force ILA

PURPOSE

The purpose of this agenda item is for Council consideration of the proposed 2021 Snohomish Regional Drug Task Force interlocal agreement.

BACKGROUND

Maintaining our partnership with the Snohomish Regional Drug Task Force is beneficial to the community and police department. The drug task force conducts investigations into mid to upper level drug traffickers. They perform the critical and time-consuming role of developing intelligence, identifying targets and completing investigations. They share resources and information, provide training and assist with low level operations when requested.

ANALYSIS

The 2021 Drug Task Force ILA has been revised, removing outdated and irrelevant language. The most notable change is the 27% reduction in city contributions to task force operations.

Each participating jurisdiction is assessed a proportional share based on average population count. The funding formula was remodeled due to the loss of the Byrne/Jag Grant. Previous contributions were based on the salary of the commander and the administrative sergeant. They are now based solely on the salary of the commander.

Fiscal Impact			
The 2021-2022 budget has an allocation for this ILA.			
Fund(s):	General Fund		
Amount:	\$ 1357.00	Project Estimate:	\$ -
Budget Authorized	☒ Yes ☐ No	Amendment Required	☐ Yes ☒ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation: Staff recommends Council authorize the Mayor to execute the 2021 Snohomish Regional Drug Task Force ILA.

Committee/Board Recommendation: This item was discussed with the Public Safety Committee on September 24, 2020 and the committee was in favor of the 2021 Snohomish Regional Drug Task Force ILA.

CITY COUNCIL OPTIONS

1. The City council may authorize the Mayor to sign the ILA.
2. The City council may choose not to authorize the Mayor to sign the ILA.
3. The City council may direct staff to provide additional information.

PROPOSED MOTION

MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE 2021 SNOHOMISH REGIONAL DRUG TASK FORCE INTERLOCAL AGREEMENT.



Snohomish Regional Drug Task Force

November 24, 2020

M/S #606
3000 Rockefeller Ave.
Everett, WA 98201
(425) 388-3479
FAX (360) 658-7664

To: Chief Rob Martin
P.O. Box 127
Stanwood Police Department
Stanwood, WA 98292

Re: Interlocal Agreement (ILA) with Revisions

Greetings,

Enclosed you will find the revised Snohomish Regional Drug Task Force (S.R.D.T.F.) Interlocal Agreement. I am proud to present this document which has undergone several revisions in the past few months. These revisions remove outdated and irrelevant language, while promoting transparency and answers to previously unexplained calculations. One of the most noticeable changes is the reduction in contributions requested. The contributions are now based solely on the salary of the commander. With the disappearance of the Byrne/Jag Grant, the contributions have become critical in maintaining a functioning task force.

Despite pandemic restrictions, this task force has continued to combat the upper level drug trade while keeping employees and public safe. A few statistics we are proud to report are:

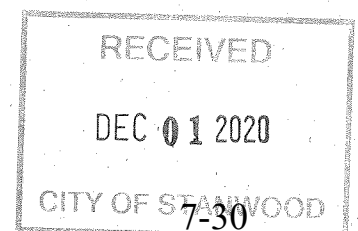
- Seizure of 9,761.7g of heroin (drug seizures are measured in grams)
- Seizure of 4,144 counterfeit oxycodone pills believed to be Fentanyl
- Seizure of 18,069g of methamphetamine
- Seizure of 49 firearms
- 6 DMIs (Drug Market Interdictions)
- Completed over 100 arrests

The cooperative language of this new agreement reflects the cooperation of all participating agencies that make up the SRDTF as regional asset.

Thank you for your prompt attention in returning the signature page to us.

Sincerely,

MARK RICHARDSON
Bureau Chief, Special Operations



ATTEST:

APPROVED AT THE DIRECTION OF THE PARTICIPATING JURISDICTION:

Title _____

Dated _____
Jurisdiction of _____

ATTEST:

Jurisdiction Clerk

Dated _____

APPROVED AS TO FORM:

Jurisdiction Attorney

Dated _____

INTERLOCAL AGREEMENT ESTABLISHING SNOHOMISH REGIONAL DRUG TASK FORCE

This Interlocal Agreement Establishing the Snohomish Regional Drug Task Force ("Agreement"), is entered into by and among Snohomish County, a political subdivision of the State of Washington, and the following municipal corporations and department of the State of Washington (hereinafter collectively referred to as the "Participating Jurisdictions"):

City of Arlington	City of Mill Creek
City of Bothell	City of Monroe
City of Brier	City of Mountlake Terrace
City of Darrington	City of Mukilteo
City of Edmonds	City of Snohomish
City of Everett	City of Stanwood
City of Gold Bar	City of Sultan
City of Granite Falls	Washington State Patrol
City of Index	Snohomish Health District
City of Lake Stevens	
City of Lynnwood	
City of Marysville	

WITNESSES THAT:

WHEREAS, since 1988, Snohomish County, and multiple cities and towns located in Snohomish County, have collaborated in a countywide multi-jurisdictional task force to address illegal drug trafficking in the region (“Snohomish Regional Drug Task Force” or “Task Force”). The Task Force has operated on a continuous basis since 1988 under a series of interlocal agreements;

WHEREAS, the Participating Jurisdictions desire to continue operation of the Task Force, with Snohomish County administering task force project grants and other funding on their behalf; and

NOW, THEREFORE, in consideration of covenants, conditions, performances and promises hereinafter contained, the parties hereto agree as follows:

1.0 TASK FORCE TERM AND PURPOSE

1.1 The term of this Agreement (“Term”) shall begin on January 1, 2021 (“Effective Date”), and continue through December 31, 2021, unless earlier terminated or modified as provided in this Agreement. The Snohomish County Sheriff, with the concurrence of the Executive Board, may extend this Agreement for up to three additional one-year terms by providing written notice to each of the Participating Jurisdictions.

1.2 The purpose of the Task Force is to formally structure and jointly coordinate selected law enforcement activities, resources, and functions in order to disrupt illegal drug trafficking systems and to remove traffickers through a cooperative

program of investigation, prosecution, and asset forfeiture. The parties do not intend that this Agreement create a separate legal entity subject to suit.

1.3 The Task Force goals are to:

- a. Reduce the number of drug traffickers in the communities of Snohomish County through the professional investigation, apprehension, and conviction;
- b. Efficiently attack, disrupt, and prosecute individual and organized mid to upper level drug traffickers who do not recognize jurisdictional boundaries or limitations, and by doing so, impact drug trafficking organizations previously impregnable;
- c. Enhance drug enforcement cooperation and coordination through multi-agency investigations, training of local jurisdictions and the sharing of resources and information; and
- d. Address these issues with the foremost consideration of safety for both law enforcement and the community.

1.4 The Task Force will follow a management system for the shared coordination and direction of personnel as well as financial, equipment, and technical resources, as stated in this Agreement.

1.5 The Task Force will implement operations, including:

- a. Development of intelligence,
- b. Target identification,
- c. Investigation,

- d. Arrest of Suspects,
- e. Successful prosecution of offenders, and
- f. Asset forfeiture/disposition.

1.6 The Task Force shall evaluate and report on Task Force performance as required in any applicable grant or funding agreement.

2.0 ORGANIZATION

2.1 The Task Force shall be organized according to the chart contained in Exhibit A, incorporated herein by this reference.

2.2 Personnel assigned to the Task Force shall be directed in their Task Force duties by the Snohomish County Sheriff's Office ("SCSO"), through the Task Force Commander. The Task Force Commander is an employee of Snohomish County. Selection of the Task Force Commander will be conducted in accordance with Exhibit B, incorporated herein by this reference. Appointment and removal of the Task Force Commander remains at the sole discretion of the Snohomish County Sheriff. Should the Sheriff elect to remove the Task Force Commander without cause, the Executive Board shall be consulted before action is taken.

2.3 Exhibit C, incorporated herein by this reference, sets forth the personnel currently assigned to the Task Force by each Participating Jurisdiction. Nothing in this Agreement shall restrict the ability of the Snohomish County Prosecuting Attorney, Snohomish County Sheriff, Everett Police Chief, or chief law

enforcement officer of any Participating Jurisdiction to reassign personnel now or later assigned to the Task Force.

- 2.4 Participating Jurisdiction Employees: Any employee assigned to the Task Force by a Participating Jurisdiction shall remain, and be considered, an employee of the assigning Participating Jurisdiction. Each Participating Jurisdiction shall pay all costs associated with its employees when assigned to the Task Force. All rights, duties, and obligations of the employer and the employee shall remain with the Participating Jurisdiction. Each Participating Jurisdiction shall be responsible for ensuring compliance with all applicable laws, collective bargaining agreements, and/or civil service rules and regulations, applicable to its employees.

3.0 GOVERNANCE

- 3.1 The activities of the Task Force shall be governed by an Executive Board. The Task Force Executive Board shall be comprised of one representative from each Participating Jurisdiction that contributes at least one (1) full-time employee to the Task Force. Executive Board member votes shall be allocated according to the number of full-time personnel his/her jurisdiction contributes to the Task Force. As an example, if the Snohomish County Sheriff provides six employees and the City of Lynnwood provides three, the Snohomish County Sheriff has six votes and the City of Lynnwood has three. Additional Executive Board members, with one vote each include: the Snohomish County Prosecuting Attorney, the Everett City Attorney, the Northwest HIDTA Director, and one

chief of police from the remaining Participating Jurisdictions, selected by a majority vote of the chiefs of police of the remaining Participating Jurisdictions. If a Participating Jurisdiction that has no personnel assigned to the Task Force as of the effective date of this Agreement, assigns full-time personnel to the Task Force, a representative from that agency will be added as an Executive Board member after the full-time personnel has been assigned to the Task Force for three months.

- 3.2 The Snohomish County Sheriff shall serve as Chair of the Executive Board. The Task Force Executive Board may adopt bylaws which include provision for appointment of alternates to attend Executive Board meetings in the absence of members. At such meetings, the alternate shall have the same rights as the appointing member. Any action taken by the Task Force Executive Board under this Agreement shall be based on simple majority of votes.

4.0 TASK FORCE BUDGET

- 4.1 The 2021 Task Force budget is attached as Exhibit D, incorporated herein by reference. Each Participating Jurisdiction shall contribute funding to the Task Force as specified in Exhibit D.
- 4.2 The SCSO will annually review and revise the Task Force budget to provide a sufficient level of funding and total resource obligation for the following calendar year. The Task Force budget will be allocated to each Participating Jurisdiction on a proportional basis. Each Participating Jurisdiction's proportional share will be based on the Participating Jurisdiction's average

population, as determined by Washington State Office of Financial Management.

- 4.3 No later than July 1 of each year, the Sheriff shall provide notice to each Participating Jurisdiction of the subsequent year's proposed Task Force budget, and each Participating Jurisdiction's proportional share.
- 4.4 Snohomish County shall maintain designated financial accounts for the purpose of supporting Task Force operations. Except as modified by section 6.0, all revenues collected or generated by or for the Task Force shall be forwarded to the Snohomish County Treasurer and placed in the designated accounts. All real or personal property of the Task Force will be held in Snohomish County's name for the benefit of the Task Force.
- 4.5 Each Participating Jurisdiction agrees to provide funding that is no less than the amount indicated in Exhibit D, and to pay its funding share to Snohomish County as administrator of Task Force funds no later than March 1, of the year in which the funding is due.
- 4.6 Each Participating Jurisdiction agrees that the funding it contributes shall be provided in addition to that currently appropriated to drug enforcement activities and that no Task Force activity will supplant or replace any existing drug enforcement activities.

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5.0 GENERAL ADMINISTRATION

- 5.1 Each Participating Jurisdiction agrees to provide Snohomish County with any documentation necessary to apply for, receive, or comply with any applicable grant requirements.
- 5.2 By executing this Agreement, each Participating Jurisdiction agrees to make any certified or other assurances required by any applicable grant agreement that are within its particular control, and agrees to make all its records related to the Task Force available for inspection if required as a condition of receipt of grant funding.
- 5.3 Snohomish County is granted the authority to execute on behalf of the Participating Jurisdictions all agreements and contracts signed as approved by the Task Force Executive Board, by and through its Chair, including but not limited to all contracts for professional services. Agreements and contracts executed in this manner shall have the same legal effect as if they were executed by each Participating Jurisdiction. All Task Force contracts and agreements executed on behalf of Participating Jurisdictions under this Agreement must first be approved on motion of the Task Force Executive Board. By executing this Agreement, each Participating Jurisdiction agrees that, for the purpose of administering the assets and resources available to the Task Force, no such agreement or contract may impose or waive liability with respect to a Participating Jurisdiction in a manner that is inconsistent with the hold harmless provision in section 11.0 of this Agreement.

5.4 Any dispute arising under this Agreement will be forwarded to the Task Force Executive Board for resolution. The determination made by the Executive Board shall be final and conclusive as between the parties. This provision shall not apply to issues of indemnity and liability governed by the hold harmless provision in Section 11.0 of this Agreement.

6.0 ASSET FORFEITURE

6.1 The Participating Jurisdictions shall refer all potential asset forfeitures initiated or investigated by deputies/officers assigned to the Task Force during the pendency of this Agreement to the Task Force for disposition at the discretion of the Task Force Executive Board or prosecuting authority (Prosecuting Attorney or United States Attorney). Any such referred asset forfeiture that is pursued in state court will be prosecuted in the name of Snohomish County, on behalf of the Task Force and its Participating Jurisdictions.

6.2 The Task Force Commander, under the direction of the Task Force Executive Board, shall manage the acquisition and disposition of assets seized or forfeited as a result of this Agreement in compliance with state and federal law and Task Force procedures.

6.3 Federal Forfeiture.

- a. For purposes of receipt and processing of federal equitable sharing distributions, Snohomish County shall be designated as the fiduciary agency for the Task Force.

- b. Participating Jurisdictions will be compliant with federal Equitable Sharing Program guidelines and reporting requirements, including the requirements contained in the Guide to Equitable Sharing For State, Local, and Tribal Law Enforcement, published by the Department of Justice and the Department of Treasury.
- c. Snohomish County will submit request(s) to the federal government, on behalf of the Task Force, in order to obtain equitable sharing related to federal forfeitures.
- d. Participating Jurisdictions agree and understand that all proceeds from federal forfeitures of seized assets, which may be awarded to the County on behalf of the Task Force, will be retained by the County for Task Force operations and expenses.
- e. Except as allowed by Section 6.3(g), Participating Jurisdictions will not submit individual equitable sharing requests, nor will Participating Jurisdictions receive shared federal funds from Snohomish County.
- f. The Task Force may only use proceeds from federal seizures and forfeitures for law enforcement purposes, as defined by the United States Department of Justice.
- g. If the Task Force initiates or participates in an investigation that results in a federal forfeiture of \$300,000 or more in net proceeds, each Participating Jurisdiction that participated in the investigation may file an individual request for equitable sharing under its own agency code.

The parties intend that each Participating Jurisdiction's individual equitable share will be the Participating Jurisdiction's Task Force participation percent at the time of the investigation, provided however, the SCSO is entitled to claim an additional twenty five percent (25%) to account for Task Force operative/administrative expenses. The parties acknowledge however, that final determination of a Participating Jurisdiction's receipt, and percentage allocation, of federal forfeiture proceeds is within the discretionary authority of the Department of Treasury or Department of Justice, as applicable.

- h. The Task Force Commander will notify an eligible Participating Agency of a federal forfeiture meeting the threshold outlined in Section 6.3(g) within 15 days of the forfeiture. A Participating Jurisdiction seeking an individual equitable share of the federal forfeiture must file its request no later than 45 days following the forfeiture, unless an exemption applies.

6.4 State Forfeiture.

- a. The net monetary proceeds of each state asset forfeiture made by the Task Force shall be retained by the County for Task Force operations and expenses. If proceeds from state asset forfeitures exceeds the amount necessary for Task Force operations and expenses, the excess state forfeiture proceeds shall be distributed to Participating Jurisdictions in

accordance with each Participating Jurisdiction's participation percent, listed in Exhibit C.

- b. The Task Force may retain funds in an amount up to \$250,000 from the net proceeds of vehicle seizures for the purchase of Task Force vehicles and related fleet costs.
- c. Any Participating Jurisdiction receiving a distribution of assets forfeited under RCW 69.50.505 shall use such assets in accordance with RCW 69.50.505(10), which limits use to the expansion and improvement of controlled substances related law enforcement activity and prohibits use to supplant preexisting funding sources.

7.0 ACQUISITION AND USE OF EQUIPMENT

- 7.1 For purposes of this Agreement, the term "Equipment" shall refer to all personal property used by the Task Force in performing its purpose and function, including but not limited to materials, tools, machinery, equipment, vehicles, supplies, and facilities.
- 7.2 If any Equipment is acquired with grant funds, the Participating Jurisdictions agree that the Task Force will use that equipment only for specified law enforcement purposes for the term of the grant.
- 7.3 Personnel assigned to the Task Force may use Equipment that is provided or acquired for Task Force purposes, as directed by the Task Force Commander.
- 7.4 Upon termination of the Task Force, any Equipment provided to the Task Force by a Participating Jurisdiction will be returned to that jurisdiction.

7.5 Upon termination of the Task Force, any Equipment acquired by the Task Force will be disposed of in accordance with applicable federal, state, or local requirements or this Agreement.

8.0 MODIFICATION

Participating Jurisdictions hereto reserve the right to amend this Agreement in the future from time to time as may be mutually agreed upon. No such amendment shall be effective unless written and signed by all then-contributing Participating Jurisdictions with the same formality as this Agreement.

9.0 NONDISCRIMINATION

There shall be no discrimination against any employee or against any applicant for such employment because of race, color, religion, handicap, marital status, political affiliation, sex, age, or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training.

10.0 TERMINATION OF AGREEMENT

10.1 Notwithstanding any provisions of this Agreement, any party may withdraw from the Agreement by providing written notice of such withdrawal to all other parties, specifying the effective date thereof at least thirty (30) days prior to such date. A withdrawing party may take with it any Equipment it has provided to the Task Force and shall be entitled to distributions under section 6 of this

Agreement with respect to asset forfeitures which that Participating Jurisdiction participated before the effective date of withdrawal.

10.2 If there is a reduction in funds by the source of those funds, and if such funds are the basis of this agreement, Snohomish County may unilaterally terminate all or part of the agreement or may reduce its scope of work and budget.

11.0 HOLD HARMLESS

Each party hereto agrees to save, indemnify, defend and hold the other parties harmless from any allegations, complaints, or claims of wrongful and/or negligent acts or omissions, by said party and/or its officers, agents, or employees to the fullest extent allowed by law. In the case of allegations, complaints, or claims against more than one party, any damages allowed shall be levied in proportion to the percentage of fault attributable to each party, and each party shall have the right to seek contribution from each of the other parties in proportion to the percentage of fault attributable to each of the other parties. Moreover, the parties agree to cooperate and jointly defend any such matter to the extent allowed by law. A jurisdiction that has withdrawn assumes no responsibility for the actions of the remaining members arising after the date of withdrawal but shall remain liable for claims of loss or liability arising prior to the effective date of withdrawal.

12.0 GOVERNING LAW AND VENUE

This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Washington without reference to choice of law principles, and venue

of any suit between the parties arising out of this Agreement shall be in the Superior Court of Snohomish County, Washington.

13.0 INTEGRATION

With the exception of necessary operational agreements between law enforcement agencies of the Participating Jurisdictions and agreements executed pursuant to section 5.3, this Agreement constitutes the whole and entire agreement among those parties as to the Task Force and no other understandings, oral, or otherwise, regarding the Task Force shall be deemed to exist or bind the parties.

14.0 EXECUTION OF MULTIPLE ORIGINAL COUNTERPARTS

This Agreement may be reproduced in any number of original counterparts. Each party need sign only one counterpart and when the signature pages are all assembled with one original counterpart, that compilation constitutes a fully executed and effective agreement among all the Participating Jurisdictions. In the event that fewer than all named parties execute this Agreement, the Agreement, once filed or posted as specified in section 16.0, shall be effective as between the parties that have executed the Agreement to the same extent as if no other parties had been named.

15.0 SEVERABILITY

If any part of this Agreement is unenforceable for any reason the remainder of the agreement shall remain in full force and effect.

16.0 POSTING/RECORDING

This Agreement will be filed with the Snohomish County Auditor or posted on the County or Participating Jurisdiction's interlocal agreements webpage, in compliance with RCW 39.34.040.

In witness whereof, the parties have executed this Agreement.

SNOHOMISH COUNTY:

Snohomish County, a political subdivision
of the State of Washington

By _____
Name: _____
Title: _____

Approved as to Form:



Deputy Prosecuting Attorney

Exhibit A

SRDTF Executive Board

Snohomish County Sheriff (Chair), Everett Police Chief (Asst Chair), Edmonds Police Chief, Lynnwood Police Chief, Mountlake Terrace Police Chief, Director of Northwest H.I.D.T.A

Participating Agencies:

ATF
DEA
DOC
Edmonds PD
Everett PD
FBI
Lynnwood PD
Mountlake Terrace PD
Prosecutor's Office
SCSO

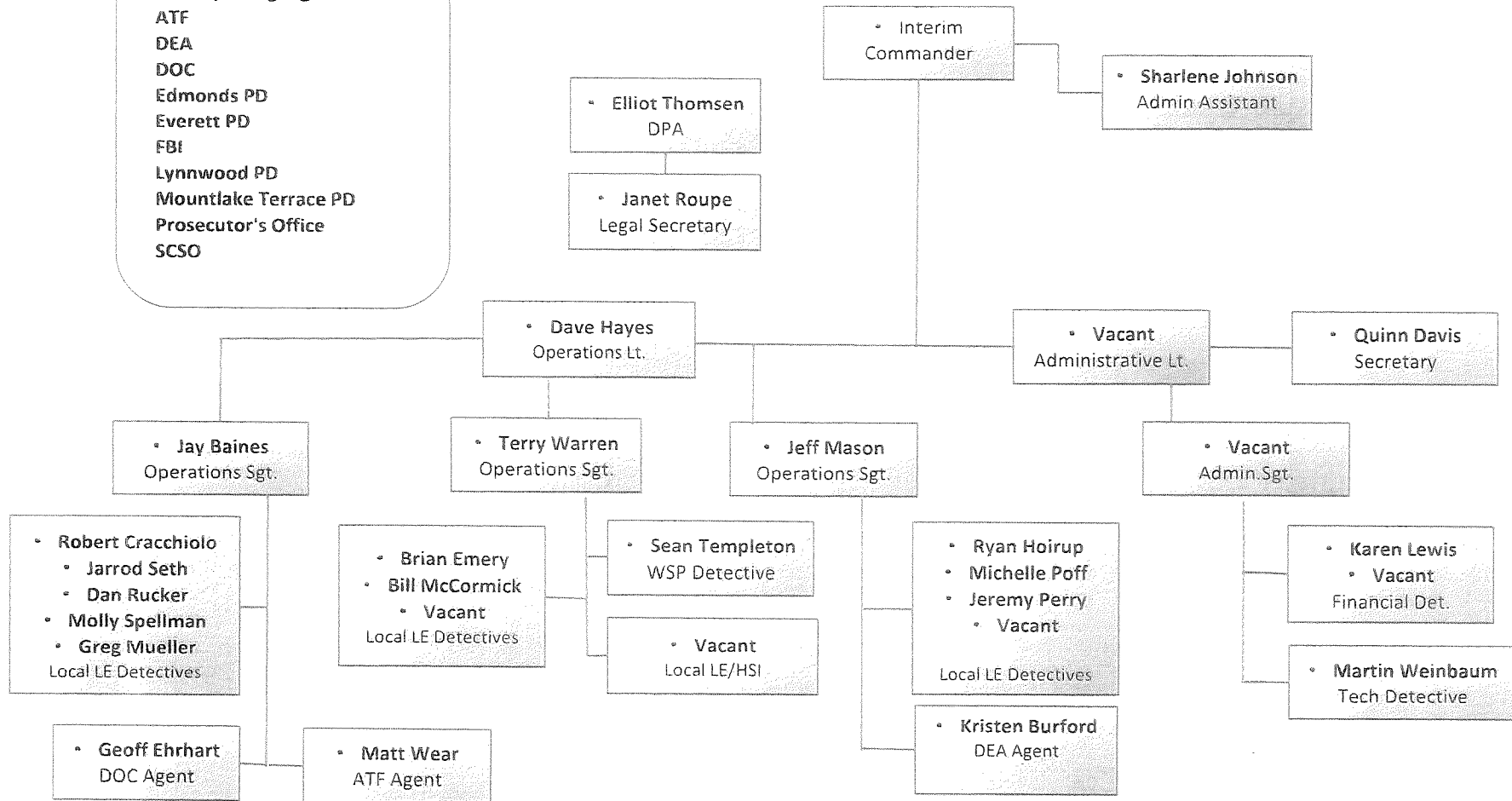


EXHIBIT B

Snohomish Regional Drug Task Force Commander Selection

The Drug Task Force Commander is a management exempt ("at will") employee of the Sheriff's Office.

With the objective of selecting the best possible candidate for the position of Drug Task Force Commander, and ensuring the best fit into the organization, the Executive Board will recommend to the Sheriff three candidates to be considered for the position of Drug Task Force Commander. Candidates for the Drug Task Force Commander position must demonstrate a strong leadership skill set, the ability to build consensus, and direct the efforts of a multi-agency team to achieve established goals. He or she must meet the performance objectives set by the Executive Board and the Sheriff. The Sheriff will select the Drug Task Force Commander from the Executive Board's three recommended candidates.

The Drug Task Force Commander's initial commitment of service is four years, with the option of a year by year extension after that period. The Sheriff shall consult with the Executive Board before authorizing any extension of the Drug Task Force Commander's service commitment.

EXHIBIT _C_

Snohomish Regional Drug Task Force

Personnel Assigned by Jurisdiction
January 1, 2021-December 31, 2021

EVERETT POLICE DEPARTMENT

1 Sergeant
1 Detective
1 Detective
1 Detective
1 Detective
1 Detective
1 Detective
1 Support Personnel

FUNDING

Everett PD
Everett PD
Everett PD
Everett PD
Everett PD
Everett PD
Everett PD- Vacant
Everett PD

SNOHOMISH COUNTY SHERIFF'S OFFICE

1 Task Force Commander
1 Lieutenant
1 Sergeant
1 Sergeant
1 Detective
1 Detective
1 Detective
1 Detective
1 Detective
1 K9 Detective
1 Support Staff

FUNDING

Snohomish County Sheriff- Vacant
Snohomish County Sheriff
Snohomish County Sheriff-Vacant
Snohomish County Sheriff
Snohomish County Sheriff
Snohomish County Sheriff
Snohomish County Sheriff
Snohomish County Sheriff- Vacant
Snohomish County Sheriff- Vacant
Snohomish County Sheriff
Snohomish County Sheriff

LYNNWOOD POLICE DEPARTMENT

1 Sergeant
1 Detective

FUNDING

Lynnwood PD
Lynnwood PD - Vacant

EDMONDS POLICE DEPARTMENT

1 Detective

FUNDING

Edmonds PD

SNOHOMISH COUNTY PROSECUTOR'S OFFICE

.5 Support Staff
 1 Deputy Prosecutor

FUNDING

Snohomish County Prosecutor
 Snohomish County Prosecutor

STATE OF WASHINGTON

1 Detective
 1 Agent

FUNDING

Washington State Patrol
 Department of Corrections

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

1 Agent

FUNDING

ATF

DRUG ENFORCEMENT AGENCY

1 Agent

FUNDING

DEA

Agency	Participants	E- Board Vote	Pcnt	Notes
Everett PD	7	7	43.75%	
Snoh Co Sheriff's Off	7	7	43.75%	
Lynnwood PD	1	1	6.25%	
Edmonds PD	1	1	6.25%	
WSP	1	1		Fr. 10% WaSt Tx
DOC	1	1		Fr. 10% WaSt Tx
SC Pros Atty	1.5	1		
Evt City Atty	0	1		
NWHIDTA Dir	0	1		
At Large PD	0	1		
Totals	19.5	22	100%	

Jurisdiction	2015 Population Est.	2019 Population Est.	2019 % of Population Est.	2021 Allocation
Unincorporated Snohomish County	330,260	365,480	44.80%	\$ 70,890
Arlington	18,490	19,740	2.41%	\$ 3,815
Bothell (part)	17,230	18,180	2.22%	\$ 3,514
Brier	6,500	6,665	0.81%	\$ 1,288
Darrington	1,350	1,410	0.17%	\$ 273
Edmonds	40,490	42,170	5.15%	\$ 8,150
Everett	105,800	111,800	13.66%	\$ 21,608
Gold Bar	2,115	2,150	0.26%	\$ 416
Granite Falls	3,390	3,900	0.48%	\$ 754
Index	160	175	0.02%	\$ 34
Lake Stevens	29,900	33,080	4.04%	\$ 6,393
Lynnwood	36,420	39,600	4.84%	\$ 7,654
Marysville	64,140	67,820	8.28%	\$ 13,108
Mill Creek	19,760	20,590	2.51%	\$ 3,979
Monroe	17,620	19,250	2.35%	\$ 3,720
Mountlake Terrace	21,090	21,590	2.64%	\$ 4,173
Mukilteo	20,900	21,350	2.61%	\$ 4,126
Snohomish	9,385	10,200	1.25%	\$ 1,971
Stanwood	6,585	7,020	0.86%	\$ 1,357
Sultan	4,680	5,180	0.63%	\$ 1,001
Woodway*	1,335	1,350	0.00%	\$ -
	757,600	818,700	100.00%	\$ 158,223
*Woodway does not pay into TF added into unincorporated Sno Co	Population Growth Number: 61,100 Population Growth %: 8.06%		Increase from 2020 -\$55,191.09	

Commander	Salary	Benefits
	\$ 133,979.00	\$ 19,643.00
	\$ -	\$ -
	\$ 133,979.00	\$ 19,643.00
2020 TOTAL	\$ 153,622.00	
2021 TOTAL (3% increase)	\$ 158,230.66	

REFERENCE ONLY			
2020 Allocation	\$ Increase to 2021	% Increase to 2021	
\$ 93,197	\$ (22,307)	-24%	
\$ 5,218	\$ (1,403)	-27%	
\$ 4,862	\$ (1,348)	-28%	
\$ 1,834	\$ (546)	-30%	
\$ 381	\$ (108)	-28%	
\$ 11,426	\$ (3,276)	-29%	
\$ 29,856	\$ (8,248)	-28%	
\$ 597	\$ (181)	-30%	
\$ 957	\$ (203)	-21%	
\$ 46	\$ (12)	-26%	
\$ 8,437	\$ (2,044)	-24%	
\$ 10,277	\$ (2,623)	-26%	
\$ 18,100	\$ (4,992)	-28%	
\$ 5,576	\$ (1,597)	-29%	
\$ 4,972	\$ (1,252)	-25%	
\$ 5,952	\$ (1,779)	-30%	
\$ 5,898	\$ (1,772)	-30%	
\$ 2,648	\$ (677)	-26%	
\$ 1,859	\$ (502)	-27%	
\$ 1,321	\$ (320)	-24%	
\$ -	\$ -	0%	
\$ 213,414	\$ (55,191.09)		

Exhibit D



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 7g
DATE: December 10, 2020
SUBJECT: Washington State Transportation Board (TIB) Overlay Grant
CONTACT PERSON: Kevin Hushagen, Public Works Director
ATTACHMENTS: A - TIB Agreement

PURPOSE

The purpose of this agenda item is for Council consideration of allowing the mayor to sign an agreement with the TIB for grant funding of the 276th Street overlay project.

BACKGROUND

The city was successful in obtaining grant funding from the TIB for paving 276th Street from 73rd Avenue to east city limits. These grants are for 90% of the costs, requiring a 10% match by the city. The total grant funding is \$264,379, and the 10% match will be \$26,438. The matching funds will come from the Transportation Benefit District (TBD). This project is in the City's 2021 budget and Capital Improvement Plan. Along with the paving, approximately 6 ADA ramps will be brought up to current standards.

In the past, the City has partnered with Snohomish County to manage these projects. The county did not have an overlay program last year and city staff managed the project. Last year's project went very well, came in under budget and was completed in much less time than prior years. Therefore, staff plans on managing this project internally again.

ANALYSIS

This project is in the TIP, the CIP and in the 2021 budget.

Fiscal Impact			
Fund(s):	Street Improvements – 595 30 63 32		
Amount:	\$ 344,500	Project Estimate:	\$ 290,817 -
Budget Authorized	☒ Yes ☐ No	Amendment Required	☐ Yes ☒ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation:

Authorize the mayor to execute the grant agreement with TIB for the 276th Street overlay project.

Committee/Board Recommendation:

Public Works Committee recommends authorizing the mayor to execute the agreement with TIB for the 276th Street overlay project

CITY COUNCIL OPTIONS

1. Authorize the mayor to execute the grant agreement with TIB for the 276th Street overlay project.
2. Do not authorize the mayor to execute the grant agreement with TIB for the 276th Street overlay project.
3. Send this back to committee for further discussion.

PROPOSED MOTION

MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE GRANT AGREEMENT WITH TRANSPORTATION IMPROVEMENT BOARD FOR THE 276TH STREET OVERLAY PROJECT.



Washington State Transportation Improvement Board

TIB Members

Chair
Commissioner Richard Stevens
Grant County

Vice Chair
Mayor Glenn Johnson
City of Pullman

Amy Asher
RiverCities Transit

Aaron Butters, P.E.
HW Lochner Inc.

Barbara Chamberlain
WSDOT

Elizabeth Chamberlain
City of Walla Walla

Chad Coles, P.E.
Spokane County

Mike Dahlem, P.E.
City of Sumner

Sue Dreier
Pierce Transit

John Klekotka, P.E.
Port of Everett

Commissioner Robert Koch
Franklin County

John Koster
County Road Administration Board

Colleen Kuhn
Human Services Council

Councilmember Sam Low
Snohomish County

Mayor Ron Lucas
Town of Steilacoom

David Ramsay
Feet First

Steve Roark, P.E.
WSDOT

Councilmember Mike Todd
City of Mill Creek

Jennifer Walker
Thurston County

November 20, 2020

Mr. Shawn Smith
City Engineer
City of Stanwood
10220 270th Street NW
Stanwood, WA 98292-8022

Dear Mr. Smith:

Congratulations! We are pleased to announce the selection of your project, FY 2022 Overlay Project, Multiple Locations, TIB project number 3-P-832(007)-1.

TIB is awarding 90.0001% of approved eligible project costs with a maximum grant of \$264,379.

Before any work is allowed on this project, you must:

- Verify the information on the Project Funding Status Form, revise if necessary, and sign;
- Sign both copies of the Fuel Tax Grant Distribution Agreement; and
- Return the above items to TIB;

You may only incur reimbursable expenses after you receive approval from TIB.

In accordance with RCW 47.26.084, you must certify full funding by November 20, 2021 or the grant may be terminated. Grants may also be rescinded due to unreasonable project delay as described in WAC 479-05-211.

If you have questions, please contact Greg Armstrong, TIB Project Engineer, at (360) 586-1142 or e-mail GregA@TIB.wa.gov.

Sincerely,

Ashley Probart
Executive Director

Enclosures

Ashley Probart
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165
www.tib.wa.gov



City of Stanwood
3-P-832(007)-1
FY 2022 Overlay Project
Multiple Locations

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City of Stanwood
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the FY 2022 Overlay Project, Multiple Locations (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of Stanwood, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

For the project specified above, TIB shall pay 90.0001 percent of approved eligible project costs up to the amount of \$264,379, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

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

3.0 PROJECT DOCUMENTATION

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

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

4.0 BILLING AND PAYMENT

The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as



often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

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

6.0 AMENDMENTS

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

7.0 ASSIGNMENT

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

8.0 GOVERNANCE & VENUE

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

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

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

9.2 DEFAULT

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



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

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

9.3 TERMINATION

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

9.4 TERMINATION FOR NECESSITY

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

10.0 USE OF TIB GRANT FUNDS

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

11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the maximum payable TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060. If an increase is denied, the recipient shall be liable for all costs incurred in excess of the maximum amount payable by TIB. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that maintains the intended ratio between TIB funds and total project costs, as described in Section 1.0 of this Agreement.



12.0 INDEPENDENT CAPACITY

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

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

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

14.0 DISPUTE RESOLUTION

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



15.0 ENTIRE AGREEMENT

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

16.0 RECORDS MAINTENANCE

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

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

Approved as to Form
Attorney General

By:

Signature on file

Guy Bowman
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Chief Executive Officer

Date

Executive Director

Date

Print Name

Print Name



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 8a
DATE: December 10, 2020
SUBJECT: 2020 Docket Applications
CONTACT PERSON: Amy Rusko, Senior Planner
ATTACHMENTS: A – Resolution 2020-13, Final Docket
B – 2020 Docket Application Summary

ISSUE

The issue before Council is the approval of the 2020 Final Docket Resolution.

SUMMARY

The Growth Management Act of the State of Washington requires “early and continuous” public participation in the city’s review and adoption of comprehensive plans and development regulations. One option to meet the “early and continuous” standard is the Docket process. The “Docket” is a public participation procedure required by the state law (GMA) that allows residents the opportunity to request amendments to the City’s comprehensive plan and development regulations on an annual basis.

The City received multiple docket applications this year including:

- Two resident initiated code amendment requests
- One resident initiated comprehensive plan request

RECOMMENDATION

Attached for your review and consideration are the 2020 Docket applications. Staff recommends:

1. Open the public hearing and take public comment on the proposed 2020 Docket List.
2. Review and discuss the request.
3. Approved Resolution 2020-13 placing the requests on the 2020 Final Docket list.

DISCUSSION

Summary of Docket Process:

The City conducts an annual call for docket applications to propose amendments to the Comprehensive Plan or Development Regulations. This year the docket application period was from September 8 through October 9, 2020. The docket application period was noticed in the Stanwood Camano News on September 8, 2020 and posted at City Hall, Stanwood Post Office and the city website.

All requests must be presented to the City Council at a public hearing for consideration to be placed on the Final Docket. The docket process allows residents to bring proposals to amend the Comprehensive Plan or Development Regulations directly to the City Council for

an initial high level review. If the Council deems the application warrants additional review, the item is placed on the Final Docket list.

Placement of an item on the final docket list by the Council means the application warrants in-depth consideration of the request, but in no way implies eventual adoption or approval of the proposal. Once placed on the Final Docket list the requests will be placed on the Planning Commission's work plan for the following year.

Summary of Requests:

The City received three docket applications this year: two general code amendments and one comprehensive plan amendment. Staff is recommending that all of the 2020 Docket applications be moved forward. The two general code amendment placed on the Planning Commission's 2021 work plan and the comprehensive plan amendment on the Planning Commissions 2021 – 2023 work plan in preparation of the 2024 Comprehensive Plan Update.

1. Joshua Larson / Lauren Mitchell code amendment request:

Request: An amendment to Stanwood Municipal Code Title 8 Animals, to consider changes to the livestock definition, particularly pet pigs, goats and small animals on properties within the city limits. This proposal would look at differences between types of animals (small animals and pets versus large livestock animals), the number of animals allowed, lot size requirements and any other affected code sections.

Location: City Wide Code Change

General Summary: The City received two docket application for similar code changes, so the applications were combined into one docket item. Both applicants have small livestock pets, as defined by the the animal code (Title 8). However, due to the restrictions within the animal code, the animals are classified as livestock which makes it difficult for the owners to keep their pets at their current residences. The code does not consider pets when defining livestock and requires large parcels in order for the animals to be permanently on the property.

2. Tim Schmitt comprehensive plan amendment request:

Request: Comprehensive Plan text amendment to add a new goal to the Land Use Element of the Plan.

Location: City Wide Comprehensive Plan Change

General Summary: This proposed new goal would provide guidance for documenting interpretations of city code and the comprehensive plan. The Community Development Department currently has a code interpretation process which documents why decisions are made; these interpretations are then posted on the City's website. This proposal would provide policy support for current processes and provides the opportunity to re-evaluate current practices.

FISCAL IMPACT

There are no direct financial impacts to the City except the staff time to review and analyze the Final Docket list. The Planning Commission will review the staff analysis, hold a public hearing and make a final recommendation to the City Council.

COMMITTEE RECOMMENDATION

Planning Commission and Community Development Committee:

The Planning Commission reviewed the applications on November 9th and the Community Development Committee reviewed them on November 12th. After a thorough discussion regarding the current animal code, both the Planning Commission and Community Development Committee recommended to place all of the items on the 2020 Final Docket list.

The Planning Commission and Community Development Committee did have some concerns regarding the impact of allowing farm type animals on city lots, however thought it was worth taking a look at the regulations. The proposed Code Amendments will take about six to nine months to complete. The proposed Comprehensive Plan Amendment is expected to be completed throughout 2021-2023 in preparation of the 2024 Comprehensive Plan Update.

CITY COUNCIL OPTIONS

City Council options include:

1. Approve the 2020 Final Docket List and add work items it to the Planning Commission's 2021 and 2021-23 work plans.
2. Deny the entire 2020 Final Docket List.
3. Deny portions of the 2020 Final Docket List as may be discussed at the conclusion of the public hearing.

RECOMMENDED MOTION

I MOVE TO APPROVE RESOLUTION 2020-13, PLACING THIS YEAR'S DOCKET REQUESTS ON THE 2020 FINAL DOCKET LIST AND DIRECT STAFF TO ADD THE ITEMS TO THE PLANNING COMMISSION'S FUTURE WORK PLAN.

CITY OF STANWOOD
Stanwood Washington

RESOLUTION 2020-13

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON,
ESTABLISHING THE CITY'S 2020 COMPREHENSIVE PLAN
AMENDMENT DOCKET AS REQUIRED BY THE GROWTH
MANAGEMENT ACT OF 1990, AS AMENDED, AND AS ADOPTED
PURSUANT TO RCW 35A.63.**

WHEREAS, the City of Stanwood City Council adopted the 2015-2035 Comprehensive Plan of the City of Stanwood as required by the Growth Management Act ("GMA") of 1990, and Chapter 35A.63 RCW; and

WHEREAS, the Growth Management Act also requires "early and continuous" public participation in the city's review and adoption of comprehensive plans and development regulations; and

WHEREAS, one option to meet the "early and continuous" standard is the Docket process; The "Docket" is a public participation procedure required by the state law (GMA) that allows residents the opportunity to request amendments to the City's comprehensive plan and development regulations on an annual basis; and

WHEREAS, Stanwood's 2020 Docket was opened from September 8 through October 9, 2020; and

WHEREAS, several Docket applications were submitted during the annual call for docket applications; and

WHEREAS, on November 9, 2020, the City of Stanwood Planning Commission held a public meeting to allow interested parties to comment on the draft "Docket" and at that meeting forwarded their recommendation to the City Council; and

WHEREAS, the City Council held a public hearing on the 2020 Docket applications on December 10, 2020; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, AS FOLLOWS:

Section 1. 2020 Final Docket List Adopted. The City Council adopts the 2020 Final Docket List and directs staff and the Planning Commission to analyze, study, and make recommendations to City Council on the items listed on the Docket List attached hereto as Exhibit A.

ADOPTED by the City Council and **APPROVED** by the Mayor this 10th day of December 2020.

CITY OF STANWOOD

By _____
Elizabeth Callaghan, Mayor

ATTEST:

By _____
Jennifer Ferguson, City Administrator / City Clerk

Approved as to form:

By: _____
Brett Vinson, City Attorney

EXHIBIT A**City of Stanwood, Washington
2020 DOCKET LIST**

2020 Docket Request:

			Docket Recommendation*	
Proponent	Request	Summary of Request	Yes	No
1. Joshua Larson / Lauren Mitchell	Code Amendment	Amendments to Stanwood Municipal Code Title 8 Animals, considering changes to the definition of livestock, differences between types of animals, number of animals allowed, lot size requirements and other affected code sections.	✓	
2. Tim Schmitt	Comprehensive Plan Update	Text amendment to add a new goal to the Land Use Element of the Comprehensive Plan. The proposal would provide policy support for code interpretations and provide the opportunity to re-evaluate current practices.	✓	



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 8b

DATE: December 10, 2020

SUBJECT: Enhanced Service Facilities Interim Regulations

CONTACT PERSON: Patricia Love, Community Development Director

ATTACHMENTS: A – Enhanced Service Facilities Interim Regulations Ordinance 1493A

PURPOSE

The purpose of this agenda item is for Council to hold a public hearing on the interim zoning regulations for Enhanced Service Facilities (ESF) adopted pursuant to Ordinance 1493 on October 15, 2020.

SUMMARY

On October 15, 2020 the Stanwood City Council adopted interim zoning regulations prohibiting Enhanced Service Facilities (ESF) in the City. The purpose of these interim zoning regulations is to give city staff and the Planning Commission sufficient time to analyze the issue and make recommendations to the City Council on siting such facilities in the City. Pursuant to RCW 35A.63.220, the City is required to hold a public hearing within 60 days of adoption of interim zoning regulations. Ordinance 1493 set December 10, 2020 as the public hearing date.

BACKGROUND

The State of Washington regulates Enhanced Service Facilities per RCW 70.79. An Enhanced Service Facilities is defined as a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary. These facilities serve individuals 18 years of age or older with either a mental disorder, a substance use disorder, or co-occurring mental disorder and substance use disorder.

Currently, the Stanwood Zoning Code does not provide a definition or zoning standards for ESFs. Under the existing code, an ESF would be considered an unclassified use subject to approval of the Community Development Director. Unclassified uses are reviewed against the following two criteria:

Criteria for Unclassified Uses. In order to make a determination that an unclassified use is permitted, conditionally permitted, or accessory, the community development director must find that the use is:

- (a) In keeping with the purpose and intent of the zone and consistent with the Stanwood Comprehensive Plan policies; and
- (b) Similar in nature to, and no more intense than, a specifically listed permitted, conditional or accessory use.

To avoid potential applications for Enhanced Service Facilities under the unclassified use criteria, staff is proposing that the Council adopt interim zoning regulations for a period of six months to proactively identify a specific zoning approach to permit ESF facilities in the future, should a proposal come forward.

ANALYSIS

RCW 70.97.030 outlines the admission criteria for ESFs as follows: A person, eighteen years old or older, may be admitted to an enhanced services facility if he or she meets the criteria in subsections (1) through (3) of this section:

(1) The person requires:

- (a) Daily care by or under the supervision of a mental health professional, chemical dependency professional, or nurse; or
- (b) Assistance with three or more activities of daily living; and

(2) The person has:

- (a) A mental disorder, chemical dependency disorder, or both;
- (b) An organic or traumatic brain injury; or
- (c) A cognitive impairment that results in symptoms or behaviors requiring supervision and facility services; [and]

(3) The person has two or more of the following:

- (a) Self-endangering behaviors that are frequent or difficult to manage;
- (b) Aggressive, threatening, or assaultive behaviors that create a risk to the health or safety of other residents or staff, or a significant risk to property and these behaviors are frequent or difficult to manage;
- (c) Intrusive behaviors that put residents or staff at risk;
- (d) Complex medication needs and those needs include psychotropic medications;
- (e) A history of or likelihood of unsuccessful placements in either a licensed facility or other state facility or a history of rejected applications for admission to other licensed facilities based on the person's behaviors, history, or security needs;
- (f) A history of frequent or protracted mental health hospitalizations;
- (g) A history of offenses against a person or felony offenses that created substantial damage to property.

While these are highly needed facilities, which Stanwood residents may need, siting these facilities in the community with the least amount of impacts is important. The purpose of adopting these interim zoning regulations provides the City with the time to fully analyze the issue and draft a zoning approach to regulate ESFs that includes:

- Defining Enhanced Service Facilities as its own independent use and not as an adult family home, congregate care facility, or similar use;
- Identify the best zones in which ESFs may locate;
- Establish a permitting process for ESF permits; and
- Consider any development standards which may be appropriate to ESF's, such as separation distances, buffers, or other issues which might arise through the public adoption process.

Fiscal Impact			
No direct financial impact. Staff will include the code amendment in the Community Development Department's 2021 work plan which includes updating the permitting procedures and permitted use matrix.			
Fund(s):	Staff Time		
Amount:	\$	Project Estimate:	\$ -
Budget Authorized	☐ Yes ☐ No	Amendment Required	☐ Yes ☐ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation:

Staff recommends that the Council open the public hearing on the interim regulations and take public testimony. At the conclusion of the public hearing staff recommends that the interim regulations be continued to avoid potential future applications for an Enhanced Service Facility which could force the city into reviewing the application under the unclassified use criteria and be subject to land use appeals.

Committee/Board Recommendation:

N/A; adoption of the interim regulations was an action of the entire City Council on October 15, 2020.

CITY COUNCIL OPTIONS

1. Adopt Ordinance 1493A, Continuation of Interim Enhanced Service Facilities Regulations and forward the issue to the Planning Commission for review as part of the Community Development Department's 2021 work plan.

2. Direct staff to make changes to the Ordinance and approve with requested changes.
3. Do not adopt Ordinance 1493A.

PROPOSED MOTION

I MOVE TO AUTHORIZE THE MAYOR TO SIGN ORDINANCE 1493A, CONTINUATION OF INTERIM ENHANCED SERVICE FACILITIES REGULATIONS, AND FORWARD THE ISSUE TO THE PLANNING COMMISSION FOR REVIEW AS PART OF THE COMMUNITY DEVELOPMENT DEPARTMENT'S 2021 WORK PLAN.



City of Stanwood Findings of Fact and Conclusions of Law Planning Commission Recommendation

A. GENERAL INFORMATION

Project Summary: Enhanced Service Facilities Code Amendment
Applicant: City of Stanwood
Location: City of Stanwood
Public Hearing Date: December 10, 2020
Staff Contact: Patricia Love, Community Development Director

B. BACKGROUND AND DESCRIPTION OF PROPOSAL

Chapter 70.97 RCW provides for the licensing, operations and management of Enhanced Service Facilities (ESF) in the State of Washington. According to section 70.97.010 RCW, Enhanced Service Facilities is defined as a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary. The City of Stanwood currently does not have regulations addressing ESF and has initiated a code amendment to update the City's development regulations to consider appropriate siting and development standards for ESF's.

C. CODE AMENDMENT CRITERIA

The city may approve or approve with modifications amendments to the text of the zoning code if:

(a) The purpose and desired effect of the proposed zoning code amendment are consistent with the Stanwood Municipal Code;

Currently, the Stanwood Zoning Code does not provide a definition or zoning standards for ESFs. Under the existing code, an ESF would be considered an unclassified use subject to approval of the Community Development Director. Unclassified uses are reviewed against the following two criteria:

Criteria for Unclassified Uses. In order to make a determination that an unclassified use is permitted, conditionally permitted, or accessory, the community development director must find that the use is:

(a) In keeping with the purpose and intent of the zone and consistent with the Stanwood Comprehensive Plan policies; and

(b) Similar in nature to, and no more intense than, a specifically listed permitted, conditional or accessory use.

To avoid potential applications for Enhanced Service Facilities under the unclassified use criteria, interim zoning regulations have been adopted prohibiting ESF's in the City for a period of six months to proactively identify a specific zoning approach to permit ESF facilities in the future, should a proposal come forward.

(b) There is a positive relationship to the public health, safety and welfare of the community; and

The State of Washington regulates Enhanced Service Facilities under RCW 70.97; subsection 4 states that ESF's are required to meet all applicable state and local rules, regulations, permits, and code requirements. While these are highly needed facilities, which Stanwood residents may need, siting these facilities in the community with the least amount of impacts is important. The purpose of adopting these interim zoning regulations provides the City with the time to fully analyze the issue and draft a zoning approach to regulate ESFs that includes:

- Defining Enhanced Service Facilities as its own independent use and not as an adult family home, congregate care facility, or similar use;
- Identify the best zones in which ESFs may locate;
- Establish a permitting process for ESF permits; and
- Consider any development standards which may be appropriate to ESF's, such as separation distances, buffers, or other issues which might arise through the public adoption process.

(c) The proposed amendment is consistent with the Stanwood Comprehensive Plan.

Stanwood's Comprehensive Plan establishes the distribution and location of land uses within the city limits. The Land Use Element of the Comprehensive Plan describes trends, future needs, type of future development and the general character of Stanwood. Land use determines where people in the City will reside, shop and work.

While the Comprehensive Plan does not have specific policies regarding Enhanced Service Facilities, it does have goals and policies about how the city evaluates land use decisions. These goals support an informed, thoughtful and public process for amending city regulations and about preservation of the city's vision and character.

Land Use Goal 1: Plan current and future land uses in accordance with the Washington State Growth Management Act, Snohomish Countywide Planning Policies and the values and vision of Stanwood residents and business people.

Land Use Goal 2: Re-vitalize and reinforce the character of Stanwood's existing residential and commercial neighborhoods as infill and redevelopment occur.

Land Use Policy 23.3: Approve only those zoning text and/or map amendments that are consistent with and implement this Comprehensive Plan.

Land Use Policy 23.4: All amendments to the City's Comprehensive Plan and development regulations shall ensure early and continuous public participation as formalized in a public participation program, per RCW 36.70A.140.

D. FINDINGS OF FACT

1. Chapter 70.97 RCW provides for the licensing, operations and management of Enhanced Service Facilities in the State of Washington.
2. According to section 70.97.010 RCW, Enhanced Service Facilities is defined as a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary.
3. Enhanced Service Facilities serve individuals 18 years of age or older with either a mental disorder, a substance use disorder, or co-occurring mental disorder and substance use disorder.
4. RCW 70.97.060, Facilities Exempted, specifically calls out the following "*residential uses*" as exempt from the Enhanced Services Facility regulations: nursing homes, assisted living facilities, adult family homes, psychiatric hospitals, pediatric transitional care services and hospitals. Each of these uses are regulated by the State of Washington under separate RCW's and are not treated as similar uses under state law.
5. Under the Federal Fair Housing Act Amendments of 1988, 42 U.S.C. § 3601 et seq., and the Washington Housing Policy Act, RCW 35.63.220, RCW 35A.63.240, RCW 36.70.990, cities are prohibited from adopting any ordinance, development regulation, zoning regulation or official control, policy, or administrative practice which treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals.

6. Under RCW 70.128.140(2) an adult family home must be considered a residential use of property for zoning and public and private utility rate purposes, and adult family homes are a permitted use in all areas zoned for residential or commercial purposes, including areas zoned for single-family dwellings.
7. The City's Zoning Code does not define nor make provision for the siting of Enhanced Services Facilities, and Enhanced Services Facilities are not comparable to Adult Family Homes and Nursing Homes as defined at State law.
8. Enhanced Services Facilities are designed to assist people with serious issues of substance abuse, mental illness, dangerous behavior or a combination thereof pursuant to chapter 70.97 RCW and are not considered by the State of Washington to be either an Adult Family Home or a Nursing Home.
9. The Stanwood Municipal Code regulates the location and development of Assisted / Independent Living Facilities, Congregate Care Facilities and Group Homes, but the current zoning code **does not provide a** comparable land use definition establishing the use, where it may locate, or associated development standards for Enhanced Service Facilities.
10. Section 70.97.060 RCW, Application of State and Local Rules, requires that all new Enhanced Service Facilities are required to meet all applicable state and local rules, regulations, permits, and code requirements.
11. The City Council understands that Enhanced Service Facilities are needed throughout the State of Washington, however without proper zoning controls, permitting of such a facility in the City of Stanwood could result in potential negative impacts on the community.
12. The Council wishes to study the issue and adopt Stanwood specific zoning regulations which address permitting processes and development standards that may be appropriate for Enhanced Service Facilities.
13. RCW 35A.63.220 and 36.70A.390 authorize the establishment of a six-month moratorium or interim zoning controls to address emergency situations and requires the agency to hold a public hearing on the adopted moratorium within at least sixty days of its adoption.
14. On October 15, 2020 the Stanwood City Council adopted Ordinance 1493 that declared an emergency and prohibited the siting of Enhanced Service Facilities in the City of Stanwood for six-months and set the date of December 10, 2020 for the public hearing on the interim regulations.

15. Pursuant to RCW 35A.63.220, the City Council conducted a public hearing on the interim development regulations on December 10, 2020.
16. After taking public testimony the City Council motioned to continue with the interim regulations prohibiting Enhanced Service Facilities in the City and directed the Planning Commission and City staff to evaluate and provide recommendations on appropriate regulations for siting of Enhanced Services Facilities and comparable businesses within the City.
17. Staff prepared a report summarizing the proposed interim Enhanced Service Facilities regulations. This report is part of the public record and was presented to the City Council on October 15, 2020 and at the public hearing on December 10, 2020 for their consideration.

E. CONCLUSIONS OF LAW

1. The City of Stanwood has authority under RCW Title 35A, to adopt plans and regulations related to development and operations within the City of Stanwood.
2. SMC section 17.155.030 requires that the Planning Commission review and make recommendations to the Stanwood City Council regarding code amendments to Title 17, Zoning.
3. On December 2, 2020, the public hearing notice was printed in the Stanwood Camano News as required by law that a public hearing was to be held by the City Council and all persons wishing to provide public input concerning the proposed amendments set forth in this Ordinance were heard.
4. The proposal is consistent with the Comprehensive Plan and meets the requirements and intent of the Plan by ensuring an informed, thoughtful and public process for amending city regulations.
5. The proposal is beneficial to the public health, safety and welfare and is in the public interest by that future Enhanced Service Facilities are approved according to a set of regulations vetted through a public process and approved by the City Council.
6. After considering staff comments and public testimony the Stanwood City Council determined the draft interim Enhanced Service Facility regulations is consistent with the Comprehensive Plan and should be continued for at least six months to provide staff and the Planning Commission time to evaluate and recommend appropriate site development regulations.

F. STAFF RECOMMENDATION

Move that the City Council **ADOPT** the Findings of Fact and Conclusions of Law contained herein and **AUTHORIZE** the Mayor to sign the Findings on behalf of the City Council

Dated this 10th of December 2020.

Elizabeth Callaghan, Mayor

City of Stanwood

DRAFT



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 9a

DATE: December 10, 2020

SUBJECT: City Beautification Action Plan

CONTACT PERSON: Patricia Love, Community Development Director

ATTACHMENTS: A – Resolution 2020-14
B – City Beautification Action Plan

PURPOSE

The purpose of this agenda item is for Council consideration of Resolution 2020-14 formally adopting the 2021-2026 City Beautification Action Plan.

BACKGROUND

Following the guidance laid out in the 2010 Economic Development Action Plan, 2012 SDAT: Density by Design, and 2015 Downtown Subarea Plan, City staff, with the help of the Economic Development Board and Planning Commission, prepared an implementation plan referred to as the Stanwood City Beautification Action Plan. It consists of 6 key program elements:

- 72nd Avenue Gateway Signage and Landscaping
- Main Street Revitalization
- Downtown Gateway Features
- SR 532 Beautification
- Wayfinding Signage
- Public Art

The attached Resolution formally adopts the City Beautification Action Plan and directs staff to begin implementation of the 2021-2026 Capital Improvement Project list as contained in the City of Stanwood's adopted 2021-2022 Budget.

ANALYSIS

Over the last 10 years the City has adopted several economic development strategies to promote the vitality of Stanwood's Main Street business districts and neighborhoods. A substantial amount of community volunteer hours went into crafting a vision for Stanwood's future. The next step is to take those plans and implement their vision.

This City Beautification Action Plan sets in motion a 6-year investment program that celebrates the beauty of our City by making investments in our businesses, local aesthetics, and infrastructure. As part of the 2021-2022 Biennial Budget, the City Council approved an on-going City Beautification budget line item to implement action items included in this plan. Proposed projects will be vetted through the Economic Development Board, Parks and Trails Advisory Committee or other group as deemed appropriate by the City Council.

Achieving full build-out of the City Beautification Action Plan will take time and phased implementation. This Plan involves investment in both near and long term projects on an on-going basis so that over time the long range vision of community comes to fruition in the form of physical improvements to the City's streetscape. The attached Plan describes a series of projects with their associated budgets which are intended to be completed within the next 6 years and which fall into the following categories:

Project Overview

Gateway Signage & Landscaping	Main Street Revitalization	Gateway Features	SR 532 Beautification	Wayfinding Signage	Public Art
Potential Near Term Projects:					
Landscaping	Pilot Parklet Program	Landscaping	Landscaping at Key Intersections	Purchase and Installation of Wayfinding Signs by Local Businesses	Form Art Partnerships
Relocation of Existing Signage	Landscaping		Installation or Relocation of Signs		Adopt a 1% for the Arts Ordinance
Service Club Sign	Benches Public Art				Consider Future Arts District
Potential Long Term Capital Projects:					
	Street Reconfigurations for West, Center and East Districts	88 th Avenue Gateway Arch	Roundabouts Art	City Initiated Project for Signage in the East, Center and Uptown Districts	

BUDGET ANALYSIS

Fiscal Impact			
2021 – 2022 Capital Budget Projects: City Beautification and Downtown Park			
Fund(s):	2021-2022 Capital Funds (Numbers to be Determined)		
Amount:	\$575,000	Project Estimate:	\$575,000
Budget Authorized	☒ Yes ☐ No	Amendment Required	☐ Yes ☒ No ☐ Monitor

RECOMMENDATIONS

Staff Recommendation:

The proposed City Beautification Action Plan has been vetted through the Economic Development Board, the Planning Commission, Stanwood Chamber of Commerce and Stanwood Rotary. All groups have offered their support of the program and are eager for the implementation phase to begin. The City Council's recently adopted budget contains funding for the first two years of the Plan. Staff recommends adoption of the Resolution and City Beautification Action Plan directing staff to begin design and implementation.

Committee/Board Recommendation:

As noted above, the Community Development Committee has reviewed the full program. A summary of their supportive comments are listed below:

- Very supportive of moving forward.
- Volunteers spent many unpaid hours working on these plans with the goal of improving the aesthetics and economic vitality of the City.
- Time to take action and move forward with projects. Even doing small projects every year gets the attention of the community and shows investment in the town. Projects relay to the community that the years of studying and planning for the future is now being implemented. Plans are not sitting on a shelf.
- The sooner the City Beautification Action Plan can get started the better; it's time to create a town with personality and character.

CITY COUNCIL OPTIONS

1. Approve Resolution 2020-14 and the City Beautification Action Plan as presented.
2. Approve Resolution 2020-14 and the City Beautification Action Plan with modifications.
3. Do not approve Resolution 2020-14 and the City Beautification Action Plan at this time.

PROPOSED MOTION

MOTION TO AUTHORIZE THE MAYOR TO SIGN RESOLUTION 2020-14, CITY BEAUTIFICATION ACTION PLAN, AND AUTHORIZE STAFF TO BEGIN IMPLEMENTATION OF THE PLAN IN ACCORDNANCE WITH THE 2021-2022 BUDGET.

CITY OF STANWOOD
Stanwood Washington

RESOLUTION 2020-14

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON,
ADOPTING THE 2021-2026 CITY BEAUTIFICATION ACTION
PLAN.**

WHEREAS, Stanwood functions as the town center for a diverse rural, suburban and urban population spreading across two counties in what is generally identified as “Greater Stanwood/ Camano”;

WHEREAS, over the past 10 years the City has prepared several economic development plans that that promote the vitality of Stanwood’s Main Street Business Districts and neighborhoods, including: 2010 Economic Development Action Plan, 2012 SDAT – Destiny by Design and 2015 Downtown Subarea Plan;

WHEREAS, using guidance from these plans, the City prepared the *City Beautification Action Plan* that implements project concepts and strategies identified in these planning documents;

WHEREAS, the City Beautification Action Plan consists of 6 key program elements: 72nd Avenue Gateway Signage and Landscaping, Main Street Revitalization, Downtown Gateway Features, SR 532 Beautification, Wayfinding Signage, and Public Art;

WHEREAS, the Stanwood City Council adopted the 2021-2022 budget on November 23, 2020 which included the City Beautification project in the capital improvement project list; and

WHEREAS, future project identification and phased implementation of the City Beautification Action Plan will be determined during the 6-Year Capital Improvement Program update process;

WHEREAS, The City of Stanwood has authority under RCW Title 35A, to adopt plans and regulations related to development and operations within the City of Stanwood; and

WHEREAS, the City Council held a public meeting on the City Beautification Action Plan on December 10, 2020; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, AS FOLLOWS:

Section 1. City Beautification Action Plan. The City Council adopts the City Beautification Action Plan as attached hereto as Exhibit A and directs staff to begin implementation of the 2021-2026 Capital Improvement Project list.

ADOPTED by the City Council and **APPROVED** by the Mayor this 10th day of December 2020.

CITY OF STANWOOD

By _____
Elizabeth Callaghan, Mayor

ATTEST:

By _____
Jennifer Ferguson, City Administrator / City Clerk

Approved as to form:

By: _____
Brett Vinson, City Attorney

Exhibit A: City Beautification Action Plan

CITY OF STANWOOD

10220 – 270th Street, Stanwood, WA 98292 * 360-629-2181
www.stanwoodwa.org

City Beautification Action Plan 2021 - 2026



December 2020

Message from the Mayor

The City of Stanwood is a special place; it is the perfect mix of rural countryside with small town living. Our symbol is the Snow Goose. The winter migration of the snow goose is one Western Washington's most spectacular natural events – the annual winter gathering of thousands of Snow Geese and Trumpeter Swans. Approximately 70,000 snow geese come to the Pacific Northwest from Wrangell Island in Russia as part of their winter migration route to feed. This is about a 3,100 mile journey.



This City Beautification Action Plan sets in motion a 6-year investment program that celebrates the beauty of our City by making investments in our businesses, local aesthetics, and infrastructure. As part of the 2021-2022 Biennial Budget, the City Council approved an on-going budget line item to implement action items included in this plan.

We welcome new ideas, as well as those within the pages of this Plan. It is intended to be dynamic; as projects are completed, new projects will be added which add to the goal of beautifying our wonderful city. Proposed projects will be vetted through the Economic Development Board, Parks and Trails Advisory Committee or other group as deemed appropriate by the City Council.

I'm excited to see years of planning come off the pages and become a reality for the residents of Stanwood and our welcomed guests.

With Much Excitement,

Elizabeth Callaghan, Mayor



Introduction

The City of Stanwood, a coastal farming community, is located at the confluence of the Stillaguamish River, Port Susan Bay and Skagit Bay with beautiful natural areas, working farms, and a wide range of recreation opportunities. Stanwood functions as the town center for this diverse rural, suburban and urban population spreading across two counties in what is generally identified as “Greater Stanwood/ Camano.” It is the desire of the community to preserve its historic rural, small town character while still providing urban level of services to its citizenry.

Over the last 10 years the City has conceptualized economic development strategies to promote the vitality of Stanwood’s Main Street business districts and neighborhoods. A substantial amount of community volunteer hours went into crafting a vision for Stanwood’s future.

Using guidance from these plans, the City is moving forward with an action plan referred to as the Stanwood City Beautification Action Program. It consists of 6 key program elements:

- 72nd Avenue Gateway Signage and Landscaping
- Main Street Revitalization
- Downtown Gateway Features
- SR 532 Beautification
- Wayfinding Signage
- Public Art

City of Stanwood Economic Development Strategy

2010 Economic Development Action Plan

2012 SDAT: Destiny by Design

2015 Downtown Subarea Plan

Achieving full build-out of the Beautification Action Plan will take time, phased implementation and significant resources. This Action Plan involves investment in both near and long term projects on an on-going basis so that over time the long range vision of community comes to fruition in the form of physical improvements to the City’s streetscape. Implementation is anticipated to be a combination of city funded projects and volunteer support.



Action Strategies

The City spent five years and countless hours re-envisioning what Stanwood should look like in the next twenty years. This robust public process concluded with the adoption of several planning documents; all of which had similar themes to preserve the community's historic rural, small town character while promoting the regions as a wholesome place to live, work and play.

This City Beautification Action Plan will celebrate the beauty of the area and promote the concept of buying local. It builds on the concepts formed in each of the plans and identifies actual projects that implements those policies. This guide builds on existing planning documents to create a city that residents are proud to call their home.

Adopted Planning Priorities

Economic Development Action Plan 2010	SDAT: Destiny by Design 2012	Downtown Subarea Plan – Appendix to 2015 Comprehensive Plan
Engage and Organize Downtown Stakeholders	Water management and Flooding Mitigation	Promote Downtown as the Heart and Core of the Community
Invest in Downtown Beautification	Downtown and Village Revitalization	Recognize and Designate East and West Districts as the Historic Downtown
Build on the Train Station as a Focal Point for Downtown Revitalization	Economic Development Strategies	Unify Downtown
Connect the Eastern and Western Nodes of Downtown	Sustainable Urban Design	
Demarcate Downtown and Make it Accessible	Transportation and Connectivity	



Implementation Strategy

The City Council adopted an implementation strategy that includes funding both near term and long term projects as part of the 6-year Capital Improvement Plan. Near term projects are those that can be completed in one to two years whereas long term projects are those that require planning, engineering design, formal bidding and construction by professional contractors.

Project Category	Project Type
Near – Term	Landscaping Signage Street Furniture
Long – Term	Street Designs Gateway Arches Public Art

After projects are categorized as “near – term” or “long – long”, they are then prioritized according to a four tier system. Typically, near term projects fall into Priorities 1 or 2 and longer term projects are identified as Priority 3 or 4.

- **Priority 1:** On-going City Beautification budget to fund yearly landscaping, installation of street furniture, signage, or similar small scale projects.
- **Priority 2:** Specific projects that may take 1 – 2 years to complete and include some planning or public outreach. Projects with a planning phase could be considered a Priority 2 project.
- **Priority 3:** Funded or partially funded projects that could take between 3 and 5 years to design, permit and construct.
- **Priority 4:** Projects that take 6 years or longer to conduct public outreach, design, permit, and construct. These projects will generally be broken into smaller planning phases and moved through standard project progression processes and included in updated 6-year CIP lists.

This guidebook sets out the strategies and suggested phases to implement the City Beautification Action Plan. This plan is intended to be viewed with flexibility as projects may be changed and / or reprioritized as projects are completed, community desire changes, or as funding becomes available.

SR 532 Gateway Signage and Landscaping

Vision: Gateway signage and landscaping projects should create a sense of place by improving signage at the City entrances to provide a clear demarcation that someone is entering or leaving the City of Stanwood.

Project Description: Update the City's gateway signage based off of the historic "Velkommen" sign, with a connection to the Snow Goose wayfinding signage. There are two proposed types of gateway signage: Primary signage locations on SR 532 and secondary gateway signage on Pioneer Highway. Landscaping around and near the gateway signs should be proportional to its location and visibility.

Project Category: Near – Term & On-going

Priority:

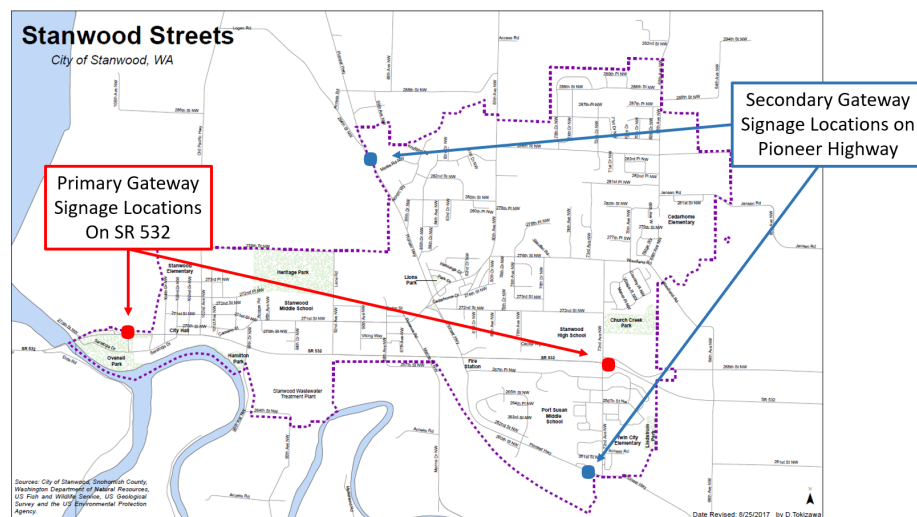
Priority 1 - Yearly On-Going Projects:

- Landscape the Corner of SR 532 and 72nd Avenue with street trees and seasonal color.
- Landscape the SR 532 Corridor from 72nd Avenue to Pioneer Highway to create a tree lined street effect.
- Improve landscaping around the City entrance signs near Ovenell Park.

Priority 2 – Projects That Take 1-2 Years to Complete:

- Relocate the existing City entrance sign or construct new sign at 72nd Avenue.
- Install Snow Goose Sign with community service logos.
- Add wayfinding signage at 72nd Avenue.

Project Location:





Budget:

The 6-Year Capital Budget for the 72nd Avenue Gateway Signage and Landscaping Project includes the following budget allocation:

72nd Avenue Gateway Project List

Budget Description	Project Year	Amount	Project Description
72 nd Avenue Entry Sign & Landscaping	2021	\$10,000	Improving Signage on SR 532 and 72 nd Avenue Intersection
Service Club Sign	2021	\$10,000	Install a Snow Goose Themed Service Club Sign
SR 532 & Main Street Landscaping*	2021	\$5,000	Install Landscaping along SR 532
SR 532 & Main Street Landscaping*	2022-2026	\$10,000 / Year	SR 532 & Main Street Landscaping and Street Furniture

*SR 532 & Main Street Landscaping Budget is a yearly shared budget depending on project priorities



Main Street Revitalization

Vision: 271st Street, commonly known as Main Street, should become the visual and physical connector between the City's two historic downtowns. The East and West End Centers should celebrate their original history while promoting the downtown area as the commercial heart of Stanwood.

Project Description: Improve the aesthetic quality of Main Street by creating a gateway into the downtown shopping districts. Main Street's curb appeal will be enlivened by installing street trees, benches, seating areas, street trees, flower baskets or flower pots; painting murals which depict local history or community character; installing mini library boxes; installing etched rocks; hanging seasonal banners, or other similar public improvements which enhance the visual appearance of the streetscape.

Another element of the Streetscape Beautification element is the Main Street Revitalization project which consists of reconfiguring 271st Street to create a pedestrian friendly street that includes wide walkable sidewalks, allows for community festivals, connects the east and west business districts and promotes the concept of buying local. Project elements include reconfiguring 271st Street travel lanes, building wider sidewalks and plaza areas, building park areas, installing street trees and planter boxes.

Project Category: Combination of Near – Term and Long –Term

Priorities:

Priority 1 - Yearly On-Going Projects:

- Encourage businesses to use of the Pilot Parklet Program to create outdoor seating and eating spaces.
- Install seating, planter boxes, street banners, street trees, and other landscaping along 271st Street and 270th Street.
- Define West End District boundaries.

Priority 2 – Projects That Take 1-2 Years to Complete:

- Preliminary East and West End Street reconfiguration public outreach and design options.
- Site cleanup of the downtown park.

Priority 3 – Project That Take 3 – 5 Years to Complete:

- Final design and construction of the Main Street roadway reconfiguration.
- Design and construction of the Downtown Park.

Priority 4 – Future Projects Requiring 6 + Years:

- Continued construction of the Main Street festival street in the East & West Ends.
- Consider boulevard road design options for 271st Street – Center District as a connector between the East and West End Districts.



Downtown Gateway Features

Vision: Create a gateway arch or feature signifying the entrance into the City’s historic downtown areas: one in the East District and the West District.

Project Description: The East and West gateway features should be used to signify that people are about to enter into Stanwood’s historic downtown and located at emphasize the entrances to the two historic downtown areas. The East and West End gateway features should complement each other while allowing design creatively to celebrating their unique historical differences. Gateways could include arches, art sculptures, or other entry concepts, however they should be large in scale to denote the importance of the individual district.

Project Category: Long - Term

Priorities:

Priority 2 - Projects That Take 1-2 Years to Complete:

- Design and potential construct gateway arch / feature near the entrance to the East End District.

Projection Location:

Undetermined at this time. The location of the gateway feature will be determined by consulting with the business owners in each district, working with the Stanwood Chamber of Commerce and consultation with the City’s Economic Development Board.

Budget:

The 6-Year Capital Budget for the Downtown Gateway Project includes the following budget allocation:

Main Street Revitalization Project List

Budget Description	Project Year	Amount	Project Description
88 th Avenue Gateway Arch	2021 - 2022	\$90,000	Design and construct gateway feature. Seek donated engineering design and materials to construct within proposed budget. As an alternative, design both the East and West End features and consider construction at a later date with a possible budget amendment.

SR 532 Beautification

Vision: Improve the aesthetic quality of the SR 532 within the City limits by adding landscaping, improving the walkability of the corridor and promoting seasonal variations with light pole banners and / or street lights.

Project Description: SR 532 is the main road connecting residents to each end of town and portrays the first impression of the City to tourists coming into town. Envisioned beautification efforts include: colorful street trees at key nodes / intersections, street trees or colorful shrubbery in the landscape islands / parkways sections of SR 532, and/or light pole banners.

Project Category: Near – Term

Priorities:

Priority 1 - Yearly On-Going Projects:

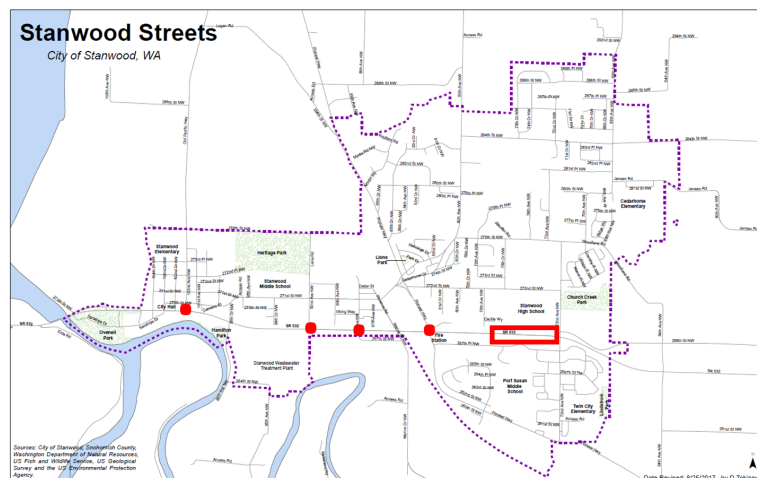
- Create a colorful tree lined street curb appeal between 72nd Avenue and Pioneer Highway
- Landscape key intersections to denote access points into downtown Stanwood: 88th Avenue, 92nd Avenue, 102nd Avenue.

Priority 4 – Projects That Take 6+ Years:

- Design and construct a roundabout near Ovenell Park with a by-pass road leading north to Skagit County.
- Work with the Washington State Department of Transportation to improve the walkability and bike access along SR 532.

Project Location:

Landscape Beautification at
Key Intersections &
Corridors



Budget:**SR532 Beautification Project List**

Budget Description	Project Year	Amount	Project Description
SR 532 Beautification	2022 - 2026	\$10,000	Landscape key intersections with low growing, seasonal, and colorful vegetation to provide visual context to the Snow Goose signs and roadways leading to the downtown business districts.
Roundabout Near Ovenell Park on SR 532	2021	\$40,000 (Snohomish County Grant)	Prepare a feasibility study with WSDOT on a Potential Roundabout and By-Pass Road Alignment.
SR 532 Walkability	2021-2023	Staff Time	Using the Non-Motorized Transportation Plan, Consider options to restripe SR 532 to accommodate non-vehicle modes to transportation.

Wayfinding Signage

Vision: Increase the visibility of local businesses in the community and local travelers through expanding the use of the Snow Goose Wayfinding Signage program. Signage should include direction to public parking areas and local businesses.

Project Description: Continue implementation of the Snow Goose wayfinding signage program. Phase 1 was completed in 2013 along SR 532 and Pioneer Highway. Phase 2 along 271st Street and Phase 3 in the Up Town District area were identified as future wayfinding areas directing traffic to local businesses. Part of the wayfinding program should include options for event advertising at predetermined locations. Beautification of the signage should include landscaping, trees and art that is appropriate for the various wayfinding signage options.

Project Category: Near-Term

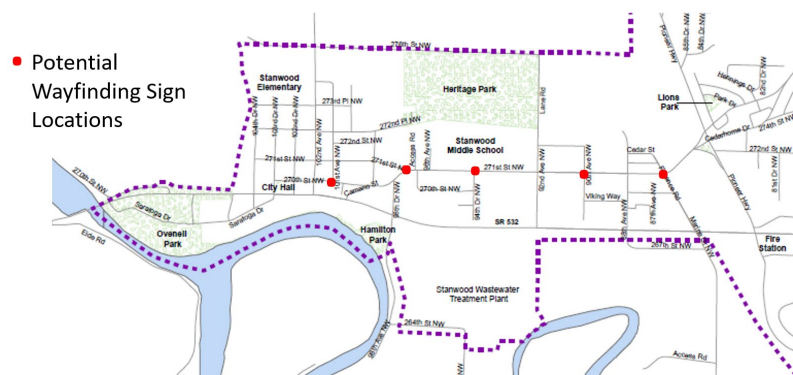
Priorities:

Priority 2 - Projects That Take 1-2 Years to Complete:

- Install gateway signage and landscaping at 72nd Avenue and by Ovenell Park
- Install service club signage near 72nd Avenue
- Install wayfinding signs along 271st Street, 270th Street, Viking Way and in the Uptown Center
- Design and install decorative / seasonal banners in the downtown

Project Location:

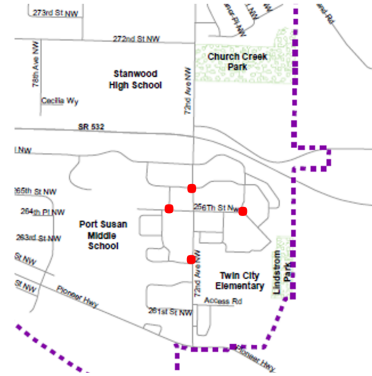
Wayfinding Signs: Center and East Districts



Wayfinding Signs: Up Town

- Potential Wayfinding Sign Locations

Allowed on both the public and private streets; locating signs on private property requires approval of the property owner



Budget:

Wayfinding Signage Project List

Budget Description	Project Year	Amount	Project Description
Service Club Signage	2021	\$10,000	Install a Snow Goose Sign at the intersection of SR 532 and 72 nd Avenue with local service club emblems on the placards.
Wayfinding Signage and Banners	2021-2025	\$10,000 / Year	5-year implementation plan to install wayfinding signs and decorative banners along the city's main streets in the downtown and up town areas.



Public Art

Vision: Adoption of a public arts program in the City of Stanwood to: promote the Stanwood / Camano Island area as a vibrant artist community, expand residents’ appreciation of art and to improve the quality of life of residents and visitors by enhancing public spaces with multiple art forms.

Project Description: Create a partnership with the Stanwood – Camano Arts Advocacy Commission to promote the arts in Stanwood. This partnership should include the adoption of an arts ordinance and a potential arts district in the City.

Project Category: Combination of Near and Long Term

Priorities:

Priority 1 - Yearly On-Going Projects:

- Adopt a partnership agreement with the Stanwood – Camano Arts Advocacy Commission with the City being a member of their Commission that regularly participates in planning activities.

Priority 2 – Projects That Take 1-2 Years to Complete:

- Adopt a 1% for the Arts Ordinance and establish an arts fund. The ordinance should also include art policies which form the basis for identifying potential project Locations and project types.
- Consider the adoption of art policies and an “Arts District” with the 2024 Comprehensive Plan Update.

Priority 3 – Project That Take 3 – 5 Years to Complete:

- Use accumulated art funds to solicit and build art projects.

Priority 4 – Future Projects Requiring 6 + Years:

- Use accumulated art funds to solicit and build art projects.

Project Location: City-Wide

Budget:

Public Art Project List

Budget Description	Project Year	Amount	Project Description
Adoption of Partnership Agreement with Stanwood Camano Arts Advocacy Commission	2021	Staff Time	Work with the SCAAC to adopt a partnership agreement defining roles and responsibilities.
Adopt a 1% for the Arts Ordinance	2021-2022	Staff Time	Adopt a 1% for the Arts Ordinance outlining program parameters.
2024 Comprehensive Plan Update	2022-2023	Staff Time	Work with SCAAC and the Parks and Trails Advisory on art policies and creation of a potential arts district.



Art Design and Implementation	2023-2026	Unknown	Based on funds collected under the 1% for the Arts Ordinance begin implementation of the program.
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Appendix

- A. 2021 – 2026 City Beautification Budget
- B. City Beautification Presentation
- C. Planting Options by Location
- D. Public Comments Summary

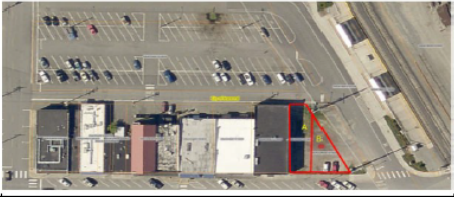
Appendix A: 2021-2026 Program Budgets

City Beautification Budget:

City of Stanwood Multi-Year Capital Project		
Project:	City Beautification	Project Overview:
Tracking Fund:	103 Streets Construction	Implementation of the City's economic development strategies to energize, revitalize, and beautify the City's commercial districts and transportation corridors.
Department:	Community Development	
Project Manager:	Patricia Love	Justification:
Year Identified:	2019	2010 Economic Development Plan, 2012 SDAT: Destiny by Design, 2015 Downtown Subarea Plan and the 2015 Non-Motorized Transportation Plan
Completion Year:	On-Going	
Strategic or Master Plan Reference:	2010 Economic Development	Detailed Project Description:
Program Reference:	N/A	Over the last 10 years the City has developed an economic development strategy to promote the vitality of Stanwood's business districts and neighborhoods. A substantial amount of community volunteer hours went into crafting a vision for Stanwood's future.
Project Priority:	N/A	
Project Score:	N/A	Following the guidance laid out in these plans, the City is moving forward with an action plan referred to as the Stanwood City Beautification Action Program. It consists of 5 key program elements:
Asset Category:	Streets	
Address/Location:	Varies: 270th, 271st & SR 532	• Gateway Signage and Landscaping • Main Street Revitalization and Parklets • Downtown Gateway Features • SR 532 Beautification • Wayfinding Signage • Holiday Decorations
Related Project(s):	Downtown Park	
City of Stanwood, Washington City Beautification Program Economic Development Board May 29, 2020 		Operating Impacts:

Capital Budget	Previous Years	2020	2021	2022	2023	2024	2025	2026	Total
Sources/Funding	Appropriated to Date	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Overall Project Sources
Transfer in - General Fund	\$ -	\$ -	\$ 150,000	\$ 185,000	\$ 155,000	\$ 30,000	\$ 30,000	\$ 20,000	\$ 570,000
Debt - Transportation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ 1,000,000	\$ 2,000,000
Total Sources	\$ -	\$ -	\$ 150,000	\$ 185,000	\$ 155,000	\$ 530,000	\$ 530,000	\$ 1,020,000	\$ 2,570,000
Uses/Costs	Appropriated to Date	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Overall Project Uses
SR532 & Main Street Landscaping	\$ -	\$ -	\$ 10,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 110,000
72nd Ave Entry Sign & Landscaping	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
88th Avenue Arch	\$ -	\$ -	\$ 60,000	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ 90,000
Service Club Sign	\$ -	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Wayfinding Signs	\$ -	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	\$ 50,000
East and West End Street Design	\$ -	\$ -	\$ -	\$ 125,000	\$ 125,000	\$ -	\$ -	\$ -	\$ 250,000
Holiday Decorations	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000
271st Sidewalk Widening & Striping	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ -	\$ 1,000,000
West End 271st St. Reconfigure	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ 1,000,000
Total Uses	\$ -	\$ -	\$ 150,000	\$ 185,000	\$ 155,000	\$ 530,000	\$ 530,000	\$ 1,020,000	\$ 2,570,000
Capital Sources Over (Under) Uses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Downtown Park:

City of Stanwood Multi-Year Capital Project		
Project:	Downtown Park	Project Overview:
Tracking Fund:	104 Parks Construction	Construct a downtown public park that will enhance the experience of visitors to the main street area of Stanwood.
Department:	Community Development	
Project Manager:	Patricia Love	Justification:
Year Identified:	2020	Implementation of the 2010 Economic Development Plan, 2012 SDAT: Destiny by Design, and 2015 Downtown Subarea Plan.
Completion Year:	2022	
Strategic or Master Plan Reference:	Downtown Master Plan	Detailed Project Description:
Program Reference:	N/A	Main Street is the primary location for special events. The street is regularly closed for the following events: Art By the Bay festival; Summary Arts Jam; Small Trailer Event; Twin City Idlers Car Show; Stanwood Camano Fair parade; Touch- A-Truck, National Night Out; and the Downtown Concert Series. In 2021, the City is considering moving the Farmers Market to Main Street. This site will enhance these events by providing park space for people to rest, eat and relax during these events. The Site has remained underutilized and vacant since the 1990s. The Site's location within the main street business district of the City of Stanwood provides a great opportunity to support local businesses with a public park in the downtown corridor
Project Priority:	N/A	
Project Score:	N/A	
Asset Category:	Parks, Trails Facilities	
Address/Location:	8627 and 8629 271st Street	
Related Projects(s):	City Beautification	
		Operating Impacts:

Capital Budget	Previous Years	2020	2021	2022	2023	2024	2025	Horizon Years	Total
Sources/Funding	Appropriated to Date	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Overall Project Sources
Grant - Dept of Commerce	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Transfer in - Impact Fees	\$ -	\$ -	\$ -	\$ 140,000	\$ -	\$ -	\$ -	\$ -	\$ 140,000
Transfer in - General Fund	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Debt - Parks & Trails	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
Total Sources	\$ -	\$ 30,000	\$ 200,000	\$ 140,000	\$ -	\$ 1,000,000	\$ -	\$ -	\$ 1,370,000
Uses/Costs	Appropriated to Date	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Overall Project Uses
Investigative Analysis	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Hazardous Material Clean Up	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Acquisition & ROW	\$ -	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
Design	\$ -	\$ -	\$ -	\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ 80,000
Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000
Total Uses	\$ -	\$ 30,000	\$ 200,000	\$ 140,000	\$ -	\$ 1,000,000	\$ -	\$ -	\$ 1,370,000

Main Street Improvements:

City of Stanwood Multi-Year Capital Project		
Project:	Main Street Improvements	Project Overview:
Tracking Fund:	103 Street Construction	
Department:	Public Works	Reconstruct and beautification of Main Street along 270th and 271st
Project Manager:	Shawn Smith	Justification:
Year Identified:	2021	
Completion Year:	2027	Safety and main street traffic flow
Strategic or Master Plan Reference:	TIP	Detailed Project Description:
Program Reference:	N/A	Streetscaping, landscaped medians, mini roundabouts, bike lane, wider sidewalks, cross walk improvements
Project Priority:	N/A	
Project Score:	N/A	
Asset Category:	Street, Sidewalk, Utility	FUNDING SOURCES ARE PROPOSED TO BE TRANSPORTATION DEBT ISSUED WITH ANNUAL DEBT SERVICE PAYMENTS COVERED BY TRANSPORTATION BENEFIT DISTRICT (TBD) SALES TAX. SEE TBD CASHFLOW ANALYSIS
Address/Location:	270th and 271st	
Related Projects(s):	City Beautification	
		
		Operating Impacts:

Capital Budget		Previous Years	2020	2021	2022	2023	2024	2025	2026	Total
Sources/Funding	Appropriated to Date	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Projection	Overall Project Sources
Grant - TIB	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000
Debt-Transportation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,250,000	\$ 3,250,000
Total Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,450,000	\$ 3,450,000
Uses/Costs	Appropriated to Date	Budget	Projection	Projection	Projection	Projection	Projection	Projection	Projection	Overall Project Uses
Design, Engineering & Permitting	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000
Acquisition & ROW	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000	\$ 250,000
Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000
Total Uses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,450,000	\$ 3,450,000

Appendix B: City Beautification Inspiration Presentation

City of Stanwood, Washington
City Beautification Action Program



Vision

The City of Stanwood is the commercial and cultural center of the greater Stanwood / Camano region.

It is the desire of the City to preserve the community's historic rural, small town character while promoting the regions as a family friendly place to live, work and play.

The City Beautification project will celebrate the beauty of the area and promote the concept of buying local.

Adopted Plans: Action Strategies

Economic Development Action Plan - 2010	SDAT: Destiny by Design – July 2012	Downtown Subarea Plan – Appendix to 2015 Comp Plan
Engage and Organize Downtown Stakeholders	Water Management and Flooding Mitigation	Promote Downtown as the heart and core of the community
Invest in Downtown Beautification	Downtown & Village Revitalization	Recognize and Designate East and West Districts as the Historic Downtown
Build on Stanwood Station as a Focal Point for Downtown Revitalization	Economic Development Strategies	Unify Downtown
Connect the Eastern and Western Nodes of Downtown	Sustainable Urban Design	
Demarcate Downtown and Make it Accessible	Transportation and Connectivity	

6 Program Components

- Gateway Signage & Landscaping
- Main Street Revitalization
- Gateway Features
- SR 532 Beautification
- Wayfinding Signage
- Public Art

Moving Beyond Planning and into Implementation

Identify Projects

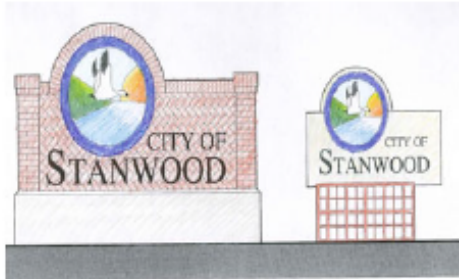
Prioritize Projects

Adopt 6-Yr Budget

Design Projects

Construct Projects

Gateway Signage & Landscaping



City Entrance Signs
at Key Locations

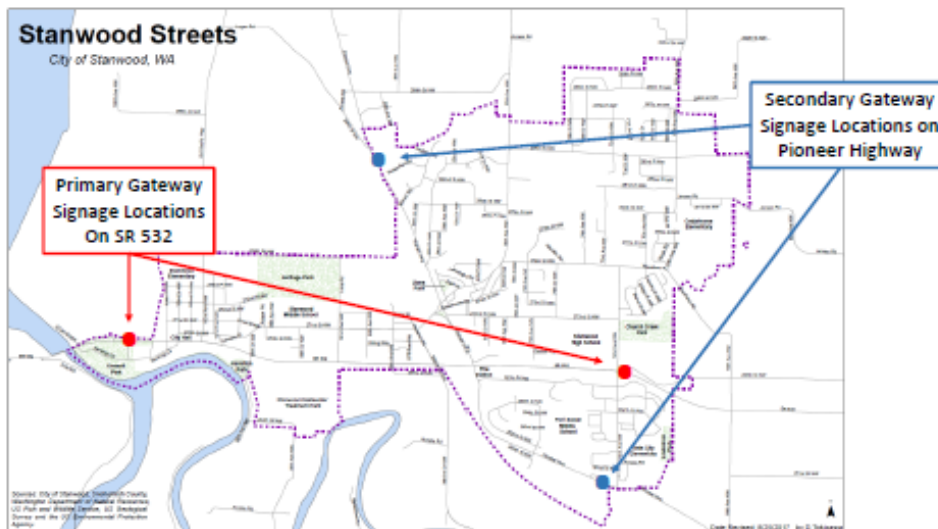
Use
Historic
"Velkommen"
as
Inspiration

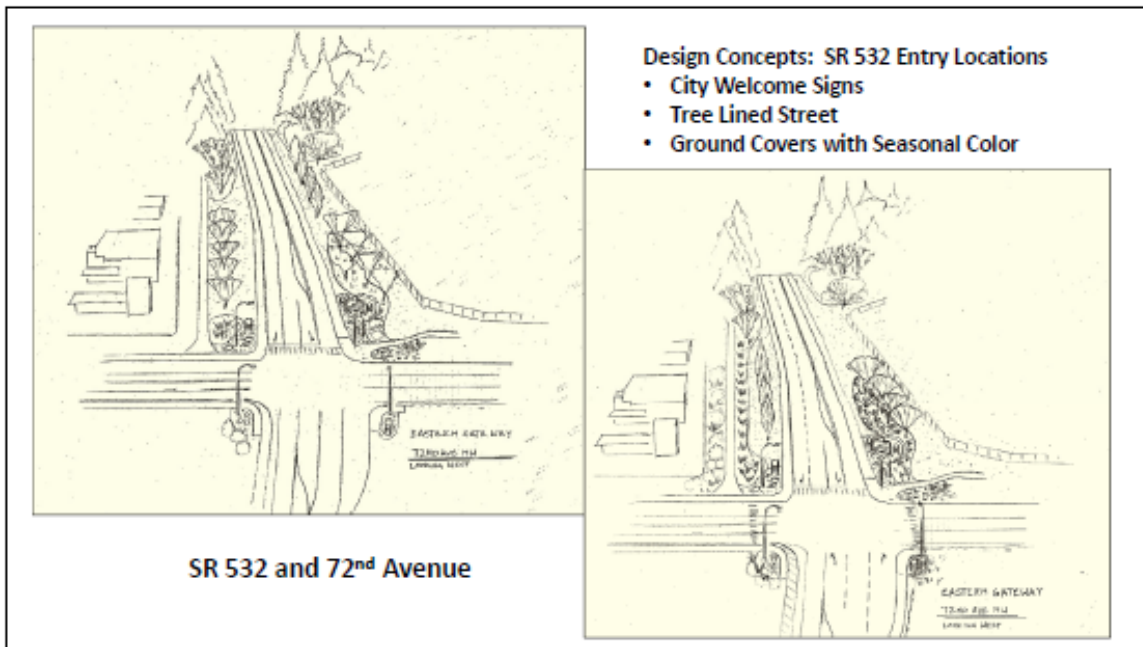


Provide Logo Space for Community Organizations



Gateway Signage



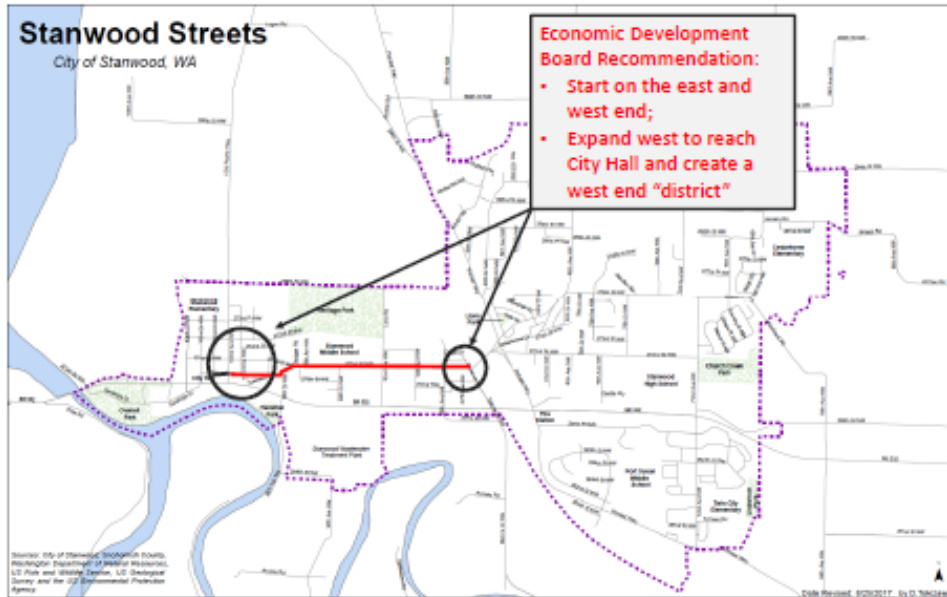


Main Street Revitalization

Project Concepts:

- Create a main street curb appeal with street trees, benches, flower baskets, painted murals, and / or street banners
- Consider "Road Diet" to encourage public use of the street
- Develop short term pilot and long range right-of-way use programs

271st Streetscape Improvement Ideas



East End Shopping District



271st Street – East End

Existing Conditions



East End Design Options

Pilot Program for Non-Motorized Use of the Right-of-Way

- Consider "Parklet" Design Where On-Street Parking Spaces are Turned into Public Use Spaces
- Restaurant Seating; Public Seating; Art Space

Long Term

- Permanent Reconfiguration of Street to Create Public Space
- Public Plaza; Special Events; Concerts

Pilot Program for Outdoor Café or Public Seating

Reclaim Portion of Parking For Pedestrian Use:

Existing Use	Parklet Concept
9.5' Sidewalk	9.5' Sidewalk
12' Angled Parking	8' Parklet
16' Travel Lane	8' Parallel Parking
16' Travel Lane	12' Travel Lane
12' Angled Parking	12' Travel Lane
7' Sidewalk	8' Parklet
72.5' Usable ROW	8' Parallel Parking
	7' Sidewalk
	72.5' Usable ROW

Design, Construction and Maintenance of Parklet is the Responsibility of the Business Owner



Parklet Design & Location Considerations

- Impact on Adjacent Businesses
- Wheel Stops or Other Form of Vehicle Barriers
- Separation from Passing Vehicles
- Accessibility - Extension of the Public Sidewalks
- Unrestricted Drainage Flow
- Unrestricted Access to Fire Hydrants
- Maintenance
- Trash Collection
- Aesthetics & Amenities
- Fabrication and Installation

**Concept Supported
By the Economic Development
Board – May 28, 2020**





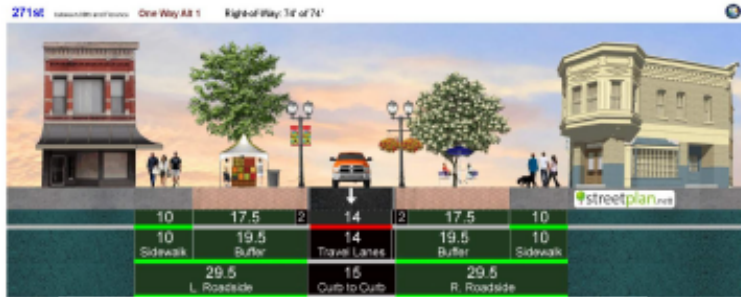
Permanent Street Reconfiguration Options

Three General Concepts to Initiate Conversations:

1. Create a One-Way Street Through the Center of the Road to Create Wide Pedestrian Friendly Sidewalks, Outdoor Seating, and Areas for Art
2. Create a One-Way Off-Set Street to Create Public Plaza Areas for Public Gathering, Outdoor Seating, Art
3. Close the Street Entirely to Create a Large Public Plaza Area for Public Gatherings, Special Events, Concerts, Festivals

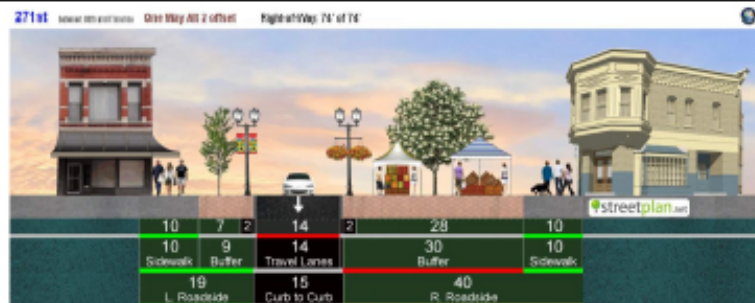
**271st Street
Option 1 Cross Section
Single – One Way Road**

Potential
One-Way Street
With
Open Plaza



**271st Street
Option 2 Cross Section
Off-Set Single Curved
Street - One Way Road**

Potential
One-Way Street
With Curved Road and
Open Plaza



271st Street
Option 3 Cross Section
Partial Road Closure

Potential
Partial Road Closure
With
Open Plaza

Preferred Option of the
Economic Development Board:
• With Removable Bollards so
the Street Can Accommodate
Vehicles if/when Needed

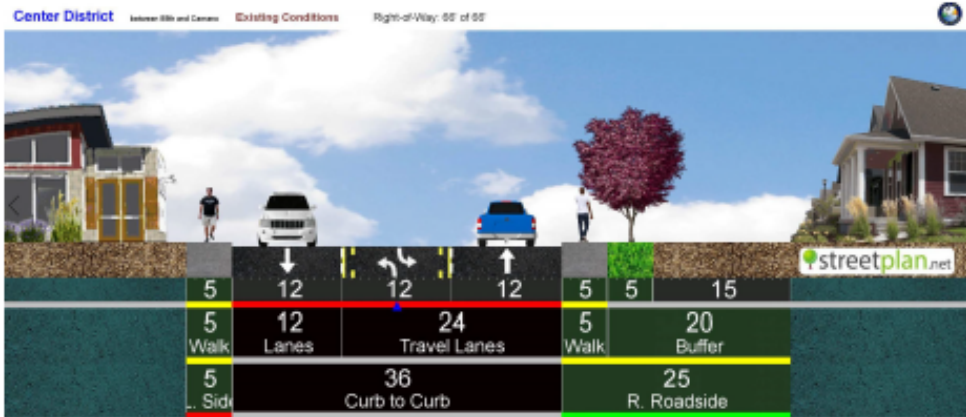


Connect Center District - Street Design Concepts

Project Goal: Low Cost, Boulevard Appearance



271st Street ROW – Existing Conditions



ROW Varies: 60 – 66'; Significant Amount of Unused ROW On South Side of Road

Center District Street Option – Complete Street Concept

Too Expensive

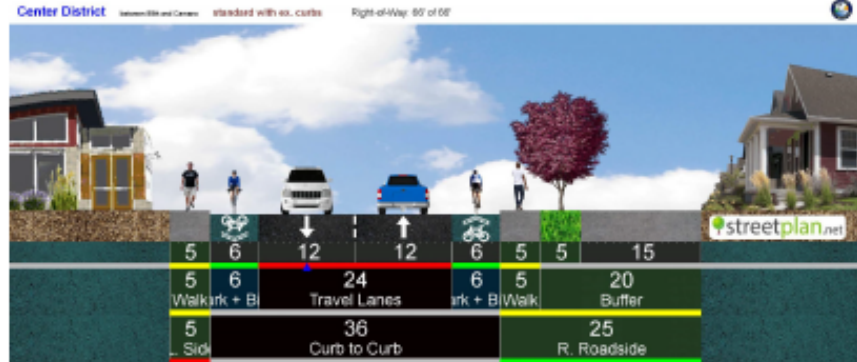


Concept: Mix of Downtown Subarea Plan and Non-Motorized Plan

Cost: \$\$\$

Implementation Requirements: ROW Acquisition, Sidewalk Construction, Paint, Infill Street Trees (Behind Sidewalks)

**Possible Between
Camano Street and 90th
Avenue**



Cost: \$

Implementation Requirements: Paint and Infill Street Trees (Behind Sidewalks)

**Possible Between
Camano Street and 90th
Avenue**



Cost: \$\$

Implementation Requirements: Paint, Reconstruct South Side to Install Parking in Key Locations, and Infill Street Trees (Behind Sidewalks)

Center District Street Options - Boulevard Concept



Concept: Hybrid of Downtown Subarea Plan by Providing Landscaping & Bike Lanes
Does Not Provide On-Street Parking

Cost: \$\$

Implementation Requirements: Paint, Infill Street Trees (Behind Sidewalks), Reconstruct Sidewalk on South Side and Construct Landscape Medians in Strategic Locations

West End Design Options

Pilot Program for Non-Motorized Use of the Right-of-Way

- Reconfigure to One-Way to allow for "Parklet" Design Where On-Street Parking Spaces are Turned into Public Use Spaces
- Restaurant Seating; Public Seating; Art Space

Long Term

- Create a Public Arts / Theater "District"
- Permanent Reconfiguration of Street to Create Public Space
- Public Plaza; Special Events; Concerts

West End Brick Road: Existing Conditions – 43' ROW



West End Brick Road: Design Ideas



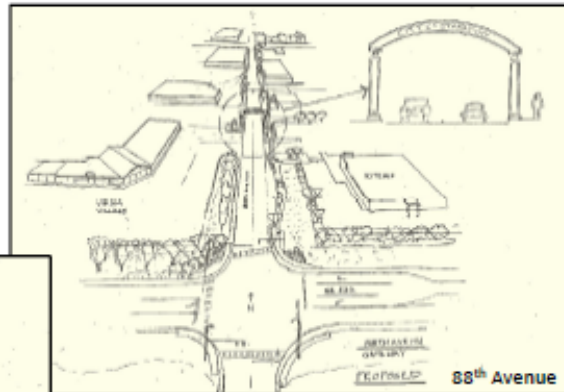
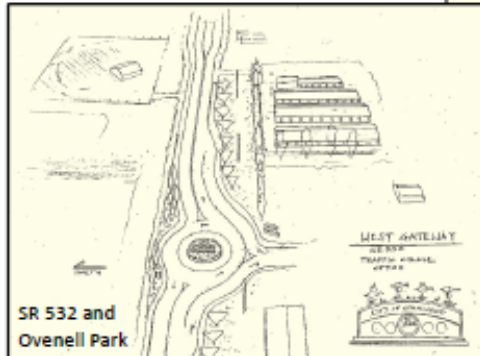
One - Way Through Traffic

Close Street To Create A Public Plaza

Gateway Features

Gateways:

- Downtown Corridors
- Future Roundabouts



Economic Development Board Recommendation:

- Potentially 2 Gateways: One at the 271st / 88th Avenue Intersection and a smaller one near SR 532

SR 532 Beautification

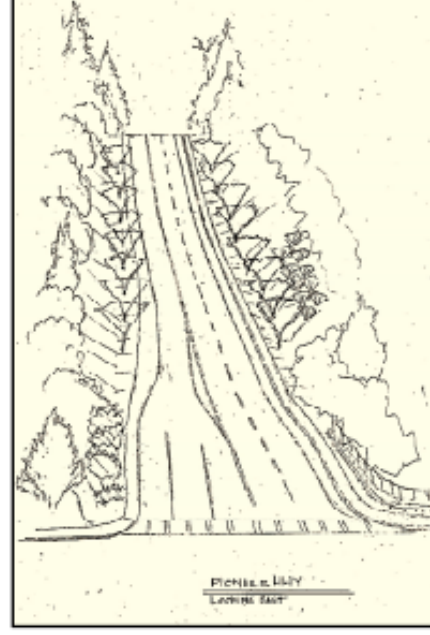
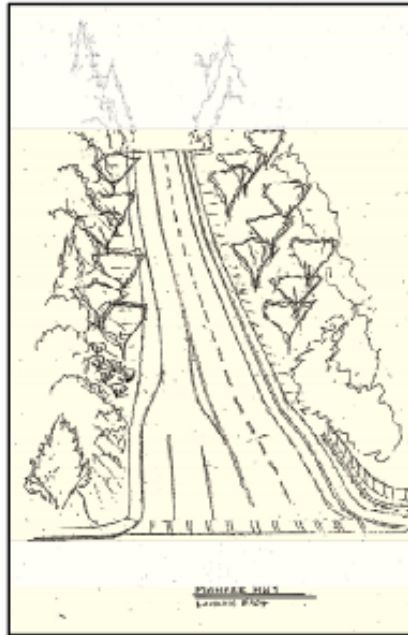
Improve aesthetic quality of SR 532:

- Create a colorful tree lined street curb appeal
- Establish landscape themes at key intersections
- Improve walkability & pedestrian crossings
- Adopt a seasonal banner program on street lights

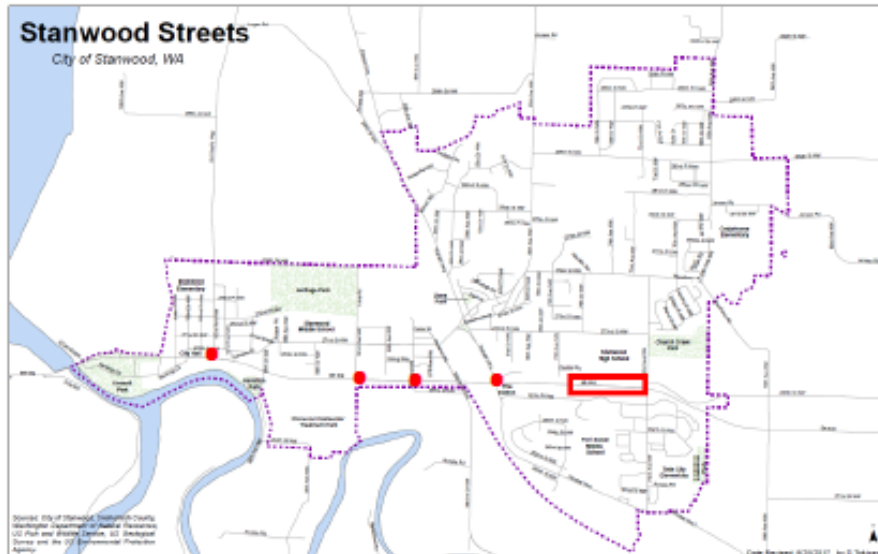
Design
Ideas On
SR 532
Between
the High
School and
Pioneer
Highway

Colorful
Seasonal
Trees

Creates a
Entrance to
Downtown
Stanwood



Landscape Beautification at
Key Intersections &
Corridors



Wayfinding Signage

Purpose:

- Promote Economic Development in the City of Stanwood
- Promote Community Identity
- Encourage Tourism
- Promote Shopping Districts & Parking Opportunities
- Promote Community Events

Wayfinding Sign Design

Snow Goose Design

Welcome & Visitor Information Signs

Designated Districts:

- West District
- Central District
- East District
- Hilltop District

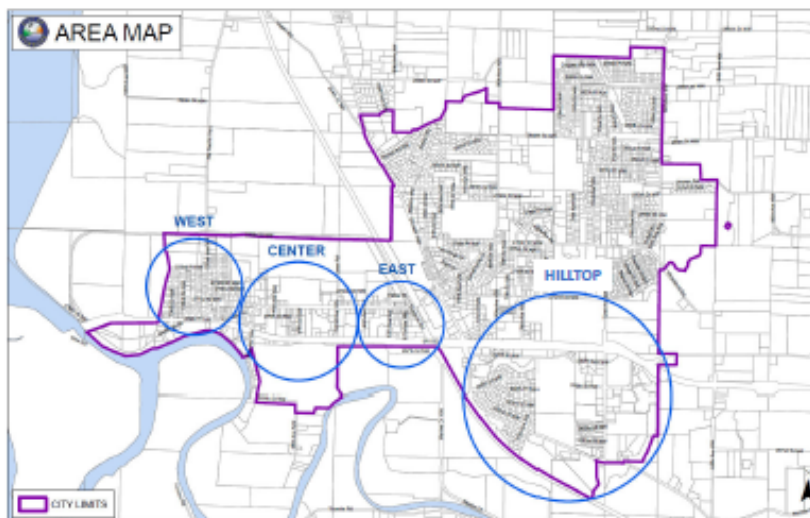
Promote Buying Local



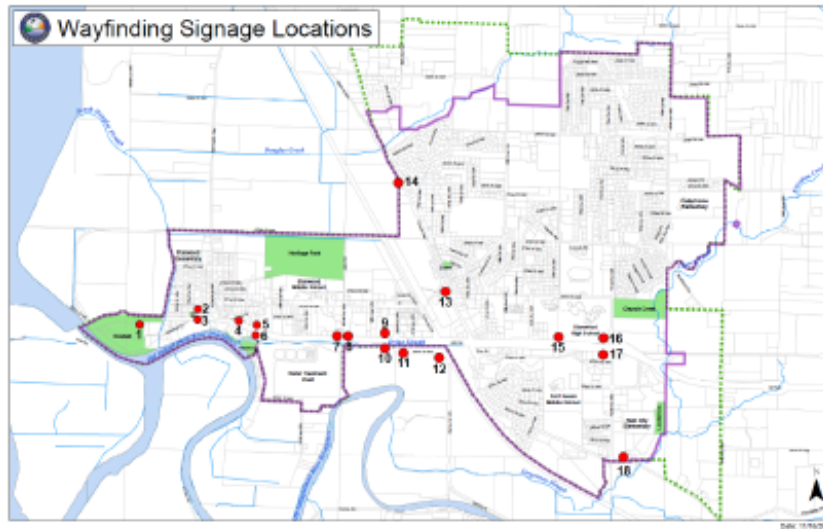
Business Wayfinding Program

- Limited use of city right-of-way
- Identifying business opportunities and services
- Directing travelers to businesses and parking locations
 - Standard background, font and color
 - Exempt from off-premise sign restrictions
- Banners
- Public Information Kiosks
- Historic Street Signs

Wayfinding Districts



Wayfinding Signs – Phase 1 Locations



Wayfinding Signs: Center and East Districts



Wayfinding Signs: Up Town

- Potential Wayfinding Sign Locations

Allowed on both the public and private streets; locating signs on private property requires approval of the property owner

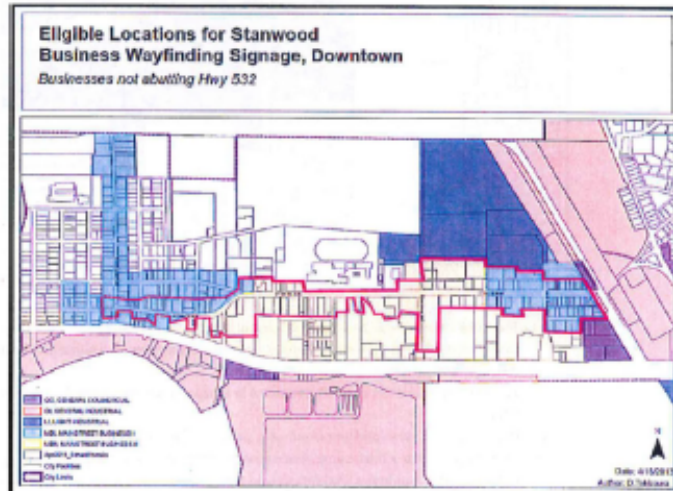


Wayfinding Signs: Center and East Districts

Businesses not abutting SR 532 within commercial zoned land off of 270th and 271st Street are eligible to participate in the wayfinding sign program.

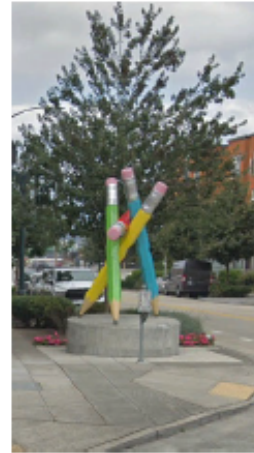
Options:

- Snow Goose Signs with General Business Topics with Arrows
- Visitor Information Signage



Art in Public Spaces

- Adopt Public Art Policy
- Adopt a 1% for Arts Ordinance
- Applies to New & Major Repair Public Projects
- Exempts Maintenance
- Identify Potential Project Locations / Districts
- Identify Project Types
- Managed by City with an Advisory Board



Project Overview

Gateway Signage & Landscaping	Main Street Revitalization	Gateway Features	SR 532 Beautification	Wayfinding Signage
Potential Near Term Projects:				
Landscaping	Pilot Parklet Program	Landscaping	Landscaping at Key Intersections	Purchase and Installation of Wayfinding Signs by Local Businesses
Relocation of Existing Signage	Landscaping		Installation or Relocation of Signs	
Service Club Sign	Benches			
Potential Long Term Capital Projects:				
	Street Reconfigurations for West, Center and East Districts	88 th Avenue Gateway Arch	Roundabouts Art	City Initiated Project for Signage in the East, Center and Hilltop Districts

6-Year Implementation Discussion

Priority #1 (Yearly)	Priority #2 (1-2 Years)	Priority #3 (3-5 Years)	Long Term (6+ Years)
▪ Yearly SR 532 Landscape Improvements ▪ Pilot Downtown Parklet Program ▪ Main Street Benches / Flowers	▪ Gateway Signs at 72nd Avenue and Ovenell ▪ Service Club Signs ▪ Wayfinding Signs ▪ 88th Avenue Arch ▪ Pre-design & Public Outreach for Main Street Reconfigure.	▪ Wayfinding Signs ▪ Implementation of Main Street: Widen Sidewalks and Reconfigure Travel Lanes	▪ Design and Permitting of Main Street Reconfiguration ▪ Construction of Main Street Projects
Budget (Yearly)	Budget (1-2 Years)	Budget (3-5 Years)	Budget (6+ Years)
\$20,000 Yearly; On-Going Budget Line Item	\$50,000 - \$60,000 Per Year \$20,000 - \$40,000: Arch \$250,000 Main Street Predesign	\$500,000 - \$1M Sidewalk Widening	TBD

Appendix C: Planting Palette Inspiration by Location

City of Stanwood, Washington City Beautification Action Program

Landscaping Concepts



Vision

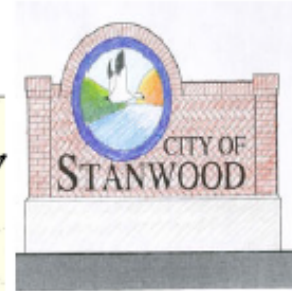
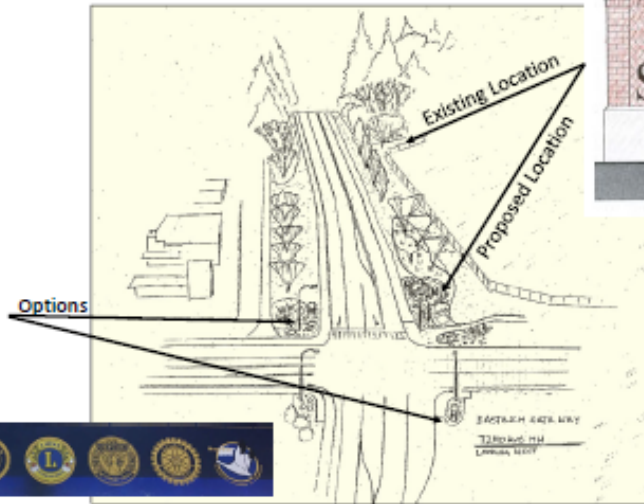
The City of Stanwood is the commercial and cultural center of the greater Stanwood / Camano region.

It is the desire of the City to preserve the community's historic rural, small town character while promoting the regions as a family friendly place to live, work and play.

The City Beautification project will celebrate the beauty of the area and promote the concept of buying local.

City Entry Signage

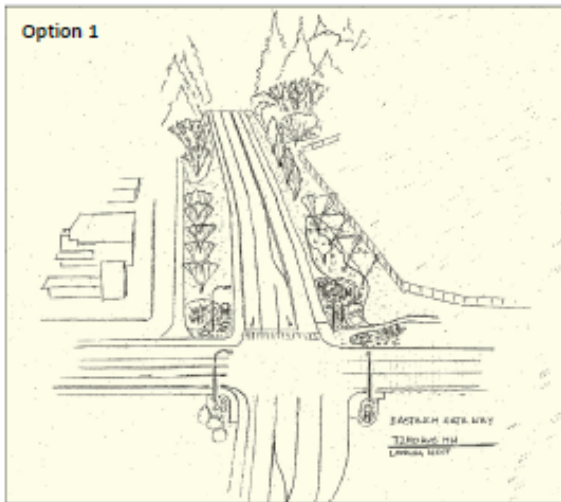
Provide Logo Space for Community Organizations



Move City Entrance Sign to Corner of SR 532 and 72nd Ave

Boulevard Landscaping Concept

Option 1



SR 532 and 72nd Avenue

LARGE BOULEVARD SIGNATURE TREES



Acer rubrum "October Glory"
October glory maple: 50' tall 30' wide



Fagus sylvatica
European beech: 80' tall 30' wide



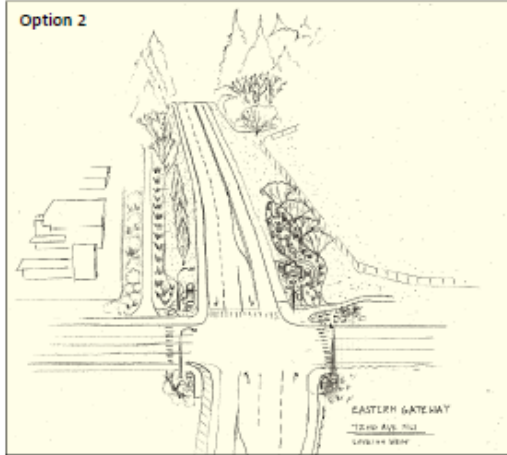
Liriodendron tulipifera
Tulip tree: 60' tall 30' wide



Ginkgo biloba
Princeton Sentry: 50' tall 25' wide

Boulevard Landscaping Concept

Option 2



SR 532 and 72nd Avenue

COLUMNAR BOULEVARD SIGNATURE TREES



Cedrus deodara 'Fastigiata'
Columnar Hemlock 35' tall 25' wide



Quercus robur 'Fastigiata'
Columnar English Oak 50' tall 15' wide

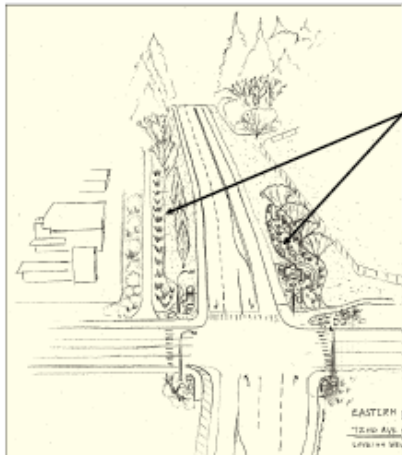


Prunus Chantrelle 'Red splat'
Columnar Flowering Pear
40' tall 15' wide



Prunus serrulata 'Amorogawa'
Columnar Flowering Cherry
30' tall 8' wide

Landscape Shrubs Concept



SR 532 and 72nd Avenue

LANDSCAPE SHRUBS



Arbutus unedo 'compactum'
Strawberry bush 5'-6' height



Cistus purpureus
Purple Rockrose 4'-5' height



Deutzia corymbosa
Dragonet Tree 6'-8' height



Euonymus alata 'Tompaia'
Burning Bush 6'-7' height

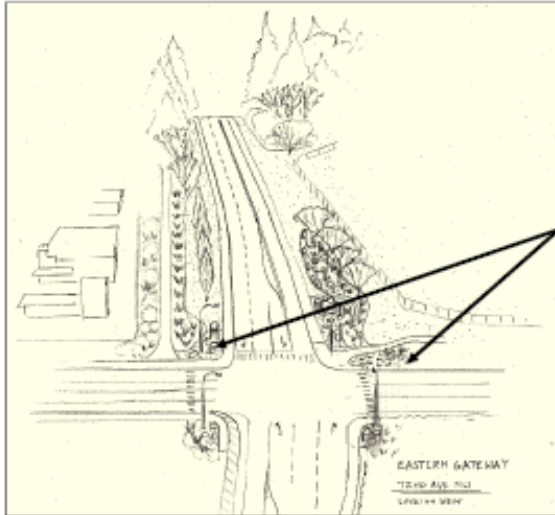


Chrysanthemum 'Mistral'
Mistral Shrub 6'-8' height



Miscanthus sinensis
Mistral Grass 7'-8' height

Wetland Planting Concept



SR 532 and 72nd Avenue

WETLAND TREES



Acer circinatum
Vine Maple 25' tall 20' wide



Betula nigra
River Birch 35' tall 25' wide

WETLAND SHRUBS



Clethra alnifolia
Sweet pepper bush



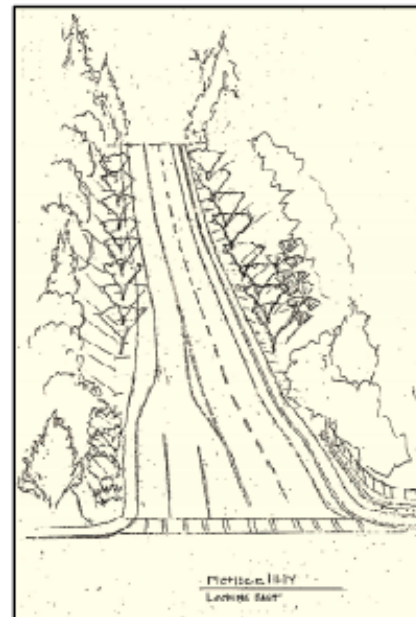
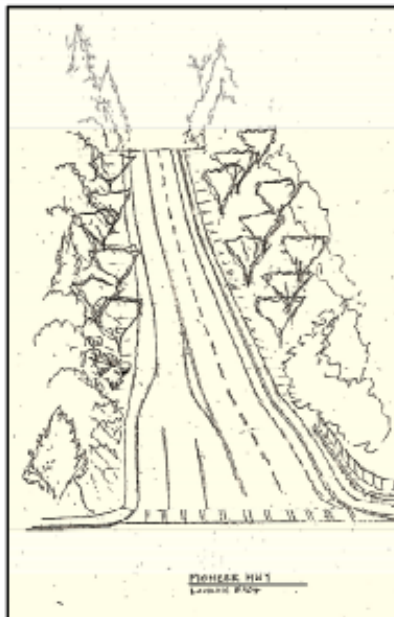
Cornus stolonifera
Red Twig Dogwood

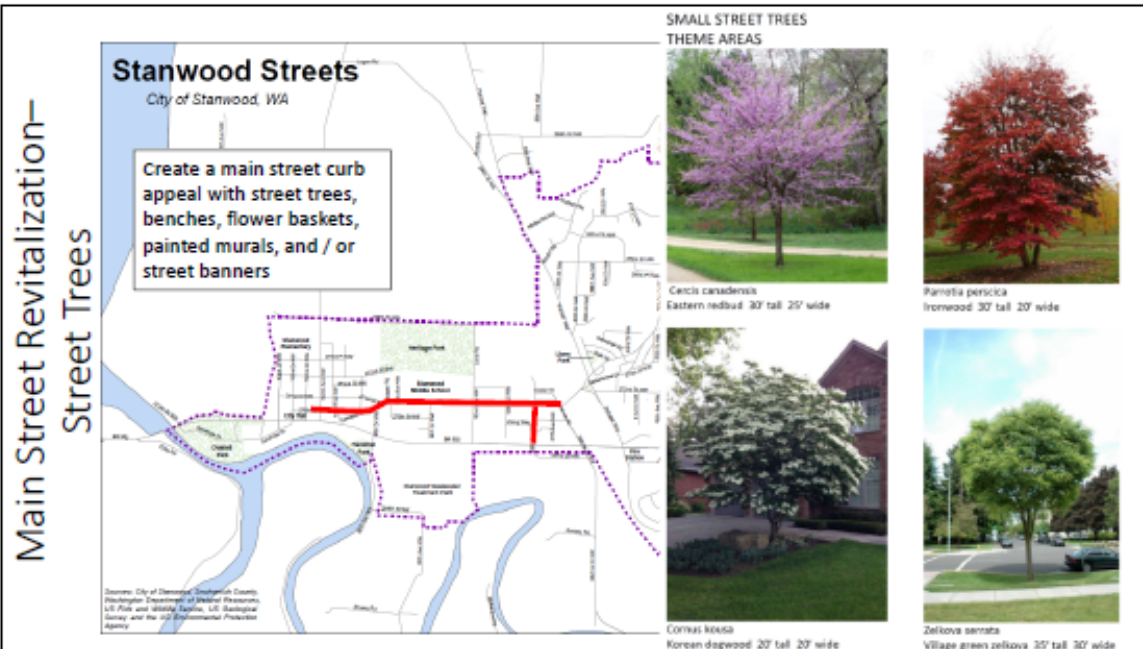
Design Ideas On
SR 532 Between
the High School
and Pioneer
Highway

Colorful
Seasonal Trees

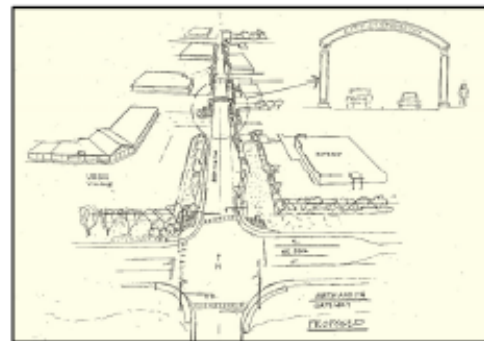


Acer rubrum 'October Glory'
October glory maple 50' tall 30' wide





88th Avenue Arch Concept





SR 532 Beautification
Landscaping
Options Around
and Under Snow
Goose Signs



SMALL LANDSCAPE SHRUBS		SMALL LANDSCAPE SHRUBS	
	<i>Lavandula 'Hidcotia'</i> Hidcotia blue lavender 30"-4' height		<i>Pinus mugo 'Stemround'</i> Dwarf mugo pine 2'-30" height
	<i>Caretus alata 'Aurea'</i> Golden Bedge 2' height		<i>Rougharia shallen</i> Salsif 2'-4' height
	<i>Lilacanthemum maximum 'Snowcap'</i> Shasta Daisy 30"-4' height		<i>Salvia superior 'Blue Hills'</i> Blue salvia 2'-3' height
	<i>Cakile virginica 'Profity'</i> Profity Heather 2' height		<i>Helictotrichon sempervirens</i> Blue Cat Grass 2'-3' height
	<i>Mahonia japonica</i> Dwarf Mahonia 2'-3' height		<i>Ispira japonica 'Gold Flame'</i> Gold flame Ispira 3'-4' height
	<i>Euphorbia wulfenii</i> Blue Euphorbia 3' height		<i>Iris sibirica 'Caesars Mother'</i> Siberian Iris 2' height

Appendix D: Public Comments Summary

City Beautification Program – Comment Summary

Date	Commenter	Comments
May 29, 2020	Economic Development Board	• The Board fully supports the program and believes the investment in Stanwood is needed. • Support the “Main Street Parklet” concept and would like to see a pilot program initiated. • Support the Main Street Revitalization ideas and recommends beginning with the east and west end business districts first as a single project and leave the center connection project to a later phase. • Like the option to close main street the best. Possibly add canopy covers so the street can be used year round. • Want the design to provide multi-purpose uses: “table top” plaza design that can be driven on to accommodate car shows, the farmers market, concerts and festivals. Bollards should be removal. • Expand the west end main street revitalization effort into a larger “District” to take in City Hall, SAAL and the businesses along 102nd Avenue. • Support the yearly gateway landscape and signage projects, but believes that the proposed amount of \$10,000 a year is too low. • The gateway arch on 88th Avenue needs more discussion on location. Options include a 4-corner structure at the intersection of 88th Avenue and 271st Street, an arch at the new intersection of Viking Way and 88th Avenue or locating it closer to SR 532. Another option is to have a smaller arch near SR 532 with the 4-corner structure at the 88th Avenue and 271st Street intersection. • Move the arch from priority 3 to priority 2: Design in year 1 and construction in year 2. • After review by the Community Development Committee begin discussions with the Chamber of Commerce and business owners. Add a line item to the 2021 / 2022 budget for the beautification program. • Bring a draft schedule of work back to the Board at their next meeting.
June 8, 2020	Planning Commission	<u>Gateways:</u> • Strong support for improving the City entrance at 72nd Avenue with trees, flowers and signage. Create a special entrance to let people know they have arrived in Stanwood.

Date	Commenter	Comments
		• Work to emphasize the Non-Motorized Transportation Plan and include pedestrian access routes and safety. <u>Parklets:</u> • Support the concepts of Parklets. • Concerned about potential loss of parking. • Like the shift from vehicle oriented to pedestrian oriented. Visit Arlington's Main Street as an example. • Concerned about creating parallel parking next to Parklets due to driving and parking skills. Angled parking is easier to manage. • Consider a street alternative that allows for Parklets and widen the sidewalks while keeping 2 travel lanes. This could slow down traffic and make the street more pedestrian friendly. This would allow the street to be closed regularly for events. • In the back parking lot, consider how to minimize potential conflicts between cars and pedestrian. Drive isle route may need to be redeveloped as a street: curb, gutter, sidewalks. • Back parking lot needs better lighting. • Add landscaping to the back parking lot. <u>East End District:</u> • Prefer an option that keeps both lanes of traffic, but allows the street to be closed for street fairs and events. • Permanent closure of the street is their least favorite option. • Support moving the farmers market to Main Street. They feel it improves pedestrian safety by removing conflicts between pedestrians and vehicles. • Support Parklets and increasing sidewalk width to make area more business and pedestrian friendly. <u>Central District:</u> • Center turn lane is needed at congested intersections. • Support the boulevard concept with strategic placement of landscape islands that don't interfere with turning movements. Will need a traffic study to help determine best alignment options. • Don't need parking along this section of roadway. • Support adding bike lanes but want to ensure that they connect to a larger non-motorized network.

Date	Commenter	Comments
		- Consider adding a planter strip on the north side or widen sidewalks (greater than five feet). - Agree with Economic Development Board, prioritize east and west ends first. <u>West End District:</u> - Lunch time is the heaviest used time in the west end; concepts should create evening activity to enliven the west end. - Do not favor closing the road; a one-way grid system could be considered. - Maintain historic character and brick road – Brick street was originally laid out by Henry Keiser. - Designs need more thought: district boundaries, parking analysis, signage, and pedestrian access from city parking lot to Main Street. - Bollards could be used to close the road for special events; similar to the east end. - Brick road has ADA issues that need to be addressed. - Traffic calming designs should be used to help slow traffic. - West side needs trees and flowers. <u>Gateways:</u> - Support all gateway concepts: 88th Avenue and SR 532. <u>SR 532 Beautification:</u> - Fully support landscaping concepts along SR 532. - Add color at key intersections with Snow Goose signs. - Prefer the straight line of trees down SR 532 to Pioneer Highway over the offset tree line. <u>Wayfinding:</u> - Support moving forward with Phase 2 of Wayfinding program. - Signage should be hierarchical: signs on SR 532 should be general: shopping, parking, etc; whereas signs on 270th and 271st could include business names with arrows. Signs on SR 532 should lead one into the downtown area and once in the downtown signs can lead people to specific businesses. - Focus on east and west ends first; Hill Top area could follow after Phase 2 in the downtown is complete. <u>Other Comments:</u> - Move Wayfinding to Priority 1 = yearly on-going; work with businesses to add signage.

Date	Commenter	Comments
		• Agree with Economic Development Board, proposed funding for Priority 1 is too low. Double the amount to \$20,000 per year. • Move pre-design of Main Street to Priority 2. Work could include Parklets, stripping, flowers, benches and applying for grants. • Move 30% design of Main Street to Priority 3. Start working on the project now; let's not wait 5 years.
June 9, 2020	Carrie Richardson	I'm down at our office (up above Winks, next door to the Sushi Bar) and we park on the Brick Road. Our parking is parallel to the sidewalk. I don't think there would be sufficient space for angled parking. Oh my, lots in temporary parking for folks picking up Sushi orders!
June 11, 2020	City Council Community Development Committee	<u>General Impressions:</u> • Very supportive of moving forward. • Volunteers spent many unpaid hours working on these plans with the goal of improving the aesthetics and economic vitality of the City. • Time to take action and move forward with projects. Even doing small projects every years gets the attention of the community and shows investment in the town. Projects relay to the community that the years of studying and planning for the future is now being implemented. Plans are not sitting on a shelf. <u>Gateway Signs:</u> • Support the City entry signs at the corner of SR532 and 72nd Avenue. Consider moving the sign when City Hall is constructed. It was also noted that City Hall may not be built for several years and that the construction of the City facility should not delay the entrance signage project. • Like the seasonal color and plantings at the City entrances: provides a visual cue that people are entering Stanwood. • Support signage for Stanwood service clubs. <u>Parklets:</u>

Date	Commenter	Comments
		• Parklets create a “go to place” in the downtown, a place to socialize, and enliven the streetscape. • First step in creating a “hub”, transforming the downtown from a car oriented focus to people oriented. • To get the full benefit, restaurants and businesses would need to stay open past 5 pm. • Support getting the Parklet program up and going. <u>271st Street- East End Business District:</u> • Like the one-way street concept with widened sidewalks and public plazas. • Improve the back side of the buildings on the north side next to the City parking lot. • Visit Port Angeles downtown for inspiration. • Support moving the farmers market to 271st Street: complement the businesses and improves visibility. Farmers market should stay open past 6 pm; many people who work cannot get to the market before it closes. <u>Central 271st Street - East and West End Connection:</u> • Like the boulevard concept best, but: ○ Must be maintained to keep the intended beauty ○ Spacing must be determined to ensure adequate turning movements ○ Sight distance and safety is key to the success – people taking short cuts to get around the planter islands <u>270th Street – West End Business District:</u> • Fully agree with the Economic Development Board and Planning Commission: West end should have the same public amenities. • Agree that the boundaries of the “District” should be expanded and better defined. • One-way road could work, but need direction from the adjacent businesses. <u>SR 532 Beautification and Wayfinding:</u> • People should notice Stanwood when they drive through town! The town should not blend into the background. • Support landscape concepts along the highway and at strategic intersections.

Date	Commenter	Comments
		- Move forward with Phase 2 wayfinding signage. <u><i>Budget and Implementation:</i></u> - Implement Priority 1 and Priority 2 projects with 2021/2022 budget. Phases 3 and 4 may take longer but should be kept moving forward. - Yearly Beautification Budget – Plantings and Signage 88th Avenue Arch - Start Pre-Design Efforts for the East and West End Districts - Implement the Parklet Program - The sooner the beautification action program can get started the better; it's time to create a town with personality and character.
June 25, 2020 (email)	Cat – Owner of Cohost	- A lot of people use the handicapped spot in front of Cohost. I wonder what the process will be to help our older folks and anyone in need of assistance. - When the block has been closed in the past, our back alley gets SLAMMED. We have come in to find both our parking spots occupied by parents waiting for their kids to leave Sytan. - I have had to tell a lot of people about the parking lot. And no one seems to know that there's a pass through in the Granary building. There will need to be much more signage. - The drive through traffic is important to Cohost. We are still pretty new, and we've heard from so many folks that they drove by, and then looked us up. We still regularly get folks in asking about the yarn shop – that's been gone for 1.5 years – and I worry that closing the block will prevent people from coming instead of attracting them. - What will be the street usage for each business? Am I gaining a usable outdoor area – at no additional cost – that I can use for tables and chairs and to host classes, etc? Or is the block just for walking? Because, frankly, there's no where to walk to from here. The other pedestrian area – if you're doing one in "West Stanwood" is too far for a stroll. So people would just gain more sidewalk, which I would need to understand the benefits of. - If the idea is to keep the parking and simply make it a one way street, I'm worried people will skip this part of town all together to avoid the hassle of a few turns if the one way is not the direction they're going. It will make downtown a specific destination, and not one that people just happen upon. And we're all hearing "I didn't know you were here" regularly already. If there's no drop in/drive by/happen upon folks, we'll get less business.
July 16, 2020	Stanwood Chamber of Commerce	Few questions; but appeared to have general support. Like arch concept; look up the Willams Grand Canyon Arch

Date	Commenter	Comments
		• The west end boundary should include the Historic Society • Consider speed bumps along main street to help slow traffic • Like the approach; Stanwood currently looks “mish-mashed” • Like the Parklet concepts and benches • Look at the north / south flow on 92nd Avenue – traffic flow at QFC and Grocery Outlet is difficult • Consider adding trees along Stanwood Port Susan Trail – need to consider how that affects dike Chat Comments from Zoom Meeting: Robin: • I would love to see the West end include the Historical Society complex. • I love the parklets and benches. • I think the landscaping designs you have presented will go a long way to improving Stanwood. • Will there be trees replanted by the trail? Deanna: • Smaller gateway is nice. • Roundabouts are nice - far better than one way. • Parklets on the side lot make practical sense. • Comments from people who have visited is that Stanwood looks mishmash. It would be nice to have a good flow. • Patricia, thank you for the thoughtful communication! Joley: • For the vehicles that drive too fast though main street, would speed humps be a good idea to slow them down? Hans: • This all sounds great! Tonia: • What are they doing on 532 right now? Beth: • The worse traffic flow is on the QFC road coming out of Grocery Outlet. Horrible! • The problem is the North-South directions and turning to Grocery Outlet and/or QFC. You can't possibly know that there is a BIG problem.



CITY OF STANWOOD

Date	Commenter	Comments
September 9, 2020	Stanwood Camano Rotary	Staff presented the City Beautification Action Program to the Rotary, approximately 7 people were in attendance. Overall the program was received well and members were excited to see the previous plans being implemented. There were two specific comments: concerns about traffic at the 98 th Street Intersection and how to keep people off of private property when they are walking along the Stanwood Port Susan Trail.



CITY OF STANWOOD COUNCIL AGENDA STAFF REPORT

ITEM NUMBER: 9b
DATE: December 10, 2020
SUBJECT: Personnel Policy Updates
CONTACT PERSON: Pat Adams, Human Resources Manager
ATTACHMENTS: A - Resolution 2020-15
B - Proposed Personnel Policy Manual –December 2020

PURPOSE

The purpose of this agenda item is for Council consideration and approval of updates to the Stanwood Personnel Policy Manual.

BACKGROUND

It has been over three years since the City's personnel policies have been reviewed and updated. The most significant amendments to the City's personnel policies are outlined as follows:

- ***Telecommuting Policies.*** As a result of the pandemic, state and local emergency proclamations were enacted on March 23, 2020 and certain employees were approved to conduct City business off-site. This policy communicates City expectations and procedures related to telecommunicating.
- ***Employee Financial Reimbursements/Expenses.*** Employee reimbursement and purchasing policies will now refer staff to the City's Financial Management Policy and Financial Procedures.
- ***Matching Deferred Compensation Program.*** City Directors and non-represented Managers shall be eligible to participate in a matching Deferred Compensation Program. Enrollment and continued participation shall be in accordance with the rules and regulations of the Washington State Department of Retirement Deferred Compensation Program and administrative requirements of the Employer. The Deferred Compensation Program shall include a dollar for dollar match up to \$1,440 annually.
- ***Employee Wellness Program and Committee.*** This policy formalizes Stanwood's commitment that its employees are critical to the quality and efficiency of local

government services. The health of our employees directly affects their ability to perform their job duties and provide services to our citizens, which also impacts City costs and resources. This policy is established as a means to provide information and activities to City employees to encourage health and safety in the work environment.

- ***Washington Paid Sick Leave Law.*** Effective January 1, 2018, temporary/seasonal employees earn one hour of paid sick leave for every 40 hours worked. Beginning on the 90th calendar day after the commencement of employment, accrued paid sick leave will be available for use. Unused paid sick leave balances of 40 hours or less will be cashed out at the termination of seasonal employment.
- ***Waiver of Medical Insurance Benefits.*** This program allows all eligible employees to remove themselves, spouse and/or dependent children from City provided medical insurance if they have alternative medical insurance. The City benefits from a 50% cost savings. The employee receives the other 50% cost savings.
- ***Paid Time Off (PTO) – Non-Represented Employees Only.*** Effective January 1, 2021, all non-represented employees will participate in the City's Paid Time Off (PTO) program. The benefits of PTO is it promotes a flexible approach to time off by combining vacation, sick and other forms of leave. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other situations that require time off from work. Directors would also maintain the use of Executive Leave, with approval of the Mayor and/or City Administrator.
- ***Short-Term Disability Insurance.*** Effective January 1, 2021, as part of the Paid Time Off (PTO) program, the City will provide a self-insured disability insurance program to maintain the employee's salary at no less than sixty percent (60%) of the employee's regular pay, for the period commencing with the thirty-first (31st) working day following the first day of absence for any disability up to and including the ninetieth (90th) working day from the employee's first day of absence for said disability. This benefit shall only apply to non-job related injury or illness.
- ***Washington Paid Family and Medical Leave.*** Effective January 1, 2019, the Washington State Paid Family and Medical Leave (PFML) law (Chapter 50A RCW) established a program administered by the Washington Employment Security Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons. PFML benefits were made available to employees on January 1, 2020.
- ***Family Care Act.*** Effective July 2017, the Washington Family Care Act (FCA) allows employees to take any paid leave offered by their employer to provide treatment or supervision for a child with a health condition or care for a qualifying family member with a serious or emergency health condition. Leave under the FCA is not available for an employee's personal medical condition and can only be used for a qualifying family member.

- ***Pandemic or Public Health Emergency Response.*** This establishes a formal policy to ensure the City takes all appropriate measures needed to address a pandemic and protect public health, which also includes procedures to minimize disease exposure and maintain continuity of City operations in the event a pandemic becomes a threat to the health or safety of City employees, their families, and the community at large.
- **Volunteer Emergency Services Personnel Leave.** In accordance with RCW 49.12.460 (2010), an employee who is a volunteer firefighter, reserve peace officer, or member of the Civil Air Patrol will not be subject to discipline or termination when an emergency call, fire alarm, or emergency service operation prevents them from showing up to work on time.

ANALYSIS

The purpose for enacting these personnel policies is to ensure compliance with current Federal and State personnel laws, and to provide a uniform system of personnel administration throughout the City, and to assist managers and supervisors in developing sound management practices and procedures.

It should be noted the policies will apply to all City employees, except elected officials and independent contractors. In the event there is a conflict between these policies and any collective bargaining agreement, personnel services contract, or State or Federal law, the terms and conditions of that contract, rule or law shall prevail. In all other cases, the City's personnel policy manual will apply.

RECOMMENDATIONS

Staff Recommendation: Staff recommends passing Resolution 2020-15, adopting the City's Personnel Policy Manual.

Committee/Board Recommendation: The Finance/Personnel Committee reviewed the proposed changes on December 1, 2020 and were in support of the proposed changes. The full City Council considers and approves adoption of the City's Personnel Policy Manual.

CITY COUNCIL OPTIONS

1. The Council may pass Resolution 2020-15, adopting the City of Stanwood Personnel Policy Manual, as presented.
2. The Council may direct changes to Resolution 2020-15 - Personnel Policy Manual and approve an amended version.
3. The Council may direct staff to revisit and amend Resolution 2020-15 – Personnel Policy Manual and return with modifications at a later date.

PROPOSED MOTION

MOTION TO PASS RESOLUTION 2020-15 ADOPTING THE CITY OF STANWOOD'S PERSONNEL POLICY MANUAL.

**CITY OF STANWOOD
Stanwood, Washington**

RESOLUTION 2020-15

**A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON
AMENDING THE CITY'S PERSONNEL POLICY MANUAL**

WHEREAS, on May 28, 2009, the City Council approved by motion a Personnel Policy Manual; and

WHEREAS, the City Council deems it necessary and appropriate to amend its Personnel Policy Manual, so that its policies and procedures are consistent with current practice and applicable laws; and

NOW, THEREFORE. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STANWOOD AS FOLLOWS:

Section 1. The Personnel Policy Manual for all employees of the City of Stanwood, Washington, a copy of which is attached hereto and incorporated herein by this reference, is hereby adopted.

Section 2. Severability. The various parts, sections and clauses of this Resolution are hereby declared to be severable. If any part, sentence, paragraph, section of clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Resolution shall not be affected thereby.

Section 3. Effective Date. This Resolution shall take effect on December 10, 2020.

PASSED AND APPROVED by the City Council of the City of Stanwood this 10th day of December, 2020.

CITY OF STANWOOD

Elizabeth Callaghan, Mayor

ATTEST:

Jennifer Ferguson, City Clerk

APPROVED AS TO FORM:

Grant Weed, City Attorney



PERSONNEL POLICY MANUAL

*December 2020
June 2017
November 2015*

Revised by:

Resolution 2020-15 approved by Stanwood City Council December 10, 2020

Resolution 2017-05 approved by Stanwood City Council June 8, 2017

Resolution 2015-25 approved by Stanwood City Council November 12, 2015

Resolution 2015-22 approved by Stanwood City Council November 12, 2015

Resolution 2015-19 approved by Stanwood City Council October 22, 2015

Resolution 2014-21 approved by Stanwood City Council December 11, 2014

Resolution 2014-14 approved by Stanwood City Council June 26, 2014

Resolution 2014-05 approved by Stanwood City Council March 13, 2014

Resolution 2013-06 approved by Stanwood City Council June 13, 2013

Motion of the Stanwood City Council May 28, 2009

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100 INTRODUCTION

Welcome to the City of Stanwood. The City strives to provide consistently outstanding service to its citizens and customers, and to maintain a positive and productive work environment for its employees.

This manual is intended to provide you with general information about the City of Stanwood's personnel policies, procedures, practices, and benefits. We hope it will be a helpful resource for you in the course of your employment and ask that you take time to read it and become familiar with its contents. Of course, the manual is only a summary. This manual is not a contract of employment. It is not intended, and should not be construed, as a promise of specific treatment in any specific circumstance, or as a guarantee of employment for any particular time. Employment at the City is "at will". This means that either you or the City can terminate the employment relationship at any time for any reason, with or without notice or cause.

The policies, procedures, practices, and benefits described in this manual shall apply to all employees of the City except where otherwise noted herein or unless they conflict with provisions of any binding collective bargaining agreement, civil service rule or law.

All policies, procedures, practices, and benefits in this manual were initially adopted on July 1, 2009, and are amended, as needed by Resolution. Except for the at-will employment relationship, which can be altered only by a written agreement signed by the Mayor, and except for employee benefits and salary ranges which can be altered only by the City Council, the City Administrator reserves the right to modify, amend, supplement, or rescind any or all provisions of this manual as they deem appropriate at their sole and absolute discretion and without prior notice. Final interpretation of the policies, procedures, or practices is the authority of the City Administrator and/or the Mayor. This document should not be construed or relied upon by anyone as a legal document, covenant or contract of any kind.

If you have questions about any part of this manual, please feel free to contact Human Resources, your Department Head or the City Administrator at any time.

200 STAFFING

The City encourages all employees seeking promotion or transfer to apply for open positions they are qualified to fill. It is the policy of the City to offer employment to the applicant possessing the best qualifications and fit for the position available. A decision to promote or transfer from within may be based upon several factors, including but not limited to, past performance. The decision to hire competitively or to promote or transfer from within the organization is solely that of the City's.

201 Staffing Process

When a position becomes vacant or when a new position is requested, the Department Head will review the position, its job description, and the need for such a position prior to any posting or advertisement of the vacancy. The Department Head will then make a formal request to the City Administrator to fill the vacant position through competitive process or by promotion or transfer from within the organization. The position may be posted internally or externally, or an individual may receive promotion or transfer from within, only after the City Administrator has approved the request.

To what extent vacant positions will be advertised internally or externally is solely the decision of the City's.

202 Trial Period

All new employees are in a probationary period for the first six (6) months of their employment with the City to allow for a preliminary review of their performance and fit, and to ensure expectations are being met. Unless a collective bargaining agreement dictates otherwise, the successful completion of the probationary period does not alter, change, or supersede in any way the employee's status as an "at will" employee of the City. Any employee who is promoted shall be subject to a four (4) month trial service period. During the four (4) month trial service period the City may elect to return the employee to their previous position and salary. Any employee who is promoted may elect to return to their previous position and salary at any time prior to the conclusion of the four (4) month trial service period. During the initial trial service period, a newly hired employee is not eligible to use floating holidays. This does not apply to the four (4) month trial service period for promotions.

203 Temporary Employees

With the approval of the City Administrator and the Department Head, temporary employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Temporary employees should not work more than seventy hours a month for more than five months in a twelve month calendar period, unless authorized by the City Administrator to extend a temporary assignment. Otherwise, the nature, length, and scope of temporary assignments are solely the decision of the City.

Temporary employees are eligible for overtime pay as required by law.

During their employment, temporary employees do not receive retirement, vacation, PTO, health insurance, or holiday pay. Pursuant to the Washington Paid Sick Leave law, temporary employees earn one hour of paid sick leave for every 40 hours worked. Beginning on the 90th calendar day after the commencement of employment, accrued paid sick leave will be available for your use. No other benefits will be received

204 Conflicts of Interest/Nepotism

Employees are prevented from holding positions with the City which place them in a potentially unlawful or improper conflict of interest. Examples of potential conflicts of interest include, but are not limited to the following:

- A spouse/partner or other close family member who would have authority (or practical power) to supervise, appoint, remove, or discipline the other.
- A spouse/partner or other close family member who would handle confidential material that creates improper or inappropriate access to that material by the other.
- A spouse/partner or other close family member who would be responsible for auditing the work of the other.
- An employee who is the spouse/partner or other close family member of an elected official.
- An employee who seeks an elected office with the City

If circumstances exist that create a conflict or potential conflict, the City reserves the right to take action necessary to resolve the conflict, up to and including reassignment and termination.

205 Employees of Other Agencies

Employees of other agencies who may be providing services to the City under inter-local or other agreements shall not be considered employees of the City even if they are supervised or assigned work by City personnel.

206 Re-employment of Former Employees

Upon a former employee's submission of an application, the City may re-appoint the employee to his/her same position or a position of like duties and responsibilities. When former employees apply to be rehired, they will be evaluated on the same criteria as all other applicants. Consideration will be given to past job performance, the circumstances surrounding separation of previous employment, and the former employee's ability to meet the job requirements of the position.

207 Equal Employment Opportunity

The City is an equal opportunity employer. This means that the City does not discriminate in employment decisions or policies in violation of law on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, status as a parent, national origin, age, disability (physical or mental), family medical history or genetic information, political affiliation, military service, or other non-merit based factors. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

300 EMPLOYMENT POLICIES

301 Employees with Disabilities

The City complies fully with its duty to provide reasonable accommodations to allow people with disabilities to perform the essential functions of their jobs. If an employee has a disability that limits their ability to perform their job, the employee shall inform the Human Resources Manager, City Administrator or their Department Head, so that reasonable accommodations may be considered.

302 Workplace Anti-Harassment

The City of Stanwood is committed to providing a work environment, which is free from unlawful harassment and where all employees are treated with respect. The City expects all of its employees to accomplish their work in a professional manner. The City expressly prohibits any form of unlawful harassment by or against its employees based on race, color, sex, gender identity, sexual orientation, religion, age, marital status, national origin, the presence of sensory, mental or physical disability, veteran status, or status in any other legally protected group.

Harassment may have serious consequences for the employees involved, as well as for the City. Therefore, it is the responsibility of every employee to create an atmosphere free from harassment and to cooperate with and assist in the implementation of this policy. If you believe that you or another employee has been harassed or discriminated against, you must report the complaint, as described below in *Complaints Process*.

For the purpose of this policy, “sexual harassment” is unwelcome behavior of a sexual nature that affects terms and conditions of employment. Sexual harassment includes (1) sexual advances and other verbal or physical conduct where submission to the advances or conduct is made a term or condition of employment or is used as the basis for employment decisions and (2) unwelcome verbal or physical conduct of a sexual nature that interferes with an employee’s work or creates a hostile, intimidating, or offensive work environment.

Some examples of behavior that could constitute or contribute to sexual harassment include, but are not limited to:

- Unwelcome or unwanted flirtations, propositions, or advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, fondling, putting one's arm around another, or any other similar physical contact considered offensive by the recipient.
- Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequences concerning an individual's employment.
- Verbal abuse or teasing that is sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance when such comments go beyond an isolated innocuous compliment; off-color jokes or offensive language; or any other tasteless, sexually oriented comments, innuendoes, or offensive actions, including leering, whistling, or gesturing.
- Participation in fostering a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, office décor, suggestions, requests, demands, physical contacts, or attention.

For the purpose of this policy, "other harassment" (nonsexual) is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of such individual's protected status or characteristics such as their race, color, religion, gender, national origin, age, marital status, sexual orientation, or disability that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Some examples of behavior that could constitute or contribute to harassment include, but are not limited to: using epithets, slurs, or negative stereotypes; threatening, intimidating, or engaging in hostile acts relating to protected status or characteristics such as those referred to above; jokes or pranks that refer to or denigrate a protected status; or placing on walls, bulletin boards, or elsewhere on the work premises or circulating in the workplace, written or graphic material that denigrates or shows hostility or aversion toward a person or group because of a protected characteristic.

Complaint Process

Any employee who feels they have been subjected to harassment, should clearly inform the perpetrator, to the extent the employee feels comfortable doing so, that their

behavior is inappropriate, offensive, and unwelcome and should immediately cease. If that is not successful or if the employee is not comfortable confronting the offending individual directly for any reason, the employee should report the harassment promptly to the Human Resources Department, Department Head or the City Administrator. If the employee believes the City Administrator is involved in the offensive conduct, or if the employee feels uncomfortable complaining to the City Administrator for any other reason, the complaint should instead be made to the Mayor. Department Heads shall immediately report any such complaints to the Human Resources Department, City Administrator or Mayor.

The WORKPLACE HARASSMENT COMPLAINT FORM made available by the City may be used to make a written complaint.

A harassment complaint will be handled as follows:

1. The complaint will be investigated by a qualified, neutral person. The choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.
2. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
3. There shall be no retaliation by the City, its officers, elected officials, supervisors, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint.
4. Where the investigation confirms the allegations, the City will take prompt corrective action and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.
5. There may be instances in which an employee reporting harassment seeks only to discuss the matter informally and does not wish the City to undertake an investigation or to take further steps. In such situations, the City Administrator or designee, may arrange some informal mechanism for resolving the issues. However, an individual reporting harassment should be aware the City may decide to take action to address the harassment beyond informal means.

All management team members and supervisors are assigned responsibility for implementing this policy, ensuring compliance with, and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. Supervisors must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality and objectivity. A supervisor's failure to carry out these responsibilities may result in disciplinary action up to and including termination.

303 Prohibition of Retaliation

The City of Stanwood prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the City's discrimination, harassment, and workplace violence policies, and for participating in the investigation of any complaint of discrimination, harassment or workplace violence. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee's participation in protected activity. If you believe that you have been subjected to unlawful retaliation, or if you observe that another employee has been subjected to unlawful retaliation, you are obligated to report the matter immediately, as described in 308, Whistleblower Protection.

304 Use of City Vehicles

It is the policy of the City of Stanwood to provide vehicles for City business use, when practical, in order to allow employees to drive on City business, and to reimburse employees for City business use of personal vehicles. This policy provides guidance on the appropriate use of City and personal vehicles for City business.

The term "vehicle" as used in these guidelines includes, but is not limited to, cars, trucks, backhoes, front end loaders, graders, motorized water craft, and any vehicle or off road equipment listed on the City's automobile or inland marine insurance property schedule.

1. Employees must possess a valid driver's license in order to drive any vehicle for City business and may not drive any vehicle for City business without prior approval of their Department Head or designee, or the City Administrator. Periodically, the City may verify the existence of a valid driver's license and request from the driver a copy of their current driving abstract.
2. The City shall comply with Chapter 49.12 RCW Industrial Welfare and WAC 296-125-030 Prohibited and Hazardous Employment-All Minors in regards to driving requirements and restrictions for employees under the age of 18.
3. When driving is a function of the position, the City will evaluate an applicant's driving record to determine eligibility for that position. Periodically, the City may evaluate current employee driving records to determine driving acceptability using a Driver Rating Guide and a Driver Point Value Guide which is a points system to determine if current employees or potential new employees are eligible to operate a motor vehicle within the scope of their employment based on driving history.

Driver Rating Guide

Non-moving violations are not normally considered in evaluating the individual driver unless they are excessive. Moving violations listed on the driver's abstract for the last five (5) years are compared to the rating guide (below); points are assigned to the violations as indicated and total points determine eligibility as follows:

0 to 3 points indicates an acceptable rating as a driver.

4 or 5 points indicate a questionable driver rating. The City will determine whether or not to place or maintain this individual in a driving position.

6 or more points indicate unacceptability. The City may take corrective action up to and including loss of driving privileges.

Driver Point Value Guide

<u>Points</u>	<u>Explanation</u>
<u>Non-Speed Related Moving Violations</u>	
2	At-Fault Accident
1	Failure to Stop at Scales
1	Over Weight/Height/Length
1	Improper Turn (Cutting Corners)
1	Prohibited Turn (U-Turn)
1	Improper Lane Change
1	Improper Lane Travel
2	Driving on Shoulder or Sidewalk
1	Improper Backing
1	Failure to (or Improper) Signal
1	Failure to Yield Right of Way – at yield sign – at uncontrolled intersection – during left turn against traffic – at traffic obstructed intersection – on private road – to emergency vehicle – while starting from a parked position – slow-moving traffic to pull off road
2	Disobey Signal Person or Officer
2	Driving Wrong Way – on one-way street (or freeway) – straddling or over center line – driving on wrong side of road/cross divider
2	Failure to Stop – steady red signal, steady red arrow, stop signs – flashing signal – intersection other than arterial

- train signal
 - certain railroad grade crossings
 - emerging from alley or driveway
 - for school bus
- 1 Disobey Road Sign
 - lane direction control signal
 - school patrol
- 1 Driving Without Lights After Dusk
- 1 Failure to Dim Headlights
- 1 Following Too Closely
- 2 Improper Passing
 - Insufficient distance
 - On hill, curve, or within 100 feet of intersection
 - In no passing zone
- 1 Overtaking or Passing on the Right
- 2-3 Open Container Law Violation (Driver-3 or Passenger-2)
- 1 Illegal or Missing Equipment
- 1 Impeding Traffic
 - blocking
 - slow moving vehicle
- 2 Violating License Restrictions (Medical, Vision, Equipment)
- 1 Defective Equipment
 - muffler/exhaust
- 1 Crossing Fire Hose
- 2 Headphones, Cell phone or Television
- 1 Obstructed Vision or Control
- 1 No Shields or Mirrors (Motorcycle)
- 2 Inattention to Driving
- 1 No License on Person
 - driving without CDL
- 1 No Proof of Liability Insurance
- 4 Driving With a Suspended/Revoked/Cancelled License

Speed Related Moving Violations

- 1 Speed Too Fast for Conditions
- 1 Speed – Basic Rule
- 2 Negligent Driving – 2nd Degree
- 3 Reckless
 - driving
 - endangerment
 - endangerment in construction zone
- 5 Racing

Criminal Violations

3	Fail to Secure Load (Safety Chains/Devices) 1 st Degree
2	Fail to Secure Load (Safety Chains/Devices) 2 nd Degree
3	Negligent Driving 1 st Degree
5	Hit and Run
	– occupied vehicle
	– unoccupied vehicle
5	DUI/Physical Control
5	Driving a Vehicle in the Commission of a Crime or Vehicular Assault or Homicide

4. Employees approved to drive a vehicle on City business are required to:

- Inform their Department Head or designee, or the City Administrator, as soon as practical, of any changes that may affect either their legal or physical ability to drive or their continued insurability. Examples of changes that may affect ability to drive include, but are not limited to, loss or suspension of driver's license, charge or conviction of driving under the influence (DUI), reckless driving, and driving with a suspended license.
- Refrain from operating a City vehicle, or a personal vehicle for City business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication.
- Exercise due diligence to drive safely and maintain the security of the vehicle and its contents.
- Follow all Washington State laws, to include wearing a seatbelt at all times.
- Be responsible for any driving infractions or fines as a result of their driving and report them to the Department Head or designee, or the City Administrator no later than the next business day.

5. Employees may use City vehicles for non-business purposes such as running personal errands, driving to lunch, etc., only with the express consent of their Department Head or designee, or the City Administrator. This approval will only be granted to mitigate special circumstances as driving a City vehicle for non-business purposes is generally not allowed.

6. Non-employee and non-business passengers may not ride in City vehicles without prior approval of driver's Department Head or designee, or the City Administrator. Employees or passengers can seek approval by filling out the Request to Ride in a City Vehicle Form as provided by the City.

7. When no City vehicles are available, employees may use their own vehicles for business purposes with prior approval of their Department Head or designee, or the City Administrator. Insurance industry practices dictate that auto liability

coverage follows the auto. In such circumstances, the employee's personal auto insurance would be considered primary, and the City's coverage excess. Employees who use their personal vehicle for approved business purposes will be reimbursed for expenses pursuant to financial management procedures. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. In the event that an employee uses their personal vehicle as a regular part of the daily requirements of their job, they should obtain auto liability coverage for bodily injury and property damage with a special endorsement for City business use, when possible as determined by their personal insurance agent.

8. Employees must report any collision to appropriate law enforcement officials. Employees shall also report any collision, theft or damage involving a City vehicle to their Department Head or designee, Risk Manager or the City Administrator, regardless of the extent of damage or lack of injuries, by filling out an INCIDENT REPORT FORM. Such reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers. In the case of an accident employees should refer to the accident card available in all City vehicles.
9. Employees shall not operate any City vehicle or operate any personal vehicle while on City business while consuming or under the influence of alcohol, cannabis, illegal drugs, prescription medications, or over the counter medications that may affect their ability to drive. The City has a zero tolerance policy prohibiting operators of vehicles from drinking alcohol, using cannabis, consuming illegal drugs, and taking any medications that affect their ability to drive.

305 Use of City Credit Cards

Employee distribution of City credit or purchasing cards shall only occur with approval of the City Administrator and Finance Director, and will be in accordance with RCW 39.58.180 and RCW 42.42.115.

All employees authorized to use a City Credit or Purchasing Card must read and sign the City's CREDIT CARD USE AGREEMENT as provided by the Finance Department and must adhere to financial management procedures. Failure to comply with the agreement at any time may result in disciplinary action up to and including termination.

For financial control purposes, all credit or purchasing cards are to be signed out from the Finance Department, and returned before the employee separates from the City. The employee is responsible for returning credit or purchasing cards before leaving the employment of the City. All city credit cards will be canceled upon separation of employment.

Employees are responsible for reporting loss or known misuse of a City credit card to the Finance Director or their Department Head immediately.

306 Use of City Cell Phones

The City of Stanwood issues individual cellular phones to employees who are required to be in close contact with the City at all times. While cell phones are a necessary convenience of the City, it is required that employees follow the guidelines listed below for their own safety as well as the safety of others.

Acquisition

The purchase and/or installation of cell phones shall be approved by the Department Head. It shall be the responsibility of the Department Head to ensure that sufficient funds are budgeted for the purchase and monthly operational costs associated with such equipment prior to its use.

Usage

The general use of cell phones shall not be in lieu of more cost effective, practical and available means of communication.

All employees are required to be professional and conscientious at all times when using City phones and comply with state and federal laws.

It is the City's policy that employees who are issued a cellular phone understand that it is issued primarily for business use. Employees are expected to make every effort to use cell phones in a responsible and efficient manner.

It is the City's policy that its employees maintain electronic files in accordance with the State archivist records retention laws and schedules. The City does not archive instant messaging or text messaging records. Therefore, employees are instructed not to use instant messaging or text messaging for communications records that have retention value. City records should be stored on City network storage drives or other authorized business applications. Storage of City records on personally owned devices should only occur on a temporary "as-needed" basis and be transferred to the City's network as soon as practicable.

Cellular phone bills will be reviewed when they arrive. The City reserves the right to require reimbursement for cell phone misuse. The City also reserves the right to limit or terminate an employee's use of a City phone in any way, at any time, and for any reason.

The City has a zero tolerance policy regarding using a cell phone while driving without a proper hands free device in accordance with state law. Employees must follow all laws in regards to the use of cell phones while driving a vehicle.

The City reserves the right to amend or alter the terms of this policy at its own discretion.

Cellular phone users, upon leaving City employment, will be removed from the City's plan. All cell phones must be returned by the employee upon separation.

307 Responding to the News Media

The City Administrator or designee shall be responsible for all official contacts with the news media, including answering of questions from the media. When presented with questions from the media regarding City business, employees should immediately refer the person to their Department Head or the City Administrator. If that is not possible, the employee should politely request that the person seeking information contact City Hall and ask for the City Administrator. In addition, the City Administrator must approve all press releases, publications, speeches, or other official declarations.

308 Reporting Improper Governmental Action

In compliance with Local Government Whistleblower Protection, Chapter 42.41 RCW, this policy is adopted to encourage employees to disclose any improper governmental action taken by City officials or employees without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints be made first to the City, with a process provided for speedy dispute resolution.

Improper Governmental Action is any action by a City officer or employee 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, is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to public health or safety, or is a gross waste of public funds.

Improper Governmental Action does not include personnel actions (hiring, firing, complaints, promotions, reassignments, for example). In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

City employees who become aware of improper governmental action shall follow the procedure set forth below:

- Bring the matter to the attention of his/her supervisor, if non-involved, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action, but not later than thirty (30) days from the date of occurrence.

- Where the employee believes the improper action involves their supervisor, the employee may raise the issue directly with their Department Director, the City Administrator, or the Mayor. Where the employee believes the improper action involves the Mayor, the employee may raise the issue with the City Attorney.
- The Mayor or his/her designee, as the case may be, shall promptly investigate the report of improper government action. The investigation shall be completed within thirty (30) days of the employee's report. The employee shall be advised of the results of the investigation with the exception that personnel actions taken as a result of the investigation may be kept confidential.

An employee who fails to make a good faith attempt to follow this policy shall not be entitled to the protection of the policy against retaliation, pursuant to RCW 42.41.030.

In the case of an emergency, where the employee believes damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating improper action. For the purposes of this section, an emergency is a circumstance that if not immediately changed may cause damage to persons or property.

Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper government action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur. Outside agencies to which reports may be directed include:

Snohomish County Prosecuting Attorney
3000 Rockefeller Avenue M/S 504
Everett, WA 98201
(425) 388-3333

Washington State Auditor
Capital Campus
P.O. Box 40021
Olympia, WA 98504
(360) 902-0370

Washington State Attorney General
1125 Washington Street SE
P.O. Box 40100
Olympia, WA 98504
(360) 753-6200

If the above-listed agencies do not appear to be appropriate in light of the nature of the improper action to be reported, contact information for other state and county agencies may be obtained via the following link:

<http://access.wa.gov/agency/agency.aspx>.

It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. Retaliatory Action is any material adverse change in the terms and conditions of an employee's employment.

Employees who believe they have been retaliated against for reporting an improper government action should follow the procedure set forth below:

- a) Employees must provide a written complaint to the supervisor within thirty (30) days of the occurrence of the alleged retaliatory action. If the supervisor is involved, the notice should go to the City Administrator or the Mayor. If the Mayor is involved, the notice should go to the City Attorney. The written charge shall specify the alleged retaliatory action and the relief requested.
- b) The Mayor or his/her designee, as the case may be, shall investigate the complaint and respond in writing within thirty (30) days of receipt of the written charge. Additional time to respond may be necessary depending on the nature and complexity of the complaint.
- c) After receiving the City's response, the employee may request in writing a hearing before a state administrative law judge (ALJ) to establish that a retaliatory action occurred, and to obtain appropriate relief under the law. The request for hearing must be delivered to the City Administrator within the earlier of either fifteen (15) days of employee's receipt of the City's response to the charge of retaliatory action or within forty-five (45) days of receipt by the Mayor of the employee's charge of retaliation. Failure of the employee to timely request a hearing shall be a waiver of the right to a hearing or further appeal.
- d) Within five (5) working days of receipt of a request for hearing, the City Administrator shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

Office of Administrative Hearings
P.O. Box 42488
Olympia, WA 98504-2488
(360) 407-2700
(800) 558.4857
(360) 664-8721 Fax

- e) At the hearing, the employee must prove that a retaliatory action in violation of Chapter 42.41 RCW occurred by a preponderance of the evidence. The ALJ will issue a written final decision consisting of findings of fact, conclusions of law and judgment no later than forty-five (45) days after the date of the request for hearing, unless an extension is granted.
- f) The ALJ may grant/award the following relief as appropriate:
 - 1. Reinstatement with or without back pay
 - 2. Relief as may be necessary to return the employee to the position he or she held prior to the retaliatory action and to prevent any recurrence or retaliatory action.
 - 3. Award cost and reasonable attorney's fees to the prevailing party

4. Recommend to the City that any city employee found to have retaliated against an employee reporting improper governmental action be disciplined as deemed appropriate by the Mayor.

The Mayor or designee is responsible for implementing these policies and procedures. This includes posting the policy on the City bulletin board, making the policy available to any employee upon request, and providing the policy to all newly hired employees.

Officers, managers, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

309 Code of Conduct

All City employees are expected to represent the City to the public in a professional manner, which is courteous, efficient and helpful.

The City's success in providing excellent service to its citizens and maintaining good relationships with the community depends on its employees. Certain conduct is considered detrimental to the City's goals and objectives and may lead to disciplinary action up to and including termination. Such conduct includes but is not limited to the following list:

1. Misrepresentation or withholding of pertinent facts in securing employment;
2. Theft, and/or unauthorized use or possession of the City's facilities and/or the property of the City or that of any individual or other group;
3. Unauthorized use of position with the City for personal gain or advantage;
4. Accepting gratuities or bribes;
5. Lying or dishonesty;
6. Smoking in any unauthorized posted area or in violation of any federal or state law or regulation, as well as creating fire hazards in any area;
7. Failure to properly secure City facilities or property as determined by City or Department procedures or work rules;
8. Disrupting the City's business or the work effort of other employees at any time;
9. Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned;
10. Lateness for work without sufficient notice or reason;

11. Absence without proper notification to Department Head or designee, or the City Administrator.
12. Absenteeism without sufficient notice or reason;
13. Disorderly conduct, including fighting on the premises;
14. Spreading rumors or innuendo and gossip;
15. Rudeness, discrimination, intimidation, coercion, use of obscene language, gesture or lack of courtesy to the public or fellow employees;
16. Intentional falsification of records/paperwork required in the transaction of City business;
17. Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work;
18. Failure to observe safety practices, rules, regulations, and instructions;
19. Negligence or conducting unsafe practices that result or could reasonably be expected to result in injury to others;
20. Failure to promptly report to the Department Head or designee, or the City Administrator, an on-the-job injury or accident causing damage to or involving an employee, customer, visitor, City equipment or City property;
21. Unauthorized possession of explosives, firearms, or other dangerous weapons on City-owned property or while on work time;
22. Conviction of certain misdemeanors, or conviction of any gross misdemeanor or felony;
23. Using city equipment, facilities, time, or supplies to engage in political activities, in accordance with all state and federal laws.

310 Political Activities

No City employee may use City time or property in any manner to promote any political issue or candidate, to solicit funds for any political purpose, or to influence the outcome of any election.

No City employee shall be eligible for appointment or election to any public office, when the holding of such office would be incompatible or would substantially interfere with the discharge of the employee's official duties. In such case, the employee shall elect to continue employment with the City or continue in public office.

Any employee who is found to be in violation of this policy may be subject to disciplinary action, up to and including immediate termination.

311 Personal Financial Obligations

Employees should manage their personal finances so that they do not adversely affect job performance. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City through extra bookkeeping and the need to respond to legal notices and court orders. The City will not disclose employee financial information to outside parties without the express written permission from the employee, except as required by law. The Finance Director is the only person authorized to receive a writ of attachment or garnishment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Finance Department will notify the affected employee and then deduct the required amount from the employee's earnings, as required by law.

312 Appearance/Work Attire

Employees are expected to dress neatly and appropriately for the type of work they are doing, and to present a good, professional image of the City to the public.

1. Clothing should be maintained in good condition and as the work environment permits, clean and free from tears, holes and visible stains.
2. Employees should ensure their personal hygiene does not offend others and does not detract from the high quality service orientation of the City.
3. Safety clothing and accessories (e.g., boots, vests, hard hats) must be worn when safety rules require and/or when circumstances warrant it.

Should uniforms, safety apparel or equipment be required for a particular position, they will be provided at City expense. Except for exigent circumstances, uniforms identifiable with the City of Stanwood shall only be worn during hours of work or duty.

313 Outside Employment

This policy is intended to set forth guidelines to ensure that employees are not involved in any outside employment or activity that will affect the quality or quantity of their work at the City, create a conflict of interest, or create an appearance of impropriety. The purpose of this policy is to outline a process for approval of outside employment. The decision to approve or deny a request to engage in outside employment is the City's alone.

City employees shall not engage in any employment, enterprise, or outside activity which is in conflict with the duties, functions, responsibilities, of the employee's position as an employee of the City. Nor shall the employee engage in any compensatory outside activity which will directly, or indirectly, contribute to the lessening of the employee's effectiveness as an employee of the City. The employee's position with the City is of priority consideration in making a determination as to outside activities. In deciding whether to approve outside employment, the Department Head, among other pertinent factors, whether the activity involves:

1. The use for private gain or advantage of City time or facilities, equipment and supplies; or the badge, uniform, prestige, authority, or influence of the City office or employment;
2. Receipt or acceptance of money or other form of compensation by an employee to perform duties normally performed or excepted to perform as a regular function of the employee's position and for which the employee is already being compensated by the City;
3. Performance of an act other than the employee's capacity as a City worker, which may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by the City.
4. Conditions or factors which would directly or indirectly lessen the efficiency of the employee in the employee's regular City employment or condition in which there is a substantial danger of injury or illness to the employee.
5. Solicitation of outside work in the name of the City.
6. Inconsistent, incompatible or in conflict with the duties, functions, or responsibilities of the employee's position.

Process

1. An AUTHORIZATION TO ENGAGE IN OUTSIDE EMPLOYMENT FORM must be completed and submitted to the Department Head.
2. The Department Head shall notify the City employee in writing of the final decision.
3. The Department Head may make any restrictions on outside employment consistent with the operation of the department.
4. A copy of the AUTHORIZATION TO ENGAGE IN OUTSIDE EMPLOYMENT shall be filed in the employee's personnel file.
5. The decision to approve or deny requests is the City's alone.

6. Outside employment shall cease when, in the opinion of the City, the outside work is interfering with performance of the employee's City job, or if the employment appears to generate a conflict of interest.
7. Any violation of this policy may result in disciplinary action up to termination.

314 Discipline

In the event discipline is necessary because of a violation of the City's Code of Conduct, any policy within this manual, or for any other reason as determined by the City, the following types of disciplinary actions may be used, depending on the particular situation:

1. Oral Warning.
2. Written Reprimand.
3. Suspension.
4. Demotion.
5. Termination.

The choice of what discipline to apply in any particular case is solely the City's. The use of discipline less than termination in any particular case does not change, or should not be construed to change, the at-will nature of the employment relationship.

400 HEALTH AND SAFETY

401 Workplace Violence

The City is committed to providing a safe workplace for its employees, guests, contractors, vendors and the public. Therefore, in an effort to help prevent or reduce the possibility of violence in the workplace, the City has implemented this policy on workplace violence.

Workplace Violence Procedure

The City strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct associated in or around the workplace, or otherwise related to employment:

1. Threatening injury or damage against a person or property
2. Fighting or threatening to fight with another person

3. Threatening to use or having possession, custody, storage, or control of a weapon (an instrument or device of any kind which may be used to inflict bodily harm or injury or to establish fear simply due to its presence on the scene) on City premises unless the person is engaged in official law enforcement business.
4. Abusing or injuring another person
5. Abusing or damaging property
6. Using obscene or abusive language or gestures in a threatening manner
7. Raising voices in a threatening manner

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.

"Premises" Definition: The term "premises" means all areas within the ownership and/or control of the City, including, but not limited to, buildings, offices, work areas, lounges, parking lots, desks, cabinets, lockers, storage areas, and any other City owned property on which employees may work. The City reserves the right to search all facility premises when it is determined that such a search is a reasonable and necessary precaution for workplace safety.

Reporting Violent Conduct: Any workplace violence incidents or incidents indicating a potential for violence are to be reported by an employee to their Department Head or designee, and/or the City Administrator or designee, as soon as possible, verbally or in writing. VIOLENCE REPORT FORMS made available by the City can be used to report violence, and are to be completed, as appropriate. If the City determines that an employee has violated this policy, the employee will be subject to immediate disciplinary action, up to and including termination. Concerns with members of the public or other parties shall be handled by the City as it determines under its policies and procedures.

Employees are strongly encouraged to report the existence of restraining orders and protection orders, particularly if the employee fears that the person restrained may attempt to visit him or her at work. Such notice may be essential to protect the safety of all employees at the City.

Imminent Danger/Violence Incident Procedure

Any employee who believes that a situation with an aggressive employee, resident, guest, contractor, vendor, or other party (e.g., any person who uses obscene or abusive language or gestures, makes threats or acts in a violent or threatening manner) may become violent, thereby putting the employee or others in imminent danger, the employee should promptly leave the work area and report to their

Department Head or designee, or the City Administrator. In certain circumstances, an immediate call to 9-1-1 will be warranted. No disciplinary action shall be taken against any employee who leaves a work area when the employee has a belief that an emerging situation with an aggressive person is likely to become violent. The Department Head or designee should take immediate action and/or contact the City Administrator as soon as possible. The timing and circumstances of possible return by the employee to the area should be coordinated by the employee with the Department Head or designee, or the City Administrator or designee. The employee, Department Head or designee, or the City Administrator, will follow the City's procedures in response to such events, including incident reporting and the appropriate action deemed necessary.

Security Precautions

All City security rules should be adhered to at all times. To prevent inappropriate outsider access, facility solicitation and access rules must be strictly followed. It is especially important that building security rules are specifically enforced at all times (e.g., doors locked after hours). Failure to comply with these requirements may lead to disciplinary action, up to and including termination.

402 Drugs and Alcohol

The City is very proud of its commitment to produce service of the highest quality and providing a safe and productive work environment for its employees. Consistent with this commitment is the City's goal to maintain a drug and alcohol free workplace.

Drug Policy

The following rules represent the City's policy concerning substance abuse. They will be enforced uniformly with respect to all employees.

1. Employees are prohibited from the use, possession, manufacture, distribution, or sale of illegal drugs on City property or while performing City business.
2. Employees are prohibited from being under the influence of illegal drugs during working hours, on callback, or on standby duty.
3. Employees who are taking prescription drugs or medications that could adversely affect the employee's alertness, coordination, reaction, response, or safety should discuss the situation with the Human Resources Manager, Department Head or designee, or the City Administrator.
4. Prescription drugs should be used only in the manner, combination, and quantity prescribed and only by the person for whom they are prescribed.

5. For purposes of this policy, “drug” means any substance other than alcohol, capable of altering an individual’s mood, perception, pain level, or judgment. A “prescription drug” is any substance prescribed for individual consumption by a licensed medical practitioner. An “illegal drug” is any drug or controlled substance the sale or consumption of which is illegal.

Alcohol Policy

Employees must not report for duty (including callback and standby duty) or perform service under the influence of alcohol. Possession and use of alcohol on City property (including City vehicles) or while on duty is strictly prohibited.

403 Safety

The City strives to provide a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the City or federal, state, or local law

All employees are responsible for ensuring that they understand and comply with all City safety rules, regulations, and procedures.

All employees are responsible for:

1. Being familiar with all safety and health procedures relevant to their areas of operation;
2. Inspecting their work areas periodically;
3. Identifying conditions that are recognized as being unsafe, and;
4. Reporting accidents and injuries to the Department Head or designee in writing by filling out an EMPLOYEE INCIDENT REPORT FORM as provided by the City.

Employees should report to their Department Head or designee, or the City Administrator, all observed safety and health violations and potentially unsafe conditions.

Violations of City safety rules, regulations, or procedures may result in disciplinary action, up to and including termination.

404 Fitness for Duty

When an employee has been absent from work due to impairment, injury or illness, caused on or off the job, the Department Head, may require that the employee provide a written release from their medical provider, to full unrestricted work status before the employee is allowed to return to work without limitations. Should the treating health care

provider determine that the employee has temporary limitations which may prohibit an unrestricted return to full duty; the City may elect to return the employee to any temporary limited duties which the Department Head determines the employee can safely perform. The City may determine that the employee's limitations do not permit a return to work, even if the employee desires to return to work prior to full recovery. Should the treating health care provider determine that the employee has permanent or prolonged limitations which may prohibit an unrestricted return to full duty; the City may consider reasonable accommodations to the employee's limitations in compliance with the requirements of the Americans with Disabilities Act.

500 HOURS AND ATTENDANCE

501 Hours of Work

A normal working schedule for regular, full-time employees consists of forty hours each workweek. Different work schedules may be established by an employee's Department Head or designee to meet job assignments and provide necessary City services. The Department Head is responsible for advising the employee of their specific working hours.

Part-time and temporary employees will work hours as specified by their Department Head or designee, or the City Administrator.

All non-exempt employees are responsible for accurately reporting all hours worked on forms supplied by the City. Employees failing to accurately record time worked are subject to discipline. Exempt employees must submit leave slips in accordance with all of the City's leave policies and financial management procedures.

502 Alternative Work Schedules

The City provides options for flexible and alternative work scheduling. Alternative work scheduling is used to accommodate special scheduling needs. While these opportunities are available, implementing or continuing a flexible scheduling option is within the sole discretion of the City. Adopting alternative work schedules enables employees to integrate personal and professional lives, reduces or eliminates travel during certain days of the week in compliance with the Washington Clean Air Act (*RCW 70.94.521-551*) and may enhance the ability of the City to recruit and retain qualified individuals.

Flex-time is a work schedule that permits flexible starting times and quitting times for employees other than the standard work day, with a standard number of core hours. The following is the flex-time model adopted for the City of Stanwood:

FLEXIBLE TIME CORE TIME FLEXIBLE TIME

6 am - 9 am **9 am - 4 pm** 4 pm - 6 pm

A compressed work week changes the employee's schedule from a standard 8-hour day. Possibilities include:

1. **9/80** - The eighty (80) hours in a two week period are scheduled over nine (9) working days. Example: The normal work day is extended by one hour four (4) days one week and four (4) days the next week, with one regular eight (8) hour day. This produces one extra day off every two weeks.

Mon.	Tues.	Wed.	Thurs.	Fri.
9	9	9	9	Off
9	9	9	9	8

Note: In the above example the work weeks would end after the fourth worked hour on the second Monday, and the second Friday in order to comply with the Fair Labor Standards Act (FLSA).

2. **4/40** - The forty (40) hours in a one week period are scheduled over four (4) working days rather than the standard five (5). Example: The normal work day is extended by two hours four (4) days of the week. This produces one extra day off each week.

Mon.	Tues.	Wed.	Thurs.	Fri.
Off	10	10	10	10
Off	10	10	10	10

Note: In the above example the work week would start on Tuesday and end on Friday.

Eligibility

All regular full-time employees are eligible to request alternative work scheduling options. Final decision for participation will be made by the Department Head or designee. The City Administrator will determine the participation of Department Heads.

An employee with a documented performance problem may be denied their request for an alternative work schedule, depending on the nature of the performance problem.

An alternative work schedule may be implemented for any eligible employee where the proposed schedule will not materially interfere with business operations of the department, or compromise the City's ability to provide service to the public. ***Application Process***

1. An employee interested in establishing an alternative work schedule will complete an **ALTERNATIVE WORK SCHEDULE REQUEST FORM** as provided by the City, which will include the proposed alternative work schedule, the employee circumstances leading up to the request, potential problems identified and recommended solutions. Additional information may be attached to the standard application.
2. The Department Head or designee, or the City Administrator, will approve or disapprove the application and respond back to the employee.

Trial Period

The Department Head or designee, or the City Administrator, may discontinue the alternative work schedule at any time or for any reason. If the alternative work schedule is discontinued, the employee may submit a new application should circumstances of the employee, the department, or position significantly change.

503 Telecommuting

Telecommuting is a voluntary alternative work arrangement in which part of the weekly scheduled work is performed at an alternative work location. Telecommuting is neither a benefit nor an entitlement and, in no way, changes the terms and conditions of employment. Telecommuting is an option when a City employee and the Department Head mutually agree the job duties are well suited to an alternative work location. Telecommuting may be appropriate for some employees and jobs, but not necessarily everyone. Telecommuting may be ongoing, such as working a set number of hours from an alternative location each week, or it may be limited in duration, such as working from home for a few days or intermittently. In cases where an employee anticipates limited durations of telecommuting, the individual should propose specific reasons and particular work plans for consideration. A telecommuting agreement may be part of an ADA reasonable accommodation process. Telecommuting may not be available during an illness when an employee is expected to be recovering versus working. Nothing in this Telecommuting policy shall diminish any terms and conditions of employment provided for in a Collective Bargaining Agreement covering a union-represented employee.

Advance Approval

Telecommuting agreements must be approved in advance by the Telecommuter's Department Manager/Director and the City Administrator. The conditions of Intermittent or unplanned telecommuting days should be documented in advance by the Manager.

Manager or Director Oversight

Evaluation of Telecommuter performance requires frequent interaction. This may include daily emails, phone calls or other approved forms of communication. The Manager will verify that the Telecommuter is working and resolving any problems that

may arise. The Manager and Telecommuter will communicate at a level consistent with the employee's working at the office or in a manner and frequency appropriate for the job.

Managers shall consider the criteria, some basic and some specific, to the Telecommuters position to determine whether a telecommuting arrangement is appropriate.

Telecommuting Agreement

Availability. Telecommuters must be available by phone, e-mail, and other electronic communication during the scheduled hours of work. Schedule changes should be agreed upon in advance and made in compliance with any applicable Collective Bargaining Agreement requirements.

Discontinuation. Telecommuting agreements can be terminated at any time at the sole discretion of the Department Director and the City Administrator. The Telecommuter may also terminate the Agreement. Every effort should be made to provide at least ten calendar days' notice of such a change to accommodate problems that may arise. Although rare, and during times of disaster or other crisis, there may be instances when no advance notice is possible.

Equipment and Alternative Work Environment. Equipment needs will be evaluated under standard policies and procedures, regardless of location. If standard policies and procedures do not address every need, the Manager and Telecommuter will explore potential options and solutions, including reasonable disability accommodation if needed. There may be times where the required equipment presents an unbudgeted or duplicative cost or requires support that the City cannot provide. The Manager shall make a budget request after reviewing with the City Administrator.

The Telecommuter will establish an appropriate work environment for work purposes. The City will not be responsible for costs associated with the initial setup of the Telecommuter's work environment, such as remodeling, furniture or lighting, nor for repairs or modifications to the environment.

Workplace Health and Safety. The Telecommuter represents that the alternative workplace is a safe and healthful work environment, including proper ergonomics. The Telecommuter shall act responsibly to avoid injury. The Telecommuter must certify that the alternative workplace is free from safety hazards. The Manager must review and verify that the Telecommuters identified workplace is a safe workplace. (See Checklist in Telecommuter Agreement) Failure to take proper health and safety precautions in the alternative workplace may result in discontinuation of the Telecommuting Agreement. The Telecommuter will observe the required meal and rest periods as per the City personnel policy or collective bargaining agreements.

Injuries. Injuries sustained by the Telecommuter while at their alternative work location, and in conjunction with regular work duties, are generally covered by workers' compensation. Telecommuting employees are responsible for notifying their Manager and Human Resources of such injuries in the same manner as if the injury occurred at a work location on the City's premises. The City may visit the alternative work location site where the injury occurred. The City is not liable for any injuries sustained by family members or other visitors to a Telecommuter's alternative work location.

Inspection. Under the Telecommuting Agreement, the City has the right to inspect the alternative workspace with two business days' notice. The inspection is to verify safety conditions, or to repair, maintain, or inspect any City equipment issued to that location. An inspection is required should a workspace injury occur.

Security and Confidentiality. Consistent with the City's expectations of information security and compliance with public records laws, the Telecommuter will ensure the safety and protection of information accessible from their alternative work location. The Telecommuter will check with their Manager when security matters are at issue.

Downloading of confidential information to a data storage device is not permitted (including but not limited to a hard drive, CD, DVD, or USB stick). Examples of confidential information are administrator passwords, social security numbers, credit card numbers, and health information. Any information that is considered confidential or protected will not be removed from the regular office without the Manager and City Administrator specific express approval in writing. Telecommuters found to have downloaded confidential information will be subject to discipline up to and including termination of employment.

Files and Records Management. Management of all files and records is important so that documents are not lost / misplaced. Original documents must remain at City Hall so that they are available for public viewing if requested during the time the employee is telecommuting. Employees must use electronic files uploading in IWorQ's, BIAS, OneDrive or network Drive. Copies of an original document must be clearly marked as a copy, so that the original document is never ruined or lost. All checklists, staff reports or other working documents should be uploaded into IWorQ's, BIAS and OneDrive and placed in the official City file when the employee has completed work.

Office Supplies and Business Expenses. The City will provide appropriate office supplies and reimbursement for business-related expenses approved by the Manager that are reasonably incurred per job responsibilities and in compliance with the City's business expense policy on the same basis as when working at the regular work location.

Non-Exempt Employees. Telecommuters who are not exempt from the overtime requirements of the Fair Labor Standards Act (FLSA) will be required to record all hours worked in the same manner as if they were working on City premises. For purposes of time entry and to enable the City to track telecommuting employees' hours, employees

are required to record hours as “Telecommuting Hours”. Accrual of overtime or compensatory time will be administered under standard provisions regardless of work location. Advance authorization for overtime or compensatory time is required. Telecommuters must complete a daily log of work activity and submit to their Manager on a weekly basis.

Exempt Employees. Telecommuters who are exempt from overtime provisions under the FLSA must be able to demonstrate accountability to their agreed-upon work schedule. Telecommuters must complete a daily log of work activity and submit to their Manager on a weekly basis.

Leaves of Absence. Use of leave (paid time off, compensatory time, personal holiday, military, bereavement, jury duty, or other leaves) on a planned telecommute day is administered under the same provisions as leave used at the regular work location.

Dependent Care. Telecommuting is not a replacement for childcare. Although a Telecommuter's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands.

Assignments and Evaluation. The Telecommuter and the Manager mutually agree to adhere to and evaluate a work plan. The Manager shall verify the quality and quantity of work done per the work plan. The quality and amount of work delivered should be equivalent to work performed in the regular work location.

The Manager and Telecommuter shall evaluate, in writing, the telecommuting arrangement after thirty days, and every three months thereafter. At each evaluation point, the Manager will evaluate the continuation of the telecommuting agreement and submit an update to the City Administrator every six months.

Regular Office Space. Telecommuters may be required to forfeit the use of a personal office or workstation in favor of a shared arrangement to maximize organizational space needs. Managers will be required to establish proper shared workspace arrangements.

504 Attendance

Punctual and consistent attendance is a condition of employment and an essential function of each job. Each Department Head or designee is responsible for maintaining accurate attendance records of their employees.

An employee unable to work or unable to report to work should notify their Department Head or designee, or the City Administrator, as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time.

If an absence continues beyond one day, the employee is responsible for reporting in each day or as requested by the Department Head or designee, or the City

Administrator. If that person is unavailable, the employee may leave a message stating the reason for being unable to report for work and providing a number where they can be reached. An employee who is absent from work without authorization or notification is subject to disciplinary action up to and including termination.

An employee having excessive absences or otherwise violating the City's attendance policy may be subject to disciplinary action up to and including termination. Total attendance may also be considered relative to disciplinary action. Failure to call in for three consecutive days will be treated as job abandonment.

505 Meal and Rest Periods

Employees will receive all meal and rest periods in accordance with federal and state laws and regulations. All meal and rest periods shall be arranged so as not to interfere with City business or service to the public. All meal and rest periods are scheduled by the employee's Department Head or designee. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid.

506 Callback

All employees are subject to call back in emergencies or as needed by the City to provide necessary services to the public. An unjustified refusal to respond to a call back may be grounds for immediate disciplinary action up to and including termination. Employees may volunteer for tasks outside their normal duties that would not be subject to this policy.

507 Overtime

The City overtime pay policy conforms to the overtime provisions of the Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act (WMWA). Exemption from these provisions will be claimed for an employee only when it can clearly be established that the position, duties, and responsibilities meet the requirements for such exemption. Therefore, all City positions are designated as either "exempt" or "non-exempt."

Non-exempt Employee

Non-exempt employees are entitled to additional compensation, either in wages or compensatory time off, when they work more than the maximum number of hours during a regular work week as recognized by the FLSA. All overtime must be authorized in advance by the employee's Department Head or designee. Overtime pay is calculated at one and one-half (1.5) times the employee's regular rate of pay for all time worked beyond the established regular work week.

Exempt Employees

Exempt employees are not covered by the FLSA or WMWA overtime provisions and do not receive overtime pay. An exempt employee is paid to perform a job which may not necessarily be completed in a regular work week.

508 Compensatory Time

Non-exempt employees are entitled to overtime pay but may agree to compensatory time off instead of cash payment. This is approved on a case-by-case basis by the employee's Department Head or designee. The City is not required to grant compensatory time instead of overtime pay. If the compensatory time option is exercised, the employee is credited with one and one-half (1.5) times the hours worked as overtime. Maximum accruals of compensatory time are set in the collective bargaining agreement for represented employees.

Employees may use compensatory time after making a request to their Department Head. The Department Head may deny the use of compensatory time if its use would unduly disrupt City operations. The employee would instead receive the overtime pay.

600 WAGE AND SALARY ADMINISTRATION

601 Salary Ranges and Levels for Non-represented Employees

Each non-represented position within the City shall be assigned a salary range following approval by the City Council.

Salary ranges will be reviewed on an annual basis. Several factors can be considered when adjusting salary ranges, including but not limited to: level of responsibility, working conditions, skill required, potential hazard, amount of supervision given or received, market conditions, and the ability of the City to pay.

No employee shall be paid above the high point of their salary range without authorization from the City Council. When warranted, new employees will start their employment at the minimum wage rate for their salary range. However, a new employee may be employed at a higher rate, after approval from the City Administrator, when the employee's experience, training or proven capability warrant, or when prevailing market conditions require, a starting rate greater than the minimum.

602 Pay for Performance

To achieve the City's goal to train, promote and retain the best qualified employee for every job, the City will conduct employee performance appraisals. The appraisal may be a factor in determining employee development, training needs, validating selection procedures, determining wage increases or decreases, promotions, demotions, and/or transfers.

Employees should be evaluated by their Department Head or designee six months after their hire date and then at least once every twelve months. The City Administrator will evaluate and assess the performance of Department Heads.

Upward or downward movement within the steps of an employee's salary range is contingent on their performance and the City's ability to pay, as determined by their Department Head or designee and approved by the City Administrator.

603 Cost of Living Adjustment

The City Administrator, with the approval of the Mayor, may propose a pay adjustment based on cost of living indicators no more than once per year, raising the salaries of all non-represented positions by a specified amount. Such adjustments, if any, will not change an employee's pay anniversary date. All cost of living increases must be approved by the City Council as part of the annual budget process.

604 Paydays

City employees are paid monthly on the eighth (8th) working day of each month for employment activity through the end of the previous calendar month. If a regularly scheduled payday falls on Saturday or Sunday or on a holiday, paychecks will be distributed on the previous scheduled working day.

604.1 Draws

With the exception of temporary employees, employees may, upon written request, be allowed a draw, which will be paid on the twenty-third (23rd) day of each month. If the twenty-third (23rd) day of the month falls on a Saturday, Sunday, or city-recognized paid holiday, payroll draws will be issued on the previous scheduled working day.

605 Deductions from Pay

The City will withhold from the employee's paycheck those deductions required by law and any City approved voluntary deductions authorized by the employee, applicable union contract, or statute.

606 Payroll Records

The official payroll records are maintained by the City as required by state law. Each Department Head shall submit on a monthly basis, a signed work record for each non-exempt employee within their department, noting hours worked, compensatory time or leave used, as well as overtime worked and in accordance with financial management procedures.

607 Pay upon Separation

Upon separation of employment for any reason, the employee will be paid all wages owed. Payment shall be made by no later than the last day of the month.

700 EXPENSE REIMBURSEMENT

City employees will be reimbursed for reasonable and customary expenses actually incurred while performing official City business in accordance with financial management procedures. The City will not reimburse for expenses that have already been paid by another program or organization, or if reimbursement is available through another program or organization.

701 Reimbursable Expenses

Expenses such as meals, conference or training fees, lodging, mileage, parking, bridge tolls, and ferries may be reimbursed according to financial management procedures.

Alcoholic beverages, traffic and parking tickets and similar expenses are non-reimbursable.

702 Meal and Travel Reimbursement

Meal and travel reimbursement shall be processed according to financial management procedures and shall be paid at the Federal Domestic Per Diem Rate as posted by the U.S. General Services Administration.

800 EMPLOYEE BENEFITS

801 Retirement Benefits

All regular full-time and eligible part-time employees are covered under the Public Employees Retirement System (PERS). Benefit levels and contribution rates are set by the State of Washington. Employees intending to retire should notify their Department Head, or the City Administrator, of their intent to retire at least three months prior to the date of retirement.

The City offers a Deferred Compensation Plan for eligible employees. The purpose of this plan is to extend to valued employees certain benefits which ordinarily accrue from participation in a deferred compensation plan. The City does not and cannot represent or guarantee that any particular federal or state income, payroll or other tax consequence will occur by reason of an employee's participation in this plan. A participant should consult with their own attorney or other representative regarding all tax or other consequences of participation in this plan. The City reserves the right to end this program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

City Directors and non-represented Managers shall be eligible to participate in a matching Deferred Compensation Program. Enrollment and continued participation shall be in accordance with the rules and regulations of the Deferred Compensation Program and administrative requirements of the Employer. The Deferred Compensation Program shall include a dollar for dollar match up to \$1,440 annually.

802 Social Security

All employees are automatically included as participants in the Social Security System (FICA), as required by federal laws. These benefits are in addition to Public Employees' Retirement System benefits for which the employee may be eligible.

Financing of the FICA program is accomplished by employee payroll deduction contributions and through a match paid by the City in amounts required by law. The City is not responsible for employee retirement or disability benefits except as prescribed by law and regulations. Employees are urged to contact the Social Security System for a full explanation of employee benefits and obligations.

803 Worker's Compensation

All employees are covered by the State Worker's Compensation Program. This insurance covers employees in case of on the job injuries or job-related illness. For qualifying cases, State Industrial Insurance will pay the employee for work lost and medical costs due to job-related injuries or illness. All job-related accidents should be reported immediately to the employee's Department Head or designee, or the City Administrator. After all job-related accidents or near misses will be documented on an EMPLOYEE INCIDENT REPORT FORM and filled out by the employee and an ACCIDENT INVESTIGATION REPORT will be completed by the Department Head or designee.

When an employee is absent for one or more days or receives medical attention due to an on-the-job accident, they are required to file a claim for Worker's Compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave or PTO) the employee's regular salary pending receipt of Worker's Compensation benefits.

When the employee receives Worker's Compensation benefits, they are required to repay the City the amount covered by Worker's Compensation and previously advanced by the City. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave or PTO is available, while ensuring that no employee receives more than they would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave or PTO shall be restored to the employee's account.

804 Health Insurance Benefits

Regular full-time employees and their dependents are eligible to participate in the City's health insurance programs. Information regarding City programs and the criteria for

eligibility will be provided to the employee upon hire. The City contributes toward the cost of premiums in amounts authorized by the City Council. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, with prior notice to affected employees.

805 Life Insurance

The City currently participates in a life insurance program. Information regarding the program and criteria for eligibility will be provided to the employee upon hire. The City contributes toward the cost of life insurance at a level authorized by the City Council. If available, employees may at their own cost purchase a higher level of life insurance through the City's program. The City reserves the right to end the life insurance program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

806 Long Term Disability

The City currently participates in a Long Term Disability Program. Information regarding the program and criteria for eligibility will be provided to the employee upon hire. The City contributes toward the cost of long term disability at a level authorized by the City Council. The City reserves the right to end this program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

807 Employee Assistance Program

The City currently participates in an Employee Assistance Program (EAP). Information regarding the program and criteria for eligibility will be provided to the employee upon hire. The City contributes toward the cost of the EAP at a level authorized by the City Council. The City reserves the right to end the program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

The City recognizes that personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal difficulties are encouraged to seek assistance from the EAP. Any individual seeking information about the EAP can contact the Human Resources Department. Employees will not be asked any questions concerning the reasons EAP services are being sought. Furthermore, any request for information about the EAP will be kept strictly confidential.

808 Employee Wellness Program and Committee

The City of Stanwood recognizes that its employees are critical to the quality and efficiency of local government services. The health of its employees directly affects their ability to perform their job duties and provide services to its citizens. The health of

employees also has a direct effect on the costs to the City. The City recognizes its need to contribute in a positive way to the health and well-being of its employees. This policy is established as a means to provide information and activities to City employees to encourage health and safety in the work environment.

- **Goal.** To support wellness in the workplace by creating a wellness program of health education and fitness activities that meets the needs and interest of the employees.
- **Scope.** All City of Snohomish employees including fulltime, part-time and temporary.
- **Voluntary Participation.** Employee participation in the programs and activities is voluntary.
- **Wellness Program Committee.**

Membership: The Wellness Committee is made up of at least five (5) members representing each department and the City Administrator's Office, one of which shall be the Committee's chairperson. Membership on this committee is voluntary.

Members of each department shall be appointed by the department director.

- **Duties:** The duties of the committee are to:
 - Provide enthusiastic support of the purpose and goal of the Wellness Committee.
 - Act as a liaison between the Wellness Committee and the employees to represent the interest, needs, and opinions of the employees.
 - Help plan, implement, and promote wellness programs.
 - Provide peer support and advocacy to boost wellness program participation.
 - Prepare an annual budget for program support.
 - Share responsibilities to lessen the workload impact on the Chairperson.
 - Perform evaluation of ongoing programs and activities.

The duties of the chairperson include:

- Setting the time and place of the meetings.
- Communicating with all members of the Committee to coordinate meeting dates and times.
- Preparing an agenda in advance of the meeting and distributing copies to other members, along with notice of the meeting.
- Managing the agenda and discussion of the meeting.
- Provide communication to the City Administrator.

- **Meeting Schedule.** The Wellness Committee shall meet monthly, or as needed during regular business hours.
- **Term.** Members of the Wellness Committee will serve an indefinite term.
- **Attendance/Termination.** If a member has more than five (5) unexcused absences, the Committee may vote to remove that member from the Committee.
- **Program Activities.**
 - Behavior change programs such as nutritional information, stress reduction, smoking/tobacco use cessation and weight management.
 - Motivational programs such as interdepartmental employee group challenges and awards for healthful eating, exercise and stress reduction programs.
 - Information and awareness programs such as flyers, paycheck stuffers, bulletin boards, brown bag lunch sessions, wellness seminars, workshops and classes.
 - Participate in the AWC Well Check programs, when offered.
 - To explore opportunities to develop and institute additional wellness incentives and policies that contributes to the health and wellbeing of employees and their family members.

809 Continuation of Insurance Coverage

Workers Compensation Leave

The City will continue to pay for the employer's portion of health insurance premiums, provided the employee continues to pay their share of premiums, if any, while the employee is not working and receiving worker's compensation. After six (6) months, the employee's benefits shall cease unless the City Administrator and/or the benefit provider approves an extension. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time they receive Worker's Compensation benefits, up to the maximum allowed by law

COBRA Rights

Upon an employee's separation from City employment, an unpaid leave of absence, or other qualifying event, at the employee's option and expense, the employee may be eligible to continue City health insurance benefits to the extent provided under federal COBRA regulations. An administrative handling fee over and above the cost of the insurance premium may be charged the employee and/or their dependents should they elect to exercise their COBRA continuation rights.

810 Unemployment Compensation

City employees may qualify for Washington State Unemployment Compensation after separation from City employment depending on the reason for separation and if certain qualifications are met.

811 Benefits for Part-time Employees

For part time employees normally scheduled to work one thousand and forty (1,040) hours or greater, the City will pay the employee-only rate for medical, dental, and vision coverage. In the event that there is a medical, dental, or vision plan where there is no difference between the employee-only rate and employee plus dependent(s) rate, part-time employees will also be allowed to add dependents to that plan.

812 Benefits for Temporary Employees

In accordance with the Washington State Paid Sick Leave law, temporary employees earn one hour of paid sick leave for every 40 hours worked. Beginning on the 90th calendar day after the commencement of employment, accrued paid sick leave will be available for use. Temporary employees usually are not eligible to receive other benefits, unless otherwise authorized by the City Administrator and/or benefit providers, including holidays and insurance with the exception of any position that is required to enroll in the Public Employees Retirement System, per state law.

813 Training and Development

The City recognizes the mutual benefits derived from personal growth and increased work competence, and thereby encourages staff to pursue applicable training opportunities. Training decisions will be based upon availability, need, time away from work and funding. Whether training time is paid or unpaid, depends on the nature of the training and will be determined in accordance with state law.

814 Tuition Reimbursement

Eligibility

Regular, full-time employees who have completed six months of continuous employment are eligible to apply for the tuition reimbursement program.

Covered Expenses

Tuition costs, examination fees and required laboratory fees at an accredited institution may be covered. The annual dollar limit on reimbursable tuition expenses is \$2,000, or as mutually agreed upon. Books, travel, parking, lodging and extraneous fees are not reimbursable expenses. There are no advance payments. Reimbursements are made after a course is completed. Employees who quit a course, quit employment, or are terminated, with or without cause, are not eligible.

Grade Requirements

The eligible expenses that the City will reimburse to eligible employees for courses are based on the employee's final grade received for the course, as follows:

Grade-Amount refundable (up to allowable maximum):

1. Undergraduate coursework C or better: 100%
2. Graduate coursework B or better: 100%
3. Pass/Fail: 100% if "Pass" but only if regular letter grade system is unavailable.
4. No reimbursement for grades less than C.

Approval

In order to be eligible for tuition reimbursement, employees must obtain written approval in advance from their Department Head and the City Administrator. Approval of any course for reimbursement is at the discretion of the City and contingent on the availability of funds.

815 Waiver of Medical Insurance Benefits

This program allows all eligible employees to remove themselves, spouse and/or dependent children from City provided medical insurance if they have alternative medical insurance.

Incentive Amount:

- The insurance premium (that would have been paid on the employee's behalf for the employee or eligible dependents) will be split with the employee.
 - o The City benefits from a 50% cost savings. The employee receives the other 50% cost savings. This incentive is included in the employee's paycheck. The incentive becomes taxable wages.
 - o The incentive is capped at employee, one spouse and two children.

900 LEAVES AND HOLIDAYS

901 Paid Time Off (PTO) – Non-Represented Employees Only

Purpose

The City of Stanwood recognizes that employees have diverse needs for time off from work and, as such, the City of Stanwood has established this paid time off (PTO) policy. The benefits of PTO are that it promotes a flexible approach to time off by combining vacation, sick and other forms of leave (i.e., Bereavement). Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other situations that require time off from work.

Eligibility

PTO is accrued upon hire or transfer into a benefits-eligible position, currently non-represented positions. Eligible employees must be scheduled to work at least 20 hours per week on a regular basis. Employees working less than 20 hours per week on a regular basis, on-call and temporary employees are not eligible to accrue PTO.

Procedures

Availability

PTO accruals are available for use in the pay period following completion of 30 days of employment. All hours thereafter are available for use in the pay period following the pay period in which they are accrued.

Accrual and Payment of PTO

Accruals are based upon paid hours up to 2,080 hours per year. Employees working less than 40 hours per week and at least 20 hours per week will earn PTO hours on a prorated basis. Length of service determines the rate at which the employee will accrue PTO. PTO does not accrue on unpaid leaves of absence. Employees become eligible for the higher accrual rate on the first day of the pay period in which the employee's anniversary date falls.

Years of Service	PTO Credit (based on full-time hours)		Credit hours per Regular Hours Worked*
	Days	Hours	
0-4	21	168	0.08076
5-9	28	224	0.10769
10-13	31	248	0.11923
14-19	33	264	0.12692
20+	36	288	0.13846

* Hourly accruals shall be used only in determining pro-rata PTO credit.

** Annual PTO accruals are based on an employee having 2,080 paid hours per year (40 hours per week).

*** No PTO hours will accrue beyond the maximum accruals listed.

Maximum Allowed Balances

Non-Represented Employees - The maximum accrual for PTO is 680 hours. Once an employee's balance reaches 680 hours, all PTO accruals will stop. When the employee uses some PTO and brings the balance below 680 hours, the accruals will resume. This means, in pay periods where the maximum accrual of 680 hours is reached, only full accrual amounts will be granted, so if a full accrual amount will bring the balance

over 680, there will be no PTO credited for that pay period. Employees are expected to manage their PTO balances and plan the use of PTO during non-peak operational times.

Directors - The maximum accrual for PTO is 760 hours. Once an employee's balance reaches 760 hours, all PTO accruals will stop. When the employee uses some PTO and brings the balance below 760 hours, the accruals will resume. This means, in pay periods where the maximum accrual of 760 hours is reached, only full accrual amounts will be granted, so if a full accrual amount will bring the balance over 760, there will be no PTO credited for that pay period. Employees are expected to manage their PTO balances and plan the use of PTO during non-peak operational times.

Use and Scheduling of PTO

Employees are required to use available PTO when taking time off from work. PTO may be taken in increments of as low as one hour for non-exempt staff.

Whenever possible, PTO must be scheduled in advance. PTO is subject to supervisory approval, department staffing needs and established departmental procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affects the operations of the department.

When PTO is used, an employee is required to use PTO hours according to his or her regularly scheduled workday. For example, if an employee works a six-hour day, he or she would request six hours of PTO when taking that day off. PTO is paid at the employee's straight time rate. PTO is not part of any overtime calculation.

An employee may run a negative PTO balance during the year, to the extent that the PTO balance is not less than zero (0) on the 31st of December. Employees who terminate their employment for any reason and have a negative PTO bank shall have such amount deducted from their final paycheck.

Short-Term Disability Insurance

As part of the Paid Time Off program, the City will provide at no cost to the employee, disability insurance to maintain the employee's salary at no less than sixty percent (60%) of the employee's regular pay, for the period commencing with the thirty-first (31st) working day following the first day of absence for any disability up to and including the ninetieth (90th) working day from the employee's first day of absence for said disability. This benefit shall only apply to non-job related injury or illness. To be eligible for this benefit, non-represented employees must be medically incapacitated from performing any work for the City and shall not be eligible if they refuse a bona fide offer of work accommodation or revision that has been approved by their treating physician.

The City will, at the option of the employee, compensate the employee out of their accrued PTO bank that amount which will provide for one hundred percent (100%) of the employee's regular pay when the employee is off work and on Short-Term Disability

Insurance. The employee can also make application for Washington State Paid Leave in lieu of using their accrued PTO. Prior to an employee's return to duty from disability or a medical leave of absence, the City may require medical certification from the employee's physician certifying the employee's ability to perform the duties of their job, with or without reasonable accommodation.

Payment upon Termination

An employee will be paid up to 320 hours for PTO hours accumulated, but not used, upon resignation or separation. Upon completion of ten (10) years of continuous service or retirement, an employee will be paid up to 450 hours for PTO hours accumulated, but not used. All PTO in excess of the hours listed above must be taken prior to separation or forfeited. All PTO must be taken prior to taking any time off without pay (except on approved voluntary unpaid furloughs).

902 Executive Leave

In lieu of compensatory time, Department Heads may be granted up to ten (10) days of executive leave each calendar year as determined by the City Administrator and/or the Mayor. Executive leave may be used for any reason. The Department Head must schedule and receive approval for the use of executive leave from the City Administrator. Executive leave must be used in the calendar year granted and shall not be carried into the next calendar year. Executive leave must be taken in full-day increments. The number of days of executive leave that an employee will earn shall be approved by the City Administrator. The City reserves the right to reduce, eliminate, or increase executive leave at any time.

903 Leave without Pay

Leave without pay may be granted for absence from work not covered by any other type of leave or if other leave balances are exhausted.

The following requirements apply:

1. Leave without pay may be granted to an employee for a period of up to three calendar months, upon the approval of the City Administrator. Leave without pay requests may be denied for any reason at the sole discretion of the City with exception to requirements provided by state or federal law.
2. Accrued compensatory time, vacation leave or paid time off (PTO) must be exhausted prior to taking any leave without pay. Sick leave must be exhausted if the leave is for reasons to which sick leave is applicable. Time spent utilizing accrued paid leave or compensatory time is included in the three month maximum leave.
3. An employee's benefits are suspended during the period of leave without pay until the employee returns to work. In certain circumstances, self-payment of medical benefits may apply.

4. Vacation, paid time off (PTO), sick leave and/or any other leaves do not accrue while an employee is on leave without pay
5. An employee who fails to report promptly at the end of the leave without pay is presumed to have voluntarily resigned. An employee returning from leave without pay may, at the City's option, return to the same position or similar position at a comparable rate of pay.
6. If the leave without pay is due to an illness, the City may require a doctor's certificate stating that the employee is capable of returning to work and performing the work, duties and responsibilities of the employee's position, with or without reasonable accommodation.
7. Parental Leave: In appropriate circumstances either parent may take leave without pay for parental leave related to birth or adoption of a child. Parental leave must be taken within one year from the time of childbirth or adoption.

904 Maternity Disability Leave

Under Washington State law (WAC 162-30-020), pregnant employees are entitled to leave without pay for the period of time that they are physically disabled due to pregnancy and/or childbirth. The leave period of temporary disability may last no more than eight (8) weeks if the pregnancy and childbirth are without complications. If complications exist, such as required bed rest before childbirth, the leave period may be extended.

The City may require a doctor's note or other documentation before the leave is taken.

The employee must exhaust all accrued sick leave, paid time off, vacation leave, floating holiday, or comp time. Only after all leave has been exhausted is the employee entitled to leave without pay.

The City will not pay the premiums on the employee's health care benefits during any leave without pay. The employee may, however, continue such benefits during leave without pay by paying COBRA premiums.

Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

905 Washington Paid Family and Medical Leave

The Washington State Paid Family and Medical Leave (PFML) law (Chapter 50A RCW) and supporting regulations establish a program administered by the Washington Employment Security Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons. PFML benefits will be available starting on January 1, 2020.

This policy provides a summary of the PFML program. Employees may obtain additional information at www.paidleave.wa.gov. To the extent an issue is not addressed in this policy, the City will administer this benefit program consistent with applicable statutes and regulations.

Payroll Deductions. The PFML program is funded through premiums collected by ESD via payroll deductions and employer contributions. The premium rate is established by law; employees are currently responsible for two-thirds of the total premium amount, or the amount established in the current collective bargaining unit agreement. Should the State in the future modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, the City will modify payroll practices to reflect those statutory changes

Eligibility. Under PFML, employees may be eligible for monetary benefits and job protection when taking leave for covered reasons. Eligibility requirements are as follows:

Monetary Benefits: In order to be eligible for monetary benefits from ESD, an employee must have worked 820 hours in Washington (for any employer or combination of employers) during the year preceding the claim.

Job Protection: In order to be eligible for job protection under PFML, an employee must meet eligibility requirements (must have worked for the City for at least 12 months and have worked 1250 hours in the last year).

An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (e.g., outside employment or contracting).

Leave Entitlement. Eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; an additional two weeks of leave may be available in the event the employee's leave involves incapacity due to her pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child. PMFL leave may be taken for the following reasons:

Medical Leave: Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.

Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through

adoption or foster care); or for qualifying military exigencies as defined under the FMLA. For purposes of family leave, covered family members include the employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling, or spouse.

PFML leave may be taken intermittently, provided that there is a minimum claim requirement of eight consecutive hours of leave in a week for which benefits are sought.

PFML Application Process. An employee must submit an application to ESD in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website (www.paidleave.wa.gov). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits.

Notification Requirements. An employee must provide written notice to the Employer of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to the Employer, ESD will temporarily deny PFML benefits. After receiving the employee's notice of the need for leave, the Employer will advise the employee whether the employee is eligible for job protection under PFML.

If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations.

If taking leave intermittently, an employee must notify the City each time PFML leave is taken so that the City may properly track leave use.

PFML Monetary Benefits. If ESD approves a claim for PFML benefits, partial wage replacement benefit payments will be made by ESD directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage, subject to a maximum of \$1,000 per week. ESD's website is expected to include a benefits calculator to assist employees in estimating their weekly benefit amount.

With the exception of leave taken in connection with the birth or placement of a child, monetary PFML benefits are subject to a seven-day waiting period. The waiting period begins on the Sunday of the week in which PFML leave is first taken. The waiting period is counted for purposes of the overall duration of PFML leave, but no monetary benefits will be paid by ESD for that week.

Paid leave accruals (PTO, floating holidays, compensatory time, or any other accrued leave) are not supplemental to PFML. An employee may elect to use such accrued leave during a PFML-covered absence, although the receipt of accrued leave must be reported to ESD as part of the PFML claims process and will result in a pro-rated

weekly PFML benefit. Important note: failure to report the receipt of accrued leave may result in an overpayment by ESD, which ESD may recoup from the employee.

Coordination with Other Benefit Programs. When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of City policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to Employer policy and subject to any other legal requirements requiring continuation of coverage.

Job Restoration; Return to Work Recertification. An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML leave, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). The City may require a return-to-work certification from a health care provider before restoring the employee to work following PFML leave where the employee has taken leave for the employee's own serious health condition and under certain conditions, the Employer may deny job restoration to a salaried employee who is among the highest paid ten percent of City employees. If an employee taking PFML leave chooses not to return to work for any reason, the employee should notify the City as soon as possible.

906 Family Care Act

Employees may use their choice of any available accrued leave in order to care for their child, spouse, registered domestic partner, parent, parent-in-law or grandparent as described below.

An employee may use available accrued leave to care for their child where the child has a health condition requiring treatment or supervision, or where the child needs preventative care (such as medical, dental, optical, or immunization services.)

An employee may use available accrued leave when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a "serious or emergency health condition" which are conditions:

- Requiring an overnight stay in a hospital or other medical-care facility;
- Resulting in any period of incapacity or treatment or recovery following inpatient care;
- Involving continuing treatment under the care of a health services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (i.e., demanding immediate action).

Where the need for family care leave is unexpected, the City understands advance approval of the use of leave (as is required for certain kinds of accrued leave) may not be possible. Employees are required, however, to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City reserves the right to require verification or documentation confirming a

family member has or has had a “serious or emergency” health condition when available leave is used to care for that family member.

907 Jury Duty

The City provides all employees leave for jury duty service. Regular full-time and regular part-time employees receive paid jury duty leave of up to ten (10) business days each time they are called for jury service. In general, if jury duty extends beyond ten business days in any one instance the additional leave will be unpaid. If an employee is summoned during a critical work period, the City may ask the employee to request a waiver from duty.

Exempt salaried employees who are asked to serve longer than two weeks should contact the City Administrator or designee to discuss whether future paid leave will be provided. Payments provided by the courts during period of paid jury duty leave must be turned over to the City, excluding expense reimbursements, such as mileage. The employee must provide the City with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, the employee is required to provide the City with proof of jury service.

908 Witness Duty

All employees summoned to testify in court are allowed time off for the period they serve as a witness. In general, witness duty leave is unpaid unless the employee is a witness in a case involving the City.

909 Administrative Leave

On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time, to be used in the best interest of the City as determined by the City Administrator.

910 Military Leave

The City provides all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to twenty-one (21) business days per year for military service. In general, if military service extends beyond twenty-one (21) business days, the additional leave will be unpaid. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service may include active military duty and Reserve or National Guard training. An employee is required to provide the City with copies of their military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

911 Military Leave for Spouses

During a period of military conflict, military spouses are entitled up to total of fifteen (15) days of unpaid leave per deployment. The leave can be taken:

- (a) When the soldier/spouse is on leave from their deployment; or
- (b) After the soldier/spouse learns of the deployment, but before they commence active duty.

The employee must exhaust all accrued vacation leave, paid time off, floating holiday, or comp time. Only after all leave has been exhausted is the employee entitled to leave without pay.

The employee is responsible for payment of all health premiums during any leave without pay. The employee may, however, continue such benefits during leave without pay by paying COBRA premiums.

Employees must give notice of intention to take leave to their Department Head or designee, or the City Administrator, within five (5) days of the soldier/spouse receiving official notice of the order to active duty, or official notice of receiving leave from active duty.

Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

912 Religious Holidays

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with their Department Head's approval or the approval of the City Administrator, take the day off using vacation leave, paid time off, or compensatory time.

913 Leave for Domestic Violence, Sexual Abuse, or Stalking

Washington law requires reasonable leaves without pay from work (either in a continuous block of time or intermittently), or continued employment on a reduced work schedule, when the reason for the leave is one or more of the following:

1. An employee seeks assistance from a lawyer or law enforcement to prepare for or participate in a civil or criminal proceeding related to incidents domestic violence, sexual assault, or stalking that involved either the employee or a family member of the employee.
2. An employee seeks or attends treatment for physical or mental injuries of the employee or a family member caused by domestic violence, sexual assault, or stalking.

3. An employee obtains services from a domestic violence shelter, rape crisis center, or similar facility for the employee or a family member.
4. An employee obtains mental health counseling for domestic violence, sexual assault, or stalking for the employee or family member of the employee who has been a victim.
5. An employee participates in safety planning or relocation for the employee or a family member.

The following documentation may be requested by the City in support of a leave request:

1. police report,
2. court order of protection,
3. documents supporting a court appearance,
4. statement from a domestic violence advocate, attorney, clergy member, or medical "or other professional," or
5. an employee's written statement.

The City will maintain the employee's health benefits while the employee is on leave for the purpose of this policy.

Employees must use accrued vacation leave, paid time off, comp time, or floating holiday before taking leave without pay. Sick leave must also be used if it applies.

If possible, employees are required to give advance notice. If the situation does not allow for advance notice, the employee must notify their Department Head or the City Administrator no later than the end of the first day that the employee takes leave.

For the purpose of this policy, family members include children, spouses, parents, parents-in-law, grandparents, or anyone with whom the employee has a dating relationship. The City may require proof of a family relationship, such as a birth certificate, a court document, a statement of the employee, or other similar documentation.

The City will maintain the confidentiality of all documents associated with leave requested or taken. These documents can be disclosed only with the consent of the employee, by order of court or administrative agency, or otherwise required by federal or state law.

Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

914 Holidays

The following days are recognized as paid holidays for regular full-time and part time employees:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1 st
Martin Luther King's Birthday	Third Monday in January
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Day Immediately following Thanksgiving
Christmas Day	December 25 th
2 Floating Holidays	

In order to be eligible to receive holiday pay an employee must be at work the day before and the day after said holiday, unless they have applied for and been approved leave prior to the holiday.

With the exception of those employees normally scheduled to work on a weekend day, City-paid holidays which fall on a Saturday will be observed on the preceding Friday; paid holidays falling on a Sunday will be observed on the following Monday.

Regular part-time employees receive holiday pay on a pro-rated basis. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and forty (40) hours per week.

Floating Holidays

On January 1st of each year, all regular full time employees will be credited with sixteen (16) hours (2 days) of floating holiday leave and all regular part time employees will be credited with a pro rata amount of floating holiday leave. An eligible employee may then select when to take their floating holiday hours subject to approval from their Department Head or designee, or the City Administrator.

Floating holidays can be scheduled and taken in the same manner as paid time off or vacation time.

New hires starting June 1st through September 30th will receive one (1) floating holiday in the year of hire. New hires starting after September 30th will not receive any floating holidays in the year of hire.

Work on Holidays

In the event that a non-exempt employee is required to work a holiday, they will be paid for the holiday plus one and one-half times his/her regular rate of pay (two and one-half

total) for all hours worked on the holiday. Such time must be pre-authorized by the Department Head or designee, or the City Administrator.

915 Inclement Weather

Purpose

The citizens of Stanwood expect the City to offer continued public service and emergency services during periods of inclement weather. This policy covers conditions that limit transportation or mobility such as snowstorms, ice storms, wind storms, earthquakes, floods or any other event as defined by the City which may cause unsafe driving conditions for both public and private transportation.

Attendance

Because of the public safety nature of those positions in the Police and Public Works Departments, employees in those departments should assume City business will proceed as normal even when the City offices are closed and other employees are not required to come to work. However, if employees within these departments decide that weather conditions prohibit them from coming to work safely, they may contact their Department Head or designee, or the City Administrator, and request leave per the provisions of this policy.

Compensation

1. During a significant weather event that forces the City to close administrative operations for a period of time and employees are told not to report to work, they will be compensated for the day. However, if an Employee chooses not to report to work, then accrued leave must be used or the time may be taken unpaid.
2. Department heads may permit employees to make up short periods of absence due to inclement weather within the pay period the absence occurs, provided such activity does not conflict with City policy or labor agreements, and that such adjusted work time does not result in additional overtime payments.

Notification

On days when poor weather conditions exist, the Mayor or the City Administrator may place the City under the inclement weather policy, close City offices, or limit hours City offices are open for business. To be notified about these decisions, employees are responsible for calling City Hall to hear updated postings after 7:30 AM. If no message has been issued, employees shall assume that City business will proceed under normal policies and procedures.

916 Pandemic or Public Health Emergency Response

It is the policy of the City of Stanwood to take all appropriate measures needed to address a pandemic and protect public health. Protecting the community and City staff is a top priority and this policy establishes some of the actions that may be taken, and the authority, granted to address a pandemic.

Procedures: The following procedures are established to minimize disease exposure and maintain continuity of City operations in the event that a pandemic becomes a threat to the health or safety of City employees, their families, and the community at large.

- 1) *Declaration of Pandemic and/or Public Health Emergency:* Public health professionals at organizations such as the Centers for Disease Control and Prevention (CDC), Washington State Public Health Department, Washington State Governor, and/or Snohomish County Health Department may declare that a pandemic, outbreak, or public health emergency exists. Such declarations may contain instructions or recommendations to both private and public sector entities. The City will follow all mandatory instructions and will implement recommendations to the extent it determines these to be applicable and/or feasible or practicable under the particular circumstances.
- 2) *Procedures to help minimize the spread of germs:* Employees are urged to practice standard Non-Pharmaceutical Interventions (“NPI’s”), including covering coughs by coughing into a tissue or, if a tissue is not available, into their elbows, regular hand washing, regular use of alcohol hand sanitizer, and avoiding touching eyes, nose, or mouth. Hands and work surfaces should be disinfected frequently. Employees are also urged to utilize social distancing such as maintaining a distance of six feet from others when practical to do so.
- 3) *Proclamation of Emergency/Disaster Due to Pandemic:* Upon the City’s proclamation of emergency/disaster due to pandemic, the following shall apply:
 - i. Employees who have a communicable illness or are experiencing flu-like symptoms (as then-defined by the applicable health authorities), are prohibited from coming to work and are encouraged to consult their physician.
 - ii. Employees reporting to work who exhibit symptoms of a communicable illness will be sent home and encouraged to consult their physician. Unless otherwise provided by law, the employee shall be required to utilize accrued leave, pursuant to these policies, or applicable collective bargaining agreement, if they are sent home due to symptoms of an illness.
 - iii. If the illness of an employee or member of an employee’s household interferes with reporting to work in a timely manner, the employee is

responsible for notifying their supervisor. Employees must not return to work until they have been free of illness symptoms (fever, chills, sore throat, etc.) for at least 24 hours (or any longer applicable incubation period determined by the appropriate health authority) or are deemed no longer infectious by a medical professional.

- iv. Except as otherwise prohibited by law, employees are required to first utilize their accrued sick leave and then any other accrued paid time off (vacation, paid time off, compensatory time, or floating holidays) while recovering from, or caring for a spouse or dependent recovering from illness.
- v. If the school or place of care of an employee's child is closed due to pandemic, the employee may use accrued sick leave (or other accrued paid time off, to the extent the employee does not have sufficient sick leave), to care for the child.
- vi. Employees may donate accrued sick leave to employees who do not have enough accrued leave balances to cover their absence, in accordance with the City's shared leave policy.
- vii. When quarantine of an employee is ordered by State or County Health Officials due to a pandemic illness, employees may use accrued sick leave (or other accrued paid time off, to the extent the employee does not have sufficient sick leave) for the period of quarantine.
- viii. At the discretion of the Mayor or City Administrator, City Hall may alter its business practices, hours of business, and services provided. Examples of potential measures that could be taken include but are not limited to:
 - a. The City may implement temporary emergency procedures to minimize in-person contact between employees. Such measures may include greater use of e-mail, phone, and teleconferences, including telecommuting (see policy), as opposed to in-person meetings and contact.
 - b. *Reduced Reception and Front Counter Service:* The City may alter how it conducts business with the public by limiting or halting services at counters/areas of the City Hall and other facilities where front-line services are typically provided.
 - c. *Partial Work from Home Schedules:* Some staff may be permitted or assigned to work from home.
 - d. *Full or partial City Hall Closure:* City Hall may be partially or fully closed. During closure, staff who are able to reasonably work from

home, whether in full or partial shifts, will be allowed to do so, and City managers and supervisors will coordinate this directly with the subject employees (See Telecommuting Policy).

917 Volunteer Emergency Services Personnel Leave

In accordance with RCW 49.12.460, an employee who is a volunteer firefighter, reserve peace officer, or member of the Civil Air Patrol will not be subject to discipline or termination when an emergency call, fire alarm, or emergency service operation prevents them from showing up to work on time.

In the case of a volunteer firefighter working at, or returning from, a fire alarm or emergency call that causes the employee to be late or miss work, the on-scene commander must order the firefighter to remain at the scene. Training and other non-emergency activities do not qualify. Volunteer firefighters cannot be paid and must be away from their regular job when the fire alarm or emergency call comes in to qualify for this leave.

A reserve peace officer, as defined in RCW 41.24.010, must be called to an emergency to be late or miss work. A member of the Civil Air Patrol must be involved in an emergency service operation, as defined in RCW 49.12.460, to be late or miss work.

Notice Requirements

An employee shall make every reasonable attempt to give his or her department head advance notice of the need to take leave.

Type of Leave

An employee who is absent from work pursuant to this policy may elect to use his or her accrued vacation leave, paid time off, floating holiday, compensatory time or unpaid leave time.

Verification

The department head may require the request for leave be supported by verification from the agency at which the employee volunteers.

918 Shared Medical Leave Program

The City of Stanwood recognizes that certain circumstances may exist where employees may need additional leave to assist them during a period of time when they are off from work for medical purposes, but do not have enough accumulated leave. These additional leave days will be voluntarily donated by other City employees. Donated leave days, for medical purposes, may also be used by an employee because of immediate family illness.

Eligibility

To be eligible to donate either vacation, paid time off or sick leave, an employee must have over one hundred (100) hours of accrued vacation leave or paid time off, and two hundred (200) hours of accrued sick leave. In no event shall a leave donation result in the donor reducing their vacation leave balance to less than one hundred (100) hours or sick leave balance to less than two hundred (200) hours. Transfer of leave will be in increments of eight (8) hours (1 day). Leave is donated on an hour for hour basis with no relation to actual earnings of either the donor or the recipient.

For an employee to receive donated leave, the employee must first exhaust all of the employee's own accumulated compensatory time, sick leave, paid time off and vacation leave. In the case of work related injury, the employee must diligently pursue and be found ineligible for worker's compensation benefits, prior to receiving donated leave.

Process

All donations of leave are strictly voluntary and confidential, and will occur on a "per event" basis. If employees have a need to use the Shared Medical Leave Program, they should contact their Department Head or designee, or the City Administrator or designee. When an employee is in need of donated leave, and so requests, the City will inform other employees in writing that donated leave has been requested.

An employee using shared leave will continue to receive the same salary and benefits as an employee using vacation, paid time off or sick leave. Unused donated leave will be given back to the donor(s).

919 Unpaid Holidays for Reasons of Faith or Conscience

Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor a minimum of two (2) weeks prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by rule of the Office of Financial Management.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next. A day is defined as a 24-hour period.



PERSONNEL POLICY MANUAL

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100 INTRODUCTION

Welcome to the City of Stanwood. The City strives to provide consistently outstanding service to its citizens and customers, and to maintain a positive and productive work environment for its employees.

This manual is intended to provide you with general information about the City of Stanwood's personnel policies, procedures, practices, and benefits. We hope ~~that~~ it will be a helpful resource for you in the course of your employment and ask that you take time to read it and become familiar with its contents. Of course, the manual is only a summary. This manual is not a contract of employment. It is not intended, and should not be construed, as a promise of specific treatment in any specific circumstance, or as a guarantee of employment for any particular time. Employment at the City is "at will". This means that either you or the City can terminate the employment relationship at any time for any reason, with or without notice or cause.

The policies, procedures, practices, and benefits described in this manual shall apply to all employees of the City except where otherwise noted herein or unless they conflict with provisions of any binding collective bargaining agreement, civil service rule or law.

All policies, procedures, practices, and benefits in this manual were initially adopted on July 1, 2009, and are amended, as needed, first became effective on July 1st, 2009 and may be amended by Resolution. ~~Of course, circumstances may occur that will require the policies, procedures, practices and benefits described in this manual to change from time to time.~~ Except for the at-will employment relationship, which can be altered only by a written agreement signed by the Mayor, and except for employee benefits and salary ranges which can be altered only by the City Council, the City Administrator reserves the right to modify, amend, supplement, or rescind any or all provisions of this manual as ~~they/he/she~~ deems appropriate at ~~their/his/her~~ sole and absolute discretion and without prior notice. Final interpretation of the policies, procedures, or practices is the authority of the City Administrator and/or the Mayor. This document should not be construed or relied upon by anyone as a legal document, covenant or contract of any kind.

If you have questions about any part of this manual, please feel free to contact Human Resources, your Department Head or the City Administrator at any time.

200 STAFFING

The City encourages all employees seeking promotion or transfer to apply for open positions ~~that~~ they are qualified to fill. It is the policy of the City to offer employment to the applicant possessing the best qualifications and fit for the

position available. A decision to promote or transfer from within may be based upon several factors, including but not limited to, past performance. The decision to hire competitively or to promote or transfer from within the organization is solely that of the City's.

201 Staffing Process

When a position becomes vacant or when a new position is requested, the Department Head will review the position, its job description, and the need for such a position prior to any posting or advertisement of the vacancy. The Department Head will then make a formal request to the City Administrator to fill the vacant position through competitive process or by promotion or transfer from within the organization. The position may be posted internally or externally, or an individual may receive promotion or transfer from within, only after the City Administrator has approved the request.

To what extent vacant positions will be advertised internally or externally is solely the decision of the City's.

202—Pre-Employment Medical Examination

~~After a conditional offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment in some positions to pass a medical examination, which may include testing for abuse or improper use of alcohol and unlawful controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the essential functions of the job, with or without reasonable accommodation, and without creating a direct threat to the health, safety or well being of other employees or the public. The offer of employment will be conditioned on the results of the examination.~~

~~If a medical examination is required, all information provided to the City will be maintained in confidence in accordance with the Americans with Disabilities Act, the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), and other applicable federal, state, or local laws. All applicants required to take a medical examination will be required to sign a standard consent and release form permitting the examining physician to disclose the results of the physical examination to certain employees of the City.~~

~~If the applicant questions the results of the physical examination, he or she will be given an opportunity to comment, submit additional information including statements from other physicians, and/or request another physical examination.~~

~~A candidate may be withdrawn from consideration if found physically unable to perform the essential functions of the position (with or without reasonable accommodation), or if the candidate would pose a direct threat, or the candidate~~

~~refuses to submit to a medical examination or complete medical history forms, or if the exam reveals abuse or improper use of alcohol or unlawful controlled substances, or if the exam reveals other circumstances considered disqualifying.~~

2023 Trial Probationary Period

All new employees are in a probationary period for the first six (6) months of their employment with the City to allow for a preliminary review of their performance and fit, and to ensure expectations are being met. Unless a collective bargaining agreement dictates otherwise, the successful completion of the probationary period does not alter, change, or supersede in any way the employee's status as an "at will" employee of the City. Any employee who is promoted shall be subject to a four (4) month trial service period. During the four (4) month trial service period the City may elect to return the employee to their previous position and salary. Any employee who is promoted may elect to return to their previous position and salary at any time prior to the conclusion of the four (4) month trial service period. During the initial trial service period, a newly hired employee is not eligible to use ~~vacation or~~ floating holidays. This does not apply to the four (4) month trial service period for promotions.

2034 Temporary Employees

With the approval of the City Administrator and the Department Head, temporary employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Temporary employees should not work more than seventy hours a month for more than five months in a twelve month calendar period, unless authorized by the City Administrator to extend a temporary assignment. Otherwise, the nature, length, and scope of temporary assignments are solely the decision of the City.

Temporary employees are eligible for overtime pay as required by law.

~~During their employment, temporary employees normally do not receive retirement, vacation, sick leave PTO, health insurance, or holidays pay or any other benefits during their employment.~~ Pursuant to the Washington Paid Sick Leave law, temporary employees earn one hour of paid sick leave for every 40 hours worked. Beginning on the 90th calendar day after the commencement of employment, accrued paid sick leave will be available for your use. Unused paid sick leave balances of 40 hours or less will be cashed out at the termination of seasonal employment. No other benefits will be received

2045 Conflicts of Interest/Nepotism

Employees are prevented from holding positions with the City which place them in a potentially unlawful or improper conflict of interest. Examples of potential conflicts of interest include, but are not limited to the following:

- A spouse/partner or other close family member who would have authority (or practical power) to supervise, appoint, remove, or discipline the other.
- A spouse/partner or other close family member who would handle confidential material that creates improper or inappropriate access to that material by the other.
- A spouse/partner or other close family member who would be responsible for auditing the work of the other.
- An employee who is the spouse/partner or other close family member of an elected official.
- An employee who seeks an elected office with the City

If circumstances exist that create a conflict or potential conflict, the City reserves the right to take action necessary to resolve the conflict, up to and including reassignment and termination.

2056 Employees of Other Agencies

Employees of other agencies who may be providing services to the City under inter-local or other agreements shall not be considered employees of the City even if they are supervised or assigned work by City personnel.

2067 Re-employment of Former Employees

Upon a former employee's submission of an application, the City may re-appoint the employee to his/her same position or a position of like duties and responsibilities. When former employees apply to be rehired, they will be evaluated on the same criteria as all other applicants. Consideration will be given to past job performance, the circumstances surrounding separation of previous employment, and the former employee's ability to meet the job requirements of the position.

2078 Equal Employment Opportunity

The City is an equal opportunity employer. This means that the City does not discriminate in employment decisions or policies in violation of law on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, status as a parent, national origin, age, disability (physical or mental), family medical history or genetic information, political affiliation, military service, or other non-merit based factors. ~~race, color, national origin, creed, religion, sex, age, marital status, physical or mental disability, sexual orientation, or status as a Vietnam-era or special disabled veteran, or other classes protected under the law.~~ This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

300 EMPLOYMENT POLICIES

301 Employees with Disabilities

The City complies fully with its duty to provide reasonable accommodations to allow people with disabilities to perform the essential functions of their jobs. If an employee has a disability that limits their ability to perform their job, the employee shall inform the Human Resources Manager, City Administrator or their Department Head, so that reasonable accommodations may be considered.

302 Workplace Anti-Harassment

~~This policy replaces any prior policy of the City concerning sexual or other harassment.~~

~~The City of Stanwood is committed to insuring that the practices and conduct of all its employees comply with the requirements of federal law and state laws against employment discrimination. To that end, the City expects all employees to work in a manner that respects the feelings and dignity of their co-workers. It is the policy of the City that all employees have the right to work in an environment free from harassment based upon their race, color, religion, gender, national origin, age, marital status, veterans' status, sexual orientation, disability, or any other protected status or characteristic. Any such harassment of employees by their co-workers or supervisors will not be tolerated by the City. The City of Stanwood is committed to providing a work environment, which is free from unlawful harassment and where all employees are treated with respect. The City expects all of its employees to accomplish their work in a professional manner. The City expressly prohibits any form of unlawful harassment by or~~

against its employees based on race, color, sex, gender identity, sexual orientation, religion, age, marital status, national origin, the presence of sensory, mental or physical disability, veteran status, or status in any other legally protected group.

Harassment may have serious consequences for the employees involved, as well as for the City. Therefore, it is the responsibility of every employee to create an atmosphere free from harassment and to cooperate with and assist in the implementation of this policy. If you believe that you or another employee has been harassed or discriminated against, you must report the complaint, as described below in *Complaints Process*.

For the purpose of this policy, “sexual harassment” is unwelcome behavior of a sexual nature that affects terms and conditions of employment. Sexual harassment includes (1) sexual advances and other verbal or physical conduct where submission to the advances or conduct is made a term or condition of employment or is used as the basis for employment decisions and (2) unwelcome verbal or physical conduct of a sexual nature that interferes with an employee’s work or creates a hostile, intimidating, or offensive work environment.

Some examples of behavior that could constitute or contribute to sexual harassment include, but are not limited to:

- Unwelcome or unwanted flirtations, propositions, or advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, fondling, putting one’s arm around another, or any other similar physical contact considered offensive by the recipient.
- Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequences concerning an individual’s employment.
- Verbal abuse or teasingkidding that is sexually oriented and considered unacceptable by another individual. This includes comments about an individual’s body or appearance when such comments go beyond an isolated innocuous compliment; off-color jokes or offensive language; or any other tasteless, sexually oriented comments, innuendoes, or offensive actions, including leering, whistling, or gesturing.
- Participation in fostering a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, office décor, suggestions, requests, demands, physical contacts, or attention.

For the purpose of this policy, “other harassment” (nonsexual) is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of such individual’s protected status or characteristics such as ~~their~~^{his/her} race, color, religion, gender, national origin, age, marital status, sexual orientation, or disability that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual’s work performance; or
3. Otherwise adversely affects an individual’s employment opportunities.

Some examples of behavior that could constitute or contribute to harassment include, but are not limited to: using epithets, slurs, or negative stereotypes; threatening, intimidating, or engaging in hostile acts ~~that~~^{relating} to protected status or characteristics such as those referred to above; jokes or pranks that refer to or denigrate a protected status; or placing on walls, bulletin boards, or elsewhere on the work premises or circulating in the workplace, written or graphic material that denigrates or shows hostility or aversion toward a person or group because of a protected characteristic.

Complaint Process

Any employee who feels they have been subjected to harassment, should clearly inform the perpetrator, to the extent the employee feels comfortable doing so, that their behavior is inappropriate, offensive, and unwelcome and should immediately cease. An employee who feels harassed should immediately tell the offending individual how they feel and ask them to stop. If that is not successful or if the employee is not comfortable confronting the offending individual directly for any reason, the employee should report the harassment promptly to their Human Resources Department, Department Head or the City Administrator. If the employee believes the City Administrator is involved in the offensive conduct, or if the employee feels uncomfortable complaining to the City Administrator for any other reason, the complaint should instead be made to the Mayor. Department Heads shall immediately report any such complaints to the Human Resources Department, City Administrator or Mayor. ~~if they receive one.~~

The WORKPLACE HARASSMENT COMPLAINT FORM made available by the City may be used to make a written complaint.

A harassment complaint will be handled as follows:

1. The complaint will be investigated by a qualified, neutral person. The choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and

full circumstances of the situation, including the context in which the alleged incidents occurred.

2. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
3. There shall be no retaliation by the City, its officers, elected officials, supervisors, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint.
4. Where the investigation confirms the allegations, the City will take prompt corrective action and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.
5. There may be instances in which an employee reporting harassment seeks only to discuss the matter informally and does not wish the City to undertake an investigation or to take further steps. In such situations, the City Administrator or designee, ~~or the Department Head or designee~~, may arrange some informal mechanism for resolving the issues. However, an individual reporting harassment should be aware ~~that~~ the City may decide to take action to address the harassment beyond informal means.

All management team members and supervisors are assigned responsibility for implementing this policy, ensuring compliance with, and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. Supervisors must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality and objectivity. A supervisor's failure to carry out these responsibilities may result in disciplinary action up to and including termination.

303 Prohibition of Retaliation

The City of Stanwood prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the City's discrimination, harassment, and workplace violence policies, and for participating in the investigation of any complaint of discrimination, harassment or workplace violence. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee's participation in protected activity. If you believe that you have been subjected to unlawful retaliation, or if you observe that another employee has been subjected to unlawful retaliation, you

are obligated to report the matter immediately, as described in 308, Whistleblower Protection.

3043 Use of City Vehicles

It is the policy of the City of Stanwood to provide vehicles for City business use, when practical, in order to allow employees to drive on City business, and to reimburse employees for City business use of personal vehicles. This policy provides guidance on the appropriate use of City and personal vehicles for City business.

The term “vehicle” as used in these guidelines includes, but is not limited to, cars, trucks, backhoes, front end loaders, graders, motorized water craft, and any vehicle or off road equipment listed on the City’s automobile or inland marine insurance property schedule.

1. Employees must possess a valid driver’s license in order to drive any vehicle for City business and may not drive any vehicle for City business without prior approval of their Department Head or designee, or the City Administrator. Periodically, the City may verify the existence of a valid driver’s license and request from the driver a copy of their current driving abstract.
2. The City shall comply with Chapter 49.12 RCW Industrial Welfare and WAC 296-125-030 Prohibited and Hazardous Employment-All Minors in regards to driving requirements and restrictions for employees under the age of 18.
3. When driving is a function of the position, the City will evaluate an applicant’s driving record to determine eligibility for that position. Periodically, the City may evaluate current employee driving records to determine driving acceptability using a Driver Rating Guide and a Driver Point Value Guide which is a points system to determine if current employees or potential new employees are eligible to operate a motor vehicle within the scope of their employment based on driving history.

Driver Rating Guide

Non-moving violations are not normally considered in evaluating the individual driver unless they are excessive. Moving violations listed on the driver’s abstract for the last five (5) years are compared to the rating guide (below); points are assigned to the violations as indicated and total points determine eligibility as follows:

0 to 3 points indicates an acceptable rating as a driver.

4 or 5 points indicate a questionable driver rating. The City will determine whether or not to place or maintain this individual in a driving position.

6 or more points indicate unacceptability. The City may take corrective action up to and including loss of driving privileges.

Driver Point Value Guide

<u>Points</u>	<u>Explanation</u>
<u>Non-Speed Related Moving Violations</u>	
2	At-Fault Accident
1	Failure to Stop at Scales
1	Over Weight/Height/Length
1	Improper Turn (Cutting Corners)
1	Prohibited Turn (U-Turn)
1	Improper Lane Change
1	Improper Lane Travel
2	Driving on Shoulder or Sidewalk
1	Improper Backing
1	Failure to (or Improper) Signal
1	Failure to Yield Right of Way – at yield sign – at uncontrolled intersection – during left turn against traffic – at traffic obstructed intersection – on private road – to emergency vehicle – while starting from a parked position – slow-moving traffic to pull off road
2	Disobey Signal Person or Officer
2	Driving Wrong Way – on one-way street (or freeway) – straddling or over center line – driving on wrong side of road/cross divider
2	Failure to Stop – steady red signal, steady red arrow, stop signs – flashing signal – intersection other than arterial – train signal – certain railroad grade crossings – emerging from alley or driveway – for school bus
1	Disobey Road Sign – lane direction control signal – school patrol

- 1 Driving Without Lights After Dusk
- 1 Failure to Dim Headlights
- 1 Following Too Closely
- 2 Improper Passing
 - Insufficient distance
 - On hill, curve, or within 100 feet of intersection
 - In no passing zone
- 1 Overtaking or Passing on the Right
- 2-3 Open Container Law Violation (Driver-3 or Passenger-2)
- 1 Illegal or Missing Equipment
- 1 Impeding Traffic
 - blocking
 - slow moving vehicle
- 2 Violating License Restrictions (Medical, Vision, Equipment)
- 1 Defective Equipment
 - muffler/exhaust
- 1 Crossing Fire Hose
- 2 Headphones, Cell phone or Television
- 1 Obstructed Vision or Control
- 1 No Shields or Mirrors (Motorcycle)
- 2 Inattention to Driving
- 1 No License on Person
 - driving without CDL
- 1 No Proof of Liability Insurance
- 4 Driving With a Suspended/Revoked/Cancelled License

Speed Related Moving Violations

- 1 Speed Too Fast for Conditions
- 1 Speed – Basic Rule
- 2 Negligent Driving – 2nd Degree
- 3 Reckless
 - driving
 - endangerment
 - endangerment in construction zone
- 5 Racing

Criminal Violations

- 3 Fail to Secure Load (Safety Chains/Devices) 1st Degree
- 2 Fail to Secure Load (Safety Chains/Devices) 2nd Degree
- 3 Negligent Driving 1st Degree
- 5 Hit and Run
 - occupied vehicle
 - unoccupied vehicle
- 5 DUI/Physical Control

5 Driving a Vehicle in the Commission of a Crime or Vehicular Assault or Homicide

4. Employees approved to drive a vehicle on City business are required to:
- Inform their Department Head or designee, or the City Administrator, as soon as practical, of any changes that may affect either their legal or physical ability to drive or their continued insurability. Examples of changes that may affect ability to drive include, but are not limited to, loss or suspension of driver's license, charge or conviction of driving under the influence (DUI), reckless driving, and driving with a suspended license.
 - ~~R~~efrain from operating a City vehicle, or a personal vehicle for City business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication.
 - ~~E~~xercise due diligence to drive safely and maintain the security of the vehicle and its contents.
 - ~~F~~ollow all Washington State laws, to include wearing a seatbelt at all times.
 - ~~B~~be responsible for any driving infractions or fines as a result of their driving and report them to the Department Head or designee, or the City Administrator no later than the next business day.
5. Employees may use City vehicles for non-business purposes such as running personal errands, driving to lunch, etc., only with the express consent of their Department Head or designee, or the City Administrator. This approval will only be granted to mitigate special circumstances as driving a City vehicle for non-business purposes is generally not allowed.
6. Non-employee and non-business passengers may not ride in City vehicles without prior approval of driver's Department Head or designee, or the City Administrator. Employees or passengers can seek approval by filling out the Request to Ride in a City Vehicle Form as provided by the City.
7. When no City vehicles are available, employees may use their own vehicles for business purposes with prior approval of their Department Head or designee, or the City Administrator. Insurance industry practices dictate that auto liability coverage follows the auto. In such circumstances, the employee's personal auto insurance would be considered primary, and the City's coverage excess. Employees who use their personal vehicle for approved business purposes will be reimbursed for expenses pursuant to financial management procedures~~the~~

~~appropriate policies~~. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. In the event that an employee uses their personal vehicle as a regular part of the daily requirements of their job, they should obtain auto liability coverage for bodily injury and property damage with a special endorsement for City business use, when possible as determined by their personal insurance agent.

8. Employees must report any collision to appropriate law enforcement officials. Employees shall also report any collision, theft or damage involving a City vehicle to their Department Head or designee, Risk Manager or the City Administrator, regardless of the extent of damage or lack of injuries, by filling out an INCIDENT REPORT FORM. Such reports must be made as soon as possible but no later than forty-eight hours after the incident. Employees are expected to cooperate fully with authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers. In the case of an accident employees should refer to the accident card available in all City vehicles.
9. Employees shall not operate any City vehicle or operate any personal vehicle while on City business while consuming or under the influence of alcohol, cannabis, illegal drugs, prescription medications, or over the counter medications that may affect their ability to drive. The City has a zero tolerance policy prohibiting operators of vehicles from drinking alcohol, using cannabis, consuming illegal drugs, and taking any medications that affect their ability to drive.

3054 Use of City Credit Cards

Employee distribution of City credit or purchasing cards shall only occur with approval of the City Administrator and Finance Director, and will be in accordance with RCW 39.58.180 and RCW 42.42.115.

All employees authorized to use a City Credit or Purchasing Card must read and sign the City's CREDIT CARD USE AGREEMENT as provided by the Finance Department and must adhere to financial management procedures. Failure to comply with the agreement at any time may result in disciplinary action up to and including termination.

For financial control purposes, all credit or purchasing cards are to be signed out from the Finance Department, and returned before the employee separates from the City. The employee is responsible for returning credit or purchasing cards before leaving the employment of the City. All city credit cards will be canceled upon separation of employment.

Employees are responsible for reporting loss or known misuse of a City credit card to the Finance Director or their Department Head immediately.

3065 Use of City Cell Phones

The City of Stanwood issues individual cellular phones to employees who are required to be in close contact with the City at all times. While cell phones are a necessary convenience of the City, it is required that employees follow the guidelines listed below for their own safety as well as the safety of others.

Acquisition

The purchase and/or installation of cell phones shall be approved by the Department Head. It shall be the responsibility of the Department Head to ensure that sufficient funds are budgeted for the purchase and monthly operational costs associated with such equipment prior to its use.

Usage

The general use of cell phones shall not be in lieu of more cost effective, practical and available means of communication.

All employees are required to be professional and conscientious at all times when using City phones and comply with state and federal laws.

It is the City's policy that employees who are issued a cellular phone understand that it is issued primarily for business use. Employees are expected to make every effort to use cell phones in a responsible and efficient manner.

It is the City's policy that its employees maintain electronic files in accordance with the State archivist records retention laws and schedules. The City does not archive instant messaging or text messaging records. Therefore, employees are instructed not to use instant messaging or text messaging for communications records that have retention value. City records should be stored on City network storage drives or other authorized business applications. Storage of City records on personally owned devices should only occur on a temporary "as-needed" basis and be transferred to the City's network as soon as practicable.

Cellular phone bills will be reviewed when they arrive. The City reserves the right to require reimbursement for cell phone misuse. The City also reserves the right to limit or terminate an employee's use of a City phone in any way, at any time, and for any reason.

The City has a zero tolerance policy regarding using a cell phone while driving without a proper hands free device in accordance with state law. Employees must follow all laws in regards to the use of cell phones while driving a vehicle.

The City reserves the right to amend or alter the terms of this policy at its own discretion.

Cellular phone users, upon leaving City employment, will be removed from the City's plan. All cell phones must be returned by the employee upon separation.

3076 Responding to Talking with the News Media

The City Administrator or designee shall be responsible for all official contacts with the news media, including answering of questions from the media. When presented with questions from the media regarding City business, employees should immediately refer the person to their Department Head or the City Administrator. If that is not possible, the employee should politely request that the person seeking ~~the~~ information ~~contact~~ City Hall and ask for the City Administrator. In addition, the City Administrator must approve all press releases, publications, speeches, or other official declarations.

3087 Reporting Improper Governmental Action

In compliance with Local Government Whistleblower Protection, Chapter 42.41 RCW, this policy is adopted to encourage employees to disclose any improper governmental action taken by ~~Ceity~~ officials or employees without fear of retaliation. —This policy also safeguards legitimate employer interests by encouraging complaints ~~to~~ be made first to the City, with a process provided for speedy dispute resolution.

Improper Governmental Action is any action by a ~~Ceity~~ officer or employee ~~that is~~ 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, is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to public health or safety, or is a gross waste of public funds.

Improper Governmental Action does not include personnel actions (hiring, firing, complaints, promotions, reassignments, s, for example). In addition, employees are not free to disclose matters that would affect a person's right to legally protected confidential communications.

City employees who become aware of improper governmental action shall follow the procedure set forth below:

- Bring the matter to the attention of his/her supervisor, if non-involved, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action, a but not later than thirty (30) days from the date of occurrence.

- Where the employee believes the improper action involves their supervisor, the employee may raise the issue directly with their Department Director, the City Administrator, or the Mayor. Where the employee believes the improper action involves the Mayor, the employee may raise the issue with the City Attorney.
- The Mayor or his/her designee, as the case may be, shall promptly investigate the report of improper government action. The investigation shall be completed within thirty (30) days of the employee's report. The employee shall be advised of the results of the investigation with the exception that personnel actions taken as a result of the investigation may be kept confidential.

An employee who fails to make a good faith attempt to follow this policy shall not be entitled to the protection of the policy against retaliation, pursuant to RCW 42.41.030.

In the case of an emergency, where the employee believes ~~that~~ damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating improper action. For the purposes of this section, an emergency is a circumstance that if not immediately changed may cause damage to persons or property.

Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the City to determine whether an improper government action occurred, or that insufficient action was taken by the City to address the improper action or that for other reasons the improper action is likely to recur. Outside agencies to which reports may be directed include:

Snohomish County Prosecuting Attorney
Auditor
3000 Rockefeller Avenue M/S 504
Capital Campus
 Everett, WA 98201
 (425) 388-3333

 Washington State
Auditor

 P.O. Box 40021

 Olympia, WA 98504

 (360) 902-0370

Washington State Attorney General
 1125 Washington Street SE
 P.O. Box 40100
 Olympia, WA 98504
 (360) 753-6200

If the above-listed agencies do not appear to be appropriate in light of the nature of the improper action to be reported, contact information for other state and county agencies may be obtained via the following link:

<http://access.wa.gov/agency/agency.aspx>.

It is unlawful for a local government to take retaliatory action because an employee, in good faith, provided information that improper government action occurred. Retaliatory Action is any material adverse change in the terms and conditions of an employee's employment.

Employees who believe they have been retaliated against for reporting an improper government action should follow the procedure set forth below:

- a) Employees must provide a written complaint to the supervisor within thirty (30) days of the occurrence of the alleged retaliatory action. If the supervisor is involved, the notice should go to the City Administrator or the Mayor. If the Mayor is involved, the notice should go to the City Attorney. The written charge shall specify the alleged retaliatory action and the relief requested.
- b) The Mayor or his/her designee, as the case may be, shall investigate the complaint and respond in writing within thirty (30) days of receipt of the written charge. Additional time to respond may be necessary depending on the nature and complexity of the complaint.
- c) After receiving the City's response, the employee may request in writing a hearing before a state administrative law judge (ALJ) to establish that a retaliatory action occurred, and to obtain appropriate relief under the law. The request for hearing must be delivered to the City Administrator within the earlier of either fifteen (15) days of employee's receipt of the City's response to the charge of retaliatory action or within forty-five (45) days of receipt by the Mayor of the employee's charge of retaliation. Failure of the employee to timely request a hearing shall be a waiver of the right to a hearing or further appeal.
- d) Within five (5) working days of receipt of a request for hearing, the City Administrator shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

Office of Administrative Hearings
P.O. Box 42488
Olympia, WA 98504-2488
(360) 407-2700
(800) 558.4857
(360) 664-8721 Fax

- e) At the hearing, the employee must prove that a retaliatory action in violation of Chapter 42.41 RCW occurred by a preponderance of the evidence. The ALJ will issue a written final decision consisting of findings of fact, conclusions of law and judgment no later than forty-five (45) days after the date of the request for hearing, unless an extension is granted.

- f) The ALJ may grant/award the following relief as appropriate:
1. Reinstatement with or without back pay
 2. Relief as may be necessary to return the employee to the position he or she held prior to the retaliatory action and to prevent any recurrence or retaliatory action.
 3. Award cost and reasonable attorney's fees to the prevailing party
 4. Recommend to the City that any city employee found to have retaliated against an employee reporting improper governmental action be disciplined as deemed appropriate by the Mayor.

The Mayor or designee is responsible for implementing these policies and procedures. This includes posting the policy on the City bulletin board, making the policy available to any employee upon request, and providing the policy to all newly hired employees.

Officers, managers, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

3098 Code of Conduct

All City employees are expected to represent the City to the public in a professional manner, which is courteous, efficient and helpful. ~~Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their Department Head or the City Administrator.~~

The City's success in providing excellent service to its citizens and maintaining good relationships with the community depends on its employees. Certain conduct is considered detrimental to the City's goals and objectives and may lead to disciplinary action up to and including termination. Such conduct includes but is not limited to the following list:

1. Misrepresentation or withholding of pertinent facts in securing employment;
2. Theft, and/or unauthorized use or possession of the City's facilities and/or the property of the City or that of any individual or other group;
3. Unauthorized use of position with the City for personal gain or advantage;
4. Accepting gratuities or bribes;
5. Lying or dishonesty;

6. Smoking in any unauthorized posted area or in violation of any federal or state law or regulation, as well as creating fire hazards in any area;
7. Failure to properly secure City facilities or property as determined by City or Department procedures or work rules;
8. Disrupting the City's business or the work effort of other employees at any time;
9. Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned;
10. Lateness for work without sufficient notice or reason;
11. Absence without proper notification to Department Head or designee, or the City Administrator.
12. Absenteeism without sufficient notice or reason;
13. Disorderly conduct, including fighting on the premises;
14. Spreading rumors or innuendo and gossip;
15. Rudeness, discrimination, intimidation, coercion, use of obscene language, gesture or lack of courtesy to the public or fellow employees;
16. Intentional falsification of records/paperwork required in the transaction of City business;
17. Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work;
18. Failure to observe safety practices, rules, regulations, and instructions;
19. -Negligence or conducting unsafe practices that result or could reasonably be expected to result in injury to others;
20. Failure to promptly report to the Department Head or designee, or the City Administrator, an on-the-job injury or accident causing damage to or involving an employee, customer, visitor, City equipment or City property;

21. Unauthorized possession of explosives, firearms, or other dangerous weapons on City-owned property or while on work time;
22. Conviction of certain misdemeanors, or conviction of any gross misdemeanor or felony;

23. Using city equipment, facilities, time, or supplies to engage in political

23. activities, in accordance with all state and federal laws.

310 Political Activities

No City employee may use City time or property in any manner to promote any political issue or candidate, to solicit funds for any political purpose, or to influence the outcome of any election.

No City employee shall be eligible for appointment or election to any public office, when the holding of such office would be incompatible or would substantially interfere with the discharge of the employee's official duties. In such case, the employee shall elect to continue employment with the City or continue in public office.

Any employee who is found to be in violation of this policy may be subject to disciplinary action, up to and including immediate termination.

311 Personal Financial Obligations

Employees should manage their personal finances so that they do not adversely affect job performance. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City through extra bookkeeping and the need to respond to legal notices and court orders. The City will not disclose employee financial information to outside parties without the express written permission from the employee, except as required by law. The Finance Director is the only person authorized to receive a writ of attachment or garnishment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Finance Department will notify the affected employee and then deduct the required amount from the employee's earnings, as required by law.

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31209 Appearance/Work AttireJob Descriptions

Employees are expected to dress neatly and appropriately for the type of work they are doing, and to present a good, professional image of the City to the public.

1. Clothing should be maintained in good condition and as the work environment permits, clean and free from tears, holes and visible stains.
2. Employees should ensure their personal hygiene does not offend others and does not detract from the high quality service orientation of the City.
3. Safety clothing and accessories (e.g., boots, vests, hard hats) must be worn when safety rules require and/or when circumstances warrant it.

Should uniforms, safety apparel or equipment be required for a particular position, they will be provided at City expense. Except for exigent circumstances, uniforms identifiable with the City of Stanwood shall only be worn during hours of work or duty.

~~Since the proper working relationship between employees and the City depends on each employee's on-going job performance, professional conduct and behavior, employees will be required to meet at least the minimum expectations, standards, and requirements outlined in their job descriptions. Job descriptions are not contracts, but should be used and thought of as guidance.~~

~~The City is a relatively small organization. To function as efficiently as possible, employees may be asked to perform duties, meet expectations, and fulfill requirements outside of their job description or job assignments given to them by their supervisor.~~

~~To make the most efficient use of personnel, the City also reserves the right to change work conditions and the duties of employees at any time.~~

3130 Outside Employment

This policy is intended to set forth guidelines to ensure that employees are not involved in any outside employment or activity that will affect the quality or quantity of their work at the City, create a conflict of interest, or create an appearance of impropriety. The purpose of this policy is to outline a process for approval of outside employment. The decision to approve or deny a request to engage in outside employment is the City's alone.

City employees shall not engage in any employment, enterprise, or outside activity which is in conflict with the duties, functions, responsibilities, of the employee's position as an employee of the City. Nor shall the employee engage in any compensatory outside activity which will directly, or indirectly, contribute to the lessening of the employee's effectiveness as an employee of the City. The

employee's position with the City is of priority consideration in making a determination as to outside activities. In deciding whether to approve outside employment, the Department Head, among other pertinent factors, whether the activity involves:

1. The use for private gain or advantage of City time or facilities, equipment and supplies; or the badge, uniform, prestige, authority, or influence of the City office or employment;
2. Receipt or acceptance of money or other form of compensation by an employee to perform duties normally performed or excepted to perform as a regular function of the employee's position and for which the employee is already being compensated by the City;
3. Performance of an act other than the employee's capacity as a City worker, which may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by the City.
4. Conditions or factors which would directly or indirectly lessen the efficiency of the employee in the employee's regular City employment or condition in which there is a substantial danger of injury or illness to the employee.
5. Solicitation of outside work in the name of the City.
6. Inconsistent, incompatible or in conflict with the duties, functions, or responsibilities of the employee's position.

Process

1. An AUTHORIZATION TO ENGAGE IN OUTSIDE EMPLOYMENT FORM must be completed and submitted to the Department Head.
2. The Department Head shall notify the City employee in writing of the final decision.
3. The Department Head may make any restrictions on outside employment consistent with the operation of the department.
4. A copy of the AUTHORIZATION TO ENGAGE IN OUTSIDE EMPLOYMENT shall be filed in the employee's personnel file.
5. The decision to approve or deny requests is the City's alone.
6. Outside employment shall cease when, in the opinion of the City, the outside work is interfering with performance of the employee's City job, or if the employment appears to generate a conflict of interest.

7. Any violation of this policy may result in disciplinary action up to termination.

3141 Discipline

In the event ~~that~~ discipline is necessary because of a violation of the City's Code of Conduct, any policy within this manual, or for any other reason as determined by the City, the following types of disciplinary actions may be used, depending on the particular situation:

1. Oral Warning.
2. Written Reprimand.
3. Suspension.
4. Demotion.
5. Termination.

The choice of what discipline to apply in any particular case is solely the City's. The use of discipline less than termination in any particular case does not change, or should not be construed to change, the at-will nature of the employment relationship.

400 HEALTH AND SAFETY

401 Workplace Violence

The City is committed to providing a safe workplace for its employees, guests, contractors, vendors and the public. Therefore, in an effort to help prevent or reduce the possibility of violence in the workplace, the City has implemented this policy on workplace violence.

Workplace Violence Procedure

The City strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, any of the following conduct associated in or around the workplace, or otherwise related to employment:

1. Threatening injury or damage against a person or property
2. Fighting or threatening to fight with another person
3. Threatening to use or having possession, custody, storage, or control of a weapon (an instrument or device of any kind which may be used to inflict bodily harm or injury or to establish fear simply due to its

presence on the scene) on City premises unless the person is engaged in official law enforcement business.

4. Abusing or injuring another person
5. Abusing or damaging property
6. Using obscene or abusive language or gestures in a threatening manner
7. Raising voices in a threatening manner

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited.

"Premises" Definition: The term "premises" means all areas within the ownership and/or control of the City, including, but not limited to, buildings, offices, work areas, lounges, parking lots, desks, cabinets, lockers, storage areas, and any other City owned property on which employees may work. The City reserves the right to search all facility premises when it is determined that such a search is a reasonable and necessary precaution for workplace safety.

Reporting Violent Conduct: Any workplace violence incidents or incidents indicating a potential for violence are to be reported by an employee to their Department Head or designee, and/or the City Administrator or designee, as soon as possible, verbally or in writing. VIOLENCE REPORT FORMS made available by the City can be used to report violence, and are to be completed, as appropriate. If the City determines that an employee has violated this policy, the employee will be subject to immediate disciplinary action, up to and including termination. Concerns with members of the public or other parties shall be handled by the City as it determines under its policies and procedures.

Employees are strongly encouraged to report the existence of restraining orders and protection orders, particularly if the employee fears that the person restrained may attempt to visit him or her at work. Such notice may be essential to protect the safety of all employees at the City.

Imminent Danger/Violence Incident Procedure

Any employee who believes that a situation with an aggressive employee, resident, guest, contractor, vendor, or other party (e.g., any person who uses obscene or abusive language or gestures, makes threats or acts in a violent or threatening manner) may become violent, thereby putting the employee or others in imminent danger, the employee should promptly leave the work area and report to their Department Head or designee, or the City Administrator. In certain circumstances, an immediate call to 9-1-1 will be warranted. No

disciplinary action shall be taken against any employee who leaves a work area when the employee has a belief that an emerging situation with an aggressive person is likely to become violent. The Department Head or designee should take immediate action and/or contact the City Administrator as soon as possible. The timing and circumstances of possible return by the employee to the area should be coordinated by the employee with the Department Head or designee, or the City Administrator or designee. The employee, Department Head or designee, or the City Administrator, will follow the City's procedures in response to such events, including incident reporting and the appropriate action deemed necessary.

Security Precautions

All City security rules should be adhered to at all times. To prevent inappropriate outsider access, facility solicitation and access rules must be strictly followed. It is especially important that building security rules are specifically enforced at all times (e.g., doors locked after hours). Failure to comply with these requirements may lead to disciplinary action, up to and including termination.

402 Drugs and Alcohol

The City is very proud of its commitment to produce service of the highest quality and providing a safe and productive work environment for its employees. Consistent with this commitment is the City's goal to maintain a drug and alcohol free workplace.

Drug Policy

The following rules represent the City's policy concerning substance abuse. They will be enforced uniformly with respect to all employees.

1. Employees are prohibited from the use, possession, manufacture, distribution, or sale of illegal drugs on City property or while performing City business.
2. Employees are prohibited from being under the influence of illegal drugs during working hours, on callback, or on standby duty.
3. Employees who are taking prescription drugs or medications that could adversely affect the employee's alertness, coordination, reaction, response, or safety should discuss the situation with their Human Resources Manager, —Department Head or designee, or the City Administrator.

4. Prescription drugs should be used only in the manner, combination, and quantity prescribed and only by the person for whom they are prescribed.
5. For purposes of this policy, “drug” means any substance other than alcohol, capable of altering an individual's mood, perception, pain level, or judgment. A “prescription drug” is any substance prescribed for individual consumption by a licensed medical practitioner. An “illegal drug” is any drug or controlled substance the sale or consumption of which is illegal.

Alcohol Policy

Employees must not report for duty (including callback and standby duty) or perform service under the influence of alcohol. Possession and use of alcohol on City property (including City vehicles) or while on duty is strictly prohibited.

Drug and Alcohol Testing Policy

~~The City reserves the right to drug and alcohol test employees. The drug or alcohol testing will be conducted in the following manner:~~

~~1. Employees Will Not Receive Advance Notice~~

~~Employees will not receive advance notice that they will be tested. The purpose of random drug or alcohol testing is two fold. Random testing allows employers to detect and discipline illegal drug users who may create safety hazards in the workplace. The purpose of random drug testing would be compromised if the City were to provide individual employees with advance notice of its intention to test them.~~

~~2. How Employees Will Be Notified~~

~~Employees will be notified orally by a representative of the City immediately prior to the employee's test. In an effort to protect employees from unnecessary embarrassment, the test (and notification of it) will be conducted in a discrete, respectful, and private manner. The City has contracted with a private agency that will perform the tests at its facility or on site in a location that is not accessible to other employees during the testing. The fact that the City is randomly testing a particular employee should not be interpreted as an indication that the City suspects that the employee is using illegal drugs.~~

~~3. How Employees Will Be Tested~~

~~The private agency that conducts the tests will request either a urine or blood sample. The ability of the employee to return to work will be the decision of the employee's Department Head and the City Administrator.~~

4. ~~What Will Be Done With the Results of The Drug Test~~

~~If an employee tests negative, the City's test administrator, will be informed of the test results. If the employee tests positive, the test results will also be communicated to the employee, the City Administrator, and the employee's Department Head.~~

~~If an employee tests positive, the employee may request a review of the results of the test. Any request for a review should be communicated to their Department Head or the City Administrator. If an employee requests review of a positive test result, the employee will be placed on unpaid administrative leave until the review is completed.~~

~~The City has zero tolerance for illegal drug use. The City reserves the right to terminate the employment of any employee who tests positive for the use of illegal drugs or alcohol in violation of this policy. On certain occasions, the City may decide to impose a lesser sanction (e.g., if the employee seeks rehabilitation, successfully completes the program, and remains drug free after such a program) at its discretion. If an employee is using illegal drugs or alcohol in violation of this policy, the City strongly encourages the employee to take advantage of any drug rehabilitation programs that are covered under the City's medical plan.~~

5. ~~Not all Employee Are Randomly Selected for Testing~~

~~The City maintains the right to test employees who it suspects of using illegal drugs or alcohol in violation of this policy. The City may also refer employees for drug testing after the employee is involved in a workplace accident that involved personal injury or damage to property. All employees who hold a commercial drivers license will be tested in accordance with state and federal laws.~~

6. ~~Employees May Refuse A Test~~

~~Employees maintain the right to refuse a test. Refusal of the test may result in immediate termination.~~

403 Safety

The City strives to provide a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the City or federal, state, or local law

All employees are responsible for ensuring that they understand and comply with all City safety rules, regulations, and procedures.

All employees are responsible for:

1. Being familiar with all safety and health procedures relevant to their areas of operation;
2. Inspecting their work areas periodically;
3. Identifying conditions that are recognized as being unsafe, and;
4. Reporting accidents and injuries to the Department Head or designee in writing by filling out an EMPLOYEE INCIDENT REPORT FORM as provided by the City.

Employees should report to their Department Head or designee, or the City Administrator, all observed safety and health violations and potentially unsafe conditions.

Violations of City safety rules, regulations, or procedures may result in disciplinary action, up to and including termination.

404 Fitness for Duty

~~If a Department Head or designee, or the City Administrator, has reason to believe an employee is not fit for duty or that the employee may be impaired, they may send that employee for an immediate fitness for duty evaluation. The City may designate the health care provider or site of the evaluation. The expenses of such an evaluation will be covered by the City.~~

When an employee has been absent from work due to impairment, injury or illness, caused on or off the job, the Department Head, may require that the employee provide a written release from their medical provider, to full unrestricted work status before the employee is allowed to return to work without limitations. Should the treating health care provider determine that the employee has temporary limitations which may prohibit an unrestricted return to full duty; the City may elect to return the employee to any temporary limited duties which the Department Head determines the employee can safely perform. The City may determine that the employee's limitations do not permit a return to work, even if the employee desires to return to work prior to full recovery. Should the treating health care provider determine that the employee has permanent or prolonged limitations which may prohibit an unrestricted return to full duty; the City may consider reasonable accommodations to the employee's limitations in compliance with the requirements of the Americans with Disabilities Act.

500 HOURS AND ATTENDANCE

501 Hours of Work

A normal working schedule for regular, full-time employees consists of forty hours each workweek. Different work schedules may be established by an employee's Department Head or designee to meet job assignments and provide necessary City services. The Department Head is responsible for advising the employee of their specific working hours.

Part-time and temporary employees will work hours as specified by their Department Head or designee, or the City Administrator.

All non-exempt employees are responsible for accurately reporting all hours worked on forms supplied by the City. Employees failing to accurately record time worked are subject to discipline. Exempt employees must submit leave slips in accordance with all of the City's leave policies and financial management procedures, practices, and procedures.

502 Alternative Work Schedules

The City provides options for flexible and alternative work scheduling. Alternative work scheduling is used to accommodate special scheduling needs. While these opportunities are available, implementing or continuing a flexible scheduling option is within the sole discretion of the City. Adopting alternative work schedules enables employees to integrate personal and professional lives, reduces or eliminates travel during certain days of the week in compliance with the Washington Clean Air Act (RCW 70.94.521-551) and may enhance the ability of the City to recruit and retain qualified individuals.

Flex-time is a work schedule that permits flexible starting times and quitting times for employees other than the standard work day, with a standard number of core hours. The following is the flex-time model adopted for the City of Stanwood:

FLEXIBLE TIME CORE TIME FLEXIBLE TIME

6 am - 9 am

9 am - 4 pm

4 pm - 6 pm

A compressed work week changes the employee's schedule from a standard 8-hour day. Possibilities include:

1. **9/80** - The eighty (80) hours in a two week period are scheduled over nine (9) working days. Example: The normal work day is extended by one hour four (4) days one week and four (4) days the next week, with one regular eight (8) hour day. This produces one extra day off every two weeks.

Mon.	Tues.	Wed.	Thurs.	Fri.
9	9	9	9	Off
9	9	9	9	8

Note: In the above example the work weeks would end after the fourth worked hour on the second Monday, and the second Friday in order to comply with the Fair Labor Standards Act (FLSA).

2. **4/40** - The forty (40) hours in a one week period are scheduled over four (4) working days rather than the standard five (5). Example: The normal work day is extended by two hours four (4) days of the week. This produces one extra day off each week.

Mon.	Tues.	Wed.	Thurs.	Fri.
Off	10	10	10	10
Off	10	10	10	10

Note: In the above example the work week would start on Tuesday and end on Friday.

Eligibility

All regular full-time employees are eligible to request alternative work scheduling options. Final decision for participation will be made by the Department Head or designee. The City Administrator will determine the participation of Department Heads.

An employee with a documented performance problem may be denied their request for an alternative work schedule, depending on the nature of the performance problem.

An alternative work schedule may be implemented for any eligible employee where the proposed schedule will not materially interfere with business

operations of the department, or compromise the City's ability to provide service to the public.

Application Process

1. An employee interested in establishing an alternative work schedule will complete an ALTERNATIVE WORK SCHEDULE REQUEST FORM as provided by the City, which will include the proposed alternative work schedule, the employee circumstances leading up to the request, potential problems identified and recommended solutions. Additional information may be attached to the standard application.
2. The Department Head or designee, or the City Administrator, will approve or disapprove the application and respond back to the employee.

Trial Period

The Department Head or designee, or the City Administrator, may discontinue the alternative work schedule at any time or for any reason. If the alternative work schedule is discontinued, the employee may submit a new application should circumstances of the employee, the department, or position significantly change.

503 Telecommuting

Telecommuting is a voluntary alternative work arrangement in which part of the weekly scheduled work is performed at an alternative work location. Telecommuting is neither a benefit nor an entitlement and, in no way, changes the terms and conditions of employment. Telecommuting is an option when a City employee and the Department Head/Manager mutually agree the job duties are well suited to an alternative work location. Telecommuting may be appropriate for some employees and jobs, but not necessarily everyone. Telecommuting may be ongoing, such as working a set number of hours from an alternative location each week, or it may be limited in duration, such as working from home for a few days or intermittently. In cases where an employee anticipates limited durations of telecommuting, the individual should propose specific reasons and particular work plans for consideration. A telecommuting agreement may be part of an ADA reasonable accommodation process. Telecommuting may not be available during an illness when an employee is expected to be recovering versus working. Nothing in this Telecommuting policy shall diminish any terms and conditions of employment provided for in a Collective Bargaining Agreement covering a union-represented employee.

Advance Approval

Telecommuting agreements must be approved in advance by the Telecommuter's Department Manager/Director and the City Administrator. The conditions of Intermittent or unplanned telecommuting days should be documented in advance by the Manager.

Manager or Director Oversight

Evaluation of Telecommuter performance requires frequent interaction. This may include daily emails, phone calls or other approved forms of communication. The Manager will verify that the Telecommuter is working and resolving any problems that may arise. The Manager and Telecommuter will communicate at a level consistent with the employee's working at the office or in a manner and frequency appropriate for the job.

Managers shall consider the criteria, some basic and some specific, to the Telecommuters position to determine whether a telecommuting arrangement is appropriate.

Telecommuting Agreement

Availability. Telecommuters must be available by phone, e-mail, and other electronic communication during the scheduled hours of work. Schedule changes should be agreed upon in advance and made in compliance with any applicable Collective Bargaining Agreement requirements.

Discontinuation. Telecommuting agreements can be terminated at any time at the sole discretion of the Department Director and the City Administrator. The Telecommuter may also terminate the Agreement. Every effort should be made to provide at least ten calendar days' notice of such a change to accommodate problems that may arise. Although rare, and during times of disaster or other crisis, there may be instances when no advance notice is possible.

Equipment and Alternative Work Environment. Equipment needs will be evaluated under standard policies and procedures, regardless of location. If standard policies and procedures do not address every need, the Manager and Telecommuter will explore potential options and solutions, including reasonable disability accommodation if needed. There may be times where the required equipment presents an unbudgeted or duplicative cost or requires support that the City cannot provide. The Manager shall make a budget request after reviewing with the City Administrator.

The Telecommuter will establish an appropriate work environment for work purposes. The City will not be responsible for costs associated with the initial setup of the Telecommuter's work environment, such as remodeling, furniture or lighting, nor for repairs or modifications to the environment.

Workplace Health and Safety. The Telecommuter represents that the alternative workplace is a safe and healthful work environment, including proper ergonomics. The Telecommuter shall act responsibly to avoid injury. The Telecommuter must certify that the alternative workplace is free from safety hazards. The Manager must review and verify that the Telecommuters identified workplace is a safe workplace. (See Checklist in Telecommuter Agreement) Failure to take proper health and safety precautions in the alternative workplace may result in discontinuation of the Telecommuting Agreement. The Telecommuter will observe the required meal and rest periods as per the City personnel policy or collective bargaining agreements.

Injuries. Injuries sustained by the Telecommuter while at their alternative work location, and in conjunction with regular work duties, are generally covered by workers' compensation. Telecommuting employees are responsible for notifying their Manager and Human Resources of such injuries in the same manner as if the injury occurred at a work location on the City's premises. The City may visit the alternative work location site where the injury occurred. The City is not liable for any injuries sustained by family members or other visitors to a Telecommuter's alternative work location.

Inspection. Under the Telecommuting Agreement, the City has the right to inspect the alternative workspace with two business days' notice. The inspection is to verify safety conditions, or to repair, maintain, or inspect any City equipment issued to that location. An inspection is required should a workspace injury occur.

Security and Confidentiality. Consistent with the City's expectations of information security and compliance with public records laws, the Telecommuter will ensure the safety and protection of information accessible from their alternative work location. The Telecommuter will check with their Manager when security matters are at issue.

Downloading of confidential information to a data storage device is not permitted (including but not limited to a hard drive, CD, DVD, or USB stick). Examples of confidential information are administrator passwords, social security numbers, credit card numbers, and health information. Any information that is considered confidential or protected will not be removed from the regular office without the Manager and City Administrator specific express approval in writing. Telecommuters found to have downloaded confidential information will be subject to discipline up to and including termination of employment.

Files and Records Management. Management of all files and records is important so that documents are not lost / misplaced. Original documents must remain at City Hall so that they are available for public viewing if requested during the time the employee is telecommuting. Employees must use electronic files uploading in IWorQ's, BIAS, OneDrive or network Drive. Copies of an original document must be clearly marked as a copy, so that the original

document is never ruined or lost. All checklists, staff reports or other working documents should be uploaded into IWorQ's, BIAS and OneDrive and placed in the official City file when the employee has completed work.

Office Supplies and Business Expenses. The City will provide appropriate office supplies and reimbursement for business-related expenses approved by the Manager that are reasonably incurred per job responsibilities and in compliance with the City's business expense policy on the same basis as when working at the regular work location.

Non-Exempt Employees. Telecommuters who are not exempt from the overtime requirements of the Fair Labor Standards Act (FLSA) will be required to record all hours worked in the same manner as if they were working on City premises. For purposes of time entry and to enable the City to track telecommuting employees' hours, employees are required to record hours as "Telecommuting Hours". Accrual of overtime or compensatory time will be administered under standard provisions regardless of work location. Advance authorization for overtime or compensatory time is required. Telecommuters must complete a daily log of work activity and submit to their Manager on a weekly basis.

Exempt Employees. Telecommuters who are exempt from overtime provisions under the FLSA must be able to demonstrate accountability to their agreed-upon work schedule. Telecommuters must complete a daily log of work activity and submit to their Manager on a weekly basis.

Leaves of Absence. Use of leave (paid time off, compensatory time, personal holiday, military, bereavement, jury duty, or other leaves) on a planned telecommute day is administered under the same provisions as leave used at the regular work location.

Dependent Care. Telecommuting is not a replacement for childcare. Although a Telecommuter's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands.

Assignments and Evaluation. The Telecommuter and the Manager mutually agree to adhere to and evaluate a work plan. The Manager shall verify the quality and quantity of work done per the work plan. The quality and amount of work delivered should be equivalent to work performed in the regular work location.

The Manager and Telecommuter shall evaluate, in writing, the telecommuting arrangement after thirty days, and every three months thereafter. At each evaluation point, the Manager will evaluate the continuation of the telecommuting agreement and submit an update to the City Administrator every six months.

Regular Office Space. Telecommuters may be required to forfeit the use of a personal office or workstation in favor of a shared arrangement to maximize organizational space needs. Managers will be required to establish proper shared workspace arrangements.

5043 Attendance

Punctual and consistent attendance is a condition of employment and an essential function of each job. Each Department Head or designee is responsible for maintaining an accurate attendance record^s of their employees.

An employee unable to work or unable to report to work should notify their Department Head or designee, or the City Administrator, as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time.

If an absence continues beyond one day, the employee is responsible for reporting in each day or as requested by the Department Head or designee, or the City Administrator. If that person is unavailable, the employee may leave a message stating the reason for being unable to report for work and providing a number where they can be reached. An employee who is absent from work without authorization or notification is subject to disciplinary action up to and including termination.

An employee having excessive absences or otherwise violating the City's attendance policy may be subject to disciplinary action up to and including termination. Total attendance may also be considered relative to disciplinary action. Failure to call in for three consecutive days will be treated as job abandonment.

5054 Meal and Rest Periods

Employees will receive all meal and rest periods in accordance with federal and state laws and regulations. All meal and rest periods shall be arranged so ~~that as~~ not to ~~they do not~~ interfere with City business or service to the public. All meal and rest periods are scheduled by the employee's Department Head or designee. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid.

5065 Callback

All employees are subject to call back in emergencies or as needed by the City to provide necessary services to the public. An unjustified refusal to respond to a

call back may be grounds for immediate disciplinary action up to and including termination. Employees may volunteer for tasks outside their normal duties that would not be subject to this policy.

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5076 Overtime

The City overtime pay policy conforms to the overtime provisions of the Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act (WMWA). Exemption from these provisions will be claimed for an employee only when it can clearly be established that the position, duties, and responsibilities meet the requirements for such exemption. Therefore, all City positions are designated as either “exempt” or “non-exempt.”

Non-exempt Employee

Non-exempt employees are entitled to additional compensation, either in wages or compensatory time off, when they work more than the maximum number of hours during a regular work week as recognized by the FLSA. All overtime must be authorized in advance by the employee’s Department Head or designee. Overtime pay is calculated at one and one-half (1.5) times the employee’s regular rate of pay for all time worked beyond the established regular work week.

Exempt Employees

Exempt employees are not covered by the FLSA or WMWA overtime provisions and do not receive overtime pay. An exempt employee is paid to perform a job which may not necessarily be completed in a regular work week.

5087 Compensatory Time

Non-exempt employees are entitled to overtime pay but may agree to compensatory time off instead of cash payment. This is approved on a case-by-case basis by the employee’s Department Head or designee. The City is not required to grant compensatory time instead of overtime pay. If the compensatory time option is exercised, the employee is credited with one and one-half (1.5) times the hours worked as overtime. Maximum accruals of compensatory time are set in the collective bargaining agreement for represented employees. ~~Non-represented employees may accrue a maximum of one-hundred (100) hours at the end of any calendar year. After maximum accrual, overtime compensation shall be paid.~~

Employees may use compensatory time after making a request to their Department Head. The Department Head may deny the use of compensatory time if its use, unless doing so, would unduly disrupt City operations. The employee would instead receive the overtime pay.-

600 WAGE AND SALARY ADMINISTRATION

601 Salary Ranges and Levels for Non-represented Employees

Each non-represented position within the City shall be assigned a salary range ~~following after approval they have been approved~~ by the City Council.

Salary ranges will be reviewed on an annual basis. Several factors can be considered when adjusting salary ranges, including but not limited to: level of responsibility, working conditions, skill required, potential hazard, amount of supervision given or received, market conditions, and the ability of the City to pay.

No employee shall be paid above the high point of their salary range without authorization from the City Council. When warranted, new employees will start their employment at the minimum wage rate for their salary range. However, a new employee may be employed at a higher rate, after approval from the City Administrator, when the employee's experience, training or proven capability warrant, or when prevailing market conditions require, a starting rate greater than the minimum.

602 Pay for Performance

To achieve the City's goal to train, promote and retain the best qualified employee for every job, the City will conduct employee performance appraisals. The appraisal may be a factor in determining employee development, training needs, validating selection procedures, determining wage increases or decreases, promotions, demotions, and/or transfers.

Employees should be evaluated by their Department Head or designee six months after their hire date and then at least once every twelve months. The City Administrator will evaluate and assess the performance of Department Heads.

Upward or downward movement within the steps of an employee's salary range is contingent on their performance and the City's ability to pay, as determined by their Department Head or designee and approved by the City Administrator.

603 Cost of Living Adjustment

The City Administrator, with the approval of the Mayor, may propose a pay adjustment based on cost of living indicators no more than once per year, raising the salaries of all non-represented positions by a specified amount. Such adjustments, if any, will not change an employee's pay anniversary date. All cost of living increases must be approved by the City Council as part of the annual budget process.

604 Paydays

~~Effective for February 2015 and every month thereafter,~~ City employees are paid monthly on the eighth (8th) working day of each month for employment activity through the end of the previous calendar month. If a regularly scheduled payday falls on Saturday or Sunday or on a holiday, paychecks will be distributed on the previous scheduled working day.

604.1 Draws

~~Effective for February 2015 and every month thereafter,~~ With the exception of temporary employees, employees may, upon written request, be allowed a draw, which will be paid on the twenty-third (23rd) day of each month. If the twenty-third (23rd) day of the month falls on a Saturday, Sunday, or city-recognized paid holiday, payroll draws will be issued on the previous scheduled working day.

605 Deductions from Pay

The City will withhold from the employee's paycheck those deductions required by law and any City approved voluntary deductions authorized by the employee, applicable union contract, or statute.

606 Payroll Records

The official payroll records are ~~maintained~~kept by the City as required by state law. Each Department Head shall ~~submit~~turn in on a monthly basis, a signed work record for each non-exempt employee within their department, noting hours worked, compensatory time or leave used, as well as overtime worked and in accordance with financial management procedures.

607 Pay upon Separation

Upon separation of employment for any reason, the employee will be paid all wages owed. Payment shall be made by no later than the last day of the month.

700 EXPENSE REIMBURSEMENT

City employees will be reimbursed for reasonable and customary expenses actually incurred while performing official City business in accordance with financial management procedures. The City will not reimburse for expenses that have already been paid by another program or organization, or if reimbursement is available through another program or organization.

701 Reimbursable Expenses

Expenses such as meals, conference or training fees, lodging, mileage, parking, bridge tolls, and ferries may be reimbursed ~~with proper approval and/or receipts~~according to financial management procedures.

~~The City Administrator may approve reimbursement for the actual cost of a meal when the employee is required to attend a meeting that is being held or sponsored by another organization and the meal cost, as evidenced by a receipt, exceeds the per meal allowance.~~

Alcoholic beverages, traffic and parking tickets and similar expenses are non-reimbursable.

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702 Meal and Travel Reimbursement

Meal and travel reimbursement shall be processed according to financial management procedures and shall~~should~~ be paid at the Federal Domestic Per Diem Rate as posted by the U.S. General Services Administration.

~~Receipts do not need to be provided for meals while on travel for official City business unless the employee is requesting the full cost of the meal over the allowed per diem rate. Meal reimbursement should be made based upon three meals per day times the number of days the employee was gone on travel. If another organization is providing a meal while on travel, at no extra cost to the employee, it shall be noted on the expense report form and deducted from any per diem payment due.~~

~~The travel destination/lodging site must be outside a fifty (50) mile travel radius of the City of Stanwood to be considered for reimbursement, unless otherwise approved by the City Administrator.~~

~~The start and/or end time of any conference or training, as well as travel departure and return times, are to be considered when calculating expense per diem reimbursement.~~

703 — Requesting Reimbursement

~~Employees are responsible for the submittal of their own requests for reimbursement. Requests for reimbursement are to be submitted on an expense report form, provided by the Finance Department, signed by the employee and the employee's Department Head with applicable receipts and/or per diem requests attached.~~

~~All expense reports must be submitted within ninety (90) days the employee returns from travel. Any expense report that cannot be submitted within ninety (90) days should be brought to the attention of the City Administrator and/or the Finance Director.~~

~~All expense reports must be reviewed and approved by the Finance Director, to ensure compliance with this policy, before final payment is made.~~

704 — Use of a City Credit Card to Pay for Expenses

~~The Use of a City Credit Card to pay for reimbursable expenses directly related to City business is allowed. However, all expenses charged on a City Credit Card must comply with this policy. If meal, travel, lodging, and other expenses are paid for by a City Credit and are found to not comply with this policy, the owner of that City Credit Card will be responsible for the cost and may lose credit card privileges.~~

800 EMPLOYEE BENEFITS

801 Retirement Benefits

~~The City makes contributions on behalf of all eligible employees to the Social Security System, in accordance to all appropriate laws and regulations, in addition to those contributions made by the employee through FICA payroll deductions.~~

All regular full-time and eligible part-time employees are covered under the Public Employees Retirement System (PERS) ~~or the Law Enforcement and Fire Fighters Plan 2 (LEOFF 2)~~. Benefit levels and contribution rates are set by the State of Washington. Employees intending to retire should notify their Department Head, or the City Administrator, of their intent to retire at least three months prior to the date of retirement.

The City offers a Deferred Compensation Plan for eligible employees. The purpose of this plan is to extend to valued employees certain benefits which ordinarily accrue from participation in a deferred compensation plan. The City does not and cannot represent or guarantee that any particular federal or state income, payroll or other tax consequence will occur by reason of an employee's participation in this plan. A participant should consult with their own attorney or other representative regarding all tax or other consequences of participation in this plan. The City reserves the right to end this program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

City Directors and non-represented Managers shall be eligible to participate in a matching Deferred Compensation Program. Enrollment and continued participation shall be in accordance with the rules and regulations of the Deferred Compensation Program and administrative requirements of the Employer. The Deferred Compensation Program shall include a dollar for dollar match up to \$1,440 annually.

802 Social Security

All employees are automatically included as participants in the Social Security System (FICA), as required by federal laws. These benefits are in addition to Public Employees' Retirement System benefits for which the employee may be eligible.

Financing of the FICA program is accomplished by employee payroll deduction contributions and through a match paid by the City in amounts required by law. The City is not responsible for employee retirement or disability benefits except

as prescribed by law and regulations. Employees are urged to contact the Social Security System for a full explanation of employee benefits and obligations.

8032 Worker's Compensation

All employees ~~except those covered by LEOFF 2~~ are covered by the State Worker's Compensation Program. This insurance covers employees in case of on the job injuries or job-related illness. For qualifying cases, State Industrial Insurance will pay the employee for work lost and medical costs due to job-related injuries or illness. All job-related accidents should be reported immediately to the employee's Department Head or designee, or the City Administrator. After all job-related accidents or near misses will be documented on an EMPLOYEE INCIDENT REPORT FORM ~~and should be~~ filled out by the employee and an ACCIDENT INVESTIGATION REPORT ~~will should be completed by filled out by~~ the Department Head or designee, ~~or the Department Safety Representative, or the City's Safety Officer.~~

When an employee is absent for one or more days or receives medical attention due to an on-the-job accident, they are required to file a claim for Worker's Compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave or PTO) the employee's regular salary pending receipt of Worker's Compensation benefits.

When the employee receives Worker's Compensation benefits, they are required to repay the City the amount covered by Worker's Compensation and previously advanced by the City. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave or PTO is available, while ensuring that no employee receives more than they would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave or PTO shall be restored to the employee's account.

8043 Health Insurance Benefits

Regular full-time employees and their dependents are eligible to participate in the City's health insurance programs. Information regarding City ~~The~~ programs and ~~the~~ criteria for eligibility will be provided to the employee ~~explained~~ upon hire. The City contributes toward the cost of premiums in ~~the~~ amounts authorized by the City Council. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, with prior notice to affected employees.

8054 Life Insurance

The City currently participates in a life insurance program. Information regarding the program and criteria for eligibility will be provided to the employee explained upon hire. The City contributes toward the cost of life insurance at a level authorized by the City Council. If available, employees may at their own cost purchase a higher level of life insurance through the City's program. The City reserves the right to end the life insurance program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

80605 Long Term Disability

The City currently participates in a Long Term Disability Program. Information regarding the program and criteria for eligibility will be provided to the employee explained upon hire. The City contributes toward the cost of long term disability at a level authorized by the City Council. The City reserves the right to end this program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

8076 Employee Assistance Program

The City currently participates in an Employee Assistance Program (EAP). Information regarding the program and criteria for eligibility will be provided to the employee explained upon hire. The City contributes toward the cost of the EAP at a level authorized by the City Council. The City reserves the right to end the program or make changes in the carriers and provisions when deemed necessary or advisable, with prior notice to affected employees.

The City recognizes that personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal difficulties are encouraged to seek assistance from the EAP. Any individual seeking information about the EAP can contact their Department Head, Human Resources Department, or designee, or the City Administrator or designee. Employees will not be required to explain or be asked any questions or even will be asked concerning about the reasons information about the EAP services are is being sought. Furthermore, any request for information about the EAP will be kept strictly confidential.

808 Employee Wellness Program and Committee

The City of Stanwood recognizes that its employees are critical to the quality and efficiency of local government services. The health of its employees directly affects their ability to perform their job duties and provide services to its citizens. The health of employees also has a direct effect on the costs to the City. The City recognizes its need to contribute in a positive way to the health and well being of its employees. This policy is established as a means to provide

information and activities to City employees to encourage health and safety in the work environment.

- **Goal.** To support wellness in the workplace by creating a wellness program of health education and fitness activities that meets the needs and interest of the employees.
- **Scope.** All City of Snohomish employees including fulltime, part-time and temporary.
- **Voluntary Participation.** Employee participation in the programs and activities is voluntary.
- **Wellness Program Committee.**

Membership: The Wellness Committee is made up of at least five (5) members representing each department and the City Administrator's Office, one of which shall be the Committee's chairperson. Membership on this committee is voluntary.

Members of each department shall be appointed by the department director.

- **Duties:** The duties of the committee are to:
 - Provide enthusiastic support of the purpose and goal of the Wellness Committee.
 - Act as a liaison between the Wellness Committee and the employees to represent the interest, needs, and opinions of the employees.
 - Help plan, implement, and promote wellness programs.
 - Provide peer support and advocacy to boost wellness program participation.
 - Prepare an annual budget for program support.
 - Share responsibilities to lessen the workload impact on the Chairperson.
 - Perform evaluation of ongoing programs and activities.

The duties of the chairperson include:

- Setting the time and place of the meetings.
- Communicating with all members of the Committee to coordinate meeting dates and times.
- Preparing an agenda in advance of the meeting and distributing copies to other members, along with notice of the meeting.
- Managing the agenda and discussion of the meeting.
- Provide communication to the City Administrator.

• **Meeting Schedule.** The Wellness Committee shall meet monthly, or as needed during regular business hours.

• **Term.** Members of the Wellness Committee will serve an indefinite term.

• **Attendance/Termination.** If a member has more than five (5) unexcused absences, the Committee may vote to remove that member from the Committee.

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- **Program Activities.**

- Behavior change programs such as nutritional information, stress reduction, smoking/tobacco use cessation and weight management.
- Motivational programs such as interdepartmental employee group challenges and awards for healthful eating, exercise and stress reduction programs.
- Information and awareness programs such as flyers, paycheck stuffers, bulletin boards, brown bag lunch sessions, wellness seminars, workshops and classes.
- Participate in the AWC Well Check programs, when offered.
- To explore opportunities to develop and institute additional wellness incentives and policies that contributes to the health and well-being of employees and their family members.

8097 Continuation of Insurance Coverage

Workers Compensation Leave

The City will continue to pay for the employer's portion of health insurance premiums, provided ~~that~~ the employee continues to pay their share of premiums, if any, while the employee is not working and receiving worker's compensation. After six (6) months, the employee's benefits shall cease unless the City Administrator and/or the benefit provider approves an extension. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time they receive Worker's Compensation benefits, up to the maximum allowed by law. (Research needed)

COBRA Rights

Upon an employee's separation from City employment, an unpaid leave of absence, or other qualifying event, at the employee's option and expense, the employee may be eligible to continue City health insurance benefits to the extent provided under federal COBRA regulations. An administrative handling fee over and above the cost of the insurance premium may be charged the employee and/or their dependents should they ~~that~~ elect to exercise their COBRA continuation rights.

81008 Unemployment Compensation

City employees may qualify for Washington State Unemployment Compensation after separation from City employment depending on the reason for separation and if certain qualifications are met.

81109 Benefits for Part-time Employees

For part time employees normally scheduled to work one thousand and forty (1,040) hours or greater, the City will pay ~~for the employee-only~~ rate for medical, dental, and vision coverage. In the event that there is a medical, dental, or vision plan where there is no difference between the employee-only rate and employee plus dependent(s) rate, part-time employees will also be allowed to add dependents to that plan.

8120 Benefits for Temporary Employees

In accordance with the Washington State Paid Sick Leave law, temporary employees earn one hour of paid sick leave for every 40 hours worked. Beginning on the 90th calendar day after the commencement of employment, accrued paid sick leave will be available for use. Temporary employees usually are not eligible to receive other benefits, unless otherwise authorized by the City Administrator and/or benefit providers, including ~~leaves,~~ holidays and insurance with the exception of any position that is required to enroll in the Public Employees Retirement System, per state law.

8131 Training and Development

The City recognizes the mutual benefits derived from personal growth and increased work competence, and thereby encourages staff to pursue applicable training opportunities. Training decisions will be based upon availability, need, time ~~taken~~ away from work, and funding. Whether training time is paid or unpaid, depends on the nature of the training and will be determined in accordance with state law.

8142 Tuition Reimbursement

Eligibility

Regular, full-time employees who have completed six months of continuous employment are eligible to apply for the tuition reimbursement program.

Covered Expenses

Tuition costs, examination fees and required laboratory fees at an accredited institution may be covered. The annual dollar limit on reimbursable tuition expenses is \$2,000, or as mutually agreed upon. Books, travel, parking, lodging and extraneous fees are not reimbursable expenses. There are no advance payments. Reimbursements are made after a course is completed. Employees who quit a course, quit employment, or are terminated, with or without cause, are not eligible.

Grade Requirements

The eligible expenses that the City will reimburse to eligible employees for courses are based on the employee's final grade received for the course, as follows:

Grade-Amount refundable (up to allowable maximum):

1. Undergraduate coursework C or better: 100%
2. Graduate coursework B or better: 100%
3. Pass/Fail: 100% if "Pass" but only if regular letter grade system is unavailable.
4. No reimbursement for grades less than C.

Approval

In order to be eligible for tuition reimbursement, employees must obtain written approval in advance from their Department Head and the City Administrator. Approval of any course for reimbursement is at the discretion of the City and contingent on the availability of funds.

815 Waiver of Medical Insurance Benefits

This program allows all eligible employees to remove themselves, spouse and/or dependent children from City provided medical insurance if they have alternative medical insurance.

Incentive Amount:

- The insurance premium (that would have been paid on the employee's behalf for the employee or eligible dependents) will be split with the employee.
 - o The City benefits from a 50% cost savings. The employee receives the other 50% cost savings. This incentive is included in the employee's paycheck. The incentive becomes taxable wages.
 - o The incentive is capped at employee, one spouse and two children.

900 LEAVES AND HOLIDAYS

901 Paid Time Off (PTO) – Non-Represented Employees Only

Purpose

The City of Stanwood recognizes that employees have diverse needs for time off from work and, as such, the City of Stanwood has established this paid time off (PTO) policy. The benefits of PTO are that it promotes a flexible approach to time off by combining vacation, sick and other forms of leave (i.e., Bereavement).

Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness or disability, appointments, emergencies, or other situations that require time off from work.

Eligibility

PTO is accrued upon hire or transfer into a benefits-eligible position, currently non-represented positions. Eligible employees must be scheduled to work at least 20 hours per week on a regular basis. Employees working less than 20 hours per week on a regular basis, on-call and temporary employees are not eligible to accrue PTO.

Procedures

Availability

PTO accruals are available for use in the pay period following completion of 30 days of employment. All hours thereafter are available for use in the pay period following the pay period in which they are accrued.

Accrual and Payment of PTO

Accruals are based upon paid hours up to 2,080 hours per year. Employees working less than 40 hours per week and at least 20 hours per week will earn PTO hours on a prorated basis. Length of service determines the rate at which the employee will accrue PTO. PTO does not accrue on unpaid leaves of absence. Employees become eligible for the higher accrual rate on the first day of the pay period in which the employee's anniversary date falls.

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<u>Years of Service</u>	<u>PTO Credit (based on full-time hours)</u>		<u>Credit hours per Regular Hours Worked*</u>
	<u>Days</u>	<u>Hours</u>	
<u>0-4</u>	<u>21</u>	<u>168</u>	<u>0.08076</u>
<u>5-9</u>	<u>28</u>	<u>224</u>	<u>0.10769</u>
<u>10-13</u>	<u>31</u>	<u>248</u>	<u>0.11923</u>
<u>14-19</u>	<u>33</u>	<u>264</u>	<u>0.12692</u>
<u>20+</u>	<u>36</u>	<u>288</u>	<u>0.13846</u>

* Hourly accruals shall be used only in determining pro-rata PTO credit.

** Annual PTO accruals are based on an employee having 2,080 paid hours per year (40 hours per week).

*** No PTO hours will accrue beyond the maximum accruals listed.

Maximum Allowed Balances

Non-Represented Employees - The maximum accrual for PTO is 680 hours. Once an employee's balance reaches 680 hours, all PTO accruals will stop. When the employee uses some PTO and brings the balance below 680 hours, the accruals will resume. This means, in pay periods where the maximum accrual of 680 hours is reached, only full accrual amounts will be granted, so if a full accrual amount will bring the balance over 680, there will be no PTO credited for that pay period. Employees are expected to manage their PTO balances and plan the use of PTO during non-peak operational times.

Directors - The maximum accrual for PTO is 760 hours. Once an employee's balance reaches 760 hours, all PTO accruals will stop. When the employee uses some PTO and brings the balance below 760 hours, the accruals will resume. This means, in pay periods where the maximum accrual of 760 hours is reached, only full accrual amounts will be granted, so if a full accrual amount will bring the balance over 760, there will be no PTO credited for that pay period. Employees are expected to manage their PTO balances and plan the use of PTO during non-peak operational times.

Use and Scheduling of PTO

Employees are required to use available PTO when taking time off from work. PTO may be taken in increments of as low as one hour, for non-exempt staff.

Whenever possible, PTO must be scheduled in advance. PTO is subject to supervisory approval, department staffing needs and established departmental procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affects the operations of the department.

When PTO is used, an employee is required to use PTO hours according to his or her regularly scheduled workday. For example, if an employee works a six-hour day, he or she would request six hours of PTO when taking that day off. PTO is paid at the employee's straight time rate. PTO is not part of any overtime calculation.

An employee may run a negative PTO balance during the year, to the extent that the PTO balance is not less than zero (0) on the 31st of December. Employees who terminate their employment for any reason and have a negative PTO bank shall have such amount deducted from their final paycheck.

Taking Time Off for Medical Reasons

The City is obligated to adhere to various State and Federal regulations, and as such, absences that are due to either the employee's medical condition or an employee's family member's medical condition, must be reported to Human Resources so that applicability of these regulations can be assessed.

Short-Term Disability Insurance

As part of the Paid Time Off program, tThe City will provide at no cost to the employee, disability insurance to maintain the employee's salary at no less than sixty percent (60%) of the employee's regular pay, for the period commencing with the thirty-first (31st) working day following the first day of absence for any disability up to and including the ninetieth (90th) working day from the employee's first day of absence for said disability. This benefit shall only apply to non-job related injury or illness. To be eligible for this benefit, non-represented employees must be medically incapacitated from performing any work for the City and shall not be eligible if they refuse a bona fide offer of work accommodation or revision that has been approved by their treating physician.

The City will, at the option of the employee, compensate the employee out of their accrued PTO bank that amount which will provide for one hundred percent (100%) of the employee's regular pay when the employee is off work and on Short-Term Disability Insurance. The employee can also make application for Washington State Paid Leave in lieu of using their accrued PTO. Prior to an employee's return to duty from disability or a medical leave of absence, the City may require medical certification from the employee's physician certifying the employee's ability to perform the duties of their job, with or without reasonable accommodation.

Payment upon Termination

An employee will be paid up to 320 hours for PTO hours accumulated, but not used, upon resignation or separation. Upon completion of ten (10) years of continuous service or retirement, an employee will be paid up to 450 hours for PTO hours accumulated, but not used. All PTO in excess of the hours listed above must be taken prior to separation or All PTO in excess of the 320 hours must be taken prior to separation or forfeited. All PTO must be taken prior to taking any time off without pay (except on approved voluntary unpaid furloughs).

902 — Vacation Leave

Annual vacations are provided each year on the basis of years of service from the last date of hire. Vacation will be accrued on as earned basis and awarded by no later than the last day of the month.

Regular full-time employees are eligible for vacation leave accrual as outlined below:

<u>1st – 4th year</u>	<u>96 hours (12 days)</u>
<u>5th – 9th year</u>	<u>128 hours (16 days)</u>
<u>10th – 14th years</u>	<u>160 hours (20 days)</u>
<u>15th – 19th years</u>	<u>184 hours (23 days)</u>

~~———— 20th year and beyond ————— 200 hours (25 days)~~

~~All employees who were employed before January 1st, 2009 will have their current vacation accrual rate grandfathered and will receive their next increase per the above table. All employees hired after January 1st, 2009 will accrue vacation per the table above.~~

~~For the purpose of recruiting the highest qualified candidates for vacant positions, the City, with approval from the City Administrator, may allow a new employee to use all or a portion of their years of service with a previous employer in order to receive an accrual rate higher than the first year, but no higher than the 10th year. Previous years of service with another employer can only count for the purposes of accruing vacation and for no other reason. The new employee shall then receive their next accrual increase per the above table.~~

~~Regular part-time employees are eligible for vacation leave accrual on a pro-rated basis. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and forty (40) hours per week.~~

~~A new employee must complete the initial trial service period prior to being eligible to use vacation leave.~~

~~Temporary employees are not eligible for any vacation benefits.~~

~~Employees do not accrue vacation benefits during a leave without pay.~~

Accrual Limits

~~Maximum accrual is two hundred and forty (240) hours (30 Days) at the end of every calendar year. Vacation leave balances in excess of two hundred and forty (240) hours at the end of any calendar year will be forfeited without pay. In cases where City operations have made it impractical for an employee to use vacation time, the Department Head or designee, or the City Administrator, may authorize additional leave above the two hundred and forty (240) hour limit with approval from the City Administrator.~~

Scheduling of Vacation Time

~~Leave requests must be completed and submitted in advance, preferably at least ten (10) business days prior to the desired vacation date(s). Each Department Head or designee is responsible for scheduling its employee's vacation without undue disruption to City operations. Employees may be denied permission to take vacation if it unduly disrupts operations. No vacation leave will be granted in excess of amount accrued.~~

~~Utilization of vacation time by exempt employees is allowed only in daily increments. Utilizations of vacation time by non-exempt employees are allowed in hourly increments.~~

Cash-out of Vacation Leave upon Separation of Employment

~~An employee will receive a cash payment of accrued vacation leave up to a maximum of two hundred and forty (240) hours (30 Days) upon separation of employment, by no later than the last day of the month they separated.~~

9032 Sick Leave

~~All full-time regular employees accrue sick leave benefits at the rate of one workday for each calendar month of continuous employment. Regular part-time employees may accrue sick leave benefits on a pro-rata basis according to hours worked. Temporary employees earn sick leave benefits at the minimum statutory rate. Employees do not accrue sick leave benefits during a leave without pay. Sick leave shall not be accrued above a six hundred and forty (640) hour (80 day) maximum.~~

Allowable Uses of Sick Leave

~~Sick leave covers those situations in which an employee is absent from work due to:~~

- ~~1. Employee's own health condition (illness, injury, physical or mental disability, including disability due to pregnancy or childbirth);~~
- ~~2. The need to care for a dependent child whose condition requires treatment or supervision.~~
- ~~3. The need to care for a spouse, parent, parent-in-law, or grandparent with a serious medical condition or an emergency condition.~~

~~Medical or dental appointments for the employee or dependent child provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;~~

- ~~4. Exposure to a contagious disease where on the job presence of the employee would jeopardize the health of others;~~
- ~~5. Use of a prescription drug which impairs job performance or safety;~~
- ~~6. Pursuant to the Washington Family Care Act, in addition to vacation leave, holiday leave, and compensatory time, an employee may use sick leave for the short term care of a pregnant spouse or registered domestic partner for the period of disability during or after childbirth as determined by healthcare provider based on the spouse's/domestic partner's medical condition.~~

~~A doctor's certificate may be required when an employee requests sick leave or returns to work.~~

~~Employees may be sent home and be required to use sick leave if a Department Head or designee, or the City Administrator, determines that an employee's performance is negatively affected by their health conditions.~~

~~Employees will be paid thirty-three percent (33%) for unused sick leave only upon their retirement from the City, or death.~~

90~~243~~ Executive Leave

In lieu of compensatory time, Department Heads ~~can~~may be granted up to ten (10) days of executive leave each calendar year as determined by the City Administrator and/or the Mayor. Executive leave may be used for any reason. The Department Head must schedule and receive approval for the use of executive leave from the City Administrator. Executive leave must be used in the calendar year granted and shall not be carried into the next calendar year. Executive leave must be taken in full-day increments. The number of days of executive leave that an employee will earn shall be approved by the City Administrator. The City reserves the right to reduce, eliminate, or increase executive leave at any time.

90~~354~~ Leave without Pay

Leave without pay may be granted for absence from work not covered by any other type of leave or if other leave balances are exhausted.

The following requirements apply:

1. Leave without pay may be granted to an employee for a period of up to three calendar months, upon the approval of the City Administrator. Leave without pay requests may be denied for any reason at the sole discretion of the City with exception to requirements provided by state or federal law.
2. Accrued compensatory time, ~~and~~ vacation leave or paid time off (PTO) must be exhausted prior to taking any leave without pay. Sick leave must be exhausted if the leave is for reasons to which sick leave is applicable. Time spent utilizing accrued paid leave or compensatory time is included in the three month maximum leave.
3. An employee's benefits are suspended during the period of leave without pay until the employee returns to work. In certain circumstances, self-payment of medical benefits may apply.
4. Vacation, paid time off (PTO), sick leave and/or any other leaves do not accrue while an employee is on leave without pay
5. An employee who fails to report promptly at the end of the leave without pay is presumed to have voluntarily resigned. An employee returning from leave without pay may, at the City's option, return to the same position or similar position at a comparable rate of pay.

6. If the leave without pay is due to an illness, the City may require a doctor's certificate stating that the employee is capable of returning to work and performing the work, duties and responsibilities of the employee's position, with or without reasonable accommodation.
7. Parental Leave: In appropriate circumstances either parent may take leave without pay for parental leave related to birth or adoption of a child. Parental leave must be taken within one year from the time of childbirth or adoption.

90465 Maternity Disability Leave~~Leave from Employment for Pregnant Employees~~

Under Washington State law (WAC 162-30-020), pregnant employees are entitled to leave without pay for the period of time that they are physically disabled due to pregnancy and/or childbirth. The leave period of temporary disability may last no more than eight (8) weeks if the pregnancy and childbirth are without complications. If complications exist, such as required bed rest before childbirth, the leave period may be extended.

The City may require a doctor's note or other documentation before the leave is taken.

The employee must exhaust all accrued sick leave, paid time off, vacation leave, floating holiday, or comp time. Only after all leave has been exhausted is the employee entitled to leave without pay.

The City will not pay the premiums on the employee's health care benefits during any leave without pay. The employee may, however, continue such benefits during leave without pay by paying COBRA premiums.

Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

9056 Washington Paid Family and Medical Leave

The Washington State Paid Family and Medical Leave (PFML) law (Chapter 50A RCW) and supporting regulations establish a program administered by the Washington Employment Security Department (ESD) to provide paid leave benefits and job protection to eligible employees who need leave for certain family and medical reasons. PFML benefits will be available starting on January 1, 2020.

This policy provides a summary of the PFML program. Employees may obtain additional information at www.paidleave.wa.gov. To the extent an issue is not

addressed in this policy, the City will administer this benefit program consistent with applicable statutes and regulations.

Payroll Deductions. The PFML program is funded through premiums collected by ESD via payroll deductions and employer contributions. The premium rate is established by law; employees are currently responsible for two-thirds of the total premium amount, or the amount established in the current collective bargaining unit agreement. Should the State in the future modify the PFML premium rate or the percentage of premiums subject to collection through payroll deduction, the City will modify payroll practices to reflect those statutory changes

Eligibility. Under PFML, employees may be eligible for monetary benefits and job protection when taking leave for covered reasons. Eligibility requirements are as follows:

Monetary Benefits: In order to be eligible for monetary benefits from ESD, an employee must have worked 820 hours in Washington (for any employer or combination of employers) during the year preceding the claim.

Job Protection: In order to be eligible for job protection under PFML, an employee must meet eligibility requirements (must have worked for the City for at least 12 months and have worked 1250 hours in the last year).

An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (e.g., outside employment or contracting).

Leave Entitlement. Eligible employees are entitled to take up to 12 weeks of medical or family leave, or a combined total of 16 weeks of family and medical leave per claim year; an additional two weeks of leave may be available in the event the employee's leave involves incapacity due to her pregnancy. The claim year begins when the employee files a claim for PFML benefits or upon the birth/placement of the employee's child. PMFL leave may be taken for the following reasons:

Medical Leave: Medical leave may be taken due to the employee's own serious health condition, which is an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider, as those terms are defined under the FMLA and RCW 50A.05.010. However, an employee is not eligible for PFML benefits if the employee is receiving time loss benefits under the workers compensation system.

Family Leave: Family leave may be taken to care for a covered family member with a serious health condition; for bonding during the first 12 months following the birth of the employee's child or placement of a child under age 18 with the employee (through adoption or foster care); or for qualifying military exigencies

as defined under the FMLA. For purposes of family leave, covered family members include the employee's child, grandchild, parent (including in-laws), grandparent (including in-laws), sibling, or spouse.

PFML leave may be taken intermittently, provided that there is a minimum claim requirement of eight consecutive hours of leave in a week for which benefits are sought.

PFML Application Process. An employee must submit an application to ESD in order to seek PFML benefits. For guidance on the application process, please refer to the ESD website (www.paidleave.wa.gov). Eligibility determinations will be made by ESD. If approved, the employee will need to file weekly benefit claims with ESD to continue receiving benefits.

Notification Requirements. An employee must provide written notice to the Employer of the intent to take PFML leave. If the need for leave is foreseeable, notice must be given at least 30 days in advance of the leave. For unforeseeable leave, notice must be given as soon as practicable. The employee's written notice must include the type of leave taken (family or medical), as well as the anticipated timing and duration of the leave. If an employee fails to provide this required notice to the Employer, ESD will temporarily deny PFML benefits. After receiving the employee's notice of the need for leave, the Employer will advise the employee whether the employee is eligible for job protection under PFML. If leave is being taken for the employee's or family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations.

If taking leave intermittently, an employee must notify the City each time PFML leave is taken so that the City may properly track leave use.

PFML Monetary Benefits. If ESD approves a claim for PFML benefits, partial wage replacement benefit payments will be made by ESD directly to the employee. The amount of the benefit is based on a statutory formula, which generally results in a benefit in the range of 75-90 percent of an employee's average weekly wage, subject to a maximum of \$1,000 per week. ESD's website is expected to include a benefits calculator to assist employees in estimating their weekly benefit amount.

With the exception of leave taken in connection with the birth or placement of a child, monetary PFML benefits are subject to a seven-day waiting period. The waiting period begins on the Sunday of the week in which PFML leave is first taken. The waiting period is counted for purposes of the overall duration of PFML leave, but no monetary benefits will be paid by ESD for that week. Paid leave accruals (PTO, floating holidays, compensatory time, or any other accrued leave) are not supplemental to PFML. An employee may elect to use such accrued leave during a PFML-covered absence, although the receipt of

accrued leave must be reported to ESD as part of the PFML claims process and will result in a pro-rated weekly PFML benefit. Important note: failure to report the receipt of accrued leave may result in an overpayment by ESD, which ESD may recoup from the employee.

Coordination with Other Benefit Programs. When an employee is on leave and only receiving PFML benefits, the employee is deemed to be in unpaid status for purposes of City policies and benefit programs. Insurance coverage will be handled in the same manner as other unpaid leaves of absence, pursuant to Employer policy and subject to any other legal requirements requiring continuation of coverage.

Job Restoration; Return to Work Recertification. An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML leave, unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). The City may require a return-to-work certification from a health care provider before restoring the employee to work following PFML leave where the employee has taken leave for the employee's own serious health condition and under certain conditions, the Employer may deny job restoration to a salaried employee who is among the highest paid ten percent of City employees. If an employee taking PFML leave chooses not to return to work for any reason, the employee should notify the City as soon as possible.

906 Family Care Act

Employees may use their choice of any available accrued leave in order to care for their child, spouse, registered domestic partner, parent, parent-in-law or grandparent as described below.

An employee may use available accrued leave to care for their child where the child has a health condition requiring treatment or supervision, or where the child needs preventative care (such as medical, dental, optical, or immunization services.)

An employee may use available accrued leave when a spouse, registered domestic partner, parent, parent-in-law, or grandparent has a “serious or emergency health condition” which are conditions:

- Requiring an overnight stay in a hospital or other medical-care facility;
- Resulting in any period of incapacity or treatment or recovery following inpatient care;
- Involving continuing treatment under the care of a health services provider that includes any period of incapacity to work or attend to regular daily activities; or
- Involving an emergency (i.e., demanding immediate action).

Where the need for family care leave is unexpected, the City understands advance approval of the use of leave (as is required for certain kinds of accrued leave) may not be possible. Employees are required, however, to notify their supervisor of the need to take time off to care for a family member as soon as the need for leave becomes known. The City reserves the right to require verification or documentation confirming a family member has or has had a “serious or emergency” health condition when available leave is used to care for that family member.

90776 Jury Duty

The City provides all employees leave for jury duty service. Regular full-time and regular part-time employees receive paid jury duty leave of up to ten (10) business days each time they are called for jury service. In general, if jury duty extends beyond ten business days in any one instance the additional leave will be unpaid. If an employee is summoned during a critical work period, the City may ask the employee to request a waiver from duty.

Exempt salaried employees who are asked to serve longer than two weeks should contact the City Administrator or designee to discuss whether future paid

leave will be provided. Payments provided by the courts during period of paid jury duty leave must be turned over to the City, excluding expense reimbursements, such as mileage. The employee must provide the City with a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, the employee is required to provide the City with proof of jury service.

~~908087~~ Witness Duty

All employees summoned to testify in court are allowed time off for the period they serve as a witness. In general, witness duty leave is unpaid unless the employee is a witness in a case involving the City.

~~909098~~ Administrative Leave

On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time, to be used in the best interest of the City as determined by the City Administrator.

~~910009~~ Military Leave

The City provides all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to twenty-one (21) business days per year for military service. In general, if military service extends beyond twenty-one (21) business days, the additional leave will be unpaid. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service may include active military duty and Reserve or National Guard training. An employee is required to provide the City with copies of their military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance with applicable federal and state law.

~~91110~~ Military Leave for Spouses

During a period of military conflict, military spouses are entitled up to total of fifteen (15) days of unpaid leave per deployment. The leave can be taken:

- (a) When the soldier/spouse is on leave from their deployment; or
- (b) After the soldier/spouse learns of the deployment, but before they commence active duty.

The employee must exhaust all accrued vacation leave, paid time off, floating holiday, or comp time. Only after all leave has been exhausted is the employee entitled to leave without pay.

The employee is responsible for payment of all health premiums during any leave without pay. The employee may, however, continue such benefits during leave without pay by paying COBRA premiums.

Employees must give notice of intention to take leave to their Department Head or designee, or the City Administrator, within five (5) days of the soldier/spouse receiving official notice of the order to active duty, or official notice of receiving leave from active duty.

Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

91221 Religious Holidays

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with their Department Head's approval or the approval of the City Administrator, take the day off using vacation leave, paid time off, or compensatory time.

9132 ~~Bereavement Leave~~

~~Employees not covered by the Paid Time Off (PTO) program. An employee may receive up to four (4) work days off with pay for bereavement as the result of the death of a member of the employee's immediate/extended family or close personal friend.~~

- ~~1. In the case of an employee traveling outside of Western Washington, they may be allowed up to five (5) working days of bereavement leave without loss of base pay or deductions from other leave balances.~~
- ~~2. In the case of an employee staying within Western Washington, they may be allowed up to three (3) working days of bereavement leave without loss of base pay or deductions from other leave balances.~~
- ~~3. Longer periods taken for bereavement purposes may be charged to the employee's sick or vacation leave with approval from their Department Head or designee and the City Administrator.~~

~~The City may require documentation proving the appropriate use of bereavement leave.~~

91343 Leave for Domestic Violence, Sexual Abuse, or Stalking

Washington law requires reasonable leaves without pay from work (either in a continuous block of time or intermittently), or continued employment on a

reduced work schedule, when the reason for the leave is one or more of the following:

1. An employee seeks assistance from a lawyer or law enforcement to prepare for or participate in a civil or criminal proceeding related to incidents domestic violence, sexual assault, or stalking that involved either the employee or a family member of the employee.
2. An employee seeks or attends treatment for physical or mental injuries of the employee or a family member caused by domestic violence, sexual assault, or stalking.
3. An employee obtains services from a domestic violence shelter, rape crisis center, or similar facility for the employee or a family member.
4. An employee obtains mental health counseling for domestic violence, sexual assault, or stalking for the employee or family member of the employee who has been a victim.
5. An employee participates in safety planning or relocation for the employee or a family member.

The following documentation may be requested by the City in support of a leave request:

1. police report,
2. court order of protection,
3. documents supporting a court appearance,
4. statement from a domestic violence advocate, attorney, clergy member, or medical "or other professional," or
5. an employee's written statement.

The City will maintain the employee's health benefits while the employee is on leave for the purpose of this policy.

Employees must use accrued vacation leave, paid time off, comp time, or floating holiday before taking leave without pay. Sick leave must also be used ~~it~~ if it applies.

If possible, employees are required to give advance notice. If the situation does not allow for advance notice, the employee must notify their Department Head or the City Administrator no later than the end of the first day that the employee takes leave.

For the purpose of this policy, family members include children, spouses, parents, parents-in-law, grandparents, or anyone with whom the employee has a dating relationship. The City may require proof of a family relationship, such as a

birth certificate, a court document, a statement of the employee, or other similar documentation.

The City will maintain the confidentiality of all documents associated with leave requested or taken. These documents can be disclosed only with the consent of the employee, by order of court or administrative agency, or otherwise required by federal or state law.

Upon returning from leave, the employee will be restored to their original job, or to another job with equivalent pay, benefits, and other employment terms and conditions.

9144 Holidays

The following days are recognized as paid holidays for regular full-time and part time employees:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1 st
Martin Luther King's Birthday	Third Monday in January
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in September
Veteran's Day	November 11 th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Day Immediately following Thanksgiving
Christmas Day	December 25 th
2 Floating Holidays	

In order to be eligible to receive holiday pay an employee must be at work the day before and the day after said holiday, unless they have applied for and been approved leave prior to the holiday.

With the exception of those employees normally scheduled to work on a weekend day, City-paid holidays which fall on a Saturday will be observed on the preceding Friday; paid holidays falling on a Sunday will be observed on the following Monday.

Regular part-time employees receive holiday pay on a pro-rated basis. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and forty (40) hours per week.

Floating Holidays

On January 1st of each year, all regular full time employees will be credited with sixteen (16) hours (2 days) of floating holiday leave and all regular part time employees will be credited with a pro rata amount of floating holiday leave. An eligible employee may then select when to take their floating holiday hours subject to approval from their Department Head or designee, or the City Administrator.

Floating holidays can be scheduled and taken in the same manner as paid time off or vacation time.

New hires starting June 1st through September 30th will receive one (1) floating holiday in the year of hire. New hires starting after September 30th will not receive any floating holidays in the year of hire.

Work on Holidays

In the event that a non-exempt employee is required to work a holiday, they will be paid for the holiday plus one and one-half times his/her regular rate of pay (two and one-half total) for all hours worked on the holiday. Such time must be pre-authorized by the Department Head or designee, or the City Administrator.

9155 Inclement Weather

Purpose

The citizens of Stanwood expect the City to offer continued public service and emergency services during periods of inclement weather. This policy covers conditions that limit transportation or mobility such as snowstorms, ice storms, wind storms, earthquakes, floods or any other event as defined by the City which may cause unsafe driving conditions for both public and private transportation.

Attendance

~~During periods of inclement weather, employees are expected to report to work unless told otherwise by the Mayor, or the City Administrator, or their Department Head. If an employee is directed not to come to work they will not be charged leave.~~

Because of the public safety nature of those positions in the ~~Fire, Police, and~~ Public Works Departments, employees in those departments should assume ~~that~~ City business will proceed as normal even when the City offices are ~~is~~ closed and other employees are not required to come to work. However, if employees within these departments decide that weather conditions prohibit them from coming to work safely, they may contact their Department Head or designee, or the City Administrator, and request leave per the provisions of this policy.

Compensation

1. During a significant weather event that forces the City to close administrative operations for a period of time and employees are told not to report to work, they will be compensated for the day. However, if an Employee chooses not to report to work, then accrued leave must be used or the time may be taken unpaid.
~~Where late arrivals, early departures, or absences occur on days when employees are instructed not advised to come to work, employees will be required to use vacation time, compensatory time, a floating holiday, or leave without pay. Use of sick leave is not allowed for absences due to inclement weather.~~

2. Department heads may permit employees to make up short periods of absence due to inclement weather within the pay period the absence occurs, provided such activity does not conflict with City policy or labor agreements, and that such adjusted work time does not result in additional overtime payments.

Notification

On days when poor weather conditions exist, the Mayor or the City Administrator may place the City under the inclement weather policy, close ~~the City offices, city,~~ or limit hours City offices are the city is open for business. To be notified about these decisions, employees are responsible for calling City Hall to hear updated postings after 7:30 AM. If no message has been issued, employees shall assume that City business will proceed under normal policies and procedures.

916 Pandemic or Public Health Emergency Response

It is the policy of the City of Stanwood to take all appropriate measures needed to address a pandemic and protect public health. Protecting the community and City staff is a top priority and this policy establishes some of the actions that may be taken, and the authority, granted to address a pandemic.

Procedures: The following procedures are established to minimize disease exposure and maintain continuity of City operations in the event that a pandemic becomes a threat to the health or safety of City employees, their families, and the community at large.

- 1) *Declaration of Pandemic and/or Public Health Emergency:* Public health professionals at organizations such as the Centers for Disease Control and Prevention (CDC), Washington State Public Health Department, Washington State Governor, and/or Snohomish County Health Department may declare that a pandemic, outbreak, or public health emergency exists. Such declarations may contain instructions or recommendations to both private and public sector entities. The City will follow all mandatory instructions and will implement recommendations to the extent it determines these to be applicable and/or feasible or practicable under the particular circumstances.
- 2) *Procedures to help minimize the spread of germs:* Employees are urged to practice standard Non-Pharmaceutical Interventions (“NPI’s”), including covering coughs by coughing into a tissue or, if a tissue is not available, into their elbows, regular hand washing, regular use of alcohol hand sanitizer, and avoiding touching eyes, nose, or mouth. Hands and work surfaces should be disinfected frequently. Employees are also urged to utilize social distancing such as maintaining a distance of six feet from others when practical to do so.
- 3) *Proclamation of Emergency/Disaster Due to Pandemic:* Upon the City’s proclamation of emergency/disaster due to pandemic, the following shall apply:

- i. Employees who have a communicable illness or are experiencing flu-like symptoms (as then-defined by the applicable health authorities), are prohibited from coming to work and are encouraged to consult their physician.
- ii. Employees reporting to work who exhibit symptoms of a communicable illness will be sent home and encouraged to consult their physician. Unless otherwise provided by law, the employee shall be required to utilize accrued leave, pursuant to these policies, or applicable collective bargaining agreement, if they are sent home due to symptoms of an illness.
- iii. If the illness of an employee or member of an employee's household interferes with reporting to work in a timely manner, the employee is responsible for notifying their supervisor. Employees must not return to work until they have been free of illness symptoms (fever, chills, sore throat, etc.) for at least 24 hours (or any longer applicable incubation period determined by the appropriate health authority) or are deemed no longer infectious by a medical professional.
- iv. Except as otherwise prohibited by law, employees are required to first utilize their accrued sick leave and then any other accrued paid time off (vacation, paid time off, compensatory time, or floating holidays) while recovering from, or caring for a spouse or dependent recovering from illness.
- v. If the school or place of care of an employee's child is closed due to pandemic, the employee may use accrued sick leave (or other accrued paid time off, to the extent the employee does not have sufficient sick leave), to care for the child.
- vi. Employees may donate accrued sick leave to employees who do not have enough accrued leave balances to cover their absence, in accordance with the City's shared leave policy.
- vii. When quarantine of an employee is ordered by State or County Health Officials due to a pandemic illness, employees may use accrued sick leave (or other accrued paid time off, to the extent the employee does not have sufficient sick leave) for the period of quarantine.
- viii. At the discretion of the Mayor or City Administrator, City Hall may alter its business practices, hours of business, and services provided. Examples of potential measures that could be taken include but are not limited to:

- a. The City may implement temporary emergency procedures to minimize in-person contact between employees. Such measures may include greater use of e-mail, phone, and teleconferences, including telecommuting (see policy), as opposed to in-person meetings and contact.
- b. *Reduced Reception and Front Counter Service:* The City may alter how it conducts business with the public by limiting or halting services at counters/areas of the City Hall and other facilities where front-line services are typically provided.
- c. *Partial Work from Home Schedules:* Some staff may be permitted or assigned to work from home.
- d. *Full or partial City Hall Closure:* City Hall may be partially or fully closed. During closure, staff who are able to reasonably work from home, whether in full or partial shifts, will be allowed to do so, and City managers and supervisors will coordinate this directly with the subject employees (See Telecommuting Policy).

917 Volunteer Emergency Services Personnel Leave

In accordance with RCW 49.12.460, an employee who is a volunteer firefighter, reserve peace officer, or member of the Civil Air Patrol will not be subject to discipline or termination when an emergency call, fire alarm, or emergency service operation prevents them from showing up to work on time.

In the case of a volunteer firefighter working at, or returning from, a fire alarm or emergency call that causes the employee to be late or miss work, the on-scene commander must order the firefighter to remain at the scene. Training and other non-emergency activities do not qualify. Volunteer firefighters cannot be paid and must be away from their regular job when the fire alarm or emergency call comes in to qualify for this leave.

A reserve peace officer, as defined in RCW 41.24.010, must be called to an emergency to be late or miss work. A member of the Civil Air Patrol must be involved in an emergency service operation, as defined in RCW 49.12.460, to be late or miss work.

Notice Requirements

An employee shall make every reasonable attempt to give his or her department head advance notice of the need to take leave.

Type of Leave

An employee who is absent from work pursuant to this policy may elect to use his or her accrued vacation leave, paid time off, floating holiday, compensatory time or unpaid leave time.

Verification

The department head may require the request for leave be supported by verification from the agency at which the employee volunteers.

91816 Shared Medical Leave Program

The City of Stanwood recognizes that certain circumstances may exist where employees may need additional leave to assist them during a period of time when they are off from work for medical purposes, but do not have enough accumulated leave. These additional leave days will be voluntarily donated by other City employees. Donated leave days, for medical purposes, may also be used by an employee because of immediate family illness.

Eligibility

To be eligible to donate either vacation, paid time off or sick leave, an employee must have over one hundred (100) hours of accrued vacation leave or paid time off, and two hundred (200) hours of accrued sick leave. In no event shall a leave donation result in the donor reducing their vacation leave balance to less than one hundred (100) hours or sick leave balance to less than two hundred (200) hours. Transfer of leave will be in increments of eight (8) hours (1 day). Leave is donated on an hour for hour basis with no relation to actual earnings of either the donor or the recipient.

For an employee to receive donated leave, the employee must first exhaust all of the employee's own accumulated compensatory time, sick leave, paid time off and vacation leave. In the case of work related injury, the employee must diligently pursue and be found ineligible for worker's compensation benefits, prior to receiving donated leave.

Process

All donations of leave are strictly voluntary and confidential, and will occur on a "per event" basis. If employees have a need to use the Shared Medical Leave Program, they should contact their Department Head or designee, or the City Administrator or designee. When an employee is in need of donated leave, and so requests, the City will inform other employees in writing that donated leave has been requested.

An employee using shared leave will continue to receive the same salary and benefits as an employee using vacation, paid time off or sick leave. Unused donated leave will be given back to the donor(s).

91917 Unpaid Holidays for Reasons of Faith or Conscience

Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor a minimum of two (2) weeks prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by rule of the Office of Financial Management.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next. A day is defined as a 24-hour period.