

September 28, 2020

Marysville City Council Meeting
7:00 p.m.

City Hall

PUBLIC NOTICE:

Pursuant to Governor Inslee’s Proclamation 20-28, in an effort to curtail the spread of the COVID-19 virus, City Council Meetings and Work Sessions will take place by teleconference. Councilmembers and members of the public will not attend in person. Anyone wishing to provide written or verbal public comment, must pre-register at this link www.marysvillewa.gov/remotepubliccomment before noon on the day of the meeting.

To listen to the meeting without providing public comment:

Join Zoom Meeting
<https://zoom.us/j/92977133971>

Or
Dial by your location
1-888-475-4499 US Toll-free
Meeting ID: 929 7713 3971

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Approval of the Agenda

Committee Reports

Presentations

Audience Participation

Approval of Minutes *(Written Comment Only Accepted from Audience.)*

1. Approval of the July 27, 2020 City Council Meeting Minutes
2. Approval of the August 20, 2020 City Council Special Meeting Minutes
3. Approval of the September 8, 2020 City Council Work Session Minutes

Consent

4. Approval of the September 9, 2020 Claims in the Amount of \$1,229,713.78 Paid by EFT Transactions and Check Numbers 143157 through 143258 with Check Numbers 137874 and 140419 Voided

Marysville City Council Meeting**September 28, 2020****7:00 p.m.****City Hall**

6. Approval of the September 16, 2020 Claims in the Amount of \$7,401,227.16 Paid by EFT Transactions and Check Numbers 143259 through 143409 with Check Numbers 127179 and 138993 Voided

7. Approval of the September 25, 2020 Payroll in the Amount of \$1,608,551.96 Paid by EFT Transactions and Check Numbers 33237 through 33248

Review Bids**Public Hearings****New Business**

8. Consider Approving the Communication Site Sublease/License with Island County Emergency Services Communications Center

9. Consider Approving the Amendment to the Interagency Agreement with the Washington State Department of Commerce through the Coronavirus Relief Fund for Local Governments

10. Consider Approving an **Ordinance** Adopting the Commercial Permitted Uses, and Density and Dimensional Amendments

11. Consider Approving a **Resolution** to Address Police Command Staff Compensation and Police Hire Incentives and Authorize the Changes to Personnel Rules to Authorize these Subjects in the Future

Legal**Mayor's Business****Staff Business****Call on Councilmembers****Adjournment/Recess****Executive Session**

- A. Litigation
- B. Personnel
- C. Real Estate

Reconvene

September 28, 2020

**Marysville City Council Meeting
7:00 p.m.**

City Hall

Adjournment

Special Accommodations: The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact the City Clerk's office at (360) 363-8000 or 1-800-833-6384 (Voice Relay), 1-800-833-6388 (TDD Relay) two business days prior to the meeting date if any special accommodations are needed for this meeting.

Index #1

City Council



**1049 State Avenue
Marysville, WA 98270**

**Regular Meeting
Minutes
July 27, 2020**

Call to Order

Mayor Nehring called the online meeting to order at 7:00 p.m.

Invocation

Pastor Craig Laughlin from Generations Church gave the invocation.

Pledge of Allegiance

Mayor Nehring led the flag salute.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Michael Stevens, Councilmember Kelly Richards

Staff: CAO Gloria Hirashima, Finance Director Sandy Langdon, Public Works Director Kevin Nielsen, Parks & Recreation Director Tara Mizell, Interim Police Chief Jeff Goldman, Community Development Director Jeff Thomas, Human Resources Manager Teri Lester, City Attorney Jon Walker, Public Relations Administrator Connie Mennie, Fire Chief Martin McFalls, Information Services Manager Worth Norton, Systems Analyst Mike Davis

Excused: Councilmember Steve Muller

Motion to excuse the absence of Councilmember Muller moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

Approval of the Agenda

Motion to approve the agenda moved by Councilmember King seconded by Councilmember James.

AYES: ALL

Committee Reports

Councilmember Richards reported on the recent Snohomish County Tomorrow meeting where they discussed the Growth Management Report due next year. He also attended the Affordable Housing Association meeting where they encouraged the support of House Bill 1590 by local cities.

Council President Norton reported on the July 17 Public Works Committee meeting where they took a field trip to the biosolids removal project and the 1st Street bypass project. There was some discussion about giving the street a new name.

Councilmember King reported on the recent LEOFF 1 Board where they reviewed and approved four claims. He also reported on the July 15 Fire Board meeting where they approved an agreement for AED equipment.

Presentations

- A. Proclamation: Declaring September 2020 as Childhood Cancer Awareness Month

Mayor Nehring read the Proclamation declaring September 2020 as Childhood Cancer Awareness Month and encouraging all Marysville residents to join in this special observance.

Audience Participation

Mayor Nehring solicited public comments.

Scott Allen requested that a half-mile portion of Sunnyside Blvd. (from 4014 Sunnyside Blvd. past Sunnyside Elementary to 36th Place NE) be reduced in speed from 35 mph to 25 mph for safety. He noted that there are children in the area, and that portion of the road has no sidewalks.

David VanWinkle, 4004 Sunnyside Blvd., also commented on the traffic hazards in that area, especially in the residential area with lots of children.

Mayor Nehring indicated that staff would take a look at this area.

Approval of Minutes

- 1. Approval of the June 22, 2020 City Council Meeting Minutes

Finance Director Langdon noted that the Ordinance Number for item 6 needs to be corrected to 2488.

Motion to approve the June 22, 2020 City Council Meeting Minutes as corrected by Finance Director Langdon moved by Councilmember King seconded by Councilmember Richards.

AYES: ALL

Consent

- 2. Approval of the June 25, 2020 Miscellaneous Payroll in the Amount of \$15,999.41 Paid by EFT Transactions and Check Number 33167
- 3. Approval of the July 8, 2020 Claims in the Amount of \$1,094,171.64 Paid by EFT Transactions and Check Numbers 141938 through 142067 with Check Number 140407 Voided
- 4. Approval of the July 10, 2020 Payroll in the Amount of \$1,636,225.20 Paid by EFT Transactions and Check Numbers 33147 through 33166
- 5. Approval of the July 15, 2020 Claims in the Amount of \$5,024,203.80 Paid by EFT Transactions and Check Numbers 142068 through 142182 with Check Numbers 138969 and 140013 Voided
- 6. Approval of the July 22, 2020 Claims in the Amount of \$1,113,649.85 Paid by EFT Transactions and Check Numbers 142183 through 142320 with Check Numbers 141835, 141837, 141852, 141861, 141872, 141892 and 141893 Voided
- 7. Approval of the July 24, 2020 Payroll in the Amount of \$1,388,657.54 Paid by EFT Transactions and Check Numbers 33168 through 33180

Motion to approve Consent Agenda items 2-7 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

Review Bids

Public Hearings

- 8. Consider Approving the Community Development Block Grant Program Year 2019 Annual Action Plan Amendment for COVID-19 Rental Assistance Relief

Director Thomas reviewed the proposed amendment to add rental assistance as an eligible activity to the CDBG Program Year 2019 Annual Action Plan based on direction by HUD. He reviewed how these funds have been distributed and will be distributed in the future.

Mayor Nehring opened the public hearing at 7:24 p.m. and solicited public comments. Seeing none, the public testimony portion of the hearing was closed.

Motion to authorize and approve the Community Development Block Grant Program Year 2019 Annual Action Plan Amendment for COVID-19 Rental Assistance Relief moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

New Business

9. Consider Approving a Letter to the Fire District Requesting Termination of the Interlocal Agreement between Marysville Fire District and the City of Marysville Regarding Facility Landscaping Maintenance to be Effective August 31, 2020

Director Nielsen reviewed this item.

Motion to authorize the Mayor to sign a Letter to the Fire District Requesting Termination of the Interlocal Agreement between Marysville Fire District and the City of Marysville Regarding Facility Landscaping Maintenance to be Effective August 31, 2020 moved by Council President Norton seconded by Councilmember King.

AYES: ALL

10. Consider Approving an Ecology Grant Agreement WQC-2020-MaryPW-00100 with the Department of Ecology

Director Nielsen discussed a \$185,000 grant that staff received from Department of Ecology to do a watershed planning study.

Motion to authorize the Mayor to sign and execute an Ecology Grant Agreement WQC-2020-MaryPW-00100 with the Department of Ecology moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

11. Consider Awarding the Contract to Construct the Downtown Stormwater Treatment Preloading Construction Contract with Tastad Construction in the Amount of \$158,121.03 and Approve a Management Reserve of \$5,000.00 for a Total Allocation of \$163,121.03

Director Nielsen explained this is a small portion of the \$5M grant that was received. It has to do with preloading the area that will actually be built.

Councilmember King asked if some of the leftover material from the 1st Street bypass project would be used for this project. Director Nielsen replied that it would.

Motion to authorize the Mayor to sign and execute the Contract to Construct the Downtown Stormwater Treatment Preloading Construction Contract with Tastad Construction in the Amount of \$158,121.03 and approve a Management Reserve of \$5,000.00 for a Total Allocation of \$163,121.03 moved by Councilmember King seconded by Councilmember Richards.

AYES: ALL

12. Consider Approving Amendment Number 1 for the Biosolids Removal and Reuse Project with American Process Group Increasing the Total Contract Amount to \$10,101,157.60

Director Nielsen reviewed this item and explained how it would save taxpayers money. He thanked Finance Director Langdon and the Finance Department for their assistance with this.

Motion to authorize the Mayor to sign and execute Amendment Number 1 for the Biosolids Removal and Reuse Project with American Process Group Increasing the Total Contract Amount to \$10,101,157.60 moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

13. Consider Approving the Interlocal Agreement with Washington State Department of Transportation Supplement Number 1 and Local Agency Federal Aid Project Prospectus, Laying the Groundwork for Authorization of \$537,670.00 in Federal Funds for Construction on Project #R1901 Citywide

Director Nielsen reviewed some of the safety improvements that would be made throughout the city with this federal grant for \$537,670. Council's authorization is needed to get these projects constructed.

Motion to authorize the Mayor to sign the Interlocal Agreement with Washington State Department of Transportation Supplement Number 1 and Local Agency Federal Aid Project Prospectus, Laying the Groundwork for Authorization of \$537,670.00 in Federal Funds for Construction on Project #R1901 Citywide moved by Councilmember James seconded by Council President Norton.

AYES: ALL

14. Consider Approving the Interlocal Agreement with Washington State Department of Transportation Supplement Number 3 and Local Agency Federal Aid Project Prospectus, Laying the Groundwork for Authorization of \$1,418,524.50 in Federal Funds for Construction on Project #R1302 from 3rd Street to 80th Street

Director Nielsen reviewed this \$1.4M federal grant.

Motion to authorize the Mayor to sign the Interlocal Agreement with Washington State Department of Transportation Supplement Number 3 and Local Agency Federal Aid Project Prospectus, Laying the Groundwork for Authorization of \$1,418,524.50 in Federal Funds for Construction on Project #R1302 from 3rd Street to 80th Street moved by Councilmember Richards seconded by Councilmember Vaughan.

AYES: ALL

15. Consider Approving the Mayor's Appointments to the Community and Housing Development Citizen Advisory Committee for 2020-2021

Director Thomas reviewed this item. The Mayor has five one-year appointments to be made.

Motion to approve the Mayor's Appointments to the Community and Housing Development Citizen Advisory Committee for 2020-2021 as listed in the agenda bill moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

16. Consider Approving the Community Grant Program

Director Langdon explained this is requesting that \$250,000 of CARES Act funding be used for community rent relief to residential community members with a cap of \$1,500 per household for those that have been impacted by COVID-19. If approved, the Mayor would have approval to award the funds in order to get this out as soon as possible. The checks would go directly to the landlords.

Motion to authorize the Mayor to initiate and administer the Community Grant Program including approving final grant awards moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

17. Consider Approving an Amendment to the Interlocal Agreement with Lake Stevens for Outdoor Video Services

Director Mizell reviewed this agreement with Lake Stevens for the potential of video services.

Motion to authorize the Mayor to sign and execute an Amendment to the Interlocal Agreement with Lake Stevens for Outdoor Video Services moved by Councilmember King seconded by Councilmember James.

AYES: ALL

Legal

Mayor's Business

Mayor Nehring had the following comments:

- He let the City Council know that a number of thank you notes have been coming in from local small businesses thanking the City and the Council for the grant program and the impact it has had on their businesses.
- The City is working with local businesses to help businesses with permitting issues as needed to keep their businesses going.
- He has asked Association of Washington Cities CEO Peter King to use AWC to lobby the governor to extend the CARES Act spending deadline.
- He thanked Director Nielsen and his team for all the overlays and curb improvements that have been made.
- He thanked the Council, the Finance team, and Community Development for everything that has been done to facilitate the business grants.

Staff Business

Finance Director Langdon:

- She announced a Finance Committee meeting tomorrow at 3:30.
- The financial audit was clean; the accountability audit is still being conducted. The City has maintained its bond rating of Aa2.

Chief McFalls:

- He thanked Scott Allen for his participation tonight.
- He thanked Director Nielsen and the City for working with them on the landscape termination contract.
- He wished Council a nice August vacation.

Interim Chief Goldman gave an update on the audits. He also hoped Council enjoyed their break in August.

Director Nielsen:

- He noted that scheduled overlays are complete, and crews are working on striping. They will be coming back to Council in September for some downtown overlays.
- State Avenue will be shut down on August 5 from 7 a.m. to 7 p.m. to install five of the nine girders for the bridge. The bridge project is moving along ahead of schedule.
- He asked Council for suggestions on renaming the 1st Street bypass. This project is also way ahead of schedule.

Director Thomas had no further comments.

Public Relations Administrator Connie Mennie gave an update on the City's social media program on Facebook, Twitter, NextDoor, Instagram, and LinkedIn.

Human Resources Manager Lester had no comments.

Director Mizell announced a Cedar Fields grand opening event on Friday, September 18 and Saturday, September 19.

City Attorney Walker stated the need for an Executive Session to address three items - two having to do with collective bargaining negotiations with action expected on one item and one regarding leasing city property with action expected. The estimated time was ten minutes.

CAO Hirashima had no further comments.

Call on Councilmembers

Councilmember Stevens had no comments.

Councilmember Vaughan had no comments.

Councilmember Richards asked Director Langdon about tax revenues. Director Langdon reported no new information since the last meeting.

Councilmember James had no comments.

Councilmember King thanked his neighbor, Scott Allen, for commenting tonight. He thanked Mayor Nehring for being so responsive to citizen concerns.

Council President Norton congratulated Finance Director Langdon on the audit and bond rating.

Adjournment/Recess

Council recessed at 8:15 into Executive Session to address three items as described by City Attorney Walker with action expected on two items and an estimated time of ten minutes.

Executive Session

- A. Litigation
- B. Personnel – two items, RCW 42.30.140(4)(a)
- C. Real Estate – one item, RCW 42.30.110(1)(c)

Executive session was extended for 10 minutes and then another 15 minutes.

Reconvene

Council reconvened following the Executive Session at 8:55 p.m.

Motion made by Councilmember Richards, seconded by Councilmember James, to authorize the City Attorney to draft and the Mayor to execute an amendment to the current Bleacher's lease deferring rent payments May to August 2020 with repayment at \$1,000 per month over approximately twenty four months to be completed by May 2023.

AYES: ALL

Motion made by Councilmember Richards, seconded by Councilmember King, to authorize the Mayor to execute the collective bargaining agreement with the Marysville Police Management Association.

AYES: ALL

Adjournment

Motion to Adjourn moved by Councilmember Richards seconded by Councilmember James.

The meeting adjourned at 8:55 p.m.

Approved this _____ day of _____, 2020.

Mayor
Jon Nehring

Index #2

City Council



**1049 State Avenue
Marysville, WA 98270**

**Special Meeting
August 20, 2020**

Call to Order / Flag Salute

Mayor Nehring called the Special Meeting to order at 4:00 p.m. and led those present in the flag salute.

Roll Call

Present:

Mayor Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Mark James, Councilmember Tom King, Councilmember Kelly Richards, Councilmember Michael Stevens, Councilmember Steve Muller

Staff: CAO Gloria Hirashima, Deputy City Attorney Burton Eggertsen, Human Resources Manager Teri Lester, Assistant Finance Director Jan Berg, Information Systems Analyst Mike Davis, Information Systems Administrator Chris Brown

Executive Session

- A. Litigation
- B. Personnel – one applicant for public employment qualifications review item, RCW 42.30.110(1)(g) and one collective bargaining planning item, RCW 42.30.140(4)(b)
- C. Real Estate

Deputy City Attorney Burton Eggertsen stated that Executive Session would be held for the purpose of reviewing the employment contract for the Chief of Police and changes to the Teamsters' Union contract. It was anticipated that the Executive Session would be 15 minutes.

Council recessed into Executive Session at 4:03 p.m. for 15 minutes and extended an additional 10 minutes before reconvening.

Police Chief Contract

Motion made by Councilmember Richards, seconded by Councilmember King, to authorize the Mayor to sign the employment contract with Erik Scairpon for Chief of Police, with the addition of a condition to live within 35 miles or 60 minutes of Marysville. After further discussion, Councilmember Richards withdrew his motion and no action was taken.

Motion made by Councilmember Norton, seconded by Councilmember James, to authorize the Mayor to sign the employment contract with Erik Scairpon for Chief of Police.

AYES: ALL

Teamsters Contract

Motion made by Councilmember Vaughan, seconded by Councilmember Stevens, to authorize the Mayor to sign the Memorandum of Understanding establishing a new Appendix A and Article IV to the agreement by and between the City of Marysville and Teamsters Local Union No. 763.

AYES: ALL

Mayor's Comments

Mayor Nehring explained he would be sending the Council a proposed letter soon regarding the I-5/529 interchange project. He hopes to gather all the signatures and get it sent off by Monday. He thanked the Council for making time for this Special Meeting.

Staff Business

CAO Hirashima noted that the start date for the Chief of Police will be September 21.

Call on Council

Councilmember Muller asked about Interim Chief Goldman's plans. CAO Hirashima explained that Interim Chief Goldman will be involved in the transition for about six months, and then plans to retire next year.

Adjournment

The meeting adjourned at 4:28 p.m.

Approved this _____ day of _____, 2020.

Mayor
Jon Nehring

Index #3

City Council



**1049 State Avenue
Marysville, WA 98270**

**Work Session
Meeting
September 8, 2020**

Call to Order & Pledge of Allegiance

Mayor Nehring called the September 8 virtual work session to order at 7 p.m. and led those present in the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Kelly Richards, Councilmember Mark James, Councilmember Steve Muller

Absent: Councilmember Stevens (excused)

Staff: CAO Gloria Hirashima, Finance Director Sandy Langdon, Parks & Rec. Director Tara Mizell, City Engineer Jeff Laycock, Interim Police Chief Jeff Goldman, Human Resources Manager Teri Lester, City Attorney Jon Walker, Community Development Director Jeff Thomas, Senior Planner Angela Gemmer, Asst. Public Works Director Kari Chennault, Fire Marshall Martin McFalls, Public Relations Administrator Connie Mennie, IT Manager Worth Norton, Systems Analyst Mike Davis

Motion to excuse the absence of Councilmember Stevens moved by Council President Norton seconded by Councilmember Richards.

AYES: ALL

Approval of the Agenda

Motion to waive normal Council rules in order to allow action on items 5, 6, 7, 8, 14, and 27 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Motion to approve the agenda moved by Councilmember James seconded by Councilmember Muller.

AYES: ALL

Committee Reports

Councilmember King reported on the recent meeting of the Snohomish County Fire Commissioners Association. The group received an update on Covid-19 from the Director of Emergency Management. The also discussed flooding, flu season, and other natural disasters and received an update on the new Snohomish County radio system.

Council President Norton gave a report on the September 3 Finance Committee meeting where they talked about the budget and sales tax numbers. Sales tax numbers are down, but not as much as anticipated. In general revenues are expected to meet expenses with the amended budget. There was also discussion about the CARES Act funding.

Presentations

A. Proclamation: Declaring September 8, 2020 as Lissencephaly Awareness Day

Mayor Nehring read the proclamation declaring September 8, 2020 as Lissencephaly Day and encouraging residents to join in supporting these families.

Approval of Minutes (Written Comment Only Accepted from Audience.)

1. Approval of the July 6, 2020 City Council Work Session Minutes
2. Approval of the July 13, 2020 City Council Meeting Minutes
3. Approval of the July 27, 2020 City Council Meeting Minutes
4. Approval of the August 20, 2020 Special City Council Meeting Minutes

Councilmember Richards referred to the August 20, 2020 Special City Council Meeting Minutes and noted the correction on the second page that the original motion by him was withdrawn and not voted on.

Consent

9. Approval of the August 12, 2020 Claims in the Amount of \$1,617,035.97 Paid by EFT Transactions and Check Numbers 142574 through 142717 with Check Number 138429 Voided

10. Approval of the August 19, 2020 Claims in the Amount of \$9,389,196.14 Paid by EFT Transactions and Check Numbers 142718 through 142858 with Check Numbers 138502 and 140004 Voided
11. Approval of the August 25, 2020 Payroll in the Amount of \$1,339,222.06 Paid by EFT Transactions and Check Numbers 33202 through 33215
12. Approval of the August 26, 2020 Claims in the Amount of \$760,434.27 Paid by EFT Transactions and Check Numbers 142859 through 143007 with Check Numbers 122303, 138573, 139244, 140088, 140411, 140748, 140824, 141102 and 141197 Voided
13. Approval of the September 2, 2020 Claims in the Amount of \$717,615.39 Paid by EFT Transactions and Check Numbers 143008 through 143156 with Check Numbers 139415, 139690 and 142802 Voided

Motion to Approve to remove items 5, 6, 7, and 8 from the Consent Agenda in order to take action tonight moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

5. Approval of the July 29, 2020 Claims in the Amount of \$4,065,664.81 Paid by EFT Transactions and Check Numbers 142321 through 142446 with Check Number 141753 Voided (Action Requested 9/8/2020)

Motion to approve item 5, the July 29, 2020 Claims in the Amount of \$4,065,664.81 Paid by EFT Transactions and Check Numbers 142321 through 142446 with Check Number 141753 Voided moved by Councilmember King seconded by Council President Norton.

AYES: ALL

6. Approval of the August 5, 2020 Claims in the Amount of \$1,355,725.42 Paid by EFT Transactions and Check Numbers 142447 through 142573 with Check Number 138429 Voided (Action Requested 9/8/2020)

Motion to approve item 6, the August 5, 2020 Claims in the Amount of \$1,355,725.42 Paid by EFT Transactions and Check Numbers 142447 through 142573 with Check Number 138429 Voided moved by Council President Norton seconded by Councilmember Muller.

AYES: ALL

7. Approval of the August 10, 2020 Payroll in the Amount of \$1,716,191.17 Paid by EFT Transactions and Check Numbers 33181 through 33200 (Action Requested 9/8/2020)

Motion to approve item 7, the August 10, 2020 Payroll in the Amount of \$1,716,191.17 Paid by EFT Transactions and Check Numbers 33181 through 33200 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

8. Approval of the August 10, 2020 Miscellaneous Payroll in the Amount of \$1,268.29 Paid by EFT Transactions and Check Number 33201

Motion to approve item 8, the August 10, 2020 Miscellaneous Payroll in the Amount of \$1,268.29 Paid by EFT Transactions and Check Number 33201 moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

Review Bids

Public Hearings

New Business

14. Consider the Community Grant Program and Small Business Relief Program, Including Approving Final Grant Awards

Finance Director Langdon reviewed this item including proposed changes as contained in the agenda bill.

Motion to authorize the Mayor to initiate and authorize the Community Grant Program and Small Business Relief Program, Including Approving Final Grant Awards moved by Councilmember King seconded by Councilmember James.

AYES: ALL

15. Consider the Watershed Planning Project Professional Services Agreement

City Engineer Laycock reviewed this PSA with Northwest Hydraulics Consultants to do a watershed planning project to help address water quality issues as it relates to the sub basin. This is a grant-funded study of the entire city which is required under the City's storm water permit and funded largely by the Department of Ecology.

16. Consider the 83rd and Soper Intersection Improvements Project Physical Completion Letter Starting the 45-day Lien Filing Period for Project Closeout

City Engineer Laycock reported that this was a successful project with the City in conjunction with Lake Stevens to construct the roundabout and frontage improvements at 83rd and Soper. The project came in significantly under the contract amount.

Council President Norton asked about issues she had heard about with people driving over the top of the roundabout. City Engineer Laycock replied that there were some

calls right after it was installed, but nothing in the past month or two. Mayor Nehring added that the engineering was done by Lake Stevens.

17. Consider the Distribution Easement with PUD No. 1 of Snohomish County

City Engineer Laycock reviewed this Distribution Easement agreement with Snohomish County PUD for Olympic View Park to bring power into the site.

18. Consider the 2020 Transportation Benefit District Project Supplement Contract No. 1 with Reece Construction

City Engineer Laycock reviewed TBD overlays projects in the downtown area.

19. Consider the Agreement with Paul and Diana Wolfe Regarding the Centennial Trail Expansion Project

City Engineer Laycock reviewed this item which will allow for the Centennial Trail Expansion Project. In lieu of financial compensation, the City will provide a fence and driveway access through a portion of the City's property on the north side.

20. Consider the Agreement with Marysville School District No. 25 Regarding the Centennial Trail Expansion Project

City Engineer Laycock reviewed this item which will allow for the Centennial Trail Expansion Project. The school district will receive financial compensation. He reviewed the location of this on the map.

21. Consider a Resolution Amending the Investment Policy

Finance Director Langdon discussed proposed amendments to the City's Investment Policy. Two of the updates related to best practices and one update was necessary to align with Washington State Investment Board Policy.

22. Consider an Ordinance Amending the Qualified Scientific Professionals Definition

Senior Planner Gemmer reviewed this proposal to strengthen the City's requirements. The amendments would change the requirements for wetland professionals to include a PWS (Professional Wetland Scientist) qualification and also differentiate wetland professionals from fish and wildlife habitat professionals.

23. Consider an Ordinance Amending the Minimum Required Parking Spaces Code

Senior Planner Gemmer reviewed the proposed changes to the parking standards. The primary change would amend the requirement for studio parking standards to 1.25 parking spaces per studio apartment unit. Additional changes would correct internal inconsistencies on the multifamily parking standards and eliminate some unnecessary language on the Accessory Dwelling Unit and one-bedroom multifamily parking spaces.

24. Consider an Ordinance Amending the Mobile/Manufacture Home and RV Park Code

Senior Planner Gemmer explained that the proposed amendments would better define requirements in the Mobile/Manufactured Home code with respect to drainage and frontage improvements. It would also allow for tiny houses within Mobile/Manufactured Home parks and repeal the RV Park Codes.

25. Consider an Ordinance Amending the Frontage Improvement Code

Senior Planner Gemmer reviewed this item. Proposed amendments would clarify that frontage improvements are required when new mobile/manufactured home parks are developed and when an existing mobile/manufactured home park is enlarged or increased in density. It would also align the timing of frontage improvement construction for short plats with what is expected for plats and clarify that frontage improvements are not required for Accessory Dwelling Units. It would give discretion over variances and deviations to the Public Works Director or designee to align with the rest of the code.

26. Consider an Ordinance Adjusting Closing Times for Parks and Amending Other Provisions Related to the Use of Parks

City Attorney Walker reviewed changes to parks closing times which will be 30 minutes after sunset. The opening time will be adjusted to 7 a.m. There was discussion about issues associated with trespass in the parks.

Councilmember Richards asked about the hours for Ebey Waterfront Park since people like to get out fishing early. Director Mizell commented that they have been the same as other parks. There is no gate there, but technically people using the park after hours would still be trespassing. Council President Norton suggested that the waterfront park could open a little earlier. City Attorney Walker indicated posting the hours with language stating "or as otherwise posted" would be one option.

Councilmember Richards spoke in support of selling passes for people who wanted to use the boat launch early or late.

Councilmember James asked if the hours would apply to all city parks and trails. He expressed concern about creating a problem for neighbors passing through parks or trails after hours. City Attorney Walker affirmed that the hours would apply to all city parks and trails. Regarding issues with neighbors, he didn't think that would be an issue. Signage would be the first step, followed by a warning if necessary, and then enforcement at the direction of police.

Councilmember Vaughan reviewed the broader hours of other boat launches in the area. He commented on the challenge of planning trips within these limited hours. He also noted the rise in popularity of ecotourism and kayaking; there are sometimes trips at night to see phytoplankton that glow in the water. He believes that the more people

that use the boat launch at all hours the better from a crime prevention standpoint. He also expressed concern about leaving enforcement up to the discretion of police officers. This could create issues in the future.

Director Mizell commented that the park hours have opened at 6:30 for years and it hasn't been a problem. She suggested just adding the clause about "unless otherwise posted". Council President Norton concurred. Interim Chief Goldman thought this would provide the enforcement tools that the police need. He suggested that the City look at permitting at some point in the future as other boat launches do. City Engineer Laycock thought this might be an issue since the land is leased from DNR.

27. Consider an Ordinance Amending the 2019-2020 Biennial Budget and Providing for the Adjustment to Expenditures as Adopted in Ordinance No. 3108

Human Resources Manager Lester reviewed this item regarding upgrading pay grids. Finance Director Langdon reviewed the amendment related to a proposal to purchase a house to support the MESH program.

Motion to approve Ordinance No. 3154 moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Legal

Mayor's Business

28. Consider the Planning Commission Appointment of Kevin Johnson and Re-Appointment of Roger Hoen

Motion to approve the Planning Commission Appointment of Kevin Johnson and Re-Appointment of Roger Hoen moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Other Mayor's Business:

- There was a Mayor's Task Force on Growth Management meeting today with good discussion around State Avenue beautification, Comprehensive Plan updates, master planning in certain areas, and signage. He thanked everyone involved in that.
- He thanked the Council for the quick turnaround in signing on to a letter regarding the I-5/529 interchange. This resulted in the southbound onramp being put back in for on-time delivery in 2023.
- The Government Affairs Committee meeting will be postponed for a couple weeks.

- The 1st Street bypass project is wrapping up. The ribbon cutting will be on October 2 at 2 p.m. He encouraged the Council to bring forward any ideas so a name could be approved before the ribbon cutting, if desired.

Staff Business

Chief McFalls welcomed everyone back.

Director Thomas noted that things have been busy in Community Development. He thanked Senior Planner Gemmer for all her work on various code amendments and improvements.

City Engineer Laycock reiterated positive comments about the I-5/529 interchange. The 1st Street bypass is coming along very well. Public Works has been very busy over the summer.

City Attorney Walker had no further comments.

Finance Director Langdon had no further comments.

Director Mizell reminded Council of the Park Board Meeting tomorrow night. She asked Council to RSVP regarding the September 18 Cedar Fields event.

Interim Chief Goldman reminded Council of the Public Safety Committee meeting via Zoom this Thursday at 4:30 p.m.

HR Manager Lester had no further comments.

Public Relations Administrator Mennie stated there would be a virtual 9/11 Ceremony this Friday. There will also be a virtual Mayor's coffee klatch next Monday before the Council meeting.

CAO Hirashima welcomed the Council back and thanked them for the Special Meeting on August 20 to approve the Police Chief contract. She announced that a new chief has been hired and will be starting on September 21. She thanked Interim Chief Goldman for his hard work this year and for agreeing to transition with the new chief.

Call on Councilmembers

Councilmember Muller thanked Interim Chief Goldman for stepping in and helping out this year.

Councilmember James congratulated Community Development for all the good news and growth in the City even during a pandemic.

Councilmember Vaughan reported on statistics and news from today's Snohomish Health District meeting. He thanked staff and the Mayor for getting the I-5/529 interchange project back on track.

Councilmember Richards reported on a city wastewater/storm water field trip he took.

Councilmember King recognized the retirement of Mike Robinson who retired from 31 years with Golf and Parks. Councilmember King said he got a tour of the Parks summer camp program that was held this summer at the old petting zoo and also took a tour of Fire Station 65 on behalf of the Fire Board.

Council President Norton thanked the Mayor and staff for their work on getting the I-5/529 interchange back into the project.

Adjournment

Motion to adjourn the meeting at 8:22 p.m. moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

The meeting adjourned at 8:22 p.m.

Approved this _____ day of _____, 2020.

Mayor
Jon Nehring

Index #4

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 28, 2020

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 9, 2020 claims in the amount of \$1,229,713.78 paid by EFT transactions and Check No.'s 143157 through 143258 with Check number's 137874 & 140419 voided.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-9

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 **CLAIMS** IN THE AMOUNT OF **\$1,229,713.78 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 143157 THROUGH 143258 WITH CHECK NUMBER'S 137874 & 140419 VOIDED**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **28th DAY OF SEPTEMBER 2020**.

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/3/2020 TO 9/9/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143181	FEDEX	SHIPPING EXPENSE	FINANCE-GENL	831.03
143182	FLUENCE USA	REPAIR PARTS FOR WWTP AERATOR	WATER/SEWER OPERATION	-2,059.76
	FLUENCE USA		WASTE WATER TREATMENT	24,207.76
143183	GEOTEST SERVICES INC	PROFESSIONAL SERVICES	ARTERIAL STREET-GENL	1,735.60
143184	GOVCONNECTION INC	HEADWORKS UPGRADE PARTS	SEWER CAPITAL PROJECTS	212.61
143185	GREATAMERICA FINANCI	POSTAGE LEASE PAYMENT	CITY CLERK	30.25
	GREATAMERICA FINANCI		EXECUTIVE ADMIN	30.25
	GREATAMERICA FINANCI		FINANCE-GENL	30.25
	GREATAMERICA FINANCI		PERSONNEL ADMINISTRATION	30.25
	GREATAMERICA FINANCI		UTILITY BILLING	30.25
	GREATAMERICA FINANCI		LEGAL - PROSECUTION	30.25
	GREATAMERICA FINANCI		POLICE INVESTIGATION	36.28
	GREATAMERICA FINANCI		POLICE PATROL	36.28
	GREATAMERICA FINANCI		OFFICE OPERATIONS	36.28
	GREATAMERICA FINANCI		DETENTION & CORRECTION	36.28
	GREATAMERICA FINANCI		POLICE ADMINISTRATION	36.28
	GREATAMERICA FINANCI		UTIL ADMIN	38.61
	GREATAMERICA FINANCI		COMMUNITY	38.62
	GREATAMERICA FINANCI		ENGR-GENL	38.62
143186	GROCERY OUTLET	COVID FOOD BANK PURCHASE	EXPENSES TO FACILITATE	5,178.46
143187	GUSTAFSON, JOHN	EVENT CANCELLATION REFUND	PARKS-RECREATION	60.00
143188	HARBOR FREIGHT TOOLS	MISC TOOLS	SOURCE OF SUPPLY	66.62
143189	HD FOWLER COMPANY	CONSTRUCTION FENCING	STORM DRAINAGE	28.06
	HD FOWLER COMPANY	HOLESAW, ARBOR AND TEE	STORM DRAINAGE	116.94
	HD FOWLER COMPANY	PVC PARTS, CEMENT AND PRIMER	WASTE WATER TREATMENT	319.81
	HD FOWLER COMPANY	PVC PARTS	STORM DRAINAGE	374.09
	HD FOWLER COMPANY	HYDRANT EXTENSION	HYDRANTS	668.53
143190	HOLTHENRICH, PAUL R	UB REFUND	WATER/SEWER OPERATION	118.66
143191	HONLE UV AMERICA	UV SENSOR	WATER/SEWER OPERATION	-36.92
	HONLE UV AMERICA		PUMPING PLANT	433.92
143192	HYLARIDES, LETTIE	INTERPRETER SERVICES	COURTS	100.00
	HYLARIDES, LETTIE		COURTS	100.00
143193	KING, MARY E	UB REFUND	WATER/SEWER OPERATION	229.04
143194	KING, SHERRY JO	PRO-TEM SERVICES	MUNICIPAL COURTS	2,540.00
143195	KROCKER, JODI	UB REFUND	WATER/SEWER OPERATION	487.07
143196	LABOR & INDUSTRIES	BOILER PRESSURE VESSEL INSPECTION	CITY HALL	25.40
	LABOR & INDUSTRIES		COMMUNITY CENTER	50.80
	LABOR & INDUSTRIES		WATER FILTRATION PLANT	76.20
	LABOR & INDUSTRIES		MAINT OF GENL PLANT	84.40
	LABOR & INDUSTRIES		PARK & RECREATION FAC	101.60
	LABOR & INDUSTRIES		MAINTENANCE	101.60
	LABOR & INDUSTRIES		MAINT OF GENL PLANT	228.60
143197	LAKE STEVENS SCHOOL	MITIGATION FEES-AUGUST 2020	SCHOOL MIT FEES	101,290.00
143198	LARSEN, BOB & MARILY	UB REFUND	WATER/SEWER OPERATION	41.82
143199	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	25.00
143200	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	50.00
143201	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	50.00
143202	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	50.00
143203	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	50.00
143204	LGI HOMES	UB REFUND	GARBAGE	140.62
143205	LGI HOMES	REFUND ELECTRICAL PERMIT FEES	COMMUNITY DEVELOPMENT	75.00
143206	LOWES HIW INC	DRILL BIT SET AND TAP HEX SET	WATER DIST MAINS	120.31
143207	MARYSVILLE AWARDS	PLAQUES	CRIME PREVENTION	336.06
	MARYSVILLE AWARDS	PORTFOLIOS	POLICE INVESTIGATION	617.33
143208	MARYSVILLE PRINTING	CASE SETTING FORMS AND ENVELOPES	MUNICIPAL COURTS	1,680.60
143209	MARYSVILLE, CITY OF	UTILITY SERVICE-7115 GROVE ST	GOLF ADMINISTRATION	285.96
	MARYSVILLE, CITY OF	UTILITY SERVICE-7007 GROVE ST	GOLF ADMINISTRATION	1,222.43
	MARYSVILLE, CITY OF	UTILITY SERVICE-6810 84TH ST NE	GOLF ADMINISTRATION	4,254.08
143210	MATIA CONTRACTORS	PAY ESTIMATE #1	GMA-PARKS	-8,054.26
	MATIA CONTRACTORS		GMA-PARKS	176,066.08
143211	MCFADDEN, SYLVIA	UTILITY TAX REBATE	NON-DEPARTMENTAL	30.38

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/3/2020 TO 9/9/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143212	MEDEL, HECTOR & FAWN	UB REFUND	WATER/SEWER OPERATION	225.19
143213	MOBILE WIRELESS LLC	NET MOTION MAINTENANCE/LICENSES	EXPENSES TO FACILITATE	1,649.34
143214	MOTOR TRUCKS	FILTERS AND COOLANT	ER&R	476.90
143215	MOUNTAIN MIST	COOLER RENTAL/BOTTLED WATER	SEWER MAIN COLLECTION	14.20
	MOUNTAIN MIST		WASTE WATER TREATMENT	14.21
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	14.22
	MOUNTAIN MIST		WASTE WATER TREATMENT	16.54
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	16.54
	MOUNTAIN MIST		SEWER MAIN COLLECTION	16.54
143216	NORTH SOUND HOSE	BUSHINGS, HOSES AND CLAMPS	WASTE WATER TREATMENT	127.80
143217	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WASTE WATER TREATMENT	3,029.36
143218	OFFICE DEPOT	OFFICE SUPPLIES	GENERAL FUND	-2.13
	OFFICE DEPOT		WATER/SEWER OPERATION	-2.12
	OFFICE DEPOT		ENGR-GENL	11.73
	OFFICE DEPOT		UTIL ADMIN	11.73
	OFFICE DEPOT		UTIL ADMIN	64.24
	OFFICE DEPOT		ENGR-GENL	64.25
	OFFICE DEPOT		COMMUNITY	121.29
	OFFICE DEPOT		COMMUNITY	163.84
143219	PAMINTUAN, ARIEL & R	UB REFUND	WATER/SEWER OPERATION	205.70
143220	PAPE MACHINERY	SERVICE #JD 6068HFC93	SEWER LIFT STATION	738.05
	PAPE MACHINERY	SERVICE #JD 4045HFC92	STORM DRAINAGE	858.81
143221	PARTS STORE, THE	BRAKE CLEANER, FILTERS, BLADES & ADDITIVE	ER&R	322.00
143222	PEACE OF MIND	MINUTE TAKING SERVICE	CITY CLERK	34.00
143223	PFM FINANCIAL ADVISO	LTGO 2020A FINANCIAL ADVISORY SRVS	INTEREST & OTHER DEBT	20,000.00
143224	PILCHUCK RENTALS	CARBURATOR	SMALL ENGINE SHOP	50.80
	PILCHUCK RENTALS	HANDLE, SHAFT AND MOTO MIX	SMALL ENGINE SHOP	152.83
	PILCHUCK RENTALS	FILTER COVERS AND BLADES	SMALL ENGINE SHOP	325.50
143225	POSTAL SERVICE	POSTAGE	UTIL ADMIN	147.57
	POSTAL SERVICE		COMMUNITY	198.18
143226	PUD	ACCT #221100092	GMA - STREET	14.74
	PUD	ACCT #201380995	PUMPING PLANT	15.66
	PUD	ACCT #204933311	PUMPING PLANT	15.88
	PUD	ACCT #202791166	PUMPING PLANT	16.16
	PUD	ACCT #200998532	PARK & RECREATION FAC	16.44
	PUD	ACCT #202368536	TRANSPORTATION	34.48
	PUD	ACCT #220153100	TRANSPORTATION	43.54
	PUD	ACCT #202183679	TRANSPORTATION	43.61
	PUD	ACCT #202102190	TRANSPORTATION	44.85
	PUD	ACCT #200869303	TRANSPORTATION	59.67
	PUD	ACCT #220298624	STREET LIGHTING	62.95
	PUD	ACCT #202490637	SEWER LIFT STATION	109.18
	PUD	ACCT #201046380	PARK & RECREATION FAC	116.29
	PUD	ACCT #202294336	STREET LIGHTING	131.78
	PUD	ACCT #202572327	STREET LIGHTING	135.98
	PUD	ACCT #220731285	STREET LIGHTING	152.27
	PUD	ACCT #202030078	TRANSPORTATION	182.36
	PUD	ACCT #200084150	TRANSPORTATION	197.31
143227	REECE TRUCKING	PAY ESTIMATE #2	ARTERIAL STREETS	-41,488.22
	REECE TRUCKING		ARTERIAL STREET-GENL	829,764.35
143228	REECE TRUCKING	HYDRANT METER REFUND	WATER-UTILITIES/ENVIRONMN	-171.70
	REECE TRUCKING		WATER/SEWER OPERATION	1,150.00
143229	REISWIG, PAUL	EVENT CANCELLATION REFUND	PARKS-RECREATION	60.00
143230	RISING SUN INTERNATI	UB REFUND	WATER/SEWER OPERATION	245.56
143231	RUSDEN, JOHN	PRO-TEM SERVICES	MUNICIPAL COURTS	370.00
143232	SAFEWAY INC.	DAY CAMP SUPPLIES	RECREATION SERVICES	237.18
143233	SHERWIN WILLIAMS	PAINT AND BRUSHES	WATER RESERVOIRS	528.43
143234	SHERWIN WILLIAMS	FLEX PRO HOSE AND TIP EXTENTION	WATER RESERVOIRS	104.81
	SHERWIN WILLIAMS	PAINT AND TIP	WATER RESERVOIRS	819.26
143235	SHI INTERNATIONAL	ADOBE LICENSE RENEWALS	OFFICE OPERATIONS	193.81
	SHI INTERNATIONAL		POLICE INVESTIGATION	193.81

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/3/2020 TO 9/9/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143235	SHI INTERNATIONAL	ADOBE LICENSE RENEWALS	FINANCE-GENL	193.81
	SHI INTERNATIONAL		CITY CLERK	193.81
	SHI INTERNATIONAL		UTIL ADMIN	193.81
	SHI INTERNATIONAL		LEGAL-GENL	193.81
	SHI INTERNATIONAL		COMPUTER SERVICES	193.83
	SHI INTERNATIONAL		COMMUNITY CENTER	415.80
	SHI INTERNATIONAL		POLICE INVESTIGATION	415.80
	SHI INTERNATIONAL		COMMUNITY CENTER	978.60
	SHI INTERNATIONAL		EXECUTIVE ADMIN	978.60
	SHI INTERNATIONAL		EXECUTIVE ADMIN	978.60
	SHI INTERNATIONAL	REMOTE DESKTOP LICENSES	EXPENSES TO FACILITATE	3,205.33
143236	SHRED-IT US	MONTHLY SHREDDING SERVICE	UTIL ADMIN	4.56
	SHRED-IT US		ENGR-GENL	4.56
143237	SOLID WASTE SYSTEMS	MODULES	ER&R	366.18
143238	SONITROL	SECURITY MONITORING	NON-DEPARTMENTAL	134.00
	SONITROL		STORM DRAINAGE	143.00
	SONITROL		UTIL ADMIN	144.56
	SONITROL		COMMUNITY CENTER	154.96
	SONITROL		PUBLIC SAFETY BLDG	177.72
	SONITROL		SUNNYSIDE FILTRATION	239.00
	SONITROL		OPERA HOUSE	277.00
	SONITROL		PARK & RECREATION FAC	287.04
	SONITROL		MAINT OF GENL PLANT	315.12
	SONITROL		CITY HALL	361.92
	SONITROL		WASTE WATER TREATMENT	576.04
143239	SONS OF ITALY	EVENT CANCELLATION REFUND	PARKS-RECREATION	30.00
143240	SOUND SAFETY	KEEN TOGETHER MASKS-COVID	PUBLIC HEALTH EXPENSE	152.77
143241	SPRINGBROOK NURSERY	TOPSOIL	PARK & RECREATION FAC	37.73
	SPRINGBROOK NURSERY		PARK & RECREATION FAC	37.73
143242	SPRINGER, MONICA & M	UB REFUND	WATER/SEWER OPERATION	148.86
143243	SSG MINERAL RESOURCE	DISPOSAL FEES	WATER DIST MAINS	160.00
	SSG MINERAL RESOURCE		WATER DIST MAINS	400.00
143244	STANLEY ACCESS INC	HANDS FREE DOOR ACCESS	WASTE WATER TREATMENT	7,156.95
143245	STAPLES	OFFICE SUPPLIES	MUNICIPAL COURTS	6.33
	STAPLES		MUNICIPAL COURTS	10.81
	STAPLES	FACE SHIELD	MUNICIPAL COURTS	43.61
	STAPLES	OFFICE SUPPLIES	MUNICIPAL COURTS	65.70
143246	STONEWAY ELECTRIC	AERATOR PARTS	WASTE WATER TREATMENT	56.37
	STONEWAY ELECTRIC		WASTE WATER TREATMENT	125.38
	STONEWAY ELECTRIC	MISC PARTS FOR AERATORS AND VAN STOCK	WASTE WATER TREATMENT	160.03
	STONEWAY ELECTRIC		SOURCE OF SUPPLY	160.03
143247	SUMMIT LAW GROUP	GENERAL LABOR	PERSONNEL ADMINISTRATION	1,749.00
	SUMMIT LAW GROUP	LABOR BARGAINING	PERSONNEL ADMINISTRATION	3,624.00
	SUMMIT LAW GROUP		PERSONNEL ADMINISTRATION	4,092.00
	SUMMIT LAW GROUP	GENERAL LABOR	PERSONNEL ADMINISTRATION	4,224.00
143248	TRANSPORTATION, DEPT	PROJECT COSTS	GMA - STREET	304.97
	TRANSPORTATION, DEPT		GMA-PARKS	423.23
	TRANSPORTATION, DEPT		GMA - STREET	1,001.92
143249	TRIVETT, MARK A	PRO-TEM SERVICES	MUNICIPAL COURTS	370.00
143250	TROJAN TECHNOLOGIES	HOME SWITCH ASSY AND ORING	PUMPING PLANT	646.83
143251	ULINE	STEEL BUCKETS	ROADWAY MAINTENANCE	128.15
143252	VERIZON	AMR LINES	METER READING	819.45
143253	VEZZANI, CAROL	UB REFUND	WATER/SEWER OPERATION	226.20
143254	WALSH, KATRINA	EVENT CANCELLATION REFUND	PARKS-RECREATION	75.00
143255	WEBCHECK	WEBCHECK SERVICES	UTILITY BILLING	2,003.47
143256	WEST PAYMENT CENTER	WA CRIMINAL PRACTICE	MUNICIPAL COURTS	1,178.26
143257	ZIONS BANK	CUSTODION/SAFEKEEPING AUG-NOV 2020	FINANCE-GENL	203.75
	ZIONS BANK		CAPITAL EXPENDITURES	203.75
	ZIONS BANK		GMA - STREET	203.75
	ZIONS BANK		ENTERPRISE D/S	203.75
143258	ZIPLY FIBER	ACCT #3606512517	STREET LIGHTING	52.87

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/3/2020 TO 9/9/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143258	ZIPLY FIBER	ACCT #3606517319	TRAFFIC CONTROL DEVICES	57.26
	ZIPLY FIBER	ACCT #3606577108	STREET LIGHTING	58.64
	ZIPLY FIBER	ACCT #3606583358	POLICE PATROL	58.64
	ZIPLY FIBER	ACCT #3606577075	POLICE PATROL	58.79
	ZIPLY FIBER	ACCT #3601970339	SEWER LIFT STATION	61.61
	ZIPLY FIBER	ACCT #3606596212	MAINT OF GENL PLANT	73.24
	ZIPLY FIBER	ACCT# 3606515087	PARK & RECREATION FAC	86.40
	ZIPLY FIBER	ACCT #3606597667	OFFICE OPERATIONS	87.90
	ZIPLY FIBER	ACCT #3606519123	WATER FILTRATION PLANT	106.26
	ZIPLY FIBER	ACCT #3606534028	CITY HALL	108.88

WARRANT TOTAL: 1,229,819.16

REASON FOR VOIDS:

INITIATOR ERROR
 CHECK LOST/DAMAGED
 UNCLAIMED PROPERTY

CHECK #137874 CHECK LOST IN MAIL (30.38)
 CHECK #140419 CHECK LOST IN MAIL (75.00)

1,229,713.78

Index #6

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 28, 2020

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 16, 2020 claims in the amount of \$7,401,227.16 paid by EFT transactions and Check No.'s 143259 through 143409 with Check number's 127179 & 138993 voided.

COUNCIL ACTION:

BLANKET CERTIFICATION

**CLAIMS
FOR
PERIOD-9**

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 **CLAIMS** IN THE AMOUNT OF **\$7,401,227.16 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 143259 THROUGH 143409 WITH CHECK NUMBER'S 127179 & 138993 VOIDED**, THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **28th DAY OF SEPTEMBER 2020**.

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/10/2020 TO 9/16/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143259	AMERICAN PROCESS	PAY ESTIMATE #4	UTILITY CONSTRUCTION	-102,998.47
	AMERICAN PROCESS		SEWER CAPITAL PROJECTS	2,059,969.38
143260	PFM FINANCIAL ADVISO	LTGO REFUNDING BOND, 2020B	INTEREST & OTHER DEBT	40,085.00
	PFM FINANCIAL ADVISO		INTEREST & OTHER	95,944.63
143261	PREMERA BLUE CROSS	PREMERA CLAIMS PAID 9/1-9/5	MEDICAL CLAIMS	39,655.68
143262	STRIDER CONSTRUCTION	PAY ESTIMATE #4	GMA - STREET	882,499.83
143263	LICENSING, DEPT OF	CPL BATCH 9/14/20	INTERGOVERNMENTAL	561.00
143264	LYDIG CONSTRUCTION	CIVIC CENTER PAYMENT #8	CAPITAL EXPENDITURES	3,247,458.20
143265	ACCURATE ELECTRIC	JAIL DOOR TOUCHSCREEN MONITOR	OFFICE OPERATIONS	743.24
	ACCURATE ELECTRIC	EVIDENCE LOT SECURITY CAMERAS	FACILITY REPLACEMENT	6,202.78
143266	ACOSTA, JESSE	INTERPRETER SERVICES	COURTS	100.00
143267	ALEXANDER REED LLC	UB REFUND	WATER/SEWER OPERATION	42.88
143268	AMAZON CAPITAL	WIPES	PUBLIC HEALTH EXPENSE	99.47
	AMAZON CAPITAL		PUBLIC HEALTH EXPENSE	131.04
	AMAZON CAPITAL	CLEANER	PUBLIC HEALTH EXPENSE	173.85
	AMAZON CAPITAL	DISINFECTANT	PUBLIC HEALTH EXPENSE	182.06
	AMAZON CAPITAL	GPS SYSTEM	POLICE PATROL	236.60
143269	ANDERSEN, MELISSA	UB REFUND	GARBAGE	299.12
143270	ANDERSON, SCOTT & C		WATER/SEWER OPERATION	39.19
143271	ARAMARK UNIFORM	UNIFORM SERVICE	SMALL ENGINE SHOP	6.56
	ARAMARK UNIFORM		EQUIPMENT RENTAL	56.66
143272	ARLINGTON, CITY OF	ACCT #700033.31	WATER FILTRATION PLANT	49.45
143273	AV CAPTURE ALL, INC.	JUDICIAL RECORDING APP RENEWALS	PROBATION	649.24
	AV CAPTURE ALL, INC.		MUNICIPAL COURTS	1,947.73
143274	AXTMAN, FRANCIS	UB REFUND	WATER/SEWER OPERATION	256.03
143275	BAKER-MOR LLC	UB REFUND	WATER/SEWER OPERATION	72.88
143276	BARKDOLL, CATHY A	UB REFUND	WATER/SEWER OPERATION	90.60
143277	BASS, STEVE & LISA		GARBAGE	338.56
143278	BEL RED HEATING	PLUMBING PERMIT REFUND	NON-BUS LICENSES AND	65.00
143279	BENS CLEANER SALES	WASH RACK REPAIR	MAINT OF GENL PLANT	1,058.09
143280	BICKFORD FORD	CORE REFUND	EQUIPMENT RENTAL	-109.30
	BICKFORD FORD	PURGE VALVE	EQUIPMENT RENTAL	31.10
	BICKFORD FORD	ENGINE COOLING FAN	EQUIPMENT RENTAL	234.28
	BICKFORD FORD	BRAKE ROTORS AND BRAKE PADS	ER&R	694.26
	BICKFORD FORD	ABS MODULE W/CORE CHARGE	EQUIPMENT RENTAL	1,227.43
143281	BIEN, KIMBERLY	UB REFUND	WATER/SEWER OPERATION	26.05
143282	BOTESCH, NASH & HALL	PROFESSIONAL SERVICES	CAPITAL EXPENDITURES	32,094.00
143283	BOYD, RAE	INMATE MEDICAL CARE-AUGUST 2020	DETENTION & CORRECTION	720.00
143284	BRACKETT, TIM & SHAN	UB REFUND	WATER/SEWER OPERATION	275.55
143285	BRAKE AND CLUTCH	AIR VALVES	EQUIPMENT RENTAL	83.61
	BRAKE AND CLUTCH	AIR BRAKE VALVES	EQUIPMENT RENTAL	121.77
	BRAKE AND CLUTCH	PURGE VALVE	EQUIPMENT RENTAL	153.09
143286	CANTU, JOANNE	UB REFUND	WATER/SEWER OPERATION	309.23
143287	CAPTAIN DIZZYS EXXON	CAR WASHES	POLICE PATROL	175.50
143288	CASCADE SECURITY	SECURITY SERVICES	PROBATION	779.42
	CASCADE SECURITY		MUNICIPAL COURTS	2,338.27
143289	CHMURA, CHRIS	UB REFUND	WATER/SEWER OPERATION	15.35
143290	CODE PUBLISHING	ELEC UPDATES	CITY CLERK	614.81
143291	CONSOLIDATED TECH	IGN MONTHLY CHARGE	OFFICE OPERATIONS	350.00
143292	COOP SUPPLY	LOPPER	TRANSPORTATION	87.43
143293	CORE & MAIN LP	SADDLE AND CORP STOP	WATER SERVICES	153.53
143294	CTS LANGUAGE LINK	INTERPRETER SERVICES	COURTS	0.91
143295	DEPT OF HUD	RETURN CDBG FUNDS	MISCELLANEOUS REVENUES	1,011.75
143296	DICKS TOWING	TOWING EXPENSE	POLICE PATROL	71.74
	DICKS TOWING		POLICE PATROL	71.74
	DICKS TOWING		POLICE PATROL	71.74
	DICKS TOWING		POLICE PATROL	71.74
143297	DK SYSTEMS, INC.	SERVICE-PW MAINT	MAINT OF GENL PLANT	142.09
	DK SYSTEMS, INC.	SERVICE-PSB	PUBLIC SAFETY BLDG	250.93
143298	DLT SOLUTIONS	PASS MANAGER MAINT RENEWAL	COMPUTER SERVICES	601.15
143299	DOBBS PETERBILT	COOLANT LEVEL SENSOR	EQUIPMENT RENTAL	190.41

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143300	DORNING, LYNN	UB REFUND	WATER/SEWER OPERATION	7.01
143301	E&E LUMBER	ROOF REPAIR ITEMS	MAINTENANCE	73.01
	E&E LUMBER	SPRAY PAINT	PARK & RECREATION FAC	76.45
	E&E LUMBER	PAINT AND TRAYS	WATER DIST MAINS	202.32
143302	EVERETT, CITY TREAS	WATER FILTRATION SERVICES	SOURCE OF SUPPLY	240,467.38
143303	EWING IRRIGATION	SPLICE KITS	PARK & RECREATION FAC	93.39
	EWING IRRIGATION	SPRINKLER PARTS AND GRASS SEED	PARK & RECREATION FAC	968.85
143304	FADA, DEREK & BRYN	UB REFUND	WATER/SEWER OPERATION	39.19
143305	FAMILY PET MEDICAL	K-9 SUPPLIES	K9 PROGRAM	76.37
143306	FBI/LEEDA	TRAINING-BUELL, LARRY	POLICE TRAINING-FIREARMS	695.00
143307	FELDMAN & LEE P.S.	PUBLIC DEFENDER	PUBLIC DEFENSE	52,000.00
143308	FERRELLGAS	PROPANE CHARGES	TRAFFIC CONTROL DEVICES	102.70
	FERRELLGAS		ROADWAY MAINTENANCE	102.71
	FERRELLGAS		TRAFFIC CONTROL DEVICES	136.92
	FERRELLGAS		ROADWAY MAINTENANCE	136.93
143309	FTRS, LLC	SERVICES PROVIDED	PARK & RECREATION FAC	56.61
	FTRS, LLC		MAINTENANCE	165.74
	FTRS, LLC		UTIL ADMIN	231.84
	FTRS, LLC		SOLID WASTE OPERATIONS	426.33
	FTRS, LLC		GENERAL	593.10
143310	GALLS, LLC	UNIFORM-BUELL, N	DETENTION & CORRECTION	105.11
	GALLS, LLC	UNIFORM-NELSON	PRO ACT TEAM	163.93
	GALLS, LLC		PRO ACT TEAM	291.82
	GALLS, LLC	NIK KITS	POLICE PATROL	556.06
143311	GATES, MASON	UB REFUND	WATER/SEWER OPERATION	185.60
143312	GEOTEST SERVICES INC	PAY APPLICATION #7	CAPITAL EXPENDITURES	17,884.40
143313	GOTCHA PEST CONTROL	PEST CONTROL-CITY HALL	CITY HALL	273.25
143314	GOVERNMENT COMPUTER	REMOTE SECURITY UPGRADE/LICENSES	EXPENSES TO FACILITATE	24,745.52
143315	GREENSHIELDS	HYDRAULIC HOSES	EQUIPMENT RENTAL	746.99
143316	GRIFFEN, CHRIS	PUBLIC DEFENDER	PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
143317	HBLE LLC	VEST-JONES	POLICE INVESTIGATION	264.63
	HBLE LLC	VESTS	POLICE ADMINISTRATION	881.04
	HBLE LLC		COMMUNITY SERVICES UNIT	881.05
	HBLE LLC	VEST-BUELL, N	DETENTION & CORRECTION	964.87
	HBLE LLC	NEW HIRE VESTS	POLICE PATROL	3,437.02
	HBLE LLC	VESTS	POLICE PATROL	12,027.07
143318	HD FOWLER COMPANY	BUSHINGS	WATER DIST MAINS	40.38
	HD FOWLER COMPANY	BRASS COUPLINGS	WATER/SEWER OPERATION	739.96
	HD FOWLER COMPANY	PLASTIC ROTORS, NOZZLES AND SS ROTORS	PARK & RECREATION FAC	880.48
	HD FOWLER COMPANY	HEX COVER T-HANDLES	ER&R	1,310.69
143319	HEALTH, DEPT OF	STILLY WATER SYSTEM IMPROVEMENT	ENTERPRISE D/S	13,343.87
	HEALTH, DEPT OF		ENTERPRISE D/S	222,397.81
143320	HEWLETT PACKARD	PRINTER CHARGES	PERSONNEL ADMINISTRATION	1.44
	HEWLETT PACKARD		SEWER MAIN COLLECTION	3.41
	HEWLETT PACKARD		STORM DRAINAGE	3.41
	HEWLETT PACKARD		UTIL ADMIN	9.32
	HEWLETT PACKARD		WATER QUAL TREATMENT	11.90
	HEWLETT PACKARD		PARK & RECREATION FAC	12.67
	HEWLETT PACKARD		COMMUNITY SERVICES UNIT	15.22
	HEWLETT PACKARD		WASTE WATER TREATMENT	45.22
	HEWLETT PACKARD		CITY CLERK	54.42
	HEWLETT PACKARD		FINANCE-GENL	54.42
	HEWLETT PACKARD		UTILITY BILLING	99.49
	HEWLETT PACKARD		MUNICIPAL COURTS	105.17
	HEWLETT PACKARD		COMPUTER SERVICES	280.71
143321	HOBBIE, RICHARD & SA	UB REFUND	WATER/SEWER OPERATION	256.88
143322	HOME DEPOT USA	MINI BLINDS	UTIL ADMIN	75.17
	HOME DEPOT USA	PURELL REFILLS	PUBLIC HEALTH EXPENSE	86.83
	HOME DEPOT USA	GLOVES	CUSTODIAL SERVICES	1,291.27

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143323	HYLARIDES, LETTIE	INTERPRETER SERVICES	COURTS	100.00
143324	INT'L CODE COUNCIL	ICC MEMBERSHIP DUES-DORCAS	COMMUNITY	450.00
143325	IVERSON, ANA LIYA	UB REFUND	WATER/SEWER OPERATION	232.55
143326	IVEY, KEVIN & BETH		GARBAGE	33.13
143327	JAMES, TONYA RENEE	COVID UTILITY GRANT	ECONOMIC SUPPORT	200.00
143328	JONES, LACEY	UB REFUND	WATER/SEWER OPERATION	225.15
143329	KAISER PERMANENTE	PRE-EMPLOYMENT SCREENING	POLICE ADMINISTRATION	1,862.00
143330	KODIAK INDUSTRIAL	BARGE REPAIR	EQUIPMENT RENTAL	3,238.01
143331	L N CURTIS & SONS	UNIFORM-NELSON	PRO ACT TEAM	58.10
	L N CURTIS & SONS	RIFLES	POLICE PATROL	2,032.98
143332	LAB/COR, INC.	LAB ANALYSIS	STORM DRAINAGE	144.00
	LAB/COR, INC.		STORM DRAINAGE	170.00
	LAB/COR, INC.		STORM DRAINAGE	216.00
	LAB/COR, INC.		STORM DRAINAGE	288.00
143333	LAKE INDUSTRIES	DRAIN ROCK	STORM DRAINAGE	258.38
143334	LAKESIDE INDUSTRIES	ASPHALT	WATER MAINS INSTALL	889.96
143335	LANGSTRAT, CLARK & M	UB REFUND	WATER/SEWER OPERATION	326.60
143336	LASTING IMPRESSIONS	TSHIRTS AND SWEATSHIRTS	ER&R	819.75
143337	LES SCHWAB TIRE CTR	REPAIR TIRE #551	EQUIPMENT RENTAL	249.74
143338	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	25.00
143339	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	25.00
143340	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	25.00
143341	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	32.12
143342	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	50.00
143343	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	50.00
143344	LGI HOMES	UB REFUND	GARBAGE	59.38
143345	LGI HOMES	UB REFUND	WATER/SEWER OPERATION	187.12
143346	LUTTRELL, THORNTON	UB REFUND	GARBAGE	158.76
143347	MARTIN, MARK & JEAN	UB REFUND	WATER/SEWER OPERATION	6.47
143348	MARYSVILLE FIRE	INMATE TRANSPORT	DETENTION & CORRECTION	377.88
143349	MARYSVILLE PICKLEBAL	HYDRANT METER REFUND	WATER-UTILITIES/ENVIRONMMN	-2.10
	MARYSVILLE PICKLEBAL		WATER/SEWER OPERATION	1,150.00
143350	MARYSVILLE, CITY OF	UTILITY SERVICE-3RD & STATE	PARK & RECREATION FAC	24.05
	MARYSVILLE, CITY OF	UTILITY SERVICE-60 STATE AVE	MAINT OF GENL PLANT	38.33
	MARYSVILLE, CITY OF	UTILITY SERVICE-1049 STATE AVE	CITY HALL	76.34
	MARYSVILLE, CITY OF	UTILITY SERVICE-514 DELTA AVE	PARK & RECREATION FAC	113.71
	MARYSVILLE, CITY OF	UTILITY SERVICE-4TH & I-5	PARK & RECREATION FAC	123.02
	MARYSVILLE, CITY OF	UTILITY SERVICE-1218 1ST ST FIRELINE	PUBLIC SAFETY BLDG	125.56
	MARYSVILLE, CITY OF	UTILITY SERVICE-1311 4TH ST IRR	PARK & RECREATION FAC	134.54
	MARYSVILLE, CITY OF	UTILITY SERVICE-1049 STATE AVE IRR	CITY HALL	153.98
	MARYSVILLE, CITY OF	UTILITY SERVICE-1218 1ST ST OFFICE	PUBLIC SAFETY BLDG	197.15
	MARYSVILLE, CITY OF	UTILITY SERVICE-80 COLUMBIA AVE	MAINT OF GENL PLANT	212.52
	MARYSVILLE, CITY OF	UTILITY SERVICE-61 STATE AVE	PARK & RECREATION FAC	217.72
	MARYSVILLE, CITY OF	UTILITY SERVICE-80 COLUMBIA AVE	ROADWAY MAINTENANCE	221.64
	MARYSVILLE, CITY OF	UTILITY SERVICE-1221 3RD ST	OPERA HOUSE	329.61
	MARYSVILLE, CITY OF	UTILITY SERVICE-80 COLUMBIA AVE	EQUIPMENT RENTAL	394.34
	MARYSVILLE, CITY OF	UTILITY SERVICE-1627 3RD ST	STORM DRAINAGE	585.89
	MARYSVILLE, CITY OF	UTILITY SERVICE-1225 3RD ST	OPERA HOUSE	638.25
	MARYSVILLE, CITY OF	UTILITY SERVICE-514 DELTA AVE	COMMUNITY CENTER	664.16
	MARYSVILLE, CITY OF	UTILITY SERVICE-1049 STATE AVE	CITY HALL	773.36
	MARYSVILLE, CITY OF	UTILITY SERVICE-80 COLUMBIA AVE	WASTE WATER TREATMENT	1,146.30
	MARYSVILLE, CITY OF	UTILITY SERVICE-1015 STATE AVE	COURT FACILITIES	2,043.89
	MARYSVILLE, CITY OF	UTILITY SERVICE-80 COLUMBIA AVE	WASTE WATER TREATMENT	2,560.42
	MARYSVILLE, CITY OF		MAINT OF GENL PLANT	2,876.62
143351	MERKLEY, BRIAN	CLAIM FOR DAMAGES	RISK MANAGEMENT	322.43
143352	MICROFLEX INC	TAXTOOLS ST SUPPORT 7/1/20-6/30/21	FINANCE-GENL	1,377.18
143353	MOBILEGUARD, INC.	TEXT MESSAGE ARCHIVING	COMMUNITY SERVICES UNIT	7.65
	MOBILEGUARD, INC.		PARK & RECREATION FAC	7.65
	MOBILEGUARD, INC.		LEGAL-GENL	7.65
	MOBILEGUARD, INC.		PERSONNEL ADMINISTRATION	7.65
	MOBILEGUARD, INC.		SOLID WASTE CUSTOMER	7.65

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143353	MOBILEGUARD, INC.	TEXT MESSAGE ARCHIVING	FACILITY MAINTENANCE	7.65
	MOBILEGUARD, INC.		MUNICIPAL COURTS	15.30
	MOBILEGUARD, INC.		COMMUNITY	15.30
	MOBILEGUARD, INC.		PROPERTY TASK FORCE	15.30
	MOBILEGUARD, INC.		OFFICE OPERATIONS	22.95
	MOBILEGUARD, INC.		COMMUNITY SERVICES UNIT	22.95
	MOBILEGUARD, INC.		RECREATION SERVICES	22.95
	MOBILEGUARD, INC.		CUSTODIAL SERVICES	22.95
	MOBILEGUARD, INC.		WATER QUAL TREATMENT	22.95
	MOBILEGUARD, INC.		YOUTH SERVICES	30.60
	MOBILEGUARD, INC.		GENERAL	30.60
	MOBILEGUARD, INC.		LEGAL - PROSECUTION	38.25
	MOBILEGUARD, INC.		EXECUTIVE ADMIN	45.90
	MOBILEGUARD, INC.		STORM DRAINAGE	45.90
	MOBILEGUARD, INC.		POLICE INVESTIGATION	53.55
	MOBILEGUARD, INC.		DETENTION & CORRECTION	53.55
	MOBILEGUARD, INC.		WASTE WATER TREATMENT	68.85
	MOBILEGUARD, INC.		ENGR-GENL	76.50
	MOBILEGUARD, INC.		UTIL ADMIN	99.45
	MOBILEGUARD, INC.		POLICE ADMINISTRATION	107.10
	MOBILEGUARD, INC.		COMPUTER SERVICES	118.84
	MOBILEGUARD, INC.		POLICE PATROL	382.50
143354	NAVIA BENEFIT	FLEXPLAN FEES-AUGUST 2020	PERSONNEL ADMINISTRATION	161.85
143355	OFFICE DEPOT	SUPPLY CREDIT	OFFICE OPERATIONS	-260.48
	OFFICE DEPOT	OFFICE SUPPLIES	UTILITY BILLING	13.98
	OFFICE DEPOT		UTILITY BILLING	41.51
	OFFICE DEPOT		POLICE PATROL	74.56
	OFFICE DEPOT		CITY COUNCIL	76.48
	OFFICE DEPOT		FINANCE-GENL	76.49
	OFFICE DEPOT		CITY CLERK	76.49
	OFFICE DEPOT		POLICE PATROL	238.28
	OFFICE DEPOT		POLICE PATROL	277.73
143356	OLASON, MONICA	INSTRUCTOR SERVICES	RECREATION SERVICES	288.00
	OLASON, MONICA		RECREATION SERVICES	1,096.80
143357	ORGUL, ONDER	UB REFUND	WATER/SEWER OPERATION	20.63
143358	PACIFIC PLUMBING	MAN HANDLE	PARK & RECREATION FAC	83.28
143359	PARTS STORE, THE	CORE REFUND	EQUIPMENT RENTAL	-14.57
	PARTS STORE, THE	AC REPAIR PARTS	EQUIPMENT RENTAL	10.85
	PARTS STORE, THE	FITTINGS	EQUIPMENT RENTAL	13.32
	PARTS STORE, THE	RELAYS	EQUIPMENT RENTAL	20.15
	PARTS STORE, THE	AC REPAIR PARTS	EQUIPMENT RENTAL	32.56
	PARTS STORE, THE	BLOWER MOTOR	EQUIPMENT RENTAL	46.63
	PARTS STORE, THE	WINDOW LIFT MOTOR W/CORE CHARGE	EQUIPMENT RENTAL	136.16
143360	PETROCARD SYSTEMS	FUEL CONSUMED	STORM DRAINAGE	25.19
	PETROCARD SYSTEMS		ENGR-GENL	38.61
	PETROCARD SYSTEMS		COMMUNITY	227.48
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	233.37
	PETROCARD SYSTEMS		PARK & RECREATION FAC	835.66
	PETROCARD SYSTEMS		GENERAL	2,059.09
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	3,200.31
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	3,608.14
	PETROCARD SYSTEMS		POLICE PATROL	6,871.91
143361	PGC INTERBAY LLC	PROFESSIONAL SERVICES	PRO-SHOP	79.64
	PGC INTERBAY LLC		PRO-SHOP	98.88
	PGC INTERBAY LLC		PRO-SHOP	401.67
	PGC INTERBAY LLC		MAINTENANCE	475.12
	PGC INTERBAY LLC		PRO-SHOP	717.02
	PGC INTERBAY LLC		PRO-SHOP	804.88
	PGC INTERBAY LLC		MAINTENANCE	1,228.86
	PGC INTERBAY LLC		MAINTENANCE	1,985.34
	PGC INTERBAY LLC		MAINTENANCE	2,373.58

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143361	PGC INTERBAY LLC	PROFESSIONAL SERVICES	MAINTENANCE	3,636.13
	PGC INTERBAY LLC		GOLF COURSE	6,321.80
	PGC INTERBAY LLC	GOLF COURSE PAYROLL	PRO-SHOP	11,522.21
	PGC INTERBAY LLC		MAINTENANCE	15,229.90
143362	PILCHUCK RENTALS	TRIMMER LINE	PARK & RECREATION FAC	141.98
	PILCHUCK RENTALS	STUMP GRINDER RENTAL	ROADSIDE VEGETATION	252.07
143363	PLATT ELECTRIC	FORK CREDIT	TRANSPORTATION	-229.05
	PLATT ELECTRIC	FUSES	TRANSPORTATION	15.52
	PLATT ELECTRIC	FORK	TRANSPORTATION	229.05
143364	POE, MELODY	UB REFUND	WATER/SEWER OPERATION	856.38
143365	PRAY, KERRY & KERRYA		WATER/SEWER OPERATION	647.50
143366	PROFORCE LAW ENFORC	TASER SUPPLIES	POLICE PATROL	2,370.77
	PROFORCE LAW ENFORC	HANDGUNS	POLICE PATROL	3,012.35
	PROFORCE LAW ENFORC	TASERS	POLICE PATROL	6,290.87
	PROFORCE LAW ENFORC		POLICE PATROL	6,290.87
143367	PUD	ACCT #205283641	STREET LIGHTING	9.08
	PUD	ACCT #205026476	STREET LIGHTING	11.01
	PUD	ACCT #202177861	PUMPING PLANT	15.12
	PUD	ACCT #204584361	STREET LIGHTING	17.16
	PUD	ACCT #205026476	STREET LIGHTING	17.21
	PUD	ACCT #204584361	STREET LIGHTING	22.74
	PUD	ACCT #221303498	STREET LIGHTING	26.84
	PUD	ACCT #200800704	STREET LIGHTING	48.29
	PUD	ACCT #204879134	TRAFFIC CONTROL DEVICES	56.34
	PUD	ACCT #220339238	TRAFFIC CONTROL DEVICES	60.95
	PUD	ACCT #202689105	WASTE WATER TREATMENT	96.74
	PUD	ACCT #202368197	PUMPING PLANT	111.61
	PUD	ACCT #202576112	STREET LIGHTING	128.50
	PUD	ACCT #200164598	SOURCE OF SUPPLY	185.52
	PUD	ACCT #203344585	STREET LIGHTING	203.39
	PUD	ACCT #200812808	PUMPING PLANT	265.33
	PUD	ACCT #202461554	SEWER LIFT STATION	433.88
	PUD	ACCT #202604203	STREET LIGHTING	1,752.35
	PUD	ACCT #201098969	PUMPING PLANT	2,106.16
	PUD	ACCT #202576112	STREET LIGHTING	2,441.46
	PUD	ACCT #202604203	STREET LIGHTING	2,628.52
	PUD	ACCT #201147253	PUMPING PLANT	3,685.27
	PUD	ACCT #202882098	STREET LIGHTING	8,813.28
	PUD		STREET LIGHTING	13,784.88
	PUD	ACCT #220824148	WASTE WATER TREATMENT	32,831.99
143368	PUGET SOUND ENERGY	ACCT #220002768939	PUBLIC SAFETY BLDG	13.08
	PUGET SOUND ENERGY	ACCT #220015485349	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #220015485380	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #220015485703	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #200007052364	MAINT OF GENL PLANT	36.48
	PUGET SOUND ENERGY	ACCT #200007781657	GOLF ADMINISTRATION	39.11
	PUGET SOUND ENERGY	ACCT #2200092074345	OPERA HOUSE	39.99
	PUGET SOUND ENERGY	ACCT #200004804056	COURT FACILITIES	40.91
	PUGET SOUND ENERGY	ACCT #200023493808	CITY HALL	44.47
	PUGET SOUND ENERGY	ACCT #200024981520	COMMUNITY CENTER	47.89
	PUGET SOUND ENERGY	ACCT #200013812314	MAINT OF GENL PLANT	69.26
	PUGET SOUND ENERGY	ACCT #200010703029	PUBLIC SAFETY BLDG	107.29
143369	ROMAINE ELECTRIC	STARTER	EQUIPMENT RENTAL	416.27
143370	ROSE, MATTHEW	UB REFUND	WATER/SEWER OPERATION	286.62
143371	SARADPON, JORGE & MA	UB REFUND	WATER/SEWER OPERATION	75.00
143372	SCHADE, MELISSA	UB REFUND	WATER/SEWER OPERATION	296.03
143373	SEALUND, FRED		WATER/SEWER OPERATION	275.89
143374	SHI INTERNATIONAL	OFFICE 365 LICENSES	IS REPLACEMENT ACCOUNTS	2,574.68
143375	SHRED-IT US	MONTHLY SHREDDING SERVICE	CITY CLERK	5.17
	SHRED-IT US		UTILITY BILLING	5.17
	SHRED-IT US		LEGAL - PROSECUTION	11.19

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143375	SHRED-IT US	MONTHLY SHREDDING SERVICE	EXECUTIVE ADMIN	11.20
	SHRED-IT US		PROBATION	16.79
	SHRED-IT US		MUNICIPAL COURTS	50.38
143376	SNO CO TREASURER	CRIME VICTIM/WITNESS FUNDS	CRIME VICTIM	450.05
143377	SNO CO TREASURER	INMATE MEDICAL-JULY 2020	DETENTION & CORRECTION	80.06
	SNO CO TREASURER	INMATE MEDICAL-MAY 2020	DETENTION & CORRECTION	10,450.73
143378	SNOHOMISH CO 911	DISPATCH SERVICES	COMMUNICATION CENTER	91,546.34
143379	SPRINGBROOK NURSERY	BARK	PARK & RECREATION FAC	171.40
	SPRINGBROOK NURSERY		PARK & RECREATION FAC	171.40
	SPRINGBROOK NURSERY		PARK & RECREATION FAC	514.20
143380	STAPLES	OFFICE SUPPLIES	UTIL ADMIN	4.75
	STAPLES		SOLID WASTE OPERATIONS	12.15
	STAPLES		UTIL ADMIN	35.55
	STAPLES		MUNICIPAL COURTS	68.85
	STAPLES		RECREATION SERVICES	70.68
	STAPLES		MUNICIPAL COURTS	92.26
	STAPLES		MUNICIPAL COURTS	190.00
	STAPLES		RECREATION SERVICES	190.25
143381	STATE PATROL	FINGERPRINT ID SERVICES	OFFICE OPERATIONS	34.25
	STATE PATROL		INTERGOVERNMENTAL	954.00
143382	STEBAKOVA, JULIA	UB REFUND	WATER/SEWER OPERATION	161.09
143383	STONEWAY ELECTRIC	HEATERS AND HARDWARE	WASTE WATER TREATMENT	260.04
143384	STRATEGIES 360	PROFESSIONAL SERVICES	GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
143385	THYSSENKRUPP ELEVATO	PREVENTATIVE MAINTENANCE	PUBLIC SAFETY BLDG	324.82
	THYSSENKRUPP ELEVATO		CITY HALL	324.82
143386	TRAFFIC SAFETY SUPPL	DELINEATORS	STORM DRAINAGE	1,324.54
143387	TRANSPORTATION, DEPT	PROJECT COSTS	ARTERIAL STREET-GENL	132.20
	TRANSPORTATION, DEPT		GMA-PARKS	227.22
143388	TRUE NORTH EQUIPMENT	PIVOT PIN	ER&R	215.26
143389	TYLER TECHNOLOGIES	LICENSE AND SUPPORT	COMPUTER SERVICES	110,104.43
143390	ULINE	EVIDENCE SUPPLIES	POLICE PATROL	281.69
143391	UNITED PARCEL SERVIC	SHIPPING EXPENSE	POLICE PATROL	17.95
	UNITED PARCEL SERVIC		POLICE PATROL	24.55
	UNITED PARCEL SERVIC		POLICE PATROL	34.91
143392	UTILITIES UNDERGROUN	EXCAVATION NOTIFICATIONS	UTILITY LOCATING	1,005.62
143393	VAN HORN, LAURIE & P	UB REFUND	WATER/SEWER OPERATION	378.71
143394	VERIZON	WIRELESS SERVICES	CRIME PREVENTION	22.25
	VERIZON		PURCHASING/CENTRAL	22.25
	VERIZON		UTILITY BILLING	44.50
	VERIZON	WIRELESS MODEMS	OFFICE OPERATIONS	48.01
	VERIZON	WIRELESS SERVICES	FACILITY MAINTENANCE	51.82
	VERIZON		PERSONNEL ADMINISTRATION	52.82
	VERIZON		SEWER LIFT STATION	80.02
	VERIZON		EQUIPMENT RENTAL	96.32
	VERIZON		PROPERTY TASK FORCE	103.64
	VERIZON		FINANCE-GENL	113.64
	VERIZON		CUSTODIAL SERVICES	125.89
	VERIZON		RECREATION SERVICES	139.60
	VERIZON		OFFICE OPERATIONS	155.46
	VERIZON	WIRELESS MODEMS	COMMUNITY SERVICES UNIT	160.27
	VERIZON	WIRELESS SERVICES	PARK & RECREATION FAC	170.39
	VERIZON		YOUTH SERVICES	194.21
	VERIZON		TRANSPORTATION	200.35
	VERIZON		COMMUNITY SERVICES UNIT	207.28
	VERIZON		MUNICIPAL COURTS	235.48
	VERIZON		LEGAL - PROSECUTION	289.10

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/10/2020 TO 9/16/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143394	VERIZON	WIRELESS SERVICES	WATER QUAL TREATMENT	297.74
	VERIZON		LEGAL-GENL	304.22
	VERIZON		SOLID WASTE CUSTOMER	314.33
	VERIZON		EXECUTIVE ADMIN	330.92
	VERIZON		DETENTION & CORRECTION	333.17
	VERIZON		WATER SUPPLY MAINS	360.15
	VERIZON		POLICE INVESTIGATION	362.74
	VERIZON		COMMUNITY	459.44
	VERIZON		WASTE WATER TREATMENT	521.89
	VERIZON		COMPUTER SERVICES	600.61
	VERIZON		STORM DRAINAGE	720.29
	VERIZON		POLICE ADMINISTRATION	747.73
	VERIZON		GENERAL	761.52
	VERIZON		ENGR-GENL	1,759.35
	VERIZON		UTIL ADMIN	2,008.04
	VERIZON	WIRELESS MODEMS	POLICE PATROL	2,633.04
	VERIZON	WIRELESS SERVICES	POLICE PATROL	2,671.02
143395	WA STATE TREASURER	PUBLIC SAFETY & BLDG REVENUE	INTERGOVERNMENTAL	673.00
	WA STATE TREASURER		GENERAL FUND	31,591.46
143396	WATCH SYSTEMS	RSO MAILINGS	POLICE INVESTIGATION	120.23
143397	WATSON, MARIA	UB REFUND	WATER/SEWER OPERATION	13.55
143398	WATSON, TYLER & RACH		WATER/SEWER OPERATION	28.43
143399	WAVEDIVISION HOLDING	I-NET LEASE/INTERNET SERVICES	WATER QUAL TREATMENT	111.20
	WAVEDIVISION HOLDING		CENTRAL SERVICES	513.24
	WAVEDIVISION HOLDING		COMPUTER SERVICES	980.22
143400	WELSH COMMISSIONING	PROFESSIONAL SERVICES	CAPITAL EXPENDITURES	2,058.75
143401	WEST PAYMENT CENTER	WEST INFORMATION CHARGES	LEGAL-GENL	384.73
	WEST PAYMENT CENTER		LEGAL - PROSECUTION	384.73
143402	WESTERN SYSTEMS	FANS AND THERMOSTATS	TRANSPORTATION	415.49
143403	WETLAND RESOURCES	PROFESSIONAL SERVICES	GMA-PARKS	3,390.00
143404	WICKS, ROBERT	UB REFUND	WATER/SEWER OPERATION	84.43
143405	WIDE FORMAT COMPANY	MONTHLY BASE CHARGE	UTIL ADMIN	130.07
	WIDE FORMAT COMPANY		UTIL ADMIN	130.07
	WIDE FORMAT COMPANY		UTIL ADMIN	130.07
143406	WILLIS, BROOKE	REFUND CLASS FEES	PARKS-RECREATION	40.00
143407	WITTENBARGER, LARRY	UB REFUND	WATER/SEWER OPERATION	134.07
143408	WOOD, TIM		WATER/SEWER OPERATION	12.07
143409	ZIPLY FIBER	PHONE CHARGES	CITY CLERK	10.01
	ZIPLY FIBER		CRIME PREVENTION	10.01
	ZIPLY FIBER		COMMUNITY CENTER	10.01
	ZIPLY FIBER		SOLID WASTE CUSTOMER	10.01
	ZIPLY FIBER		GOLF ADMINISTRATION	10.01
	ZIPLY FIBER		PURCHASING/CENTRAL	10.01
	ZIPLY FIBER		FACILITY MAINTENANCE	10.01
	ZIPLY FIBER		PROPERTY TASK FORCE	20.02
	ZIPLY FIBER		RECREATION SERVICES	30.02
	ZIPLY FIBER		PERSONNEL ADMINISTRATION	30.02
	ZIPLY FIBER		WATER QUAL TREATMENT	30.02
	ZIPLY FIBER		YOUTH SERVICES	40.03
	ZIPLY FIBER		COMMUNITY SERVICES UNIT	40.03
	ZIPLY FIBER		LEGAL-GENL	40.03
	ZIPLY FIBER		GENERAL	40.03
	ZIPLY FIBER		STORM DRAINAGE	40.03
	ZIPLY FIBER		LEGAL - PROSECUTION	50.04
	ZIPLY FIBER		EQUIPMENT RENTAL	50.04
	ZIPLY FIBER		POLICE ADMINISTRATION	56.36
	ZIPLY FIBER		POLICE PATROL	56.36
	ZIPLY FIBER		COMMUNICATION CENTER	56.36
	ZIPLY FIBER		UTILITY BILLING	56.36
	ZIPLY FIBER		GENERAL	56.36
	ZIPLY FIBER		GOLF ADMINISTRATION	56.36

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/10/2020 TO 9/16/2020

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
143409	ZIPLY FIBER	PHONE CHARGES	CITY HALL	56.39
	ZIPLY FIBER	ACCT #3606534741	WASTE WATER TREATMENT	57.26
	ZIPLY FIBER	PHONE CHARGES	COMPUTER SERVICES	60.02
	ZIPLY FIBER		FINANCE-GENL	60.05
	ZIPLY FIBER		PARK & RECREATION FAC	60.05
	ZIPLY FIBER	ACCT #3606580924	PUBLIC SAFETY BLDG	60.86
	ZIPLY FIBER	ACCT #4253359912	SUNNYSIDE FILTRATION	66.63
	ZIPLY FIBER	PHONE CHARGES	UTILITY BILLING	70.05
	ZIPLY FIBER	ACCT #3606585292	PERSONNEL ADMINISTRATION	72.40
	ZIPLY FIBER	PHONE CHARGES	EXECUTIVE ADMIN	80.06
	ZIPLY FIBER		POLICE INVESTIGATION	80.06
	ZIPLY FIBER	ACCT #3606537208	OPERA HOUSE	81.98
	ZIPLY FIBER	PHONE CHARGES	POLICE ADMINISTRATION	90.07
	ZIPLY FIBER		WASTE WATER TREATMENT	90.07
	ZIPLY FIBER	ACCT #3606594398	PUBLIC SAFETY BLDG	106.87
	ZIPLY FIBER	PHONE CHARGES	OFFICE OPERATIONS	110.08
	ZIPLY FIBER		COMMUNITY	112.72
	ZIPLY FIBER		DETENTION & CORRECTION	112.72
	ZIPLY FIBER		OFFICE OPERATIONS	112.72
	ZIPLY FIBER		COMMUNITY CENTER	112.72
	ZIPLY FIBER		GOLF ADMINISTRATION	112.72
	ZIPLY FIBER		MUNICIPAL COURTS	120.09
	ZIPLY FIBER	ACCT #3606575532	OPERA HOUSE	124.50
	ZIPLY FIBER	PHONE CHARGES	COMMUNITY	160.13
	ZIPLY FIBER		DETENTION & CORRECTION	170.13
	ZIPLY FIBER		UTIL ADMIN	170.13
	ZIPLY FIBER		ENGR-GENL	210.16
	ZIPLY FIBER		PARK & RECREATION FAC	225.44
	ZIPLY FIBER		WASTE WATER TREATMENT	281.80
	ZIPLY FIBER		UTIL ADMIN	281.80
	ZIPLY FIBER	ACCT #3606585292	MUNICIPAL COURTS	289.58
	ZIPLY FIBER	PHONE CHARGES	POLICE PATROL	490.37

WARRANT TOTAL: 7,401,280.71

CHECK #127179 CHECK LOST IN MAIL (13.55)
 CHECK #138993 CHECK LOST IN MAIL (40.00)

REASON FOR VOIDS:
 INITIATOR ERROR
 CHECK LOST/DAMAGED
 UNCLAIMED PROPERTY

7,401,227.16

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CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 28, 2020

AGENDA ITEM: Payroll	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS:	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 25, 2020 payroll in the amount \$1,608,551.96, paid by EFT Transactions and Check No.33237 through 33248.

COUNCIL ACTION:

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CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 28, 2020

AGENDA ITEM:	
Nonexclusive Communications Site Sublease/License Island County	
PREPARED BY:	DIRECTOR APPROVAL: 
Kari Chennault, Asst. Public Works Director	
DEPARTMENT:	
Public Works	
ATTACHMENTS:	
2 Original Site Subleases/Licenses	
BUDGET CODE:	AMOUNT:
40100362.325000	~(\$18,545.40)
SUMMARY:	

The current Site Sublease/License with Island County Emergency Services Communications Center (I-COM 911) expires September 30, 2020. This new site sublease will extend the terms of the previous lease until September 30, 2023 and increase the monthly rental rate to \$500 with a 3% annual increase thereafter.

<p>RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to sign and execute the Communications Site Sublease/License with Island County Emergency Services Communications Center.</p> <p>RECOMMENDED MOTION: I move to authorize the Mayor to sign and execute the Communications Site Sublease/License with Island County Emergency Services Communications Center.</p>

**NONEXCLUSIVE COMMUNICATIONS SITE SUBLEASE/LICENSE
ISLAND COUNTY EMERGENCY SERVICES COMMUNICATIONS CENTER**

1. The City of Marysville (City) subleases premises to Island County Emergency Services Communications Center (I-COM 911) for the location of communications equipment under the terms of a Nonexclusive Communications Site Sublease/License dated September 27, 2010, (attached as Exhibit A), which has been subsequently renewed.

2. The City and I-COM 911 desire to extend the existing sublease of the premises through September 30, 2023 and at a rental rate of \$500 per month and payable monthly through electronic funds transfer. The rental rate will increase by three percent (3%) for the second year and third year, resulting in monthly rental rates of \$515 per month for the second year and \$530.45 per month for the third year.

3. Except for the above provisions, all terms and conditions of the original Nonexclusive Communications Site Sublease/License dated September 27, 2010, remain in full force and effect.

4. This renewal is effective on the date of the last signature below.

ISLAND COUNTY EMERGENCY SERVICES COMMUNICATIONS CENTER



Lisa Ernst
Executive Director
I-COM 911

Dated: 26 August, 2020

CITY OF MARYSVILLE

Jon Nehring, Mayor

Dated: _____, 2020

Attest:

Approved as to form:

Tina Brock, Deputy City Clerk

Jon Walker, City Attorney

Index #9

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 28, 2020

AGENDA ITEM:	
An Amendment to the Interagency Agreement with the Washington State Department of Commerce through the Coronavirus Relief Fund for Local Governments	
PREPARED BY:	DIRECTOR APPROVAL:
Sandy Langdon, Finance Director	
DEPARTMENT:	
Finance	
ATTACHMENTS:	
Interagency Agreement Amendment Mayor Nehring's CARES Funding Memo – 9/14/2020 amendment	
BUDGET CODE:	AMOUNT:
	\$1,017,300.00
SUMMARY:	

The City entered into an agreement for \$2,034,600 from the State's CARES Act Grant. Recently the Governor ordered additional funding be provided to local jurisdictions, for the City this amount is \$1,017,300.

The amendment increases the amount by \$1,017,300 for a total of \$3,051,900. The amendment also extends the deadline from October 31, 2020 to November 30, 2020 with final reimbursement requests submitted by December 15, 2020.

These funds provide for necessary expenditures incurred due to the public health emergency with respect to the COVID-19. Expenditures may include addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions.

The proposed budget for this grant is described as follows:

City Fund Expenses	\$817,300
Business Relief	\$200,000

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to sign and execute the Amendment to the Interagency Agreement with the Washington State Department of Commerce through the Coronavirus Relief Fund for Local Governments.

RECOMMENDED MOTION:

I move to authorize the Mayor to sign and execute the Amendment including budget as presented.

Amendment

Contract Number: 20-~~85~~⁵⁴41C-239
Amendment Number: A

**Washington State Department of Commerce
Local Government Division
Community Capital Facilities Unit
Coronavirus Relief Fund for Local Governments**

1. Contractor City of Marysville 1049 State Ave MARYSVILLE, Washington 98270-4234		2. Contractor Doing Business As (optional)	
3. Contractor Representative (only if updated) Sandy Langdon Finance Director (360) 363-8017 slangdon@marysvillewa.gov		4. COMMERCE Representative (only if updated) Matthew Ojennus Project Manager (360) 725-4047 Fax 360-586-5880 matthew.ojennus@commerce.wa.gov	
5. Original Contract Amount (and any previous amendments) \$2,034,600.00	6. Amendment Amount \$1,017,300.00	7. New Contract Amount \$3,051,900.00	
8. Amendment Funding Source Federal: X State: Other: N/A:		9. Amendment Start Date Date of Execution	10. Amendment End Date November 30, 2020
11. Federal Funds (as applicable): \$3,051,900.00	Federal Agency: US Dept. of the Treasury	CFDA Number: 21.019	
12. Amendment Purpose: To provide additional funding for costs incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) during the period of March 1, 2020 thru November 30, 2020. Final invoices must be received by December 15, 2020.			

COMMERCE, defined as the Department of Commerce, and the Contractor, as defined above, acknowledge and accept the terms of this Contract As Amended and attachments and have executed this Contract Amendment on the date below to start as of the date and year referenced above. The rights and obligations of both parties to this Contract As Amended are governed by this Contract Amendment and the following other documents incorporated by reference: Contractor Terms and Conditions including Attachment "A" – Scope of Work, Attachment "B" – Budget & Invoicing, Attachment "C" – A-19 Certification, Attachment "D" – A-19 Activity Report. A copy of this Contract Amendment shall be attached to and made a part of the original Contract between COMMERCE and the Contractor. Any reference in the original Contract to the "Contract" shall mean the "Contract as Amended".

FOR CONTRACTOR _____ Jon Nehring, Mayor _____ Date	FOR COMMERCE _____ Mark K. Barkley, Assistant Director, Local Government Div _____ Date APPROVED AS TO FORM ONLY _____ Sandra Adix Assistant Attorney General _____ 3/20/2014 Date
---	---

This Contract is **amended** as follows:

Contract amount has been increased by \$1,017,300.00.

Contract end date has been extended from October 31, 2020 to November 30, 2020.

Final reimbursement request must be received by December 15, 2020.

ALL OTHER TERMS AND CONDITIONS OF THIS CONTRACT REMAIN IN FULL FORCE AND EFFECT.



MARYSVILLE
MAYOR JON NEHRING

Date: May 22, 2020
 To: Marysville City Council
 From: Mayor Jon Nehring
 Subject: CARES Funding

Governor Inslee allocated part of Washington’s federal CARE funding directly to local governments under 500,000 in population, who were otherwise ineligible for direct funding under the CARES Act. Through the Department of Commerce, the state is contracting with local jurisdictions to enable COVID-19 related reimbursements, for expenses occurring between March 1 and October 31, 2020. Cities were allocated funds based on population size. Use of these funds is limited, and not intended to replace lost revenues. Cities will have until October 31 to submit for reimbursement and use the funding. Cities are required to notify the Department of Commerce by October of unspent funds, so that the state can reallocate the remaining amounts to their programs.

Marysville’s allocation is \$2,034,600.00. We have identified the following areas for reimbursement and believe that the funds would be fully expended under this plan:

City of Marysville Fund Expenses:

Families First Compliance	\$ 270,000
Overtime	\$ 160,000
Salaries/Wages related to EOC Activation	\$ 250,000
Salaries/Wages for redirected work	\$ 249,600
Unemployment Costs (up to 50%)	\$ 25,000
PPE/Sanitation/Screening	\$ 150,000
Technology/Infrastructure Upgrades	\$ 180,000

Community Grants:

Small Business Rental Relief	\$ 250,000
PPE Purchasing for Businesses	\$ 25,000
Direct food purchase for Marysville Food Bank distribution	\$ 25,000
Utility payment subsidy	\$ 25,000
Domestic Violence Services (community advocate-DVS)	\$ 25,000
Small Business Rental Relief (second round if needed)	\$

~~150,000~~300,000

Community Relief	\$
------------------	----

~~250,000~~100,000

I would appreciate your thoughts on the aforementioned plan. We would like to move forward with the community grants swiftly in order to make money available to businesses and community members who have been impacted

(360) 363-8000

Marysville City Hall
1049 State Avenue
Marysville, WA 98270

financially by COVID-19 related circumstances. If the City Council has other considerations or grant ideas, we will work to implement them.

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CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 28, 2020

AGENDA ITEM:	
Commercial permitted uses, and density and dimensional code amendments (PA20-015)	
PREPARED BY:	DIRECTOR APPROVAL:
Angela Gemmer, Senior Planner	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
Memo to City Council dated 9/17/2020 PC Recommendation dated 9/9/2020 PC Minutes dated 9/9/2020 Adopting Ordinance	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

The Planning Commission (PC) held a public hearing on September 9, 2020 to review proposed amendments to Marysville Municipal Code Title 22, *Unified Development Code* pertaining to commercial permitted uses, and density and dimensional standards. Presently there is a disconnect between the adopted subarea plan for the East Sunnyside/Whiskey Ridge Area (Plan) and the Marysville Municipal Code (MMC). Specifically, the Plan does not contemplate residential uses in the Community Business-Whiskey Ridge (CB-WR) zone while the MMC permitted uses table incorrectly allows for residential uses. The attached memo more fully describes this matter. To remedy this disconnect, staff proposes to:

- Amend the zone description in MMC 22C.020.030 to distinguish between the Community Business (CB) and CB-WR zoning districts, and clarify that residential uses are not allowed in the CB-WR zoning district;
- Create a separate column in the permitted uses table in MMC 22C.020.060 for the CB-WR zoning district which would allow for all of the uses allowed in the CB zoning district except for multi-family, convalescent/nursing/retirement homes, and residential care facilities; and
- Make other minor amendments to the density and dimensional table in MMC 22C.020.080 for clarity and consistency.

The PC received testimony from staff and interested parties at the public hearing following public notice. The PC made a motion to recommend the proposed amendments to City Council for adoption by Ordinance.

RECOMMENDED ACTION:

Staff recommends that City Council affirm the Planning Commission's recommendation and adopt the Commercial Permitted Uses, and Density and Dimensional Amendments by Ordinance.

RECOMMENDED MOTION:

I move to adopt the Commercial Permitted Uses, and Density and Dimensional Amendments by Ordinance, and authorize the mayor to sign said Ordinance.



MARYSVILLE
COMMUNITY
DEVELOPMENT

MEMORANDUM

DATE: September 17, 2020
TO: City Council
FROM: Jeff Thomas, Community Development Director
 Angela Gemmer, Senior Planner
RE: Marysville Municipal Code Sections 22.020.030, 22.020.060 & 22.020.080 - Proposed Amendments
CC: Community Development – Planning Division

Introduction

The Community Development Department is committed to continuously improving the efficiency and effectiveness of its processes and regulations for staff, customers and citizens alike. A significant part of this commitment is proposing refinements and clarifications to development regulations as opportunities and challenges are identified.

Recently, disconnects were identified between the adopted subarea plan for the *East Sunnyside/Whiskey Ridge Area* ("Plan") and the Marysville Municipal Code ("MMC"). To remedy these disconnects, staff has drafted proposed amendments to MMC Sections 22.020.030 and 22.020.060. Additionally, other minor refinements and clarifications are proposed to MMC Section 22.020.080.

Legislative History

On May 14, 2007, the City of Marysville Comprehensive Plan was amended by the adoption of Ordinance No. 2696 which adopted the Plan. MMC Chapters 19.12 and 19.26 were concurrently amended by Ordinance No. 2696 for new development regulations within the subject Plan boundaries. Subsequent amendments by Ordinance No. 2728 to refine these development regulations were completed on December 10, 2007. On February 14, 2011, Ordinance No. 2852 was adopted to amend the MMC to create a Unified Development Code ("UDC"), MMC Title 22. The provisions of the UDC adopted in 2011 as relate to the Plan remain substantially intact today.

Analysis

The Plan, as it still exists today, does not provide for residential land uses within the Community Business zoning district. Unfortunately, the permitted uses table were not amended to address the Community Business-Whiskey Ridge (CB-WR) zone in 2007 with adopting Ordinance No. 2696. The permitted uses for CB-WR were also not addressed with the subsequent refinements adopted by Ordinance No. 2728. In 2011, the UDC amended the permitted use table and development conditions contained in MMC 22C.020.060 and 22C.020.070, and included the addition of footnote (63) to MMC 22C.020.070. This footnote applies to the Community Business (CB) zone and states that "permitted uses include Whiskey Ridge zones" thus combining the permitted uses for the CB and CB-WR zones. While the permitted uses table does appear to provide for residential development in the Community Business - Whiskey Ridge (CB-WR) zone, the density and dimensional standards table contained in MMC 22C.020.080 clearly and correctly assigns no residential base density nor residential maximum density for the CB-WR zoning district.

Proposed Amendments

To achieve the required proper alignment and consistency between the Plan and MMC as it relates to residential uses in the CB-WR zoning district, and to correct other minor

(360) 363-8100

Community
Development
80 Columbia Avenue
Marysville, WA 98270

inconsistencies in the density and dimensional table, the following development regulation amendments are proposed for Planning Commission review and consideration:

- Amend the zone description in MMC 22C.020.030 to distinguish between the Community Business ("CB") and CB-WR zoning districts and clarify that residential uses are not allowed in the CB-WR zoning district;
- Create a separate column in the permitted uses table in MMC 22C.020.060 for the CB-WR zoning district which would allow for all of the uses allowed in the CB zoning district except for multi-family, convalescent/nursing/retirement homes, and residential care facilities; and
- Minor refinements and clarifications in the density and dimension table in MMC 22C.020.080.

Staff respectfully requests the City Council affirm the recommendation of the Planning Commission, and adopt the proposed commercial permitted uses and density and dimensional amendments by Ordinance.



MARYSVILLE
COMMUNITY
DEVELOPMENT

**PC Recommendation – Commercial Permitted Uses and
Density and Dimensional Standards**

The Planning Commission (PC) of the City of Marysville, held a public hearing on September 9, 2020 in review of NON-PROJECT action amendments of the Marysville Municipal Code (MMC), proposing amendments to Sections 22C.020.030 – *Characteristics of commercial, industrial, recreation and public institutional zones*, 22C.020.060 – *Permitted uses*, 22C.020.070 – *Permitted uses – Development conditions*, 22C.020.080 – *Densities and dimensions*, and 22C.020.090 – *Densities and dimensions – Development conditions*. Having considered the exhibits and testimony presented, PC does hereby enter the following findings, conclusions and recommendation for consideration by the Marysville City Council:

FINDINGS:

1. The Community Development Department held a public meeting to introduce the NON-PROJECT action Commercial Permitted Uses, and Density and Dimensional Standards Amendments to the community on September 9, 2020.
2. The proposal was submitted to the State of Washington Department of Commerce for 14-day expedited review on August 20, 2020, in accordance with RCW 36.70A.106.
4. The PC held a public work session to review the NON-PROJECT action amendments proposing adoption of the NON-PROJECT action Commercial Permitted Uses, and Density and Dimensional Standards Amendments as described above, on September 9, 2020.
5. The PC held a duly-advertised public hearing on September 9, 2020 and received testimony from city staff and the public.
6. At the public hearing, the PC reviewed and considered the Commercial Permitted Uses, and Density and Dimensional Standards Amendments.

CONCLUSION:

At the public hearing, held on September 9, 2020, the PC recommended **APPROVING** the Commercial Permitted Uses, and Density and Dimensional Standards Amendments.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of the NON-PROJECT action known as the Commercial Permitted Uses, and Density and Dimensional Standards Amendments, an amendment to Marysville Municipal Code Sections 22C.020.030 – *Characteristics of commercial, industrial, recreation and public institutional zones*, 22C.020.060 – *Permitted uses*, 22C.020.070 – *Permitted uses – Development conditions*, 22C.020.080 – *Densities and dimensions*, and 22C.020.090 – *Densities and dimensions – Development conditions*, this **September 9, 2020**.

By: _____
Stephen Leifer, Planning Commission Chair

(360) 363-8100

Community
Development
80 Columbia Avenue
Marysville, WA 98270

**Community
Development**



**1049 State Avenue
Marysville, WA 98270**

**Planning
Commission Meeting
Minutes
September 9, 2020**

CALL TO ORDER

Chair Leifer called the meeting to order and welcomed new commissioner Kevin Johnson. Introductions followed.

Present:

Commissioners: Chair Steve Leifer, Roger Hoen, Jerry Andes, Kevin Johnson, Kristin Michal, Brandon Whitaker, Tom Thetford

Staff: Planning Manager Chris Holland, Senior Planner Angela Gemmer, Program Specialist Janis Lamoureux

1. APPROVAL OF MINUTES

June 9, 2020 Planning Commission Minutes

Chair Leifer asked staff for clarification about the verbiage in note number 7, in the zoning matrix in 22C.020.070 related to not allowing mobile homes made prior to October 16, 2006. Senior Planner Gemmer explained that this refers to the distinction between mobile homes and manufactured homes. This note is saying that you can only do mobile homes in mobile home parks established prior to that date. Per state law, local jurisdictions are allowed to prevent mobile homes which are no longer built from being placed in new mobile home parks. Chair Leifer asked for confirmation that a developer could do a new mobile home park with the purpose of installing tiny homes, RVs, or factory homes. Staff affirmed this.

Motion to approve the June 9, 2020 Planning Commission Minutes moved by Jerry Andes seconded by Kristin Michal.

VOTE: Motion carried 5 - 0

AYES: Chair Steve Leifer, Jerry Andes, Kristin Michal, Brandon Whitaker, Tom Thetford

ABSTAIN: Roger Hoen, Kevin Johnson

July 14, 2020 Planning Commission Minutes

Commissioner Whitaker noted that the spelling of his last name should be corrected in the last paragraph on page 3 and also on page 4.

Motion to approve the July 14, 2020 Planning Commission Minutes as corrected by Commissioner Whitaker moved by Jerry Andes seconded by Brandon Whitaker.

VOTE: Motion carried 6 - 0

AYES: Chair Steve Leifer, Roger Hoen, Jerry Andes, Kristin Michal, Brandon Whitaker, Tom Thetford

ABSTAIN: Kevin Johnson

2. AUDIENCE PARTICIPATION (for topics not on the agenda)

None

3. PUBLIC HEARINGS

Item No. 1: Amendments to MMC Sections 22A.020.210 – “T” definitions, 22C.010.060 – Permitted uses, 22C.010.070 – Permitted uses – Development conditions, and 22C.180.030, Accessory dwelling unit standards to allow for tiny houses as accessory dwelling units.

Senior Planner Gemmer reviewed the proposed amendments to allow for tiny houses as accessory dwelling units as contained in the Planning Commission packet.

Commissioner Andes asked if temporary housing communities for homeless is addressed somewhere. Planning Manager Holland explained that transitory accommodations is addressed in the Temporary Use Code. The State Legislature enacted new rules related to transitory accommodations, therefore, these provisions will be coming back to the Planning Commission towards the end of the year or beginning next year.

Commissioner Hoen referred to Nina Weinstein's question about property owners being able to build and rent out tiny houses on their property which was raised in her letter. Senior Planner Gemmer replied that it would currently not be allowed if the property owner did not live on site. The accessory dwelling unit provision has always required that one of the units needs to be owner-occupied in order to preserve property values and pride of ownership.

Commissioner Johnson asked for clarification if tiny houses would be allowed in places other than mobile home parks. Senior Planner Gemmer explained they would be allowed in mobile home parks, but also as an accessory dwelling unit in

single-family residential zones or any zone where accessory dwelling units are allowed as long as one of the units is owner-occupied.

Commissioner Johnson asked if there are any conflicts with the City's building code to allow for smaller room sizes. Senior Planner Gemmer noted that the state has put out some regulations pertaining to tiny houses. The City's building department follows state requirements.

Public Comments: Chair Leifer solicited public testimony. There was none.

Motion to forward the tiny house code provisions to City Council for approval moved by Roger Hoen seconded by Tom Thetford.

AYES: ALL

Item No. 2: Amendments to MMC Sections 22C.020.030, Characteristics of commercial, industrial, recreation and public institutional zones, and 22C.020.060, Permitted uses, to prohibit multi-family residential, convalescent/nursing/retirement, and residential care facilities in the Community Business-Whiskey Ridge (CB-WR) zone

Planning Manager Holland explained that this is a legislative fix of an error that has been occurring for some time in the code. Senior Planner Gemmer reviewed the proposed amendments pertaining to the Community Business-Whiskey Ridge (CB-WR) zone. This would correct an error and eliminate multi-family residential, convalescent/nursing/retirement, and residential care facilities in the CB-WR zone as residential uses were not assigned to the zone.

Commissioner Johnson asked why residential would not be allowed in this zone. Planning Manager Holland explained that more analysis needs to be done regarding utilities and road impacts. Commissioner Johnson asked why car and boat dealers would be allowed in that zone, but not motorcycles. Senior Planner Gemmer explained that streamlining and updating the permitted uses matrices would be a future topic of discussion. Commissioner Johnson recommended also looking at manufacturing allowances for artisan manufacturers in order to make this a more vibrant area.

Public Comments: Chair Leifer solicited public comments. There were none.

Motion to approve amendments and forward to the City Council with a recommendation for approval moved by Jerry Andes seconded by Kristin Michal.

AYES: ALL

4. NEW BUSINESS

Mixed Use (MU) Zone Discussion

Senior Planner Gemmer introduced this topic for Commission discussion. With the current flexibility on uses in the MU zone, multi-family and commercial development is occurring in isolation rather than in the integrated manner intended by code. Upon Council direction, staff has proposed three options to consider to remedy this matter:

- Option 1: Require vertical mixed use in the MU zone. Vertical mixed use would require a combination of multi-family and commercial in the same building.
- Option 2: Require a commercial component to projects which propose a single building. If a project proposes multiple buildings, the buildings along the street frontages would either need to be vertical mixed use or commercial. Multi-family residential would be allowed interior to the site (behind the commercial or mixed use buildings).
- Option 3: No change. The Mixed Use zone would continue to allow for: exclusive multi-family, exclusive commercial, or a combination of multi-family and commercial, whether vertical or horizontal.

Commissioner Whitaker asked about the development climate related to true mixed use/vertical mixed use. Planning Manager Holland explained that the development community's response has been that it is not economically feasible for them to do vertical mixed use.

Commissioner Andes asked about the ratio of commercial to residential required for mixed use developments. Senior Planner Gemmer explained this would require more discussion; right now they are looking for general parameters. For the horizontal development, they would like to see commercial uses along arterial roadways and have multifamily be located behind the commercial. Vertical mixed use parameters are strict with commercial and residential being required in the same building.

Commissioner Johnson spoke in support of requiring a commercial component in some way. He believes it is best for the community. If it's not required, people are going to go elsewhere for their commercial needs.

Commissioner Andes concurred. He spoke in support of options 2 or 3 or a combination.

Commissioner Michal asked if they could require vertical mixed use just in certain areas like downtown and have flexibility in other areas. Planning Manager Holland explained that they are exploring a form-based code for the downtown area. There will likely be some different zoning districts for downtown. Commissioner Michal concurred with other commissioners about the need for more commercial options in Marysville.

Chair Leifer referred to a vertical mixed use building in Arlington which he finds very inviting. He thinks this is what should be happening in the mixed use zones. He noted that if the requirements are too rigid development just will not occur. He suggested an incentive for developers to build commercial along with their apartments. He has concerns about the commercial aspect being dictated to developers. Planning Manager Holland discussed the need to balance requirements with incentives. Commissioner Johnson agreed, but stressed the need for some sort of minimal commercial requirements or lose out on that possibility altogether.

Commissioner Thetford suggested looking at what surrounding jurisdictions have done and how that has worked. Senior Planner Gemmer noted that the prevailing theme is horizontal mixed use with vertical mixed use in downtown areas, but there is a huge diversity in the approaches. Defining the street wall with commercial uses is another prevailing theme along with robust connections between different uses and buildings. Planning Manager Holland noted that another thing other jurisdictions have done is to define amenities which are required on different streets.

Chair Leifer suggested considering a binding site plan option on a horizontal mixed use development which would allow the construction of the residential portion in the back first but then give some time before the street front commercial has to be developed. This would reserve that property for commercial construction at a later date and give the developer more time.

Commissioner Whitaker noted that Marysville may have some unique hurdles that prohibit this kind of development. Incentives may help to develop momentum. Planning Manager Holland concurred.

Commissioner Hoen suggested that there needs to be more Marysville exit signs off of I-5 South.

Commissioner Johnson cautioned against writing the code in a way that is focusing on someone buying multiple properties and combining them. He thinks what is most likely to happen is developers buying one property and developing that. The focus should be on how a single property is going to be developed.

Commissioner Andes agreed that there should be some minimums, but also flexibility.

Planning Manager Holland noted that staff would bring back some general information on what other jurisdictions have done and have more discussion on this.

Commissioner Michal asked about the timeline for the Downtown Master Plan. Planning Manager Holland replied that they are still in the initial phases of it. Staff is doing the initial environmental review portion right now. The grant says it needs to be adopted by the end of March, so it will be a tight timeline. He noted that there is a new tool on the website to gather feedback from the community. He thinks there will be an opportunity to have even more engagement than usual on this project because of increased online activity.

Commissioner Hoen asked if there be sidewalks on both sides of the new bridge down by Fred Meyer. Planning Manager Holland thought there would be, but indicated he would confirm that.

5. CITY COUNCIL AGENDA ITEMS and MINUTES

6. ADJOURNMENT

The meeting was adjourned at 6:43 p.m.

7. NEXT MEETING – Tuesday, September 22, 2020

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, UPDATING
THE CITY'S DEVELOPMENT REGULATIONS AND AMENDING SECTIONS
22A.010.160, 22C.020.030, 22C.020.060, 22C.020.070, 22C.020.080, AND
22C.020.090 OF THE MARYSVILLE MUNICIPAL CODE.**

WHEREAS, the State Growth Management Act, Chapter 36.70A RCW mandates that cities periodically review and amend development regulations, including zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, on May 14, 2007, the Marysville City Council adopted Ordinance No. 2696 amending the City's Comprehensive Plan by adopting the initial subarea plan for the East Sunnyside/Whiskey Ridge Subarea (hereafter referred to as the "Whiskey Ridge Subarea"), and amending the City's development regulations; and

WHEREAS, on February 14, 2011, the Marysville City Council adopted Ordinance No. 2852 amending the City development regulations to create a Unified Development Code, Marysville Municipal Code ("MMC") Title 22; and

WHEREAS, the adoption of Ordinance No. 2852 (through MMC 22C.020) erroneously permitted certain residential land uses in the Whiskey Ridge Subarea by conflating the permitted uses in the Community Business zoning district within the Whiskey Ridge Subarea with the permitted uses in the Community Business zoning district throughout the rest of the city; and

WHEREAS, this erroneous permitting of certain residential land uses in the Community Business zoning district within the Whiskey Ridge Subarea went undetected until recent inquiries regarding the permitting of multiple-family dwelling units within this zoning district; and

WHEREAS, the City has determined that amendments MMC 22C.020 are necessary; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, the City of Marysville submitted the proposed amendments to MMC Section 22C.130.030 to the Washington State Department of Commerce on August 20, 2020, as required by RCW 36.70A.106; and

WHEREAS, the proposed amendments to MMC Section 22C.130.030 are exempt from State Environmental Policy Act review under WAC 197-11-800(19);

WHEREAS, after providing notice to the public as required by law, the Marysville Planning Commission held a Public Hearing on September 9, 2020 regarding the proposed amendments to MMC Sections 22C.020.030, 22C.020.060, 22C.020.070, 22C.020.080, and 22C.020.090; and

WHEREAS, the Planning Commission made a Recommendation to the City Council on September 9, 2020, recommending the adoption of the proposed amendments to MMC Sections 22C.020.030, 22C.020.060, 22C.020.070, 22C.020.080, and 22C.020.090; and

WHEREAS, at a public meeting on September 28, 2020 the Marysville City Council reviewed and considered the Planning Commission's Recommendation and the proposed amendments to MMC Sections 22C.020.030, 22C.020.060, 22C.020.070, 22C.020.080, and 22C.020.090; and

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

Section 1. Required Findings. In accordance with MMC 22G.010.520, the following findings are made regarding the proposed amendments to MMC Sections 22C.020.030, 22C.020.060, 22C.020.070, 22C.020.080, and 22C.020.090 which comprise this ordinance:

- (1) The amendments are consistent with the purposes of the comprehensive plan; and
- (2) The amendments are consistent with the purpose of Title 22 MMC; and
- (3) There have been significant changes in the circumstances to warrant a change; and
- (4) The benefit or cost to the public health, safety, and welfare is sufficient to warrant the action.

Section 2. Section 22C.020.030, Characteristics of commercial, industrial, recreation and public institutional zones, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.030 Characteristics of commercial, industrial, recreation and public institutional zones

(1) Neighborhood Business Zone.

(a) The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties. These purposes are accomplished by:

- (i) Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding residential area;
- (ii) Allowing for a mix of housing and retail/service uses; and
- (iii) Excluding industrial and community/regional business-scaled uses.

(b) Use of this zone is appropriate in neighborhood centers designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

(2) Community Business and Community Business – Whiskey Ridge Zones.

(a) The purpose of the community business (CB) and community business – Whiskey Ridge (CB-WR) zones ~~(CB)~~ is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto-related and industrial uses. These purposes are accomplished by:

- (i) Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;
- (ii) Allowing for a mix of housing and retail/service uses; provided that, housing is not allowed in the community business – Whiskey Ridge zone; and
- (iii) Excluding commercial uses with extensive outdoor storage or fabrication and industrial uses.

- (b) Use of this zone is appropriate in community business commercial areas that are designated by the comprehensive plan and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (3) General Commercial Zone.
- (a) The purpose of the general commercial zone (GC) is to provide for the broadest mix of commercial, wholesale, service and recreation/cultural uses with compatible storage and fabrication uses, serving regional market areas and offering significant employment. These purposes are accomplished by:
- (i) Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in CB zoned areas;
 - (ii) Allowing for outdoor sales and storage, regional shopping areas and limited fabrication uses; and
 - (iii) Concentrating large-scale commercial and office uses to facilitate the efficient provision of public facilities and services.
- (b) Use of this zone is appropriate in general commercial areas that are designated by the comprehensive plan that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (4) Downtown Commercial Zone.
- (a) The purpose of the downtown commercial zone (DC) is to provide for the broadest mix of comparison retail, service and recreation/cultural uses with higher density residential uses, serving regional market areas and offering significant employment. These purposes are accomplished by:
- (i) Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in GC zoned areas;
 - (ii) Allowing for regional shopping areas, and limited fabrication uses; and
 - (iii) Concentrating large-scale commercial and office uses to facilitate the efficient provision of public facilities and services.
- (b) Use of this zone is appropriate in downtown commercial areas that are designated by the comprehensive plan that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (5) Mixed Use Zone.
- (a) The purpose of the mixed use zone (MU) is to provide for pedestrian- and transit-oriented high-density employment uses together with limited complementary retail and higher density residential development in locations within activity centers where the full range of commercial activities is not desirable. These purposes are accomplished by:
- (i) Allowing for uses that will take advantage of pedestrian-oriented site and street improvement standards;
 - (ii) Providing for higher building heights and floor area ratios than those found in the CB zone;
 - (iii) Reducing the ratio of required parking to building floor area;
 - (iv) Allowing for on-site convenient daily retail and personal services for employees and residents; and
 - (v) Minimizing auto-oriented, outdoor or other retail sales and services which do not provide for the daily convenience needs of on-site and nearby employees or residents.
- (b) Use of this zone is appropriate in areas designated by the comprehensive plan for mixed use, or mixed use overlay, which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (6) Light Industrial Zone.
- (a) The purpose of the light industrial zone (LI) is to provide for the location and grouping of non-nuisance-generating industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and limited retail uses. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:
- (i) Allowing for a wide range of industrial and manufacturing uses;
 - (ii) Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and

- (iii) Limiting residential, institutional, service, office and other nonindustrial uses to those necessary to directly support industrial activities.
 - (b) Use of this zone is appropriate in light industrial areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (7) General Industrial Zone.
 - (a) The purpose of the general industrial zone (GI) is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and heavy trucking and equipment but also for commercial uses having special impacts and regulated by other chapters of this title. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:
 - (i) Allowing for a wide range of industrial and manufacturing uses;
 - (ii) Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and
 - (iii) Limiting residential, institutional, service, office and other nonindustrial uses to those necessary to directly support industrial activities.
 - (b) Use of this zone is appropriate in general industrial areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (8) Business Park Zone.
 - (a) The purpose of the business park zone (BP) is to provide for those business/industrial uses of a professional office, wholesale, and manufacturing nature which are capable of being constructed, maintained and operated in a manner uniquely designed to be compatible with adjoining residential, retail commercial or other less intensive land uses, existing or planned. Strict zoning controls must be applied in conjunction with private covenants and unified control of land; many business/industrial uses otherwise provided for in the development code will not be suited to the BP zone due to an inability to comply with its provisions and achieve compatibility with surrounding uses.
 - (b) Use of this zone is appropriate in business park areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.
- (9) Recreation Zone.
 - (a) The purpose of the recreation zone (REC) is to establish areas appropriate for public and private recreational uses. Recreation would permit passive as well as active recreational uses such as sports fields, ball courts, golf courses, and waterfront recreation, but not hunting. This zone would also permit some resource land uses related to agriculture and fish and wildlife management.
 - (b) This recreation zone is applied to all land designated as "recreation" on the comprehensive plan map.
- (10) Public/Institutional Zone.
 - (a) The purpose of the public/institutional (P/I) land use zone is to establish a zone for governmental buildings, churches and public facilities.
 - (b) This public/institutional zone is applied to all land designated as "public/institutional" on the comprehensive plan map.
- (11) Small Farms Overlay Zone.
 - (a) The purpose of the small farms overlay zone (-SF suffix to zone's map symbol) is to provide a process for registering small farms, thereby applying the small farms overlay zone and recording official recognition of the existence of the small farm, and to provide encouragement for the preservation of such farms, as well as encouraging good neighbor relations between single-family and adjacent development.
 - (b) Use of this zone is appropriate for existing and newly designated small farms.

Section 3. Section 22C.020.060, Permitted Uses, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.060 Permitted uses.

Specific Land Use	NB	CB (63)	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Residential Land Uses										
Dwelling Units, Types:										
Townhouse					P6	P				
Multiple-family	C4	P4, C5		P4, C5	P4, P6	P				
Mobile home	P7	P7	<u>P7</u>	P7	P7	P7	P7	P7		
Senior citizen assisted	P					C				P
Caretaker's quarters (3)	P	P	<u>P</u>	P	P	P	P	P	P	P
Group Residences:										
Adult family home (70)	P	P	<u>P</u>	P	P	P				P
Convalescent, nursing, retirement	C	P			P	P				P
Residential care facility	P	P			P	P	P70	P70	P70	P
Master planned senior community (10)						C				C
Accessory Uses:										
Home occupation (2)	P8	P8, P9	<u>P8, P9</u>	P8, P9	P8, P9	P8, P9	P9	P9		
Temporary Lodging:										
Hotel/motel	P	P	<u>P</u>	P	P	P	P75			
Bed and breakfast guesthouse (1)										
Bed and breakfast inn (1)	P	P	<u>P</u>	P						
Recreation/Cultural Land Uses										
Park/Recreation:										
Park	P11	P	<u>P</u>	P	P	P	P	P	P11	P
Marina					P			P	C	P
Dock and boathouse, private, noncommercial					P			P	P16	P
Recreational vehicle park				C12			C12		C	P
Boat launch, commercial or public					P			P		P
Boat launch, noncommercial or private					P			P	P17	P
Community center	P	P	<u>P</u>	P	P	P	P	P	P	P
Amusement/Entertainment:										
Theater		P	<u>P</u>	P	P	P				
Theater, drive-in				C						
Amusement and recreation services		P18	<u>P18</u>	P18	P18	P19	P	C		
Sports club	P	P	<u>P</u>	P	P	P	P	P		

Specific Land Use	NB	CB (63)	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Golf facility (13)		P	<u>P</u>	P			P	P	C	
Shooting range (14)				P15			P15			
Outdoor performance center				C			C		C	C
Riding academy							P		C	
Cultural:										
Library, museum and art gallery	P	P	<u>P</u>	P	P	P	P	P	C	P
Church, synagogue and temple	P	P	<u>P</u>	P	P	P	P	P		P
Dancing, music and art center		P	<u>P</u>	P	P	P			C	P
General Services Land Uses										
Personal Services:										
General personal service	P	P	<u>P</u>	P	P	P	P	P		
Dry cleaning plant		P	<u>P</u>				P	P		
Dry cleaning pick-up station and retail service	P	P	<u>P</u>	P	P	P25	P76	P		
Funeral home/crematory		P	<u>P</u>	P	P	P26	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	<u>P24</u>	P24 , C20			P	P		
Day care I	P70	P70	<u>P70</u>	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	<u>P</u>	P	P	P	P21			
Veterinary clinic	P	P	<u>P</u>	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	<u>C, P28</u>	P			P	P		
Electric vehicle (EV) charging station (64)	P	P	<u>P</u>	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	<u>P</u>	P	P67	P67	P	P		
EV battery exchange station				P			P	P		
Miscellaneous repair		P	<u>P</u>	P			P	P		
Social services		P	<u>P</u>	P	P	P				P
Kennel, commercial and exhibitor/breeding (71)		P	<u>P</u>	P			P	P		
Pet daycare (71), (72)		P	<u>P</u>	P	P	P	P76	P		
Civic, social and fraternal association		P	<u>P</u>	P	P	C		P		P
Club (community, country, yacht, etc.)								P		P
Health Services:										
Medical/dental clinic	P	P	<u>P</u>	P	P	P				P
Hospital		P	<u>P</u>	P	P	C				C
Miscellaneous health	P68	P68	<u>P68</u>	P68	P68	P68				P68
Supervised drug consumption facility										

Specific Land Use	NB	CB (63)	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Education Services:										
Elementary, middle/junior high, and senior high (including public, private and parochial)		C	<u>C</u>	C	C	C	P	C		C
Commercial school	P	P	<u>P</u>		P	P27				C
School district support facility	C	P	<u>P</u>	P	P	P	P	P		P
Vocational school		P	<u>P</u>	P	P	P27				P
Government/Business Service Land Uses										
Government Services:										
Public agency office	P	P	<u>P</u>	P	P	P	P	P		P
Public utility yard				P			P			P
Public safety facilities, including police and fire	P29	P	<u>P</u>	P	P	P	P			P
Utility facility	P	P	<u>P</u>	P		C	P	P		P
Private storm water management facility	P	P	<u>P</u>	P	P	P	P	P		P
Public storm water management facility	P	P	<u>P</u>	P	P	P	P	P		P
Business Services:										
Contractors' office and storage yard				P30	P30	P30	P	P		
Interim recycling facility		P23	<u>P23</u>	P23			P			P
Taxi stands		P	<u>P</u>	P			P	P		
Trucking and courier service		P31	<u>P31</u>	P31			P	P		
Warehousing and wholesale trade				P			P	P		
Mini-storage (36)							P76	P		
Freight and cargo service				P			P	P		
Cold storage warehousing							P	P		
General business service and office	P	P	<u>P</u>	P	P	P30	P	P		
Commercial vehicle storage							P	P		
Professional office	P	P	<u>P</u>	P	P	P	P			
Miscellaneous equipment rental		P30, 37	<u>P30, 37</u>	C38		P30, 37	P	P		
Automotive rental and leasing				P			P	P		
Automotive parking	P	P	<u>P</u>	P	P	P	P	P		
Research, development and testing				P			P	P		
Heavy equipment and truck repair							P	P		
Automobile holding yard				C			P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	<u>P39</u>	P39	P39, 40	P39, 40	P	P		
Adult facility								P33		
Factory-built commercial building (35)	P	P	<u>P</u>	P	P		P	P		

Specific Land Use	NB	CB (63)	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Wireless communication facility (32)	P, C	P, C	<u>P, C</u>	P, C	P, C	P, C	P, C	P, C		P, C
State-Licensed Marijuana Facilities:										
Marijuana cooperative (69)										
Marijuana processing facility – Indoor only (69)										
Marijuana production facility – Indoor only (69)										
Marijuana retail facility (69)										
Retail/Wholesale Land Uses										
Building, hardware and garden materials	P47	P	<u>P</u>	P	P	P47	P76	P		
Forest products sales		P	<u>P</u>	P			P			
Department and variety stores	P	P	<u>P</u>	P	P	P	P76			
Food stores	P	P	<u>P</u>	P	P	P45	P76			
Agricultural crop sales		P	<u>P</u>	P		C	P76			
Storage/retail sales, livestock feed							P76	P		
Motor vehicle and boat dealers		P	<u>P</u>	P			P	P		
Motorcycle dealers		C	<u>C</u>	P	P49		P	P		
Gasoline service stations	P	P	<u>P</u>	P	P		P76	P		
Eating and drinking places	P41	P	<u>P</u>	P	P	P46	P46	P		
Drug stores	P	P	<u>P</u>	P	P	P	P76	P		
Liquor stores		P	<u>P</u>	P						
Used goods: antiques/secondhand shops		P	<u>P</u>	P	P	P				
Sporting goods and related stores		P	<u>P</u>	P	P	P				
Book, stationery, video and art supply stores	P	P	<u>P</u>	P	P	P				
Jewelry stores		P	<u>P</u>	P	P	P				
Hobby, toy, game shops	P	P	<u>P</u>	P	P	P				
Photographic and electronic shops	P	P	<u>P</u>	P	P	P				
Fabric and craft shops	P	P	<u>P</u>	P	P	P				
Fuel dealers				P43			P43	P43		
Florist shops	P	P	<u>P</u>	P	P	P				
Pet shops	P	P	<u>P</u>	P	P	P				
Tire stores		P	<u>P</u>	P	P		P76	P		
Bulk retail		P	<u>P</u>	P			P76			
Auction houses				P42			P76			
Truck and heavy equipment dealers							P	P		
Mobile home and RV dealers				C			P	P		

Specific Land Use	NB	CB (63)	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Retail stores similar to those otherwise named on this list	P	P	<u>P</u>	P	P	P48	P44, 76	P44		
Automobile wrecking yards							C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	<u>P50</u> <u>, 52</u>	P50			P50	P		
Winery/brewery		P53	<u>P53</u>	P	P53	P53	P	P		
Textile mill products							P	P		
Apparel and other textile products				C			P	P		
Wood products, except furniture				P			P	P		
Furniture and fixtures				P			P	P		
Paper and allied products							P	P		
Printing and publishing	P51	P51	<u>P51</u>	P		P51	P	P		
Chemicals and allied products							C	C		
Petroleum refining and related industries							C	C		
Rubber and misc. plastics products							P	P		
Leather and leather goods							C	C		
Stone, clay, glass and concrete products							P	P		
Primary metal industries							C	P		
Fabricated metal products				C			P	P		
Industrial and commercial machinery							C	P		
Heavy machinery and equipment							C	P		
Computer and office equipment				C			P			
Electronic and other electric equipment				C			P			
Railroad equipment							C	P		
Miscellaneous light manufacturing				P54 , 74	P54		P	P		
Motor vehicle and bicycle manufacturing							C	P		
Aircraft, ship and boat building							C	P		
Tire retreading							C	P		
Movie production/distribution				P			P			
Resource Land Uses										
Agriculture:										
Growing and harvesting crops							P	P	P	
Raising livestock and small animals							P	P	P	
Greenhouse or nursery, wholesale and retail				P			P	P	C	
Farm product processing							P	P		

Specific Land Use	NB	CB (63)	CB- WR	GC	DC	MU (63)	LI	GI	REC	P/I
Forestry:										
Growing and harvesting forest products							P			
Forest research							P			
Wood waste recycling and storage							C	C		
Fish and Wildlife Management:										
Hatchery/fish preserve (55)							P	P	C	
Aquaculture (55)							P	P	C	
Wildlife shelters	C	C	<u>C</u>						P	
Mineral:										
Processing of minerals							P	P		
Asphalt paving mixtures and block							P	P		
Regional Land Uses										
Jail		C	<u>C</u>	C			C			
Regional storm water management facility		C	<u>C</u>	C	C		C	C		P
Public agency animal control facility				C			P	P		C
Public agency training facility		C56	<u>C56</u>	C56		C56	C57			C57
Nonhydroelectric generation facility	C	C	<u>C</u>	C			C	C		C
Energy resource recovery facility							C			
Soil recycling/incineration facility							C	C		
Solid waste recycling								C		C
Transfer station							C	C		C
Wastewater treatment facility							C	C		C
Transit bus base				C			P			C
Transit park and pool lot	P	P	<u>P</u>	P	P	P	P	P		P
Transit park and ride lot	P	P	<u>P</u>	P	P	P	P	P		C
School bus base	C	C	<u>C</u>	C			P			C58
Racetrack	C59	C59	<u>C59</u>	C			P			
Fairground							P	P		C
Zoo/wildlife exhibit		C	<u>C</u>	C						C
Stadium/arena				C			C	P		C
College/university	C	P	<u>P</u>	P	P	P	P	P		C
Secure community transition facility								C6 0		
Opiate substitution treatment program facilities		P61, 62	<u>P61 , 62</u>	P61 , 62	P61, 62		P62	P62		

Section 4. Section 22C.020.070, Permitted uses – Development conditions, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.070 Permitted uses – Development conditions. 

- (1) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 22C.210 MMC, Bed and Breakfasts.
- (2) Home occupations are subject to the requirements and standards contained in Chapter 22C.190 MMC, Home Occupations.
- (3) Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business. Caretaker's quarters are subject to the provisions set forth in Chapter 22C.110 MMC, entitled "Temporary Uses."
- (4) All units must be located above a street-level commercial use.
- (5) Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street-level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.
- (6) Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.
- (7) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.
- (8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
- (9) Permitted in a legal nonconforming or conforming residential structure.
- (10) Subject to Chapter 22C.220 MMC, Master Planned Senior Communities.
- (11) The following conditions and limitations shall apply, where appropriate:
 - (a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise, a conditional use permit is required;
 - (b) Lighting for structures and fields shall be directed away from residential areas; and
 - (c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
- (12) Recreational vehicle parks are subject to the requirements and conditions of Chapter 22C.240 MMC.
- (13) Golf Facility.
 - (a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
 - (b) Restaurants are permitted as an accessory use to a golf course.
- (14) Shooting Range.
 - (a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;
 - (b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and
 - (c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.
- (15) Only in an enclosed building.
- (16) Dock and Boathouse, Private, Noncommercial.
 - (a) The height of any covered over-water structure shall not exceed 20 feet as measured from the line of ordinary high water;
 - (b) The total roof area of covered, over-water structures shall not exceed 1,000 square feet;
 - (c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
 - (d) No over-water structure shall extend beyond the average length of all pre-existing over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such pre-existing structures exist within 300 feet, the pier length shall not exceed 50 feet;
 - (e) Structures permitted hereunder shall not be used as a dwelling; and

- (f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.
- (17) Boat Launch, Noncommercial or Private.
- (a) The city may regulate, among other factors, required launching depth, and length of docks and piers;
 - (b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and
 - (c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.
- (18) Excluding racetrack operation.
- (19) Amusement and recreation services shall be a permitted use if they are located within an enclosed building, or a conditional use if located outside. In both instances they would be subject to the exclusion of a racetrack operation similar to other commercial zones.
- (20) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.
- (21) Permitted as an accessory use; see MMC 22A.020.020, the definition of "Accessory use, commercial/industrial."
- (22) Only as an accessory to a gasoline service station; see retail and wholesale permitted use table in MMC 22C.020.060.
- (23) All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.
- (24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
- (25) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.
- (26) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.
- (27) All instruction must be within an enclosed structure.
- (28) Car washes shall be permitted as an accessory use to a gasoline service station.
- (29) Public Safety Facilities, Including Police and Fire.
- (a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
 - (b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.
- (30) Outdoor storage of materials or vehicles must be accessory to the primary building area and located to the rear of buildings. Outdoor storage is subject to an approved landscape plan that provides for effective screening of storage, so that it is not visible from public right-of-way or neighboring properties.
- (31) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.
- (32) All WCFs and modifications to WCFs are subject to Chapter 22C.250 MMC including but not limited to the siting hierarchy, MMC 22C.250.060. WCFs may be a permitted use or a CUP may be required subject to MMC 22C.250.040.
- (33) Subject to the conditions and requirements listed in Chapter 22C.030 MMC.
- (34) Reserved.
- (35) A factory-built commercial building may be used for commercial purposes subject to the following requirements:
- (a) A factory-built commercial building must be inspected at least two times at the factory by the State Building and Electrical Inspector during the construction process, and must receive a state approval stamp certifying that it meets all requirements of the International Building and Electrical Codes. At the building site, the city building official will conduct foundation, plumbing and final inspections; and
 - (b) A factory-built commercial building cannot be attached to a metal frame allowing it to be mobile. All structures must be placed on a permanent, poured-in-place foundation. The foundation shall be structurally engineered to meet the requirements set forth in Chapter 16 of the International Building Code.
- (36) Mini-storage facilities are subject to the development standards outlined in Chapter 22C.170 MMC.

- (37) Except heavy equipment.
- (38) With outdoor storage and heavy equipment.
- (39) Incidental assembly shall be permitted; provided, it is limited to less than 20 percent of the square footage of the site excluding parking.
- (40) Light industrial uses may be permitted; provided, there is no outdoor storage of materials, products or vehicles.
- (41) Excluding drinking places such as taverns and bars and adult entertainment facilities.
- (42) Excluding vehicle and livestock auctions.
- (43) If the total storage capacity exceeds 6,000 gallons, a conditional use permit is required.
- (44) The retail sale of products manufactured on site shall be permitted; provided, that not more than 20 percent of the constructed floor area in any such development may be devoted to such retail use.
- (45) Limited to 5,000 square feet or less.
- (46) Eating and Drinking Places.
 - (a) Limited to 4,000 square feet or less.
 - (b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.
 - (c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit in the mixed use zone.
- (47) Limited to hardware and garden supply stores.
- (48) Limited to convenience retail, such as video, and personal and household items.
- (49) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (50) Except slaughterhouses.
- (51) Limited to photocopying and printing services offered to the general public.
- (52) Limited to less than 10 employees.
- (53) In conjunction with an eating and drinking establishment.
- (54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (55) May be further subject to the provisions of city of Marysville shoreline management program.
- (56) Except weapons armories and outdoor shooting ranges.
- (57) Except outdoor shooting ranges.
- (58) Only in conjunction with an existing or proposed school.
- (59) Except racing of motorized vehicles.
- (60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.
- (61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter 22G.070 MMC, Siting Process for Essential Public Facilities.
- (62) Opiate substitution treatment program facilities, as defined in MMC 22A.020.160, are subject to the standards set forth below:
 - (a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child-care facility, or actual place of regular worship established prior to the proposed treatment facility.
 - (b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.
 - (c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.
- (63) Permitted uses include Whiskey Ridge zones.
- (64) Level 1 and Level 2 charging only.
- (65) The term "rapid" is used interchangeably with Level 3 and fast charging.
- (66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC 22C.020.265.
- (67) Rapid (Level 3) charging stations are required to be placed within a parking garage.
- (68) Excepting "marijuana (cannabis) dispensaries," "marijuana (cannabis) collective gardens," and "marijuana cooperatives" as those terms are defined or described in this code and/or under state law; such facilities and/or uses are prohibited in all zoning districts of the city of Marysville.
- (69) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within commercial,

industrial, recreation, and public institution zones in the city. Provided, activities in strict compliance with RCW 69.51A.210 and 69.51A.260 are not a violation of the Marysville Municipal Code.

(70) Permitted within existing legal nonconforming single-family residences.

(71) Subject to the requirements set forth in MMC 10.04.460.*

(72) Pet daycares are restricted to indoor facilities with limited, supervised access to an outdoor fenced yard. Overnight boarding may be permitted as a limited, incidental use. Both outdoor access and overnight boarding privileges may be revoked or modified if the facility is not able to comply with the noise standards set forth in WAC 173-60-040.*

(73) Shipping/cargo and similar storage containers may be installed on commercial or industrial properties provided they are screened from public view pursuant to MMC 22C.120.160, Screening and impact abatement.

(74) Tanks, generators, and other machinery which does not generate nuisance noise may be located in the service/loading area. Truck service/loading areas shall not face the public street and shall be screened from the public street.

(75) Hotels/motels are prohibited within Arlington Airport Inner Safety Zones (ISZ) 2, 3, and 4. Hotel/motels that are proposed to locate within Arlington Airport Protection Subdistricts B and C shall be required to coordinate with the Arlington Municipal Airport to ensure that height, glare, and other aspects of the hotels/motels are compatible with air traffic and airport operations.

(76) Use limited to properties that have property frontage along State Avenue/Smokey Point Boulevard.

Section 5. Section 22C.020.080, Densities and dimensions, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.080 Densities and dimensions. 

(1) Interpretation of Tables.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC 22C.020.090.

(b) The density and dimension table is arranged in a matrix format and is delineated into the commercial, industrial, recreation and public institutional use categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. ~~A blank box indicates that there are no specific requirements.~~ If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote set forth in MMC 22C.020.090.

(2) General Densities and Dimension Standards.

Standards	NB	CB	GC	DC	MU (12)	LI	GI	BP	REC	P/I	WR- MU (15)	WR- CB (15)
Base density: Dwelling unit/acre	<u>None</u> (18)	12	12	12	28 (1)	- <u>0</u>	- <u>0</u>	- <u>0</u>	- <u>0</u>	- <u>0</u>	12	- <u>0</u>
Maximum density: Dwelling unit/acre	- <u>None</u> (18)	None (13)	None (13)	None	34 (2)	- <u>0</u>	- <u>0</u>	- <u>0</u>	- <u>0</u>	- <u>0</u>	18 (13)	- <u>0</u>
Minimum street setback (3)	20 feet	None (7)	None (7)	None (7)	None (7, 8)	None (7)	None (7)	None (7)	20 feet	None (7, 8)	None (7, 8, 14)	None (7, 14)
Minimum interior setback	10 feet (side)	None (4)	None (4)	None (4)	<u>None</u> 5-feet (9)	None (4)	None (4)	- <u>None</u> (4)	None (4)	None (4)	5 feet (9, 16, 17)	None (4)

Standards	NB	CB	GC	DC	MU (12)	LI	GI	BP	REC	P/I	WR- MU (15)	WR- CB (15)
	20 feet (rear)					50 feet (5)	50 feet (5)					
Base height (6)	25 feet	55 feet	35 feet, 85 feet (19)	85 feet	45 feet, 65 feet (10)	65 feet	65 feet	45 feet	35 feet	45 feet	45 feet	55 feet
Maximum impervious surface: Percentage	75%	85%	85%	85%	85%, 75% (11)	85%	85%	75%	35%	75%	85%, 75% (11)	85%

Section 6. Section 22C.020.090, Densities and dimensions – Development conditions, of MMC Chapter 22C.020, Commercial, Industrial, Recreation and Public Institutional Zones, is hereby amended to read as follows:

22C.020.090 Densities and dimensions – Development conditions. 

- (1) These densities are allowed only through the application of mixed use development standards.
- (2) These densities may only be achieved in the downtown portion of Planning Area 1 through the application of residential density incentives. See Chapter 22C.090 MMC.
- (3) Gas station pump islands shall be placed no closer than 25 feet to street front lines. Pump island canopies shall be placed no closer than 15 feet to street front lines.
- (4) A 25-foot setback is required on property lines adjoining residentially designated property.
- (5) A 50-foot setback only required on property lines adjoining residentially designated property for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.
- (6) Height limits may be increased when portions of the structure or building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit.
- (7) Subject to sight distance review at driveways and street intersections.
- (8) A 20-foot setback is required for multiple-family structures outside of the downtown portion of Planning Area 1.
- (9) A 15-foot setback is required for (a) commercial or multiple-family structures on property lines adjoining single-family residentially designated property, and (b) a rear yard of a multi-story residential structure, otherwise no specific interior setback requirement. Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right-of-way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.
- (10) The 65-foot base height applies only to the downtown portion of Planning Area 1. The 45-foot base height applies to the southeast sector of the downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.
- (11) The 85 percent impervious surface percentage applies to commercial developments, and the 75 percent rate applies to multiple-family developments.
- (12) Reduced building setbacks and height requirements may be approved on a case-by-case basis to provide flexibility for innovative development plans; provided, that variance requests which are greater than 10 percent of the required setback shall be considered by the hearing examiner.
- (13) Subject to the application of the residential density incentive requirements of Chapter 22C.090 MMC.
- (14) Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.
- (15) Projects with split zoning (two or more distinct land use zones) may propose a site plan to density average or adjust the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition.

- (16) Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot line developments.
- (17) Townhome setbacks are reduced to five feet on side yard setbacks, provided the buildings meet a 10-foot separation between structures.
- (18) There is no minimum or maximum density for this zone. Residential units are permitted if located above a ground-level commercial use.
- (19) The 85-foot base height applies only within the boundaries of the Downtown Master Plan area, bounded by 8th Street to the north, Ebey Slough to the south, Alder Avenue to the east, and Interstate 5 to the west.

Section 7. Section 22A.010.160, Amendments, of the Marysville Municipal Code is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City’s Unified Development Code:

“22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	Commercial Permitted Uses & Dimensional Amendments	_____, 2020”

Section 8. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 9. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Section 10. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2020.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
TINA BROCK, DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Index #11

CITY OF MARYSVILLE AGENDA BILL**EXECUTIVE SUMMARY FOR ACTION****CITY COUNCIL MEETING DATE: 9/28/2020**

AGENDA ITEM:	
Personnel Compensation	
PREPARED BY:	DIRECTOR APPROVAL:
Gloria Hirashima, Chief Administrative Officer	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
1) Memo from Chief Administrative Officer dated 9/25/20 2) Proposed Resolution	
BUDGET CODE:	AMOUNT:
SUMMARY:	

Following review of certain personnel compensation for police command staff and officer hire incentives, staff has determined that additional action should have been taken following the Executive or closed sessions concerning these matters. A memo detailing the instances is attached.

RECOMMENDED ACTION: Authorize the attached resolution to address police command staff compensation and police hire incentives. Authorize the changes to personnel rules to authorize these subjects in future.



MARYSVILLE
EXECUTIVE OFFICE

Date: September 25, 2020
 To: City Council
 From: Gloria Hirashima, Chief Administrative Officer
 Subject: Police Compensation

We have reviewed historical police payrolls during a recent audit and determined that formal approval is necessary for specific aspects of compensation. When these items brought before Council in prior years, no additional budget authority was required and it was assumed that general language in the Personnel rules was sufficient to enact the changes. Therefore, while these items were brought to Council for review and consensus taken in executive session under Personnel provisions, no formal action was taken through a Council vote following the reconvene of the meeting.

- 1) Command Staff Compensation- In 2014, Police command staff negotiated salary concessions following a review of compensation offered at other agencies by our Human Resources department. These included command duty pay of \$600 per month for Commanders and Lieutenants, as well as up to 80 hours of administrative leave provided to each position, and cashed out annually if unused. These provisions were reviewed and discussed with City Council on 6/23/14 during Executive session and consensus achieved on the pay. The attached handouts were reviewed at the time showing salary comparisons with our comparable cities. The provisions were implemented effective 8/1/14. Successive budgets incorporated and authorized the additional pay and the current MPMA contract also affirms these same conditions.
- 2) In 2017, one of the Commander positions was reclassified to Assistant Chief. All provisions previously available to the Commanders (Command Duty Pay, Uniform allowance, and administrative leave cashout) were continuous in the employee's new classification. As this position remains an exempt non-represented classification, we want to confirm these compensation conditions.
- 3) The Commanders and Lieutenants formed a union in 2020, called the Marysville Police Management Association (MPMA). All of the provisions above that they were already receiving, were incorporated into their initial contract and approved by the Council on July 27, 2020. The minutes reference the item and action expected, but the action to approve the contract was not reflected in the approved minutes.
- 4) Separately, another item relating to Police compensation, specifically lateral police officer incentives was discussed with City Council in Executive session on 11/5/18. A comparison of other jurisdiction's hire incentives was reviewed at the meeting. The comparison document is attached. This incentive was provided because hire of police officers had become very competitive and difficult. Executive office wanted to offer incentives when necessary to attract sufficient candidates. This is a fairly common practice in police agencies. Council discussion and consensus in executive session resulted in a \$10,000 incentive

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Marysville City Hall
 1049 State Avenue
 Marysville, WA 98270

being offered for police lateral candidates, which at the time was in the mid-range of comparable city incentives, however was lower than what the police department had requested per memo at the time. Again, while this was brought to Council, we did not request formal action by vote after reconvening the meeting.

- 5) In reviewing these situations, staff also identified that Information Services staff have received on-call pay for weekends and evenings since the mid-2000's, similar in concept to union callback pay. This has not been specifically identified as a concern by the Auditor, however we believe these situations could be better addressed through the personnel rules to ensure there is a provision for authorizing situations to provide non-represented employees with compensation for work that falls outside the normal scope of expected hours and pay.

It has been determined that some of these compensation decisions, specifically the ability to cash out administrative leave for Police command staff and the lateral officer incentives should have been authorized through formal vote by Council. Staff is requesting retroactive approval for the Command staff administrative leave cash out provisions offered from August 2014 and the lateral officer incentives offered since November 2018. We have actually discontinued the lateral incentive recently, as market conditions have changed in recent months and we do not believe it is necessary. However, we would like the flexibility to offer or discontinue hire incentives as the market changes for officers. Additionally, to address this in future, we are proposing an update to the Personnel rules.

During this review, I also noted that the 7/27/20 final Council minutes do not reflect a vote being taken to authorize the Mayor to sign the Marysville Police Management Association contract following the Executive session. While a vote was taken, the minutes do not reflect this, so the minutes should be revised to reflect the action.

MEMORANDUM

TO: Chief Rick Smith
FROM: Commander Robb Lamoureux
DATE: August 20, 2018
RE: Lateral Police Officer Hiring Incentive Program

The purpose of this memorandum is to provide information regarding the department's current lateral police officer hiring incentive program, as well as provide a recommendation for a program adjustment for future lateral applicant recruiting.

Within a six month period the city offered, at my recommendation, our three most recently hired lateral applicants differing levels of hiring incentive. In September of 2017, Carrie Foote, an in-state applicant, was offered no hiring incentive. In January 2018 David Adams, also an in-state applicant was given a \$5,000 hiring incentive. One month later, in February 2018, Out-of-state applicant David McKenna was reimbursed for his travel expenses incurred during the testing process (\$2,067), as well as, his moving expenses (\$8,320), for a total reimbursement of \$10,387.

In reviewing the program one might look at McKenna as having received a considerably larger hiring bonus, however, looking at this from a strictly extra-cash-in-pocket viewpoint, McKenna was solely reimbursed for the out-of-pocket expenses he incurred to be hired and to relocate and received no additional bonus money. In summary, two candidates (Foote and McKenna) received no extra bonus money and the third (Adams) received \$5,000.

It is my opinion the disparity and inconsistency in how hiring incentives are applied is problematic and could put the department in a position to have to defend our practice. Providing unequal incentives gives the appearance that candidates have the ability to negotiate individually their hiring terms; a practice usually reserved for department directors and managers. This could lead to the appearance that we provide higher levels of incentives to the candidates we like more. This is far from the truth, but there is the potential it could be perceived that way. In addition, this could lead to resentment amongst newly hired lateral officers, as well as, put the MPOA Board in a precarious position with its members.

It is my recommendation we immediately discontinue the practice of administering the hiring incentive based on individual circumstances and establish a program that is clearly defined, consistent in application, and is not individually determined, but rather is equitable to each applicant; putting all new lateral candidates on the same level at time of hire.

The below table identifies hiring incentives that are currently being offered by other area law enforcement agencies in order to attract lateral applicants.

Current Incentives by Department

Marysville	\$5,000 (local), \$10,000 (up to for moving expenses)
Everett	\$15,000 (\$5,000 upon hire, \$5,000 upon FTO completion, \$5,000 after 1 yr.)
Puyallup	\$10,000 (paid in two increments), 48 hrs. vacation, 48 hrs. sick time
Des Moines	\$10,000 (paid in two increments), 40 hrs. vacation, 40 hrs. sick time
Renton	\$10,000 (paid in two increments), 40 hrs. personal/sick time on books
Arlington	\$10,000
Kent	\$10,000
Battle Ground	\$10,000 (paid over a five year period)
Federal Way	\$7,500 (\$2,500 upon hire, \$2,500 @ 6 mo. probation, \$2,500 @ 12 mo.)
Swinomish	\$6,000 (\$2,000 upon hire, \$2,000 upon FTO completion, \$2,000 after 1 yr.)
Moses Lake	\$5,000
Pt Townsend	\$5,000
Bainbridge Is.	\$5,000 (\$2,500 upon hire, \$2,500 upon completing probation)
Bellevue	\$5,000 (\$2,500 upon hire, \$2,500 after one year)
Longview	\$5,000 (upon completion of 12-month probation)
Mukilteo	\$3,000 (\$1,500 upon hire, \$1,500 upon completing probation)

No hiring incentives identified, if any, for the following other Snohomish County agencies:
Lake Stevens, Monroe, Edmonds, Bothell, Lynnwood

While our current offering is in the ballpark with other agencies, when considering the highly competitive market for attracting lateral candidates I believe just being competitive with other agencies is not adequate and that we need to set ourselves apart by offering an incentive that sets the bar or at a minimum is at the top end of the range.

We've established a hiring standard that clearly shows we are only interested in hiring the best. It is also in our best interest at this time of hiring growth to attract candidates who are hired and become ready to work as a solo officer as expeditiously as possible.

It is important we look at our lateral incentive program from two points of view; from both a business and a risk management perspective. When breaking down the cost comparison of an entry-level vs. a lateral candidate it is obviously a less costly approach to hire lateral candidates who are ready to work as a solo officer much sooner than an entry-level officer.

The below data shows the salary (only) cost comparison of an entry-level vs. a lateral police officer hire to the point they become a solo officer.

	Hire Date	Starting Salary	Academy (months)	Post-Academy Salary	FTO (weeks)	Hiring Incentive	Total \$ to Solo Officer	Total Savings
Entry	08.16.2018	\$5,071	5.5	\$5,634	16	\$0	\$50,426	
Lateral	08.16.2018	\$6,758	0	Same as hired	8	\$15,000	\$28,516	+ \$21,910

These figures would change slightly on an officer by officer comparison based on other factors, such as benefits, for example, medical coverage costs associated with a single officer vs. an officer with a family. It does, however, provide a clear and accurate picture of the cost benefit to hiring lateral candidates.

The ability to hire officers who are ready to be on the road as quickly as possible in order to obtain financial savings to the city certainly highlights the benefit of attracting lateral candidates. Equally important as this is for the city to view the lateral hiring incentive program from a risk management viewpoint.

When a department is able to hire experienced police officers through a rigorous vetting process we are able to effectively reduce the city's exposure to liability simply on the basis that job knowledge and experience generally equates to better decision making skills, more sound judgment, enhanced critical thinking, and a calmer demeanor and increased composure in crisis events.

Currently we are receiving little interest with potential lateral candidates, while Everett Police Department has been able to significantly reduce their open police officer positions through successful lateral hiring.

Considering the information in this memorandum it is my recommendation we establish a lateral police officer hiring incentive of \$15,000, paid in three increments of \$5,000; at time of hire, at completion of probation (1 year), and at completion of their second year of service. In addition it is my recommendation lateral hires also receive 40 hours of sick leave on the books at time of hire; to be used in accordance with the city's currently established sick leave usage policy or in the case of an emergency with approval from the Chief Administrative Officer.

It is my opinion establishing the program as recommended will generate increased interest amongst experienced police officers in working for our agency, thereby providing us with a better pool of candidates from which to choose from. In addition, these changes establish a hiring incentive program that is consistent and equitable to all future lateral hires, which mitigates potential internal discord by putting newly hired officers on equal ground, as well as, establishes a program that holds up to scrutiny.

Commander	Bothell	Edmonds	Lacey	Lakewood	Lynnwood	Olympia	Puyallup	AVERAGE	Marysville	DIFFERENCE FROM AVERAGE
WAGES (MONTHLY)	2014	2014	2014	2014	2014	2014	2014		2014	
BASE WAGE - TOP STEP	11,892	11,235	10,932	9,958	10,713	12,150	9,756	10,948	10,851	-0.89%
LONGEVITY PAY (20 YR EMPLOYEE)	0	0	0	0	750	851	683	326	0	
401(a)/457 PLANS*	0	0	(678)	156	0	158	390	4	0	
EDUCATION INCENTIVE PAY BA/BS	0	0	0	0	579	729	390	243	0	
VEHICLE ALLOWANCE	0	0	0	0	0	0	0	0	0	
CLOTHING ALLOWANCE	0	63	54	0	104	0	30	36	100	
MONTHLY COMPENSATION	\$ 11,892	\$ 11,298	\$ 10,308	\$ 10,114	\$ 12,146	\$ 13,888	\$ 11,249	\$ 11,556	\$ 10,951	
ANNUAL COMPENSATION	\$ 142,704	\$ 135,570	\$ 123,701	\$ 121,372	\$ 145,747	\$ 166,654	\$ 134,993	\$ 138,677	\$ 131,412	-5.2%
PROFICIENCY/MERIT**	240	0	0	100	429	0	0	142	0	
LEAVE VALUE***	457	0	0	0	766	0	0	175	417	
OVERTIME/ON-CALL****	0	0	0	506	0	0	0	72	600	
TOTAL MONTHLY COMPENSATION	\$ 12,590	\$ 11,298	\$ 10,308	\$ 10,719	\$ 13,340	\$ 13,888	\$ 11,249	\$ 11,913	\$ 11,968	
TOTAL ANNUAL COMPENSATION	\$ 151,074	\$ 135,570	\$ 123,701	\$ 128,634	\$ 160,079	\$ 166,654	\$ 134,993	\$ 142,958	\$ 143,620	0.46%

Notes:

*Lacey does not pay into social security (6.2% employer contribution) and does not offer deferred comp contribution in lieu of social security.

**Lakewood - 1.57% [calculations based on the following: in lieu of 6.2% contribution toward social security city pays non-reps 4.77% into 401 plan and matches 3% into 457 plan.]

*Olympia - City pays 7.5% into deferred comp in lieu of 6.2% social security contribution.

**Bothell - Merit Pay: employees can receive & cashout up to 42 hrs annually.

*** Bothell - Management Leave Buyback - up to 80 hrs annually to be approved by CAO in extraordinary and unforeseen circumstances.

** Lakewood - additional 1% city contribution into 457 plan if merited by performance.

**** Lakewood - On-call pay \$700/wk (rotated between 6 command staff).

** Lynnwood - 4% Proficiency step, added to base wage, must be earned annually.

*** Lynnwood - \$9190 2013 average annual cashouts includes Admin Leave - \$2035; Additional Time (overtime, can earn up to 75 hrs annually) - \$7155

****Marysville- On-call pay \$600/month

***Marysville - can earn and cashout up to 80 hours Admin Leave annually.

Lieutenant	Bothell	Edmonds	Lacey	Lakewood	Lynnwood	Olympia	Puyallup	AVERAGE	Marysville	DIFFERENCE FROM AVERAGE
WAGES (MONTHLY)	2013	no similar position	no similar position	2014	2014	2014	2014		2014	
BASE WAGE - TOP STEP	9,985			9,286	9,535	10,566	9,357	9,746	10,335	6.05%
LONGEVITY PAY (20 YR EMPLOYEE)	300			0	667	740	655	472	0	
401(a)/457 PLANS*	318			424	0	137	374	251	0	
EDUCATION INCENTIVE PAY BA/BS	0			0	515	634	374	305	0	
ADDT'L COMPENSATION**	0			93	0	0	65	32	0	
CLOTHING ALLOWANCE	63			0	104	50	102	64	100	
VEHICLE ALLOWANCE	0			0	0	0	0	0	0	
TOTAL MONTHLY COMPENSATION	\$ 10,665			\$ 9,803	\$ 10,822	\$ 12,127	\$ 10,928	\$ 10,869	\$ 10,435	
TOTAL ANNUAL COMPENSATION	\$ 127,984			\$ 117,639	\$ 129,858	\$ 145,523	\$ 131,140	\$ 130,429	\$ 125,220	-3.99%
PROFICIENCY/MERIT**	202			0	381	0	0	117	0	
LEAVE VALUE***	384			0	354	0	0	148	398	
OVERTIME/ON-CALL****	0			506	302	0	146	191	600	
PHYSICAL FITNESS INCENTIVE*****	0			0	0	106	0	21	0	
TOTAL MONTHLY	\$ 11,251			\$ 10,309	\$ 11,858	\$ 12,233	\$ 11,074	\$ 11,345	\$ 11,433	
TOTAL ANNUAL	\$ 135,012			\$ 123,705	\$ 142,301	\$ 146,791	\$ 132,889	\$ 136,140	\$ 137,190	0.77%

Notes:

*Bothell - 3% deferred comp match, plus match of what employee pays toward union sponsored disability insurance plan (calculated at \$18.75/mth).

*Lakewood - 4.57% (City pays 4.77 into 401(a) plan in lieu of 6.2 into social security; city contributes 6% into 457 plan.)

** Lakewood - per contract Lieutenants will receive a midyear 2% increase effective 7/1/14. (For purposes of this document this was computed as a monthly amount over 12 months)

*Olympia - City pays 7.5% into deferred comp in lieu of 6.2% social security contribution.

*Puyallup - 4% deferred comp match.

**Puyallup - effective 6/1/14 will receive .4% market parity plus 1% base pay increase into health savings plan. (For purposes of this document this was computed as a monthly amount over 12 months).

***Bothell - Merit Pay: employees can receive & cashout up to 42 hrs annually.

**** Bothell - Management Leave Buyback - up to 80 hrs annually to be approved by CAO in extraordinary and unforeseen circumstances.

**** Lakewood - On-call pay \$700/wk (rotated between 6 command staff).

*** Lynnwood - 4% Proficiency step, added to base wage, must be earned annually.

**** Lynnwood - Admin Leave cashout: \$4244 - 2013 average annual paid out.

****Lynnwood - Additional Time (overtime, can earn up to 50 hrs annually) \$3622- 2013 annual average paid out (hours have to be tracked and documented).

*** Marysville - can earn and cashout 80 hours Admin Leave annually.

****Marysville - On-call pay \$600/month

***** Olympia - 1% Physical Fitness Incentive pay.

**** Puyallup - 4% Command Duty Officer on-call premiums. CDO schedule is a 3 person rotation.

2/3/2014

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, REPEALING RESOLUTION NO. 2366 AND ADOPTING
REVISED PERSONNEL RULES.**

WHEREAS, section 2.50.010 of the municipal code requires the City Council to adopt personnel rules governing all employees of the City of Marysville; and

WHEREAS, the last update to the Personnel Rules was made in 2014 by Resolution No. 2366; and

WHEREAS, on June 23, 2014, the City Council considered and approved permitting police department commanders to cash out unused administrative leave; and

WHEREAS, although the City Council intended the Personnel Rules to reflect this change, it did not take final action at the June 23, 2014 meeting; and

WHEREAS, on November 5, 2018, the City Council considered and approved authorizing the Mayor and Chief Administrative Officer to offer hiring incentives to prospective police officer candidates due to the extremely competitive labor market which made it difficult to hire qualified candidates; and

WHEREAS, although the City Council intended the Personnel Rules to reflect this change, it did not take final action at the November 5, 2018, meeting; and

WHEREAS, the City Council now wishes to take final action to amend the Personnel Rules to memorialize these changes that it previously approved on June 23, 2014, and November 5, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE that Resolution No. 2366 is repealed and updated Personnel Rules are adopted.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE that City Council adopts the Personnel Rules for the City of Marysville as set forth in Exhibit A.

ADOPTED by the City Council at an open public meeting this _____ day of _____, 2020.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
_____, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

EXHIBIT A



PERSONNEL RULES

FOR THE

CITY OF MARYSVILLE

Revised: Fall 201420

PERSONNEL RULES CITY OF MARYSVILLE

VISION

Marysville - Live, Work, Play

MISSION

The City of Marysville partners with the community to provide quality, innovative and efficient municipal services which promote economic growth, thriving neighborhoods, healthful living, and financial sustainability for our residents and businesses

CORE VALUES

- Integrity:** We conduct our work in an atmosphere of honesty, respect, and courtesy recognizing the impact our actions have on the quality of life now and in the future.
- Trust:** We are committed to earn, maintain, and enhance the trust of each other and the community.
- Teamwork:** We nurture successful working relationships with all our partners.
- Accountability:** In the performance of our duties, we are individually and collectively accountable to citizens, customers, and stakeholders. We are competent, responsible, and dedicated to providing effective and efficient services.
- Innovation:** We encourage and support new ideas and creative approaches.
- Commitment:** We provide quality services with a continuing focus on excellence.
- Diversity:** We value and respect the uniqueness of our employees and citizens.

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GENERAL PROVISIONS

PURPOSE

These rules establish personnel policies for conducting human resources programs and activities throughout City government to enable employees to provide efficient service to the public.

SCOPE

Where these policies conflict with collective bargaining agreements, civil service rules, or other state or federal laws or regulations, the provisions of the labor contract, civil service rules, or state or federal laws shall govern. In all other cases, these policies shall apply.

MANAGEMENT RIGHTS

Nothing in these policies affects or abrogates the inherent exclusive rights of the City in matters of general legislative or managerial policy, including exclusive rights to make the following decisions or take the following actions.

- Determine the mission of City departments, commissions, and boards.
- Set standards for public service.
- Determine procedures and standards of selection for employment, promotion, and dismissal.
- Direct and supervise all City employees.
- Decide and implement disciplinary actions.
- Relieve employees from duty due to lack of work.
- Terminate employees at will.
- Maintain the efficiency of governmental operations.
- Determine the methods, means, and personnel by which government operations are conducted.
- Exercise complete control and discretion over the City's organization and the technology of performing its work.
- Take all necessary actions to carry out its mission in emergencies.

This handbook of personnel policies is intended to provide general guidance only, it is not a contract or promise of specific treatment in specific situations, and it does not create any binding obligations upon the City. The City reserves the right to alter, amend, or modify these guidelines in its sole discretion. Amendment to these policies shall be by resolution of the City Council.

The Chief Administrative Officer (CAO), with the approval of the Mayor, may vary or modify the strict application of these policies in cases in which their strict application would result in practical difficulties or unnecessary hardships. Such variances shall not be construed as setting a precedent for other cases.

ADMINISTRATIVE PROCEDURES

The CAO or designee, with the approval of the Mayor, will establish administrative procedures to implement or enforce these personnel policies. These administrative procedures may be adopted, amended, or rescinded at any time. They shall be circulated to all department directors and the City Council prior to their effective date and placed on record in the office of the City Clerk, together with these policies.

MANAGEMENT-EMPLOYEE COMMUNICATIONS

The Mayor, as the chief executive officer of the City, and the CAO, as the Mayor's assistant, shall strive to maintain open communications with all City employees and shall have unrestricted access to employee records.

The City Council, as the legislative body of the City, should not initiate or accept communications with City employees on personnel matters without informing the Mayor or CAO.

APPOINTING AUTHORITY

The Mayor has the power to appoint and remove all City employees. The Mayor may delegate such authority, in whole or part, to the CAO or department directors.

GENDER

Whenever words denoting the masculine or feminine gender are used in this document, they are intended to apply equally to both genders.

EXISTING LEAVE BENEFITS

All accrued leave time that has been earned by City employees as of the date of adoption of these policies by the City Council shall continue in full force and effect for such employees.

EMPLOYMENT PRACTICES

EQUAL EMPLOYMENT OPPORTUNITY

The City provides equal employment opportunities to all employees and applicants for employment without regard to race; color; religion; gender; sexual orientation; age; marital status; national origin; the presence of any physical, mental, or sensory impairment, whether temporary or permanent, that exists or is perceived to exist; honorably discharged veteran or military status; genetic information; or on any other basis that violates applicable federal, state, and local laws. This policy applies to terms and conditions of employment including, but not limited to, hiring, placement, transfer, promotion, termination, layoff, recall, leaves of absence, compensation, and training.

DISABILITY ACCOMMODATION (NEW)

The City complies fully with its duty to provide reasonable accommodation to allow an employee with physical, mental, or sensory disabilities to perform the essential functions of his/her job, which includes reliable attendance. If you have a disability that limits or affects your ability to perform your job, please inform the Human Resources Director of your request for accommodation.

Examples of accommodations include adjustments to the work environment and equipment, work schedule, work-related duties, reassignment to another available position, and time off. Whether an accommodation is considered reasonable is decided on a case-by-case basis depending on the individual circumstances.

In order to provide a reasonable accommodation, the City may seek to communicate with an employee and their medical provider(s) to gain a better understanding of any limitations and how an accommodation would allow the employee to perform the essential functions of the position. Such communications will only occur after the employee has given written consent. Refusal to allow such communication may relieve the City of any legal obligation to accommodate the disability.

RELIGIOUS ACCOMMODATION (NEW)

The City complies fully with its duty to provide reasonable accommodation of an employee's sincerely held religious beliefs and practices. For example, if an employee requires a certain work schedule, or to dress or attire themselves in a way that varies from any dress code adopted by the City, please inform the Human Resources Director of your request for accommodation. Whether an accommodation is considered reasonable is decided on a case-by-case basis depending on the individual circumstances.

UNLAWFUL RETALIATION (NEW)

Any employee who complains of unlawful discrimination or harassment in good faith will be entitled to protection from retaliation for making a complaint. Any employee who cooperates in an investigation of a discrimination or harassment complaint will be entitled to protection from retaliation for such cooperation.

Unlawful retaliation occurs when an employee is targeted for unfavorable treatment by the City, or by coworkers, as a result of complaining or cooperating. Unfavorable treatment may include official action, like termination, demotion, or reassignment, or unofficial action like shunning or isolation or ongoing harassment.

If an employee believes he/she is being retaliated against, the employee should complain immediately to the Human Resources Director. If the employee believes the Human Resources Director is involved in the retaliation, the employee should complain to the CAO. Any complaints of retaliation will be investigated separately, and the City will take prompt, corrective action to remedy any complaints found to have merit.

EMPLOYMENT AT WILL

Employment at the City of Marysville is on an “at-will” basis. The statements of policy contained in this handbook are not a contract nor are they to be interpreted as a promise of employment. Employment may be discontinued at any time by the City or by the employee, with or without cause, subject to applicable labor contracts or civil service rules, and applicable federal, state, and local laws.

EMPLOYMENT RECORDS

Employees’ personnel files are maintained in the Human Resources office and are confidential. These files are maintained in accordance with federal and state laws and guidelines and to ensure confidentiality to the extent allowed by law. Employees may have access to review their own personnel files annually during regular business hours, except as waived by the CAO, in the Human Resources office. Employees may add statements to their files, but may not alter, amend, or remove any documents contained in the files. Personnel files may not be removed from the Human Resources office.

The City complies with the Washington State Public Records Act, valid court orders, and government requests that direct the City to provide information from personnel records to outside representatives. Representatives of government or law enforcement agencies, during the course of their business, may be allowed access to employment records information. This decision will be made at the discretion of the Human Resources Director, who may consult with the City Attorney, in response to the request, legal subpoena, or court order.

Requests for references on all employees, both past and present, must be directed to the Human Resources office. Without employees' written authorization, generally only the following information will be verified to banks, credit agencies, mortgage companies, or prospective employers: dates of employment, job titles, and employment status (regular, part-time etc.).

Managers and supervisors may request access to personnel file information for employees under their supervision and when considering the hire of a former employee or transfer of a current employee.

Medical information about employees is maintained in the Human Resources office in a separate, confidential medical file, as required by law. Human Resources staff will provide this information to supervisors and managers only on a "need to know" basis for the limited purposes of identifying necessary medical restrictions on employees' work or duties or determining necessary accommodations for employees' disabilities.

EMPLOYMENT OF RELATIVES

The City is an equal opportunity employer and does not discriminate due to marital status. The employment of relatives, including registered domestic partners, is handled on a case-by-case basis and will be left to the discretion of the Mayor and CAO.

All employees will be treated fairly and equitably in all employment decisions, and it is important to avoid even the appearance of potential inequity in employment actions. For this reason, the following employment guidelines apply to employees who are related to each other or share an intimate relationship.

- Under no circumstances may one employee audit or evaluate the work of the other related employee or oversee such audits or evaluations.
- One employee should not have the authority or practical power to supervise, appoint, remove, or discipline the other related employee.
- The related employees should not be assigned duties which would place them in a situation of actual or reasonably foreseeable conflict between the City's interests and their own.

When a relationship between employees occurs during employment, the two employees may remain in their positions provided they are not in conflict with the restrictions stated above. If the new relationship places the employees in potential conflict with the above restrictions, the City will try to arrange a transfer or change in position for one of the employees; if this is not possible, one employee must separate from employment with the City. The decision to transfer, change position, or terminate may be made in consultation and with the agreement of

the involved related employees; however, the Mayor or designee retains the right to determine the employment actions that are in the best interests of the City.

EMPLOYMENT ACTIONS

EMPLOYEE RECRUITMENT

The Human Resources office, with the assistance of affected departments, may prepare job announcements to fill vacant positions. When regular full- or part-time positions become vacant, current City employees may be given first consideration for filling vacancies, unless non-City employee applicants have substantially better qualifications and abilities. Job announcements should be posted at City offices for the benefit of City employees for a period of five working days. Job announcements, however, will be given such publicity as is appropriate to reach prospective, well-qualified applicants. [The CAO, with the approval of the mayor, may offer incentives to facilitate recruitment for critical positions in the police department when labor market conditions hamper efficient recruitment.](#) All job announcements and related material shall explicitly state that the City of Marysville is an equal opportunity employer.

APPLICANT SCREENING

Job applicants must submit a completed City job application form to be considered for appointment to a vacant position, unless this requirement is waived by the CAO. The City's job application form solicits applicant job-related data about job-related training, experience, and references.

Applications will be screened by the Human Resources staff. Applicants may be disqualified for employment consideration based on factors including, but not limited to, the following:

- Applicant cannot establish his or her United States citizenship or authorization to be employed in the United States on a full-time basis, as required by law.
- Applicant does not possess the qualifications for the job.
- Applicant is not physically or mentally fit to perform the essential functions of the job, with or without reasonable accommodations.
- Applicant has demonstrated an unsatisfactory employment record as evidenced by the results of a reference check.
- Applicant has made false statements of any material facts or practiced deception in his or her application.

Only those applicants who appear to possess the minimum qualifications required may be considered for further testing and potential employment. In cases where there are a substantial

number of applications, the Human Resources staff will provide the hiring department with an appropriate number of best qualified applicants.

Information from Previous Employers

Applicants for positions that require a Commercial Driver's License (CDL) and who have worked as drivers of commercial motor vehicles during the previous two years must authorize their previous DOT employers to release their records of applicants' positive alcohol or drug tests or refusals to be tested to the City. The City will make a good faith effort to obtain and review the information from prior employers within 14 days of new employees performing safety-sensitive duties for the first time.

If records from previous employers contain verified positive drug test, alcohol tests with 0.04 or higher alcohol concentration, or refusals to be tested within the past two years, job candidates and new employees are prohibited from driving commercial motor vehicles unless subsequent information indicates that an evaluation by a substance abuse professional was made and return-to-duty testing was administered. The City may provide job candidates and new employees with names of substance abuse professionals qualified to conduct return-to-duty testing; however, the cost of this testing will be paid by the job candidate or new employee. An employee who refuses to provide such consent may not perform safety-sensitive functions.

EXAMINATIONS

All appointments of City employees shall be made on the basis of ability, training and/or experience of the appointees to perform the essential functions of the job. Applicants' job qualifications will be assessed by careful and impartial evaluation of specific job-related criteria, designed to measure their ability to perform the essential functions of the job, with or without reasonable accommodations.

Examinations may be used to evaluate applicants' qualifications. Examinations shall consist of material that tests the capacity and fitness of applicants to effectively perform the essential duties, with or without reasonable accommodations, of the specific positions for which they are applying. Examinations may be written, computerized, oral, a measurement of physical fitness, practical, or any combination. There may be a fee assessed to cover the costs of testing.

EMPLOYMENT STATUS

Employees' positions are categorized in several ways—type of appointment, work schedule, and eligibility for overtime compensation--which affect compensation and eligibility for a variety of benefits. Following is a brief description of employment categories.

Type of Appointment

- Regular: Employment is for an indefinite period of time. Employees may be eligible for all employment benefits offered by the City. Employees have successfully completed their orientation period.
- Temporary: Employment is for a specified, limited time period or an indefinite period of time. The number of hours a temporary employee may work annually may be subject to applicable collective bargaining agreements. Employees are eligible for only those employment benefits that are legally required.

Temporary appointments shall be made by the appointing authority only for the following reasons:

- As a substitution for a regular employee who is absent from his or her position.
- When recruitment difficulties make it impossible to make a regular appointment to a position.
- When budget appropriations provide only for temporary employment.
- During a state of emergency.
- Seasonal: Employment is for a specified, limited period approximately six months or less. The number of hours seasonal employees may work annually is subject to applicable collective bargaining agreements. Employees are eligible for only those employment benefits that are legally required.

Work Schedule

- Full-time: Employees regularly work 40 hours per week. Employees may be eligible for all employment benefits offered by the City.
- Part-time: Employees regularly work at least 20 hours per week. Unless otherwise stated, employees may be eligible for employment benefits on a prorated basis, depending on usual number of hours worked per week.

Eligibility for Overtime Compensation

- Nonexempt: Employees are in a position classified as nonexempt under the Fair Labor Standards Act (FLSA). Employees must receive overtime compensation or compensatory

time off at the rate of 1½ times the hourly wage rate for hours worked in excess of 40 in one workweek. Nonexempt employees may be paid either on an hourly or salary basis.

- **Exempt:** Employees classified as exempt from the overtime provisions of the FLSA. These employees are not entitled to overtime pay or compensatory time off.

All appointments of City employees shall be made by the Mayor or designee.

Employment at the City of Marysville is on an “at-will” basis. The statements of policy contained in these rules are not a contract nor are they to be interpreted as a promise of employment. Subject to any applicable labor contract, civil service rules, or federal, state, or local laws, employment may be discontinued at any time by the City or by the employee, with or without cause.

ORIENTATION PERIOD

Most newly-hired employees and former City employees serve an orientation period for six months. These employees should receive performance evaluations at the end of three working months and again toward the end of the six-month period. Employees’ department directors will recommend to the CAO that employees have successfully completed the orientation period, recommend an extension of the orientation period, or recommend dismissal; the orientation period may be extended for one additional six-month period.

Employees who are promoted or transferred to another position serve an orientation period of four months and may be demoted at any time during the orientation period without appeal. In this case, employees may be returned to the position from which they were promoted or transferred, even though this may necessitate the layoff of another employee occupying this position.

Commissioned employees of the Police Department serve a probationary period at time of hire and when promoted as specified in the Civil Service Rules.

Employees will be notified when they have successfully completed their orientation periods and become regular status employees, provided that successful completion of an orientation period does not modify an employee’s at-will status.

TRANSFER

The CAO may transfer employees to other positions, upon recommendation of department directors or employees’ requests, to meet the needs of the City. Employees may not transfer to positions for which they do not possess the qualifications to perform the essential functions of the job, with or without reasonable accommodations. Transfers shall not be used to circumvent policies regarding promotions, demotions, or terminations.

See the *Orientation Period* policy regarding the orientation period following transfers and the potential for employees to return to their former positions. See *Pay Plan* policy for transfer compensation practices.

PROMOTION

Employees may be promoted into vacant positions when there is a significant change in job duties and/or an increase in job responsibilities. Promotions will not be made to circumvent compensation policies and practices or solely to increase an employee's compensation.

Vacancies in positions above entry level shall be filled by a promotion whenever, in the judgment of the CAO, it is in the best interests of the City to do so. Promotions may be made on a competitive basis, and appropriate consideration given to the applicant's qualifications, record of performance, seniority, and employment tenure. . External applicants may be sought if the CAO finds that the number of persons qualified for the position internally is insufficient.

See the *Orientation Period* policy regarding the orientation period following promotions and the potential for employees to return to their former positions. See *Pay Plan* policy for promotion compensation practices.

RECLASSIFICATION

Positions may be considered for reclassification to a different job class when the job duties or responsibilities have significantly changed. Reclassifications will not be made to circumvent compensation policies and practices or solely to increase an employee's compensation.

Department directors submit written requests for job analyses to the Human Resources Director who performs a job analysis and submits his or her recommendation to the CAO. Upon approval by the CAO, the recommendation is sent to the City Council for its consideration and action. Reclassification of civil service personnel shall first be approved by the Civil Service Commission.

See *Pay Plan* policy for reclassification compensation practices.

DEMOTION

The Chief Administrative Officer may demote employees when they have been promoted or hired into a position for which the responsibilities are beyond employees' capabilities. Demotions shall occur only after a thorough evaluation by department directors and the CAO and after adequate written warning. Employees shall not be demoted to a position for which they do not possess the qualifications to perform the essential functions of the job, with or without reasonable accommodations.

Demotions may be authorized by the CAO for an employee who requests it or to prevent a layoff. Demotions to prevent layoffs may be reversed when employees' previous positions are reinstated or reopened.

DISCIPLINE

Violations of City policies are taken seriously; employees who violate policies or procedures stated in this handbook, in civil service rules, and collective bargaining agreements, as applicable, are subject to disciplinary action. Disciplinary action may also be taken for unsatisfactory performance. The principles of progressive discipline are generally applicable; however, the City reserves the right to take whatever action it deems appropriate, which may include immediate termination. The degree of discipline administered generally depends on the severity of the infraction or performance issue and will comply with applicable labor contracts, civil service rules, and federal, state, or local laws.

The following are some examples of conduct that may lead to discipline or discharge. This list is not all-inclusive; other behavior may also be grounds for discipline or discharge.

- Failure or refusal to perform the essential functions of the position assigned, with or without reasonable accommodations.
- Insubordination, generally defined as disrespectful conduct toward a supervisor or failure to follow a supervisor's instructions. This may include other misconduct, such as making threats, using coercion or physical violence or abusive language, or making malicious statements.
- Refusal to work overtime or standby, as determined by the supervisor.
- Inability of employees in supervisory positions to effectively plan, organize, and direct the work of subordinate employees.
- Inability of employees in executive positions requiring initiative and independent judgment to perform effectively, except under excessive supervision by the CAO.
- Habitual failure to maintain a satisfactory working relationship with other employees or the public.
- Theft, fraud, or sabotage against another employee, customer, or the City.
- Theft, destruction, or gross negligence that results in damage or loss to City equipment, time, or property.
- Unauthorized use of City equipment and/or supplies.
- Deliberate or repeated discourtesies to the public.
- Conviction of a felony or any misdemeanor which relates to the employee's scope of duties. An employee may be placed on suspension by the CAO pending outcome of a criminal charge if circumstances warrant.

- Any act or conduct detrimental to the good of the City or its services and any other offense against the public interest.

The City is an at-will employer. Employees have the right to leave employment at any time, and the City has the right to terminate employment at any time, with or without cause, subject to applicable labor contract, civil service rules, or federal, state or local laws.

PRE-DISCIPLINARY HEARING

The CAO may provide and arrange for a pre-disciplinary hearing prior to demotion, suspension, or discharge of employees. The following rules shall govern the conduct of such hearings.

- If a pre-disciplinary hearing is scheduled, the CAO shall provide the employee with written notice of the cause for discipline and a summary of the City's evidence relating to the same. This notice shall advise the employee of his or her right to a pre-disciplinary hearing. In extraordinary circumstances, the CAO may suspend an employee, with pay, pending the scheduling of such a hearing.
- At the employee's reasonable request, he or she may have legal counsel or union representation at the pre-disciplinary hearing. This hearing shall be held before the Mayor or designee. The hearing shall be informal. The employee or his or her representative shall be given an opportunity to respond to all charges, orally or in writing.
- The City's explanation of the evidence at the pre-disciplinary hearing shall be sufficient to inform the employee of the basis for the proposed action. This rule, however, shall not limit the City at a subsequent hearing from presenting more detailed and complete evidence, including presentation of witnesses and documents not available at the pre-disciplinary hearing.
- After the pre-disciplinary hearing, if the Mayor determines that discipline is appropriate, written notice of it shall be given to the employee. Such notice shall include the charge against the employee and a general statement of the evidence supporting the charges.

SUSPENSION

The Chief Administrative Officer may suspend employees from their positions without pay at any time with or without cause. Suspensions shall not be for a period longer than 30 calendar days. Employees do not accrue seniority, paid leave, or other employee benefits during the suspension period. Suspensions of exempt employees must be in full week increments, except that suspensions for violations of major safety rules may be in one-day increments.

The CAO shall provide employees with written notice of facts supporting their suspensions. This notice will become part of an employee's personnel file.

DISCHARGE

The Chief Administrative Officer may discharge any employee with or without just cause, subject to applicable labor contracts, civil service rules, and federal, state and local laws.

LAYOFF

Layoffs may result from lack of work or budgetary restrictions, among other reasons. Employees to be laid off shall be given 14 days notice, except in cases of emergency, before layoffs occur. Regular employees shall not be laid off while another person in the same classification is employed on a temporary or casual basis or is still in an orientation period in a position for which regular employees are qualified.

RESIGNATION

The City's at-will employment relationship does not require advance notice of resignations or terminations; however, employees are encouraged to submit written resignations to their department directors at least two weeks prior to the effective date of resignation.

Department directors shall send resignation notifications to the CAO as soon as possible. Failure to provide the requested notice may result in forfeiture of accrued vacation leave; however, department directors may waive the two week notice requirement.

RETIREMENT

All regular full- and part-time City employees belong to a Washington State-sponsored retirement plan. Some employees working in temporary or casual positions may belong to a Washington State-sponsored retirement plan; the State establishes eligibility rules and plan requirements. Employees and the City both contribute a percentage of employees' wages into the retirement system plans monthly.

COMPENSATION

CLASSIFICATION PLAN

In the City's job classification system, all positions are assigned to a "class" with other positions requiring a similar level of knowledge, skills, abilities, responsibilities, and accountability. The City has analyzed and evaluated the duties and responsibilities of all job positions, and a job classification plan has been adopted by the City Council. The Human Resources Director shall periodically review the classification plan and make recommendations for change to the CAO who, upon approval, will submit the plan to the City Council for its approval. The City Council makes final decisions about placement of positions within the classification plan.

PAY PLAN

As part of the classification program, a compensation plan has been established which includes all salaried positions. Each job class is assigned to a salary range, which after job analysis and market considerations reflects appropriate compensation for those positions. The plan consists of salary ranges with set salary steps based on job tenure, which are separated by a fixed percentage.

Typically, salaries for newly hired or promoted employees will be set at the bottom step in the salary range for their positions, except that the appointing authority may set salaries for employees hired with special experience or qualifications, or under special circumstances, at any step within the salary range for their position.

Employees are eligible to advance from one salary step to the next per their job tenure. Step increases may be denied, however, upon the recommendation of department directors and approval of the CAO, provided that employees receive advance written notice outlining the reasons. Employees are eligible for merit increases to the top step of salary ranges after one additional year of service at the recommendation of their department directors. Merit increases shall not be automatic.

Non-represented employees may be eligible for an annual performance award for exceptional performance on a major project, assignment or accomplishment. The amount of the award will be reviewed annually during the budget process and may vary based on the availability of funds, market data and trends. The performance award will be given at the end of the year and will not be added to base pay.

The salary ranges for department director positions have base and maximum salaries--there are no fixed wage steps—and each department director's salary is set within the applicable range. Salary increases for department directors shall range from 0% - 6%, based on their abilities to meet projected goals, performance standards, and overall department operations.

All employees shall be assigned to the salary range for their job classifications. Employees promoted or reclassified to new positions having higher pay ranges shall receive a salary increase of at least 2.5% or the lowest step in the new position classification, whichever is greater, except as otherwise approved by the CAO in extraordinary circumstances. Employees reclassified to new positions having lower pay ranges shall have their new compensation set within the pay range of the new position.

Employees assigned, in writing, to work in a temporary capacity in a higher classification shall receive appropriate compensation as determined by the CAO.

Employees assigned to perform additional responsibilities outside of their regular work schedule or responsible for performing mission critical emergency support may receive appropriate compensation as determined by the CAO. [Examples include command duty pay and on-call pay.](#) Any compensation [for additional responsibilities or mission critical emergency support](#) may be amended or rescinded at any time at the discretion of the CAO.

Employees shall not receive any additional compensation or fringe benefits due to employment tenure with the City except as specifically provided in these policies or in the duly-adopted pay plan of the City. [Police management will receive a clothing allowance for the additional cost of uniforms and clothing costs incurred for the profession as determined by the CAO. Any compensation for a clothing allowance may be amended or rescinded at any time at the discretion of the CAO.](#)

The City Council allocates funds in the annual budget for employee compensation, and all compensation actions must comply with the budget.

OVERTIME COMPENSATION

The federal Fair Labor Standards Act mandates compensation for overtime work for nonexempt employees. Nonexempt employees must receive either overtime pay or compensatory time off at a rate of 1 ½ times their regular rate of pay for time worked in excess of 40 hours per workweek, unless otherwise granted more expansive compensation for overtime in a collective bargaining agreement. The City may not compel use of compensatory time off in lieu of monetary compensation for overtime worked.

Before overtime is worked, employees must have verbal approval from their department directors or designee. Approved vacation leave, compensatory time off, and holidays are counted as time worked for the purposes of computing overtime worked. All other absences, including sick leave, are not counted as time worked for the purposes of computing overtime, except as approved by the CAO in extraordinary circumstances.

COMPENSATORY TIME

Nonexempt employees may request compensatory time off at the rate of 1½ times the actual time worked as overtime hours, in lieu of monetary compensation. Compensatory time will not accrue until a minimum of one-half hour has been earned.

Employees' supervisors have the discretion to approve use of compensatory time off. Compensatory time off shall be scheduled as soon as possible after accrual to meet the needs of employees and the City. Compensatory time off may be used to extend vacation periods or on its own; in either case, it may be used for up to four days or four shifts at one time. The City reserves the right to compel use of accrued compensatory time.

Accrued compensatory time shall not exceed 80 hours in a calendar year; no more than 40 hours of compensatory time shall be carried over into the next calendar year. All amounts in excess of 80 hours will be paid out as overtime as they occur. All hours over the 40-hour limit on December 31st will be paid out on the last pay check for December.

Exempt employees are not eligible for compensatory time off.

PAYROLL DEDUCTIONS

Some regular deductions from employees' earnings are required by law; other deductions are voluntary and must be specifically authorized by employees. The City will withhold from employees' paychecks those deductions required or permitted by law and voluntary deductions authorized by employees, an applicable union contract, or statute. Voluntary deductions must be requested in writing by employees to the Human Resources office.

EXEMPT EMPLOYEES

Federal and state regulations require exempt employees to be paid on a salary basis. Exempt employees are not eligible for overtime; they are expected to work as many hours as required to perform the duties of the position.

Generally after accrued paid leave is used, exempt employees' salaries may be reduced only for full day absences for personal reasons, illness, or injury. Deductions for unpaid family and medical leave (per the Family and Medical Leave Act), however, may be made in partial-day increments. Also, exempt employees may be paid for partial workweeks in the first and last weeks of their employment with the City.

Exempt employees continue to receive their full salary during workweeks that they are on jury duty, serving as a court witness, or on temporary military leave, beyond that which is expressly provided for in these policies, as long as they work during part of every workweek. Employees do not need to be at the work site to perform work; responding to phone or email messages is

considered work (provided that remote work must generally be approved in advance by an employee's supervisor).

Unpaid disciplinary suspensions for exempt employees must be in increments of a week, except for violations of safety rules of major significance, which may be in one day increments.

The City complies with the salary basis requirements of the Fair Labor Standards Act (FLSA) and does not make improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity and who are exempt from the FLSA's overtime pay requirements. Circumstances when partial or full day deductions may be made include the initial or terminal week of employment; unpaid leave under the Family and Medical Leave Act or; for penalties imposed in good faith for infraction of safety rules of major significance.

Exempt employees who believe that an improper deduction has been made to their salary, should immediately report this information to the Human Resources Department. Reports of improper deductions will be promptly investigated and, if it is determined that an improper deduction has occurred, prompt reimbursed for any improper deduction will be made.

HOURS OF WORK

WORKWEEK AND TIMESHEETS

The typical workweek for City employees is 8:00 a.m.-5:00 p.m., Monday through Friday, with a one hour meal period during which employees are completely relieved of all duties; this is a 40-hour workweek. The typical full week is Monday through Sunday. Due to the nature of their work and the needs of the City, some departments may have different schedules or workweeks, as determined by the CAO. Normal workweeks may be modified by the CAO in response to budget requirements or emergency conditions. The City will consider requests for alternative work schedules on an individual basis.

Employees shall not begin work before their normal starting time or work after their normal ending time without the prior approval of their supervisor, nor shall they work overtime hours without verbal approval from their department directors or designees.

Overtime compensation begins when an employee works in excess of 40 hours in one workweek. Approved vacation leave, compensatory time off, and holidays are counted as time worked for the purposes of computing overtime. All other absences, including sick leave, are not counted as time worked for the purposes of computing overtime, except as approved by the CAO for extraordinary circumstances.

Official payroll records, including timesheets, are kept by the Finance Department. Employees must accurately report all hours worked and leaves taken on specified payroll forms. Falsifying payroll records, such as underreporting of leave time or over reporting of working time, is prohibited; failure to accurately complete payroll forms is grounds for disciplinary action.

Department directors shall turn in signed timesheets for all employees within their departments, recording hours worked, leaves taken, and overtime hours worked for each payroll period. Earned or accrued compensatory time shall be documented on City forms, including the date, number of hours, and the activity for which compensatory time is being claimed. The Mayor or designee shall sign timesheets for department directors.

ATTENDANCE AND PUNCTUALITY

Attendance is essential to the performance of an employee's job. Absences lower production levels, decrease efficiency, and may reduce the quality of customer service. Employees are expected to report for work at their scheduled times and be ready to work.

Employees must receive prior approval from their supervisors to take all leaves authorized in these personnel policies. When employees know they will be late to or absent from work for an

unscheduled leave, they must contact their supervisors prior to the start of their shift to enable supervisors to make necessary arrangements to continue employees' functions during their absences. Failure to report to work on time and to work the full hours scheduled costs the City money in decreased productivity and potentially increased staffing. Failing to notify supervisors in a timely manner regarding an unscheduled absence, or arriving late and leaving early at any point in the work shift, are considered unauthorized absences and may result in disciplinary action.

REST BREAKS AND MEAL PERIODS

Non-exempt City employees are entitled to a 15-minute break on the employer's time for every four hours worked. Office personnel should take their breaks in designated areas. Field employees should take their breaks on the job site or station premises. With the approval of department directors, work breaks may be taken in places other than designated areas. Misuse of work breaks may be cause for disciplinary action.

Employees working more than five hours in a day must take an unpaid meal period of at least 30 minutes, which shall be scheduled by department directors. Meal period times may vary depending upon department workload, but they must occur not less than two hours nor more than five hours from the beginning of the employee's shift. Meal periods shall be on the employer's time when the employee is required by the employer to remain on duty on the premises or at a prescribed work station site in the interest of the employer.

Additionally, for one year following childbirth, non-exempt employees who are nursing mothers are entitled to unpaid breaks during the workday for the purpose of expressing breast milk. These breaks will be paid to the extent they run concurrently with the above-referenced daily breaks. The City will provide a suitable, private location for nursing breaks. An employee who needs nursing breaks may confer with her supervisor or Human Resources to make appropriate arrangements for those breaks.

INCLEMENT WEATHER

During inclement weather, the CAO will decide whether or not to close City offices. If the offices are open but employees are unable to travel to the office, they must contact their supervisors. For nonexempt employees, an absence due to inclement weather will be treated as vacation time or unpaid time off, at employees' discretion, regardless of whether the offices are open or closed, unless they are able to work at a remote location, as approved by their supervisors.

ALTERNATIVE WORK SCHEDULE

Regular full-time employees are eligible to apply for alternative work schedules. Alternative work schedules may be approved if they will not materially interfere with the City's regular business operations and will not compromise the City's existing service to citizens.

Department directors and the Human Resources Director will recommend action on employees' requests, and the CAO has the sole discretion to approve alternative work schedules based on objective review of the individual circumstances and the demands of the position and needs of the department and City. Employees who have documented performance problems or employees in their orientation periods may be denied their request for an alternative work schedule based on individual circumstances.

Approved alternative work schedules will be implemented for a trial period not to exceed six months. After three months working an alternative work schedule, the department director and Human Resources Director will reevaluate the situation and recommend its continuance or discontinuance to the CAO. Alternative work schedules can be discontinued at any time, with or without cause.

There are a variety of possible alternative work schedules. Three of the most common are the following:

- 4/40: Employees work four days per week for ten hours per day. Any change in day off must be preapproved and will be a change in employees' regular work schedules.
- 9/80: Employees work 80 hours over a two week period of nine working days. For example: Employees work four days of nine hours per day and one day of eight hours the first week, and the second week, they work four days of nine hours per day. This results in one extra (in addition to regular nonworking days, such as weekends) day off every two weeks.
- Flexible hours: Core hours, those hours that must be part of a regular work schedule, are established, and employees have flexibility to alter the start and end of their regular workday. For example, for an 8-hour day (plus a 1-hour lunch break), if core hours are set at 10 a.m.-4 p.m., the employee could work from 7 a.m.-4 p.m., 9 a.m.-6 p.m., or a similar schedule.

Alternative work schedules must be predesignated and are not flexible. Employees' workweeks, as defined by the Fair Labor Standards Act, are a fixed and regular recurring period of 168 hours—seven consecutive 24-hour periods. The workweek can begin on any day of the week and at any hour of the day. Once the beginning time of a workweek is established, however, it must remain fixed regardless of the schedule of hours worked by employees. The beginning of the workweek may be changed if changes are intended to be permanent and are not designed to evade overtime requirements of the FLSA.

Changes in alternative work schedules must be preapproved by department directors, Human Resources Director, and CAO and will be a change in employees' regular work schedules.

During weeks in which paid holiday leave occurs, employees on alternative work schedules have two choices. They may either revert to a regular 5 days/40 hours schedule (employees working a 9 days/80 hours schedule will need to revert for two weeks) or they may use accrued vacation or compensatory leave time to make up any difference in the number of regularly scheduled work hours since a holiday is always considered to be eight hours.

Sick leave and vacation leave will continue to accrue at the regular rate. When employees use a full workday of sick or vacation leave, the time charged will be equivalent to the number of hours they were scheduled to work that day. This accounts for actual time absent for regularly scheduled work hours.

Rest breaks and meal periods must be taken per the City's *Rest Breaks and Meal Periods* policy.

Employees interested in applying for an alternative work schedule should contact the Human Resources office to obtain the appropriate form.

EVALUATION, TRAINING, AND DEVELOPMENT

EMPLOYEE DEVELOPMENT

The City of Marysville encourages professional development of employees to their fullest potential. The CAO or designee and department directors will establish in-service training programs designed to improve the effectiveness and knowledge of employees in performing their assigned duties. They shall establish training expenditures, maintain records of achievement, and evaluate methods and results of all department-sponsored training.

City-sponsored training required to increase the knowledge, skills, and abilities of employees to perform their jobs shall be arranged during regularly-scheduled work hours whenever possible. Department directors may change employees' regular working hours to accommodate or require attendance at training activities during off-duty hours.

PERFORMANCE EVALUATION

The employee performance evaluation program is designed to provide supervisors and employees an annual opportunity to sit down and discuss employees' accomplishments and positive contributions, as well as identify things they would like to improve, change, or learn. The employee performance evaluation form is both a progress report and statement of mutually agreed-upon goals and action plan to attain the goals; this becomes part of employees' personnel files.

The purpose of performance evaluation is for supervisors and employees to focus on job performance, not the personality of the individual. Supervisors should be aware of employees' job performance throughout the evaluation period and discuss and address performance issues as they arise. Supervisors should not save these concerns to "unload" on employees during the evaluation session.

Supervisors and employees will thoroughly discuss each job evaluation element; employees will provide their input first, followed by the supervisors' input, and discussion between them should be specific and realistic. Mutually agreed-upon goal statements, aimed to enhance the effectiveness and efficiency of the work being performed, is required as part of the performance evaluation. Supervisors complete evaluation forms, both parties sign the document, employees' receive copies of it, and it becomes part of employees' personnel files.

A performance develop plan needs to be completed if the overall rating for any job evaluation element is Below Expectations or Unsatisfactory. The purpose of the plan is to address the most significant areas the employee needs to improve performance or knowledge.

Performance evaluations are not scored, and there is no pass or fail mark. Performance evaluations, however, will be considered in promotions, transfers, merit raises, disciplinary actions, and other personnel actions.

Evaluation sessions should occur in January, or annually in the employee's anniversary month, as determined by department directors. Newly-hired employees should receive a three-month evaluation as well as a six-month evaluation. Employees who transfer to another position or are promoted receive a four-month evaluation.

TUITION REIMBURSEMENT

The City of Marysville recognizes that additional training and education will improve employees' knowledge and skills, which maintains and improves the quality of service to the public. The tuition reimbursement program provides financial assistance for eligible City employees seeking job-related education and training through a regionally accredited education institution, including colleges, universities, and vocational training institutions.

Regular full- and part-time employees who have completed their orientation periods may be eligible for tuition reimbursement. During the annual budget process, the City will determine the level of tuition reimbursement for college level coursework. Tuition payments will be made only with funds budgeted for such purpose by departments. If there are insufficient funds to fund all requests, applications for reimbursement will be considered based on the needs of the City. All tuition reimbursement requests must be preapproved by department directors and the CAO; situations with extenuating circumstances may be approved by the CAO on a case-by-case basis.

Employees seeking tuition reimbursement must apply to department directors at least 60 days before the funds are needed. Employees are responsible for ensuring that tuition has been properly paid to the educational institution.

Tuition reimbursement requests that meet the following criteria may be approved.

- The education or training is related employees' current positions or to a field which is within a reasonable line of professional progression for employees within the City.
- Paid time cannot be used to participate in education or training under this program, as distinct from mandatory education or training requirements.
- Payment will be made for actual tuition costs only; no City funds will be paid for books, lab fees, or other costs associated with the education or training.
- Reimbursement will be based upon actual cost as verifiable by receipt.
- Employees must not be receiving tuition reimbursement from other sources.

- Courses must be taken at times that will not interfere with the employees' regular duties and responsibilities with the City, and study assignments must be completed outside employees' working hours.
- Employee must receive a grade of "C" or better, or a grade of "passing" in a pass/fail class, within three weeks of completing the course.

Tuition reimbursement payments are loans that must be repaid to the City by employees who separate from employment with the City for any reason other than layoff or permanent disability resulting from an on-the-job injury prior to 24 months after completion of the reimbursed education or training. Employees are required to agree, in writing, to repay reimbursement payments in such circumstances, as a condition of receiving tuition reimbursement.

PARTICIPATION IN COMMUNITY CLUBS AND SERVICE ORGANIZATIONS

The City of Marysville encourages employees to participate in activities of Marysville civic and service organizations. Employees are encouraged to seek membership in organizations where membership will promote the City of Marysville's interests, provide benefit to the community or enhance the City's image and effectiveness in the community.

The Chief Administrative Officer (CAO) and/or Mayor may identify certain organizations in which it is in the interest of the City to be represented. The CAO/Mayor may designate the employees that will be sponsored for membership. In no case shall the City sponsor more than four employees per organization.

Factors normally considered when selecting organizations and employees include: the nature and purpose of the club or organization; the potential benefit to the City of Marysville, including the enhancement of the employee's leadership skills; the cost of membership; and the extent to which the City is already represented in the organization.

The Mayor, CAO, Directors and Police Commanders are eligible for sponsorship under this policy unless otherwise determined by the Mayor or CAO. Changes to civic and service organization sponsorship can be made at any time by the Mayor or CAO. An initial sponsorship does not guarantee continued City sponsorship. An employee must be a member in good standing to be reimbursed for membership.

Employees who are sponsored for membership are eligible for reimbursement of the civic or service organization dues through the reimbursable expense process.

- Associated costs of membership, including mileage, expenses and time incurred by an employee as a result of their membership such as, committee participation,

appointed/volunteer/elected position duties and participation, or time and expenses incurred as a result of attendance at related meetings such as regional, state, or national conventions, will not be reimbursed or authorized for payment by the City.

- Any meal expense considered an integral and mandatory portion of the membership may be reimbursed and may be considered a benefit subject to taxation and payroll deduction.
- Depending upon budget, no more than \$2,500 will be paid to a single organization for organization dues.

Employees sponsored for membership act as representatives of the City of Marysville and are prohibited from exerting influence on other employees or officers to provide financial contributions or other support to the civic or service organization; using the civic or service organization as a forum for lobbying in support of or opposition to political or legislative actions; and using the civic or service organization as a forum for promoting endeavors in which the officer or employee may have a direct or indirect financial interest or may acquire a personal benefit or gain.

HEALTH AND WELFARE BENEFITS

OVERVIEW OF HEALTH AND WELFARE BENEFITS

The City of Marysville offers various health and welfare benefits for its regular full- and part-time employees. Many benefits are prorated for part-time employees. There may be other benefits provided that are required by state or federal statute, including workers' compensation and unemployment compensation, which are not described below; these benefits may be provided to temporary employees as well as regular employees. Contact the Human Resources staff for information about these benefits.

Benefits available to eligible employees may include health insurance, retirement plan, deferred compensation, employee assistance program, flexible spending accounts, HRA VEBA accounts and optional employee-paid supplemental insurance. Many of these benefits are provided at the City's discretion, and the City reserves the right to make changes to or discontinue them at any time. Detailed plan documents describing these benefits are distributed to employees at orientation, when plans change, in response to employees' questions, and as otherwise required by law.

Employees are responsible for notifying the Human Resources office of status changes that might affect their eligibility for benefits, or that of their spouse, domestic partner, or dependents, including births, adoptions, marriages, legal separations, divorces, and dependents' 26th birthdays.

Some insurance and retirement plans require employees to designate a beneficiary(ies) for employees' death benefits. This designation must be made in writing in a form acceptable to the insurance company or retirement plan. Employees are responsible for maintaining the proper beneficiary designation and notifying, in writing, the Human Resources office of any changes in status affecting eligibility or designations.

Following is a summary of some of these health and welfare benefits. This is only an overview of the plans; contact the Human Resources staff for detailed information. Official benefits plans' documents take precedence over all other sources of information, written or verbal.

Health Insurance

Health coverage is administered in accordance with the Employer Shared Responsibility provisions of the Patient Protection and Affordable Care Act, as amended (PPACA). The benefits, terms, and conditions of the health benefit plan, including costs owed by eligible employees, are explained in a separate plan document (the "Plan") or in applicable collective bargaining agreements. If there are conflicts between this policy, the Plan, and any collective bargaining agreements, the document satisfying the minimum protections of the PPACA shall apply.

A choice of health insurance plans may be offered; typically, health insurance includes medical, dental, and vision coverage. There may be an annual open enrollment period when a different health insurance plan may be selected or a spouse, domestic partner, or dependents may be added to employees' health insurance coverage. If an employee's spouse and/or dependents have medical insurance coverage through another employer's insurance plan, the employee may be eligible for the City's dual coverage medical insurance incentive program.

Definitions and Classifications

Full-time. At time of hire or change in job classification, employee is reasonable expected to work an average of 30 or more hours per week. Full-time employees are eligible for health coverage and will be enrolled in health coverage as specified in the Plan.

Part-time. At time of hire or change in job classification, employee is reasonable expected to work less than 30 hours per week. Part-time employees are subject to monthly and annual hours' limitations and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Variable-hour. At time of hire or change in job classification, the City cannot determine whether employee will or will not average 30 or more hours per week. Variable-hour employees are subject to monthly and annual hours limitations and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Seasonal. At time of hire or change in job classification, employee is hired or re-hired into a position for which the customary annual employment is approximately six months or less, beginning in approximately the same season of each calendar year. Seasonal employees are subject to a mandatory annual break in service of six continuous months and are not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Dependents. Children of qualified full-time employees, up to age 26, are eligible for health coverage. Includes biological and adopted children but excludes spouses, domestic partners, stepchildren and foster children.

Volunteers. Individuals who provide services to the City on a voluntary basis are not employees and are not eligible for health coverage.

Work Hours Limitations

For certain employee classifications, the City restricts the maximum annual and/or monthly hours of work.

Full-time employees:

- Are not subject to an annual or monthly work hour's limitation.
- May work 30 or more hours per week, without limit, unless otherwise limited by the City Personnel Rules or applicable collective bargaining agreement.
- Are not subject to initial or standard measurement, administrative, or stability periods (discussed below).

Part-time employees:

- Are subject to an annual work hour's limitation and may not exceed **1500 hours** annually.
- May not exceed **125 hours** in any single calendar month.
- Are subject to initial and standard measurement, administrative, or stability periods (discussed below) and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Variable-hour employees:

- Are subject to an annual hour's limitation and may not exceed **1500 hours** annually.
- Hours may vary from week to week but not exceed **125 hours** in any single calendar month.
- Are subject to initial and standard measurement, administrative, or stability periods (discussed below) and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Seasonal employees:

- Work 30 or more hours per week, without limit, unless otherwise limited by the City's overtime policy, job description or the terms of any applicable collective bargaining agreement.
- Annual employment is six months or less with a break in service of six continuous months before eligible for re-hire. Employment typically begins at approximately the same time each year.
- Are subject to initial and standard measurement, administrative, and stability periods (discussed below) and are generally not eligible for health coverage, unless otherwise specified under the terms of the Plan or applicable collective bargaining agreement.

Measurement and Administrative Periods – Initial Periods

The City uses a 12-month initial measurement period to measure the hours of new part-time, variable-hour, and seasonal employees.

The City uses an initial administrative period of not longer than two months, divided in two phases. The first phase begins on the date of hire of a new part-time, variable-hour, or seasonal employee and continues until the last day of that calendar month. The second phase begins at the end of the 12-month initial measurement period and lasts for one full calendar month. The purpose of the first phase of the initial administrative period is to reduce administrative complexity by consolidating all new part-time, variable-hour, and seasonal employees hired during a month into the same initial measurement and stability periods. The purpose of the second phase of the initial administrative period is to allow the City to calculate the hours worked by employees during the initial measurement period and to enroll eligible employees in health coverage.

The City uses a 12-month initial stability period for purposes of providing or excluding health coverage to new part-time, variable-hour, and seasonal employees. If an employee works an average of 30 hours or more per week during an initial measurement period, the employee will be deemed a full-time employee and will be eligible for health coverage during the initial stability period, regardless of the hours worked during the initial stability period, so long as the employee remains employed by the City.

Initial Administrative Period (Phase 1) Begins on date of hire, continues until end of month.

Initial Measurement Period Begins on first day of first full calendar month following date of hire and continue for 12 months.

Initial Administrative Period (Phase 2) Begins on first day of the first full calendar month following Initial Measurement Period and lasts for the entire month.

Initial Stability Period Begins on first day of first full calendar month following Phase 2 of Initial Administrative Period and continues for 12months.

To determine the average hours worked by each employee during the 12-month initial measurement period, the City will divide the employee's total hours worked during the period by 52.

The measurement, administrative, and stability periods discussed above are in accordance with the 'look-back' requirements of the PPACA. In addition, pursuant to the City's policy, and apart from the requirements of the PPACA, part-time employees working 20 or more hours per week, but less than 30 hours per week, may also be eligible for health coverage. For purposes of administrative record-keeping, such part-time employees will continue to have their hours measured pursuant to the City's initial and standard measurement periods, but will remain eligible for health coverage at all times during their employment.

Measurement and Administrative Periods – Standard Periods

The City uses a 12-month standard measurement period to measure the hours of all ongoing part-time, variable-hour, and casual employees hired on or before the start of a standard measurement period.

The City uses a standard administrative period of 31 days. The purpose of the standard administrative period is to calculate the hours worked by employees during the preceding standard measurement period and to enroll eligible employees in health coverage during the resulting standard stability period.

The City uses a 12-month standard stability period for purposes of providing or excluding health coverage to ongoing part-time, variable hour, and seasonal employees. If an employee works an average of 30 hours or more per week during a standard measurement period, the employee will be deemed a full-time employee and will be eligible for health coverage during the resulting standard stability period, regardless of the hours worked during the standard stability period, so long as the employee remains employed by the City. If an employee works an average of less than 30 hours per week during the standard measurement period, the employee will not be deemed a full-time employee and may be eligible for employee only health coverage during the resulting standard stability period.

<u>Standard Measurement Period</u> (Year 2)	December 1 of (Year 1) through November 30 of
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<u>Standard Administrative Period</u>	December 1 through December 31 of each year.
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<u>Standard Stability Period</u>	January 1 through December 31 of each year.
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To determine the average hours worked by each employee during the 12-month standard measurement period, the City will divide the employee's total hours worked during the period by 52.

The measurement, administrative, and stability periods discussed above are in accordance with the 'look-back' requirements of the PPACA. In addition, pursuant to the City's policy, and apart from the requirements of the PPACA, part-time employees working 20 or more hours per week, but less than 30 hours per week, may also be eligible for health coverage. For purposes of administrative record-keeping, such part-time employees will continue to have their hours measured pursuant to the City's initial and standard measurement periods, but will remain eligible for health coverage at all times during their employment.

Measurement and Administrative Periods – Overlapping Initial and Standard Periods

The City's standard measurement periods apply to all ongoing part-time, variable-hour, and seasonal employees hired by the City on or before the start date of a standard measurement period. New part-time, variable-hour, and seasonal employees will be measured by both the City's initial measurement period and the first standard measurement period beginning on or after each employees' date of hire.

Based on the overlapping nature of initial and standard measurement and stability periods, situations will arise where part-time, variable-hour, and seasonal employees will be subject to simultaneous initial and standard measurement, administrative, and stability periods.

If the City determines an employee is eligible for health coverage during an initial measurement period or standard measurement period, the employee must be enrolled in health coverage for the entire associated stability period. This is the case even if the employee is determined to be eligible for health coverage during the initial measurement period but determined not to be eligible for coverage during the overlapping or immediately following standard measurement period. In such a case, the City may exclude the employee from health coverage only after the end of the initial stability period. Thereafter, the employee's eligibility for health coverage would be determined in the same manner as that of other ongoing part-time, variable-hour, or seasonal employees.

In contrast, if the City determines an employee is not eligible for coverage during the initial measurement period, but is eligible for coverage based on the overlapping or immediately following standard measurement period, employee will be eligible for health coverage for the entire standard stability period (even if the standard stability period begins before the end of the initial stability period). Thereafter, the employee's eligibility for health coverage would be determined in the same manner as other part-time, variable-hour, or seasonal employees.

Rules Concerning Eligibility and Enrollment

To be enrolled in health coverage under the Plan, eligible employees must comply with all applicable application requirements and deadlines. Failure to do so may result in delayed or no enrollment until the next annual enrollment period or upon a qualified change in status.

If an eligible employee's payment for the cost of health coverage is untimely, the terms of the Plan provides when coverage terminates and whether there is a grace period for payment. The City is not required to provide health coverage for the period for which the cost of health coverage is not timely paid and may terminate coverage.

Eligible employees, up to 25%, have the right to waive enrollment in the City's health coverage. The City will provide a written waiver that must be timely completed, signed, and submitted by the eligible employee desiring to waive enrollment. Unless the Plan specifies otherwise, a new

waiver must be completed annually. Otherwise eligible employees who previously waived enrollment may re-enroll annually during open enrollment.

Hours for Paid and Unpaid Leave During Measurement Periods

Hours of service for employees during measurement periods include both actual hours of service worked and paid hours for vacation leave, sick leave, holiday leave, or other paid leave.

Periods of unpaid leave, including unpaid FMLA or military leave, are excluded from the hours calculation during any measurement period.

Administrative periods overlap with measurement and stability periods. Employees offered health coverage during a stability period must remain enrolled in coverage during a subsequent administrative period. Employees excluded from health coverage during a stability period remain excluded from coverage during a subsequent administrative period.

Breaks in Service

Employees, regardless of classification, who separate their employment with the City, voluntarily or involuntarily, must have a break in service of at least 13 continuous weeks before being eligible for re-hire. Employees re-hired after a break in service of at least 13 continuous weeks will be treated as a “new” employee, without any consideration given to previous hours worked or previous measurement or stability periods that may have applied prior to separation.

Employees who are re-hired into full-time and qualifying part-time (20 hours per week or more) positions must be enrolled in health coverage no later than the first day of the month following their date of re-hire. Employees who are re-hired into variable-hour or seasonal positions are subject to the City’s initial measurement, initial administrative, and initial stability periods.

The City reserves the right to suspend this rule on a case-by-case basis.

Retirement Plan

Regular full- and part-time employees participate in a Washington State-sponsored retirement plan; part-time employees receive prorated service credit based on usual hours worked. Casual and temporary employees are typically ineligible to participate in Washington State retirement plans unless they meet the eligibility requirements of the plans.

Deferred Compensation Plans

The City may offer a choice of deferred compensation plans. Employees may enroll in a plan at any time during the year, and change their monthly contributions per plan regulations.

Employee Assistance Program

The employee assistance program provides short-term, confidential counseling specifically designed to assist employees and their families in handling personal and work-related problems. The City's program makes seeking assistance very easy.

Flexible Spending Accounts

Employees may pay for qualified dependent care and/or medical expenses with pretax dollars through flexible spending accounts. Employees forfeit any unused balance in the flexible spending account at the end of the plan year.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

COBRA provides certain former employees, retirees, spouses, ~~domestic partners~~, former spouses, and dependent children the right to temporary continuation of health insurance coverage at group rates. This coverage is only available when it is lost due to a qualifying event, such as reduction in working hours, termination of employment, divorce, or death. Employees, spouses, and dependents covered by the City's health insurance plans will be notified, when applicable, of the opportunity to continue their health care coverage under COBRA.

Other Insurance Benefits

Employees may be able to purchase disability insurance through a vendor at group rates. They may also be able to purchase optional insurance plans such as life, accident, or cancer insurance.

Employees of the Police Department, excluding the Records Division and non-represented employees, may be eligible for employer-paid long-term disability insurance.

DUAL COVERAGE MEDICAL INSURANCE INCENTIVE

The City recognizes the need for innovative cost sharing between itself and its employees for medical insurance benefits. The dual coverage medical insurance incentive program is a voluntary incentive program in which employees can remove themselves, their spouses/ domestic partners and dependents who have health insurance coverage under another employer's group policy from the City's medical insurance plan.

Under this program, the medical insurance premium that the City would have paid on the employee's behalf will be split between the City and the employee. The City benefits from a 50% cost savings. The employee receives the other 50% cost savings in his or her paycheck as taxable wages. The incentive amount is capped at employee, spouse/domestic partner and two children. When both spouses/domestic partners are regular City employees, both employees must remain on their own City plan.

Employees may chose to remove themselves and dependents from the City's medical insurance plan during open enrollment or during the plan year if there is a qualifying event such as a divorce or the person obtains other coverage. Employees are only eligible to enroll in the incentive plan once per calendar year. Employees must sign a waiver certifying that they and their removed dependents have other medical insurance coverage prior to removal from the City's insurance plan. This waiver includes acknowledgement that proof of continuous, comprehensive medical coverage is required to re-enroll in the City's medical insurance plan. Re-enrollment in the City's plan is allowed only during the annual open enrollment period, except if other medical coverage is lost during the middle of the year the employee and eligible dependents may re-enroll in the City's medical plan on the 1st day of the month following his or her loss of medical insurance coverage.

The dual insurance incentive benefit is limited to medical coverage only and only 25% of employees can remove themselves from coverage. Dental and vision coverage will remain in effect for all eligible employees and dependents.

The City of Marysville retains the right to revoke, modify, or cancel this policy at any time.

EMPLOYEE WELLNESS

The City of Marysville recognizes that health of City employees directly affects their ability to provide high quality, efficient services to City residents. The employee wellness program is designed to provide information and activities to City employees and their family members to encourage health and safety in the work place. All City employees and family members who are eligible for City medical benefits may voluntarily participate in the employee wellness program.

A Wellness Committee, including employee representatives from different departments, labor unions, management, and the general employee population, oversees the wellness program and specifically performs the following duties.

- Provides enthusiastic support of the mission and goals of the Wellness program.
- Helps plan, implement and promote Wellness programs.
- Serves as a liaison between the wellness program, the Safety Committee, the Employee Recognition and Appreciation program, City departments, and employees.
- Represents the wellness-related interests, needs, and opinions of employees.
- Assists in identifying and reducing potential program barriers and strengthening support for the wellness program.
- Assists in promoting the wellness program.

The Wellness Committee will meet at least once a month during regular business hours and committee members may work on wellness activities during work hours as their normal job duties allow. Membership on the committee is voluntary and members may serve for an indefinite period of time. Members are responsible for:

1. Attending the monthly wellness coordination meetings and informing another attending member if they cannot attend a meeting.
2. Attending the Wellness Retreats. Retreats will be used to review goals/priorities and establish an events calendar.
3. Organizing and promoting annual wellness events.
4. Assisting other members in the execution of their wellness events.
5. Communicating the needs of his or her department's employees to the committee.
6. Communicating the activities of the committee to his or her department's employees.
7. Sharing ideas freely and raising any concerns or objections and offering alternative solutions when a decision is to be reached by consensus.

Participation in some wellness programs such as health screenings and the benefit fair is allowed during work hours. The Chief Administrative Officer may allow employee's additional time during work hours for wellness activities and programs provided work demands are appropriately met.

Wellness program activities may include a wide variety of health, educational, and fitness activities, such as those listed below.

- Behavior change programs, such as nutritional counseling and information, stress reduction, smoking cessation, weight management, relaxation, and self esteem.
- Motivational programs, such as interdepartmental and employee group challenges and tuition rebates for successful weight loss and smoking cessation.
- Informational and awareness programs such as flyers, paycheck stuffers, bulletin boards, brown bag lunch sessions, wellness seminars, workshops, and classes.

The wellness program is funded in the budget for the human resources programs, and all City expenditures for employee wellness activities must come from funds appropriated in the current budget. Some wellness activities may be offered to employees at the cost of the program, at a City-subsidized price, or free. Costs of certain programs may be covered by the City's medical plan, and the Wellness Committee may apply for grants provided by the Association of Washington Cities. The Committee's plan purchases and all other related accounting activities must comply with applicable City procedures for City-funded activities.

Per IRS regulations, the City is required to tax certain benefits that employees may receive from participating in wellness programs. This may include, but is not limited to gift cards, gift certificates, prizes and incentives. The dollar amount of the gift card(s) or taxable benefit received will be added as taxable income and applicable taxes will be applied in the next pay period. Small incentives such as a bottle of water, granola bar or piece of fruit are examples of items that would not be taxed.

Confidentiality is important in all health education activities. Because the Wellness Committee may offer programs about potentially sensitive issues, the transactions and interactions regarding personal and medical information that take place in the City's wellness programs will be confidential and will be respected as such. Employee participation is on a voluntary basis and will be respected.

EMPLOYEE LEAVES

Employees are not eligible to use paid leave time off until they successfully complete their initial orientation period as a new City employee, unless the CAO grants prearranged leave as a condition of their employment, or as otherwise specifically required by law or specifically allowed by City policies.

HOLIDAYS

The following days are considered holidays for all regular full-time employees except for uniformed ranks of the Police Department. A holiday is considered eight (8) consecutive hours. Regular part-time employees receive holiday pay on a pro rata basis, based on their normal workweek schedule. Regular employees still in their orientation period receive holidays, too. Authorized holidays which occur during vacation are not charged against vacation time.

HOLIDAY	DATE OBSERVED
<i>New Year's Day</i>	January 1
<i>Martin Luther King's Birthday</i>	3 rd Monday of January
<i>President's Day</i>	3 rd Monday of February
<i>Memorial Day</i>	last Monday in May
<i>Independence Day</i>	July 4
<i>Labor Day</i>	1 st Monday in September
<i>Veteran's Day</i>	November 11
<i>Thanksgiving Day</i>	4 th Thursday in November
<i>Day after Thanksgiving</i>	day after Thanksgiving
<i>Christmas Day</i>	December 25
<i>Personal Holiday</i>	Eight hours are added to the employee's vacation <u>accrual rate</u> . Part-time employees' hours are prorated accordingly.

If a holiday falls on a Saturday, it shall be observed on the preceding Friday; if a holiday falls on a Sunday, it shall be observed on the following Monday. An employee must work the day preceding and the day following a holiday or holiday weekend to receive holiday pay, unless the employee is on authorized paid sick leave, vacation time, or compensatory time off; sick leave for said days will not be approved without certification from a bona fide medical professional that the employee was in fact sick, or without specific approval by the CAO.

Regular nonexempt employees whose regular work schedule requires them to work on a holiday shall receive wages at 1 ½ times their regular pay; temporary and casual employees shall not be entitled to holiday pay, unless otherwise approved by the CAO.

UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE (NEW POLICY)

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 those days unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety.

If possible, an employee must submit written notice to their immediate supervisor as soon as they are aware of the need for the leave. The unpaid holiday shall not be considered approved unless signed by the supervisor. Requests shall consider the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability of other qualified employees, and consideration of the meaning of “undue hardship”.

The two unpaid holidays must be taken during the calendar year, if at all; they do not carry over from one year to the next.

VACATIONS

Non-union regular full-time employees earn vacation leave per the following accrual schedule, and non-union regular part-time employees earn vacation leave on a prorated basis; employees who have transferred or promoted to another department maintain their accrued vacation hours. Temporary and casual employees are not entitled to vacation benefits. Upon recommendation of the CAO or department directors, newly-hired employees may be granted stepped-up vacation rights as if they had worked for the City for up to five years. Vacation leave for members of collective bargaining units is earned at rates specified within applicable collective bargaining agreements.

YEARS OF EMPLOYMENT	ANNUAL VACATION ACCRUAL RATE (HOURS) FOR FULL-TIME EMPLOYEES
1 - 2	88
3 - 5	104
6	128
7 - 8	136
9 - 10	152
11	168
12 - 13	176
14 - 15	184
16 - 17	192
18 - 19	200
20 or more	208

Employees with a perfect attendance record from January through December, which includes using up to eight hours of sick leave, will receive eight additional hours of vacation leave to be used during the next calendar year.

Vacation may not accrue when an employee is on unpaid leave.

Employees are responsible for monitoring their accrued vacation leave balance. The maximum allowable accumulation of unused vacation leave is the number of vacation leave hours which the employee would have earned over a period of two years. Vacation leave accrued as of December 31st of each year which exceeds the maximum allowed shall be forfeited, unless

employees receive prior approval from the CAO to use vacation hours which would otherwise be forfeited due to excess accumulation.

Vacation leave cannot be taken until the leave hours are accrued. Vacation leave may not be taken during the first six months of City employment; employees who have transferred or been promoted may use accrued vacation leave during their orientation period.

Vacation leaves shall be scheduled considering the wishes of employees and the operating requirements of departments. Supervisors must ensure adequate staffing levels, and management reserves the right to approve scheduling of vacation leaves.

A maximum of 240 hours of the employee's accumulated vacation will be paid as severance pay upon voluntary termination or permanent reduction in force after one year of continuous service with the City, provided that the employee gives the City two weeks' written notice of resignation prior to his or her voluntary termination of employment.

SICK LEAVE

Regular full-time employees accrue paid sick leave at the rate of eight hours for each month of continuous full-time service; regular part-time employees accrue paid sick leave on a prorated basis. Employees do not accrue sick leave in any calendar month during which they are on an unpaid leave of absence or suspension.

Sick leave may be used for the following reasons:

1. Employee's own health condition, illness, injury, or physical incapacity including disability due to pregnancy or childbirth.
2. Care for a child with a health condition requiring treatment or supervision or to treat the disability of an adult child.
3. Provide preventive care for a child.
4. Care for a spouse, domestic partner, parent, parent-in-law, or grandparent with a serious health condition, including short-term care of a pregnant spouse during or after childbirth while she is unable to attend to regular daily activities.
5. Attend one's own medical or dental appointments or those of relations named above.
6. Arrange for emergency care or attend to a member of the immediate family-- defined as spouse, domestic partner, child, parent, grandparent, parent-in-law—and in other situations as may be approved by the CAO on a case-by-case basis.

Note: In accordance with the Washington Family Care Act, employees may use their choice of accrued leave (e.g., sick, vacation, compensatory time) for reasons 2 through 6 above. Accrued

sick leave will be applied unless an employee advises the City of their intent to use other available leave.

Employees must notify supervisors as soon as the need for sick leave is known. Failure to do so may result in denial of sick leave pay. If an employee has exhausted their sick leave bank they may use their vacation accrual.

The City may request reasonable proof of the need for sick leave. When absences extend beyond three consecutive working days, employees may be required to submit a medical certificate by a health care professional to justify the absence. In the case of an extended leave, such as serious injury or illness, the City may require a return to work authorization from employees' health care providers.

Holidays and other regular days off shall not be charged against sick leave. Sick leave can be used in minimum increments of one-half hour for nonexempt employees. Exempt employees may use sick leave in eight hour increments only; deductions from sick leave banks will not be made as long as they work part of the day.

Newly-hired employees may use sick leave only after successfully completing their first six months of employment, unless the CAO approves its use in extraordinary circumstances.

If an employee is absent due to illness or injury for which he or she is receiving payment from the state's industrial insurance program, LEOFF, or other state-mandated plan, the City will pay employees the difference between their regular wages and the amount received from the state up to the amount of accrued leave in employees' sick, vacation, compensatory, or administrative leave banks.

Upon retirement, sick leave in excess of 480 hours shall be deposited into a HRA VEBA at a ratio of 32 hours sick leave to 8 hours VEBA contribution.

PREGNANCY DISABILITY LEAVE

Female employees are entitled to pregnancy disability leave for the entire period of time they are incapacitated because of sickness or temporary disability due to pregnancy or childbirth. Certification by a health care provider indicating the need for a specified period of leave due to a pregnancy or childbirth-related disability is required. This leave may be paid or unpaid, depending on employees' accrued paid leave balances, such as sick or vacation leave.

Pregnancy disability leave is in addition to the 12 weeks of leave allowed annually by the Washington State Family Leave Act; however, pregnancy disability leave runs concurrently with employees' leaves entitlement under the federal Family and Medical Leave Act (FMLA). When a female employee's pregnancy disability leave ends, she is entitled to use the balance of her available leave time under the federal FMLA to care for her newborn child. Also, when

a female employee's pregnancy disability leave ends, additional leave to care for her newborn child counts towards the 12 weeks of family leave allowed under the state's family leave law.

Accrued sick, vacation, compensatory, and administrative time may be used for childbirth or related circumstances. The City will continue to pay health care benefits as required by the FMLA for the initial 12 weeks of leave. If the period of leave extends beyond the 12 weeks of FMLA leave, and the employee's accrued leave banks have been exhausted, then she will be placed on leave without pay, at which time she has the option to continue her health care benefits per COBRA requirements. See the *Overview of Health and Welfare Benefits* policy.

In all cases, women requesting pregnancy disability leave must submit appropriate leave forms at least 30 calendar days before the leave is to begin, or as soon as the need for leave is known. Certification from a health care provider should be attached to the leave request. Recertification may be requested periodically.

FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) grants up to 12 weeks of unpaid leave annually to eligible employees for specifically-defined family and medical reasons; eligible employees shall be entitled to up to 12 weeks of job protected leave during a rolling 12-month period measured backward from the date of any FMLA usage. Some or all of the leave time may be paid if employees have accrued leave time; employees must use applicable paid leave time first and take the remainder of the 12 weeks as unpaid leave.

Eligibility

Employees must meet all of the following conditions to be eligible for FMLA leave.

- Employees must have worked for the City for at least 12 months, which need not have been consecutive. For eligibility purposes, employees will be considered to have been employed for an entire week even if they were on the payroll for only part of a week or on leave during part of a week.
- Employees must have worked at least 1,250 hours during the previous 12-month period. Provisions of the Fair Labor Standards Act will determine the number of hours worked. Time spent on paid or unpaid leave does not count as hours worked and will not be counted in meeting the 1,250 hours eligibility threshold.
- When both husbands and wives work for the City and are both eligible for FMLA leave, they are allowed to take a combined total of 12 weeks of leave during a 12-month period for the birth of a child, placement of an adopted or a foster child, or to care for a child or parent (but not a parent "in-law") with a serious health condition. If they use a portion of the total 12-week FMLA leave for one of these purposes, they are each entitled to the remainder of the 12-week leave for other FMLA purposes.

Active duty time counts toward determining eligibility to take time off from work under the FMLA for employees returning after military service. Employees, who are covered by the provisions of this law, will be credited with the number of hours that they would have worked if they had not been called to military duty in determining eligibility for FMLA leave. Each month served performing military service counts as a month actively employed by the employer.

Qualifying Leave

FMLA leave is allowed for the following reasons:

- Birth and care of a newborn child of the employee.
- Placement with the employee of a child for adoption or foster care.
- Care for a spouse, son or daughter, or parent with a serious health condition.
- Medical leave when the employee is unable to work because of a serious health condition.
- Qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or called to active duty status as a member of the National Guard or Reserves in support of a contingency operation.
- Attend to qualified family members in the armed forces who are undergoing medical treatment, recuperation, or therapy, or otherwise in outpatient status, for an illness or injury sustained in the line of duty that renders the family member medically unfit for duty.

The leave entitlement for the birth or placement of a child for adoption or foster care expires 12 months from the date of the birth or placement. Leave in these cases must be taken in one uninterrupted block of time from start to finish, except with prior approval of department directors and the CAO.

See *Qualifying Exigency Leave* and *Military Caregiver Leave* policies for requirements and benefits specific to these types of FMLA leave.

Requesting Leave

Employees requesting leave must contact the Human Resources office to complete required forms at least 30 days before the leave is to begin, when the FMLA qualifying event is foreseeable (such as the birth of a child, placement for adoption or foster care, or planned medical treatment for a serious health condition). If leave is to begin within 30 days, employees must notify their immediate supervisors and the Human Resources office as soon as they are

aware of the need for the leave. When the need for the leave is not foreseeable, they must contact their supervisors prior to the start of their shift to enable supervisors to make necessary arrangements to continue employees' functions during their absences.

Whether leaves are foreseeable or unforeseeable, medical certification must be provided within 15 calendar days from the date employees give the City notice of the need for leave. Taking FMLA leave may be denied if these requirements are not met, unless there is a reasonable excuse for the delay. The City has the right to request a second medical opinion at its expense. If the first and second opinion conflict, the City may require a third opinion which shall be final and binding.

During leaves for serious medical conditions, employees are requested to report periodically to the City regarding the status of the medical condition and their intent to return to work. The City has the right to request periodic medical re-certifications in compliance with FMLA regulations. Per FMLA regulations, the City will not ask employees' health care providers for additional information beyond that required by the certification form. Additionally, the City reserves the right to require a "fitness for duty" medical certification from health care providers before employees return to work.

Return to Work

Employees eligible for FMLA leave—except those employees designated as “key” employees under this policy—can return to the same position or a position with equivalent status, pay, benefits, and other employment terms. This entitlement does not apply in certain situations, such as the following: Employee's position is eliminated in a reduction of force; employee takes another job while on FMLA leave; employee fails to provide timely notice of FMLA leave; or employee fails to return from FMLA leave on the established date.

Employees must contact the Human Resources office to complete appropriate forms before they return to work. Employees wishing to return to work prior to the planned expiration of their leaves must notify the Human Resources office at least five working days prior to their planned return.

Failing to return to work upon the planned expiration of FMLA leave may result in disciplinary action up to and including immediate termination unless an extension is granted. Employees who request an extension of FMLA leave due to the continuation, recurrence, or onset of their own serious health condition or that of their spouse, child, or parent must request an extension, in writing, to their immediate supervisors. This request should be made as soon as employees realize that they will not be able to return to work at the expiration of the leave period.

Benefits Coverage During Leave

During FMLA leaves, employees will be retained on the City's group health insurance plan under the same conditions that applied before the leave. To continue health insurance coverage, employees must continue to make any contributions that they would be required to make to the plan if they were not on leave. Failure to pay their share of the health insurance premium may result in loss of coverage.

Employees who fail to return to work after the expiration of their leaves may be required to reimburse the City for payment of health insurance premiums during the leaves, unless the reason employees fail to return is due to the presence of a serious health condition which prevents them from performing their jobs or due to circumstances beyond their control.

Intermittent Leave or Reduced Work Schedule

Employees may take leave intermittently or work reduced work schedules, when medically necessary, due to their own or a family member's illness. Since regular and predictable work hours are an essential part of employees' jobs, they are required to coordinate scheduling medical treatments with department directors or designees to limit disruption to departmental operations. The leave may not exceed a total of twelve weeks of their regular work schedule over a twelve-month period.

Employees must provide medical certification which shows that the multiple, short duration absences are a part of, or may result from, the treatment the employee or eligible family member is receiving for a serious health condition, or that the serious health condition causes intermittent periods of incapacity. Information must substantiate that intermittent leave is necessary and that the medical need for the employee or eligible family member is best accommodated through an intermittent or reduced work schedule.

Employees on continuous, intermittent, or reduced work schedules are required to exhaust their sick leave bank, for their own serious health condition.

Workers' Compensation Provision

The FMLA leave period runs concurrently with workers' compensation when employees have a serious health condition resulting from an on-the-job injury that meets the criteria for FMLA leave. The City may offer "modified duty" work at its discretion and if it is available. If health care providers treating employees for workers' compensation injuries certify that employees are able to return to "modified duty" work but are unable to return to the same or equivalent jobs, employees who are taking FMLA may decline the City's offer of a "modified duty" job. If employees decline the "modified duty" job, they may lose their workers' compensation pay but would continue to stay on FMLA leave until it is exhausted. When workers' compensation

benefits cease, the City requires employees to use their accrued paid leave including sick, vacation, and compensatory time.

For more information see WORKPLACE HEALTH AND SAFETY - Return to Work Procedures and Temporary Light Duty.

SHARED LEAVE

Shared leave allows City employees, at no additional cost to the City other than the costs of administering the program, to come to the aid of fellow City employees who are suffering from an extraordinary or serious illness, injury, impairment, or physical or mental condition which has caused or is likely to cause them to take leave without pay or to terminate their employment. Shared leave can also be used to assist a fellow employee who is ordered to report for active military duty; this provides financial stability for a limited time to allow an employee to adjust to different income and benefit levels under military pay. Only accrued vacation leave may be donated as shared leave time.

Only full-time, regular employees are eligible to receive shared leave, upon the recommendation of their department directors and approval by the CAO. The employee must submit a written request to their Department Director or the Human Resources Director detailing the reason for the request and the approximate duration. Shared leave requests may be denied if an employee has documented high leave usage without a qualifying event.

Employees must meet the following conditions to be eligible to receive shared leave.

- The employee suffers from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status or to terminate his or her employment with the City. Employees requesting shared leave for military service will be allowed to maintain 240 hours of sick leave accrual.
- The employee has abided by the City's sick leave policy in good faith.
- The use of shared leave will not significantly increase the City's costs, except for those which would otherwise be incurred in the administration of this program or which would otherwise be incurred by the employee's department.
- An immediate family member of the employee (spouse, domestic partner, child, parent, or sibling) suffers from an illness or injury which is life-threatening and which has caused or is likely to cause the employee to go on leave without pay or to terminate his or her employment with the City. Requests for shared leave to attend an immediate family member who has a life-threatening illness or injury shall be approved or disapproved at the sole discretion of the CAO on a case-by-case basis.
- An employee is ordered to report for active military duty for a significant military event during a time of national emergency. This may include an employee who is a member of the uniformed services--Washington National Guard or the Army, Navy, Air Force, Coast Guard, or Marine Corps Reserve of the United States, or of any organized reserve or armed forces of the United States--and other categories designated by the President or Governor in a time of war or military emergency. This provision does not apply to employees who voluntarily sign up for active military duty.

All donations of leave must be voluntary. To be eligible to donate shared leave, employees must have taken at least 80 hours of accrued vacation leave within the calendar year, have more than 80 hours of accrued vacation leave on the books, or have a combination of accrued and used vacation leave greater than 80 hours within the calendar year. When reviewing leave donation proposals from police employees, the Police Chief may also consider whether additional adequate time off will be provided through compensatory and/or holiday leave unique to that department.

Shared vacation leave shall be transferred on a dollar value basis. The minimum allowable transfer of vacation leave is eight hour increments. The value of the leave will be determined at the current hourly wage of the donating employee and the leave available to the receiving employee shall be calculated at the receiving employee's wage.

Employees shall not receive more than 1,040 hours of shared leave during their City employment. Shared leave hours should be used on a consecutive basis to the extent possible, unless preapproved by the CAO as intermittent leave. Shared leave use runs concurrently with FMLA-qualifying leave and other applicable leave. Donated hours that are not used within 90 days shall be returned to the donors.

The City and employees using shared leave will continue to pay their respective portions of employees' family health insurance benefits. Employees may continue payroll deductions of optional employee benefits at their discretion. Employees will not accrue vacation or sick leave while receiving shared leave; shared leave time is not counted as hours worked for any orientation period.

Employees serving in active military duty per this policy may receive donations to supplement their pay not to exceed 100% of the employee's regular wages from the City for up to one year. These employees must submit paycheck stubs to the City for determination of the correct supplemental pay and donated leave amounts.

BEREAVEMENT LEAVE

Employees, including those in their orientation periods, may use up to 24 hours of paid leave due to the death of a member of their immediate family. "Immediate family" for bereavement leave is defined as a spouse, domestic partner, child, parent, sibling, grandparent, grandchild, parent-in-law, brother- or sister-in-law, son-or daughter-in-law, stepchildren, and current stepparents. The CAO may extend the bereavement leave beyond the allotted hours.

JURY DUTY/WITNESS LEAVE

Employees have a civil obligation to serve on a jury if called. During jury duty or while appearing as a legally-required witness, employees will receive full pay from the City.

Employees who are excused from jury service or court appearance before the end of their workday shall immediately report their availability for assignment to their supervisor. Employees scheduled to work on shifts other than day shift shall be considered to be on day shift for the duration of jury duty.

Court payments, except those for expenses, must be paid to the City. All jury duty and witness fees other than expense payments must be paid to the City. Checks from the court cannot be endorsed and signed over to the City. Employees will need to submit a personal check or money order payable to the City of Marysville for the payment received minus expenses.

Employees will not be threatened, coerced, harassed, or denied promotional opportunities because they receive a summons, respond to a summons, serve as a juror, or attend court for prospective jury service.

VOTING LEAVE

Employees whose work schedules do not provide them two consecutive hours to vote while polls are open will be granted up to two hours of paid time to vote. Employees must provide notice to the City not less than one day before the election. The City may specify the hours that the employee may vote.

MILITARY CAREGIVER LEAVE

Military caregiver leave is a section of the Family and Medical Leave Act, which allows a certain amount of unpaid or applicable paid leave each year to eligible employees for family and medical reasons during any 12-month period. Military caregiver leave is applicable only to employees who are related to injured members of the armed forces. This policy addresses only those rights, benefits, and requirements specific to military caregiver leave. All other rights, benefits, and requirements of the FMLA apply to military caregiver leave.

Employees are eligible for military caregiver leave when their qualified family member in the armed forces is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status, for an illness or injury sustained in the line of duty that renders the family member medically unfit for duty. A qualified family member includes the following people: spouse, son, daughter, parent, or nearest blood relative to the employee.

Military caregiver leave may last for up to 26 weeks during a single 12-month period. There is a 12-week limit on all other types of FMLA leaves, and the combined total of all types of FMLA leaves, including military caregiver leave, cannot exceed 26 weeks in a single year.

Employees requesting military caregiver leave must provide a medical certification from the service member's health care provider.

QUALIFYING EXIGENCY LEAVE

Qualifying exigency leave is a section of the Family and Medical Leave Act, which helps families of members of the Armed Forces manage their affairs while the member is on active duty in support of a contingency operation. This policy addresses only those rights, benefits, and requirements specific to qualifying exigency leave. All other rights, benefits, and requirements of the FMLA apply to qualifying exigency leave.

Eligible employees are entitled to leave for a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member (including those in the regular Armed Forces, the National Guard or the Reserves) who is on active duty, or has been notified of an impending call to covered active duty, and who has been or is being deployed to a foreign country. Qualifying exigencies include the following: short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities not encompassed in the other categories, but agreed to by the City and employee.

FAMILY MILITARY LEAVE

All employees who work an average of at least 20 hours per week are eligible for unpaid family military leave. Family military leave is available to the spouse or registered domestic partner of a member of the U.S. Armed Forces during a period when Congress has declared war, the President has declared war by executive order, or when military reserves have been called to active duty.

Employees whose spouses are being called into active duty for the armed forces or who will be, or are deployed during a period of military conflict, are entitled to up to 15 days of unpaid leave from work. Employees may choose to use accrued vacation, compensatory time, administrative leave, or personal holiday hours for family military leave. Employees may take the 15 days of leave before the deployments of military spouses or when military spouses are on leave from deployments. For each new deployment of military spouses/partners, employees may take another family military leave of up to 15 days.

Employees must notify the City of their intent to take family military leave within five business days of receiving official notice of the call or order to active duty or deployment or within five business days of official notice of military spouses' upcoming leave from deployments.

MILITARY LEAVE

Washington State law provides City employees who are a members of the uniformed services-- Washington National Guard or the Army, Navy, Air Force, Coast Guard, or Marine Corps Reserve of the United States, or of any organized reserve or armed forces of the United States-- paid leave for up to 21 calendar days annually, from October 1st to September 30th, when ordered to active duty or active training duty. Employees are requested to notify their supervisors as soon as they are aware of the military obligation.

This military leave is in addition to any vacation or sick leave to which the employee might otherwise be entitled. If a military leave of absence extends beyond 21 calendar days, employees may, at their discretion, choose to use accrued vacation leave. Employees may be eligible for shared leave per the *Shared Leave* policy.

LEAVE UNDER UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

The Uniformed Services Employment and Reemployment Rights Act entitles regular City employees who take a leave of absence to serve as a member of the U.S. Armed Forces to certain reemployment, seniority, longevity, and employment benefits rights upon returning to work after their honorable discharge or completion of reserve training. Returning employees are entitled to these rights if they have given the City advance written or verbal notice of their service and if the cumulative length of the absence and of all previous absences from City employment to serve in the uniformed services does not exceed five years.

Employees returning after military service, who are covered by the provisions of this law will be credited with the hours of service that would have been performed except for the period of military service in determining eligibility for leave under the Family and Medical Leave Act. Each month performing military service counts as a month actively employed by the employer.

Both employees promoted or hired to fill a vacancy created by another employee serving in the armed forces shall hold such position subject to the return of the employee serving in the armed forces. A promoted employee affected by the return of the employee serving in the armed forces shall be restored to the position he or she had held previously, or any other equivalent position. A newly-hired employee affected by the return of the employee serving in the armed forces shall be placed in a comparable vacant position or may be laid off if there are no comparable vacant positions.

DOMESTIC VIOLENCE/SEXUAL ASSAULT LEAVE

This unpaid leave is available to employees who are victims of domestic violence, sexual assault, or stalking. It is also available to employees with a family member—defined as child, spouse, domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship—who is a victim of domestic violence, sexual assault, or stalking. This leave may be taken in blocks or intermittently, and the amount of leave that an employee may take is restricted to a "reasonable" amount, but it is not specifically limited as to time or length under the law.

Domestic violence/sexual assault leave may be taken for the following purposes.

- Seek law enforcement or legal assistance or prepare for or participate in any legal proceeding related to domestic violence, sexual assault, or stalking.
- Seek health care treatment for physical or mental injuries from domestic violence, sexual assault, or stalking, or attend to such health care treatment for a family member.
- Obtain (or assist a family member in obtaining) services from a domestic violence shelter, rape crisis center, or other social services.
- Obtain (or assist a family member in obtaining) mental health counseling related to domestic violence, sexual assault, or stalking.
- Participate in safety planning, temporarily or permanently relocate, or take other actions to increase one's own safety or the safety of the family member relating to domestic violence, sexual assault, or stalking.

Employees must give notice to the City of the need for this leave no later than the end of the first day on which the leave is taken. The City may require verification to support the need for the leave; verification can take the form of police reports, court documents, or employees' own written statements of the need for the leave.

ADMINISTRATIVE LEAVE

Exempt employees are not entitled to overtime compensation since they are compensated for the product of their work efforts, not the number of hours actually worked. Sometimes, however, the nature of work for exempt employees requires sustained periods of effort, marked by long hours, limited opportunities for time off, and stresses atypical of nonexempt positions. Further, the City acknowledges that sufficient rest is necessary for personnel to operate at peak performance; administrative leave provides sufficient time off for these employees so as to ensure individual and operational readiness.

Exempt employees are eligible for administrative leave based on the schedule and conditions described below. The CAO, upon the recommendation of department directors, may award supplemental administrative leave on a case-by-case basis when conditions warrant such consideration. Administrative leave shall not be awarded to employees whose vacation balance exceeds allowable accrual limits. Administrative leave will be awarded on a prorated basis, rounded to the next full day, to exempt employees hired during the calendar year.

The following positions shall be awarded an annual bank of ten business days of administrative leave at the beginning of each calendar year: CAO; directors of Community Development, Finance, Human Resources, Parks and Recreation, Public Works, Police Department, Public Works Superintendent;; Police Commander; Police Lieutenant ; Court Administrator, and IS Manager.

All other exempt employees shall be awarded an annual bank of five business days of administrative leave at the beginning of each calendar year.

Administrative leave must be:

- Used in minimum increments of one full day.
- Approved by the department director or CAO in advance, which must be documented on appropriate personnel forms.
- Forfeited if not used by the end of each calendar year.

Unused administrative leave may not be converted to cash compensation under any circumstances, [except that police command staff may cash out unused administrative leave with the approval of the CAO.](#)

LEAVE WITHOUT PAY

The CAO may grant leaves of absence without pay in appropriate circumstances; they will be granted only when employees have exhausted all other accrued leave. Employees must submit a written request on designated forms to the CAO after obtaining the permission of their department directors. Failure to return upon the expiration date of the leave may be cause for dismissal. Employees will not accrue vacation or sick leave while in leave without pay status; leave without pay is not counted as hours worked for any orientation period.

ABSENCE WITHOUT AUTHORIZED LEAVE

Absences not on duly-authorized leave shall be treated as leave without pay and may be grounds for disciplinary action. Employees who are absent for three consecutive regularly-scheduled working days without notifying the City may be considered to have abandoned their jobs and may be terminated.

LEGAL RULES OF CONDUCT

CODE OF ETHICS

The City's code of ethics is set forth in Chapter 2.80 of the Marysville Municipal Code. Its purpose is to assist City employees to establish guidelines to govern their own conduct. The code is also intended to help develop traditions of responsible public service. Employees shall not engage in any act which is in conflict with the performance of their official duties. Under the code of ethics, an employee shall be deemed to have a conflict of interest or other ethical violation if he or she:

1. Receives or has any financial interest in any sale to or by the City of any service or property when such financial interest was received with the prior knowledge that the City intended to purchase such property or obtain such service.
2. Accepts or seeks for others any service, information, or thing of value on more favorable terms than those granted to the public generally, from any person, firm or corporation having dealings with the City, as provided in MMC 2.80.040(2).
3. Accepts any gift or favor from any person, firm, or corporation having any dealings with the City if he knows or has reason to know that it was intended to obtain special consideration.
4. Influences the selection of or the conduct of business with a corporation, person, or firm having business with the City if he or she personally or through household relatives has financial interest in or with the corporation, person or firm.
5. Serves as an employee, officer, partner, director, or consultant of any corporation, firm, or person having business with the City, unless he or she has disclosed such relationship as provided by Chapter 2.80 MMC.
6. Engages in or accepts private employment or renders services for private industry when such employment or service is incompatible with the proper discharge of his or her official duties or would impair his or her independence of judgment or action in the performance of his or her official duties.
7. Appears in behalf of a private interest before any regulatory governmental agency, or represents a private interest in any action or proceeding against the interest of the City in any litigation to which the City is a party, unless he or she has a personal interest and this personal interest has been disclosed to the regulatory governmental agency. City Councilmembers may appear before regulatory governmental agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations; however, no official or employee shall accept a retainer or compensation that is contingent upon a specific action by a City agency.

8. Possesses, directly or indirectly, a substantial or controlling interest in any business entity which conducts business or contracts with the City, or in the sale of real estate, materials, supplies, or services to the City, without disclosing such interest as provided by this chapter. An interest is not a substantial interest if such interest does not exceed one-tenth of one percent of the outstanding securities of the business concern; or, if the interest is an unincorporated business concern, one percent of the net worth of such concern; or the financial interest of a corporation, person, or firm does not exceed five percent of the net worth of the employee and his household relatives.
9. Violates any ordinance or resolution of the City.
10. Violates the confidentiality of his or her position.
11. Makes any false statement or representation of any public record or document in a willful disregard of the truth of such statement or representation.

Employees who have financial or other private interests, and who participate in discussion with or give an official opinion to the City Council and fail to disclose on the records of the City Council the nature and extent of such interest is in violation of Chapter 2.80 Marysville Municipal Code. Any person willfully violating the code of ethics is guilty of a misdemeanor and is subject to the civil penalties as provided in the municipal code.

An employee of the City found guilty of a negligent violation of this chapter is subject to civil penalties up to and including termination from employment and/or loss of pay not to exceed one month's salary.

ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE

The City of Marysville strives to provide a work environment that is free from all forms of harassment. All forms of harassment—including, but not limited to harassment based on sexual, ethnic, racial, and disability characteristics, or an employee’s legally protected status—are prohibited. All disruptive behavior that creates an intimidating, offensive, coercive, or hostile work environment is prohibited. All actions that unreasonably impair employees’ abilities to perform their jobs are prohibited. Employees who engage in such behavior will be subject to disciplinary action, up to and including termination.

Harassment can take many forms. Some examples of verbal and nonverbal harassment include the following:

- Unflattering or unwelcome comments regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability, or appearance.
- Offensive verbal comments or jokes that are racially oriented or are directed at an employee because of his/her race, gender, disability, sexual orientation, religion or other protected status.
- Epithets, slurs, and negative stereotyping.
- Distribution, display, or discussion of written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, disability, marital, or other protected status.

Sexual harassment is a specifically recognized form of discrimination and is unlawful under the Civil Rights Act of 1964 and Washington State law. Sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature” when any of the following conditions exist.

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual’s employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment can take many forms, and some examples include the following.

- Unwanted flirtations, sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats.
- Requests for any type of sexual favor, including repeated and unwelcome requests for dates.

- Verbal abuse or "kidding" of a sexual nature and/or content and considered unwelcome.
- Distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or show hostility toward an individual or group because of gender or are of a sexual nature; suggestive or insulting sounds; leering; staring; whistling; or obscene gestures.
- Unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, forced sexual intercourse, or assault.
- Linking sexual compliance with sexual advances by a supervisor to some term or benefit of employment.

Sexual harassment can also include verbal behavior such as suggestive looks or leering; slang, names, or labels that others find offensive; talking about or calling attention to another employee's body or sexual characteristics in a negative or embarrassing way; invitation for dates which do not stop when the response is negative; or continuing unwelcome behavior after a co-worker has objected to that behavior.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are acceptable to and welcomed by both parties, are not considered to be harassment, including sexual harassment.

Employees who believe they are victims of harassment should not remain silent. They should make it clear to the harasser that such conduct is offensive and unwelcome and clearly state that the offensive conduct must stop immediately. Then, they should tell the supervisor or manager they are being harassed and name the harasser; this may be the first step if employees are uncomfortable confronting the alleged harasser.

Complaint Process

Employees who believe they have been harassed – whether by a co-worker, vendor member of the public or other third party – should report the harassing conduct to their Department Director or the Human Resources Director. Supervisors or managers who become aware that harassment is occurring, either from personal observation or employee report, must report it immediately to Human Resources or their department directors.

Employees' complaints of harassment may be oral or written. They should include, when available, specific allegations, dates(s) of the occurrences(s), individuals involved, and any witnesses. Upon receipt of complaints, or being advised by supervisors or managers of potential harassing behavior occurring, department directors, the Human Resources Director, or an independent investigator will conduct an investigation.

Harassment complaints and their investigations are kept as confidential as reasonably possible, consistent with the need to investigate and act on the results of the investigation. It is often necessary to disclose the name of the employee who filed the complaint to the employee accused of harassment.

The City treats harassment complaints seriously and moves quickly to investigate them and take appropriate corrective action. Employees filing complaints will be treated courteously and respectfully, and the City prohibits retaliation against employees filing harassment complaints. Unlawful retaliation occurs when an employee is targeted for unfavorable treatment by the City, or by coworkers, as a result of complaining or cooperating. Employees will not suffer any hardship, loss of benefits, or other penalties for filing or responding to bona fide complaints of discrimination or harassment, appearing as a witness in a complaint investigation, or investigating a complaint.

Employees who believe they are being retaliated against should immediately contact the Human Resources Director. If the employee believes the Human Resources Director is involved in the retaliation, the employee should contact the CAO. Retaliation complaints will be investigated separately, and the City will take prompt, corrective action to remedy any complaints found to have merit.

Reporting harassment incidents may be a difficult personal experience; however, allowing harassment activities to continue will most certainly lead to less desirable outcomes. For that reason, employees are strongly urged to use this complaint procedure.

Knowingly filing groundless or malicious complaints is an abuse of this policy and is prohibited. Employees who violate this policy are subject to disciplinary action up to and including termination.

Procedures for Investigating and Resolving Complaints

When a full harassment investigation is warranted, the City will typically use the following guidelines for conducting it.

1. Every attempt will be made to complete an investigation within 60 calendar days from the time the complaint is received or the department director is made aware of the potential harassment. The time limit may be extended to 90 calendar days by the CAO if additional time is needed for a full and complete investigation of the complaint.
2. The investigation should include interviews with the complainant, the respondent, witnesses, and other persons the investigator determines may have information related to the investigation to determine whether the conduct occurred. The investigator will ensure compliance with any right to union representation of individuals, including the alleged harasser, who may reasonably assume disciplinary action may be taken based upon their statements in the investigation.

3. The investigator of the complaint will maintain accurate, detailed records of the investigation and will determine if violations of this policy have occurred based on the facts verified during the investigation.
4. If it is determined that harassment or discrimination in violation of the City's policy has occurred, appropriate disciplinary action will be taken. The appropriate action will depend on the following factors: (1) severity, frequency and pervasiveness of the conduct, (2) prior complaints made by the complainant, (3) prior complaints made against the respondent, and (4) quality of the evidence, such as first-hand knowledge or credible corroboration.
5. If the investigation is inconclusive, or it is determined that there has been no harassment or discrimination in violation of this policy but some potentially problematic conduct is revealed, counseling or preventive action may be taken.
6. Within five days after the investigation is concluded, the Human Resources Director or department director will meet with the complainant and respondent separately, to notify them in person of the results of the investigation and inform them of the action being recommended.
7. The complainant and the respondent may submit statements to the CAO requesting an additional review. Such statements must be submitted no later than five working days after the meeting in which the results of the investigation were discussed.
8. Within ten days from the date the challenge is received, the CAO will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the Human Resources Director and other management staff as may be appropriate, and decide what action, if any, will be taken. The Human Resources Director will report the decision to the complainant, respondent, supervisors, and department directors in the departments in which the complainant and respondent work.

REPORTING IMPROPER GOVERNMENTAL ACTIONS

The City encourages employees to report improper governmental actions taken by City of Marysville officers or employees, and it protects employees who have made good-faith reports of improper governmental actions in accordance with City policies and procedures.

As used in this policy, the following terms have specific meanings as defined below.

- *Improper governmental action*: Actions by a City of Marysville officer or employee that are:
 - Undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment.

- In violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial danger to the public health or safety, or is a gross waste of public funds.

“Improper governmental action” does not include personnel actions, including but not limited to, employee grievances, complaints, claims of discrimination or harassment, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, written or verbal warnings, violations of collective bargaining or civil service laws, alleged violations of labor agreements, or reprimands. The City has separate policies with distinct rights and remedies, for allegations of improper personnel actions.

- Good Faith: When an employee has a reasonable basis in fact for the communication. “Good faith” is lacking when the employee knows or reasonably ought to know that the report is malicious, false or frivolous.
- Gross waste of public funds: Spending or using funds or allowing funds to be used without valuable result in a manner grossly deviating from the standard of care or competence that a reasonable person would observe in the same situation.
- Retaliatory action: Any adverse change in the terms and conditions of employment or hostile actions by another employee towards a local government employee that were encouraged by a supervisor, senior manager, or official.
- Emergency: Circumstances that if not immediately changed may cause damage to persons or property.

Procedures For Reporting

City employees who become aware of improper governmental actions should raise the issue with their Department Director or Human Resources Director. Employees shall submit a written report stating in detail the basis for their belief that an improper governmental action has occurred. The report, in the form of a written memo, report, or email should be made as soon as possible after the information or knowledge is received. Where employees reasonably believe the improper governmental action involves their department director, employees may raise the issue directly with the CAO or Human Resources Director.

In an emergency, where employees believe that damage to persons or property may result if action is not taken immediately, employees may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

The Department Director, Human Resources Director or the CAO or designee, shall take prompt action to assist the City in properly investigating the report of improper governmental action. City officers and employees involved in the investigation shall keep the identity of reporting

employees confidential to the extent possible under law, unless employees authorize their identity disclosure in writing. After investigations are completed, employees reporting improper governmental actions shall be advised by a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

City employees may report information about improper governmental action to the appropriate government agency with responsibility for investigating the improper action if they reasonably believe that an adequate investigation has not been undertaken by the City to determine whether an improper governmental action occurred, insufficient action has been taken by the City to address the improper governmental action, or the improper governmental action is likely to recur. A list of agencies responsible for investigating improper governmental action is included in this handbook. It is not intended to be all-inclusive.

City employees who fail to make a good faith attempt to follow the City's procedures in reporting improper governmental action shall not receive the protections provided by the City in these procedures.

Protection Against Retaliatory Action

City officials and employees are prohibited from taking retaliatory action against City employees because they have in good faith reported improper governmental actions.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their Department Director, the Human Resources Director or the CAO or designee. City officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If employees' Department Director, the Human Resources Director or the CAO or designee do not satisfactorily resolve employees' complaints of retaliation in violation of this policy, employees may obtain protection under this policy and pursuant to state law by providing a written notice to the Marysville City Council that specifies the alleged retaliatory action and the relief requested.

Employees shall provide a copy of their written charge to the CAO no later than 30 days after the occurrence of the alleged retaliatory action. The City shall respond within 30 days to the charge of retaliatory action; provided, if the charge warrants an unusual amount of investigation, the City may extend the time for responding up to 30 additional days.

After receiving either the response of the City or 30 days after the delivery of the charge to the City, employees may request a hearing before a state administrative law judge to establish that a retaliatory action has occurred and to obtain appropriate relief provided by law. Employees seeking a hearing should deliver the request for hearing to the CAO at the earliest of either 15

days of delivery of the City of Marysville’s response to the charge of retaliatory action or 45 days of delivery of the charge of retaliation to the City of Marysville for response.

Upon receipt of request for hearing, the City shall apply within five working days to the Washington 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, (800) 558-4857.

The City will consider all recommendations provided by the administrative law judge, including but not limited to a recommendation that the retaliator be suspended or dismissed.

Enforcement Responsibilities

The CAO or designee is responsible for implementing the City’s policies and procedures for reporting improper governmental action and for protecting employees against retaliatory actions. This includes ensuring that this policy and procedures are permanently posted where all employees have reasonable access to them, made available to any employee upon request, and provided to all newly-hired employees. Managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy may result in disciplinary action, including but not limited to a written reprimand, suspension, and/or termination.

Following is a list of agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact Human Resources.

CITY OF MARYSVILLE

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

Marysville Police Department
1635 Grove St
Marysville, WA 98270
(360)363-8300

Human Rights Commission
402 Evergreen Plaza, Bldg FJ-41
711 S Capitol Way

STATE OF WASHINGTON

Department of Labor and Industries
315 5th Ave S Ste.200
Seattle, WA 98104-2607
(206)515-2800

State Department of Ecology
3190 160th SE
Bellevue, WA 98008-5452
(425) 649-7000

Domestic Violence Hotline
1-800-562-6025
Puget Sound Partnership
(Water Quality)

Olympia, WA 98504-2490
1-800-233-3247

PO Box 40900
Olympia, WA 98504-0900
1-800-547-6863
Department of Social & Health Services
Special Investigation Office
5200 Southcenter Blvd Ste 23
Tukwila, WA

Department of Natural Resources
PO Box 47000
1111 Washington St SE
Olympia, WA 98504-7000
(206)464-6094

UNITED STATES

State Department of Health
Health Consumer Assistance
PO Box 4789
Olympia, WA 98504-7891
(800)525-0127

US Attorney
700 Stewart St Ste 5220
Seattle, WA 98174-1093
(206)389-5800

Department of Interior
US Fish & wildlife Services
Division of Law Enforcement
121 107th NE
Bellevue, WA
(425)883-8122

Government Accounting Office Fraud Hotline
1-800-424-5454

Environmental Protection Agency
Criminal Investigations
1200 6th Ave (CRE 164)
Seattle, WA
(206) 553-2899

National Transportation Safety Board
19518 Pacific Hwy S Ste 201
Seattle, WA 98188

Equal Employment Opportunity Commission
909 First Avenue Ste 400
Seattle, WA 98104-1061
1-(800)-669-4000

Department of Justice
Drug Enforcement Administration
400 2nd Ave W
Seattle, WA 98119
(206) 553-5443

Department of Labor
Occupational Safety & Health (OSHA)
1111 3rd Ave Ste 715
Seattle, WA
(206)553-5930

Department of Transportation
Office of Inspector General
Auditing/Inspecting
915 2nd Ave Rm 644
Seattle, WA 98178
(206)220-7754

Department of Treasury
Bureau of Alcohol, Tobacco & Firearms
Law Enforcement Division
915 2nd Ave Rm 806
Seattle, WA 98174
(206)220-6456

(206)870-2200

Department of Health & Human Services
Food & Drug Administration
22201 23rd Dr SE
Bothell, WA

STANDARDS OF CONDUCT

EMPLOYEE BEHAVIORAL EXPECTATIONS

City government exists to provide services to its citizens, and City employees have a long tradition of providing exemplary service to the public. The following behavioral expectations support high quality service delivery.

Employees are personally and professionally accountable for providing essential services to the public.

- Be polite, courteous, and cooperative when interacting with internal and external customers and the general public.
- Be accountable for one's own job performance, while recognizing that all jobs are reliant on the work of others. Team members are interconnected with coworkers and managers, and every employee's work affects the team's ability to perform effectively.
- Perform all job duties to meet established job standards, and notify the supervisor when backlogs or unexpected work may result in a delay in completing essential tasks. Seek assistance from one's supervisor or manager to resolve problems or difficulties that interfere with the ability to perform one's work.

Employees represent the City in customer service transactions.

- Provide customers with accurate information about services, regulations and processes.
- Respond in a timely and professional manner, politely and courteously, while providing clear and concise information.
- Provide the customer with information about alternatives if unable to address their concerns directly or if the request is not feasible.

Integrity and high ethical standards are essential to maintain public trust in City services.

- Work honorably and professionally, providing a full day of good effort for a full day of pay. Integrity means that one's words and actions are the same when speaking with peers, supervisors, or other professionals.
- Perform job duties within the ethical standards of the organization, and always act to further the mission, vision, and values of the organization. If ethical standards or guidelines are unclear in a specific situation, ask the supervisor for information or clarification.

Mutual respect is an essential part of professional relationships; it is required, not earned, in all interactions.

Trust, the expectation that the other person will demonstrate integrity and responsibility, is earned.

- Give people the benefit of the doubt, believing that everyone is trying to do their best.
- Listen to people without making a judgment, and make a concerted effort to understand their perspective; understanding their perspective does not necessarily mean agreeing with it.
- Avoid using insulting, threatening, or offensive language.
- Avoid making jokes about other employees including, but not limited to, jokes about work performance, ethnicity, or personal appearance.

Teamwork is expanding one's perspective from simply performing individual tasks to helping achieve the City's overall mission and goals.

- Assist, encourage, and support coworkers.
- Look for ways to energize and support the work of coworkers so the department's work is accomplished with less difficulty and greater employee satisfaction.
- Take pride in the achievements of the team. Group recognition for a job "well done" is a foundation for receiving future recognition and far outweighs the brevity of congratulations directed at a single individual.
- Recognize that conflict will occur in the workplace, and manage it by dealing directly with the individual, rather than involving third parties. Focus on the common goal in an effort to collaborate with coworkers or reach a compromise that supports that goal.
- Be honest in sharing ideas, opinions, and perspectives without criticizing, finding fault, or undermining the views of others. Direct feedback to the idea or concept not at the individual offering it. Give honest but respectful feedback.
- Avoid spreading gossip and rumors, hearsay information that is passed from one person to another and is meant to discredit a third person; do not tolerate it from others because it sabotages the team's ability to work together effectively. It is disrespectful, nonproductive, and a selfishly-motivated act that interferes with employees' successful job performance.

The safety of employees and the public is an overriding responsibility of the City.

- Comply with safety regulations, work proactively to reduce workplace hazards, prevent accidents, and refresh safety skills.
- Secure and maintain certifications or licenses required to perform assigned job duties.
- Wear protective clothing, and use appropriate safety equipment as required.

- Practice good defensive driving at all times; promptly report all accidents, injuries, or hazardous conditions to one's supervisor or manager.

WORKPLACE RELATIONSHIPS (NEW)

The City respects the privacy of its employees, and does not wish to become unnecessarily entangled in its employees' personal lives; however, certain relationships are of legitimate concern because they disrupt professional relationships and can result in legal liability. For this reason, the following guidelines apply to employees who are or become involved in an intimate relationship.

Employees are discouraged from having a romantic, dating, or intimate relationship with anyone over whom he or she has supervisory authority. A person has supervisory authority over another when:

- The person participates in the evaluation or assessment of the subordinate employee, or
- The person has or can exercise some measure of control over the subordinate employee's pay, benefits, or terms and conditions of employment.

Employees in relationships with supervisory authority have a duty to report the relationship to the employer. The employee shall work with the City to cure the conflict. Employees in relationships are expected to behave professionally at all times during work hours or on City property. If either employee becomes uncomfortable at work at any time in or after the relationship due to actions of the other party, the employee will notify their supervisor or Human Resources immediately so that action can be taken to prevent any potential harassment.

EMPLOYEE DRESS AND PERSONAL APPEARANCE

Employees are expected to maintain their attire, grooming, and personal hygiene in a manner appropriate to perform their work safely and present a favorable and professional image to the public. Departments requiring uniforms may establish their own dress codes to supplement this policy. Medical exceptions to this policy are subject to approval of department directors.

Employees must wear clothing and shoes that are neat, clean, and in good condition. Hair should be neat, clean, and well-trimmed or arranged, and facial hair must be neatly groomed. Tattoos and body piercing, except for ear piercing and tasteful tattoos, should not be visible.

Office staff and other employees who have regular contact with the public must wear appropriate business attire. Jeans and athletic-type footwear are generally not appropriate for office attire, except as described below. Other inappropriate attire includes, but is not limited to: extremely tight pants, leggings and spandex; tee shirts with slogans, sports insignia or other writing on them; tank tops with straps less than two inches wide; short or cropped tops that expose skin at the abdomen; sweatpants, sweatshirts or workout attire; clothing that is excessively revealing, distracting, or provocative; skirts that are excessively short; and shorts.

Some of the attire listed above may be appropriate and allowed when considered part of a department's uniform, suitable for regular work duty (such as recreation or athletic programs), worn for special events, or specifically authorized by department directors.

Tee shirts and sweatshirts with the City logo or other tasteful logos may be acceptable attire, depending upon the work environment. When wearing clothing with the City logo, employees appear to represent the City; employees should not wear City logo clothing during off-work hours.

The City has designated Friday as "business casual" day. "Business casual" attire often includes jeans and a sport shirt or other casual attire which is appropriate for the work place as defined in this policy. Employees are still expected to be neat, clean, and well-groomed. Supervisors, however, may require regular business attire as they deem appropriate.

Employees who have sincerely held religious beliefs that affect their dress and personal appearance should talk with their supervisor about potential accommodations under Title VII of the 1964 Civil Rights Act.

Supervisors, managers, and directors will ensure compliance with this policy. Employees who violate this policy may be instructed to leave the premises to change clothes and/or be subject to disciplinary action. Time necessary to correct one's appearance is leave without pay.

The City may provide a clothing allowance for some positions.

TOBACCO USE

Smoking and tobacco use represent a significant health risk to both smokers and nonsmokers in the work environment. Employees are prohibited from using tobacco in any form in all public and nonpublic areas of City-owned facilities and City vehicles during their scheduled work time. Tobacco use includes the possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product and the use of chewing tobacco, snuff, and other varieties of smokeless tobacco.

The prohibition against tobacco use in City-owned facilities and vehicles includes, but is not limited to City buildings, vehicles and drivable equipment, and recreation facilities. Vehicles and drivable equipment includes front-end loaders, tractors, riding mowers and backhoes. Recreation facilities include activity centers, community centers, and supporting building facilities. Smoking is also prohibited within 25 feet of building entrances, exits, windows that open, and ventilation intakes.

Employees may use tobacco during non-work time, such as designated breaks and meal periods but shall never use it in the prohibited areas as described in this policy. Tobacco users are to maintain designated smoking areas free of litter by properly disposing of cigarette and cigar butts, ashes, etc. Chewing tobacco, snuff, and other varieties of smokeless tobacco residue, including "spit", must be collected in a container, sealed, and placed in the lined trash receptacles provided.

Employees who violate this policy are subject to disciplinary action up to and including termination.

Smoking cessation may be a covered benefit under the City's medical insurance plan.

OUTSIDE EMPLOYMENT

Employees engaged in outside employment must notify their department director. Employees shall not hold a job with an outside employer or be self-employed if outside work contributes to reduced effectiveness at their City job; in these cases, employees will be given the choice of terminating either their City employment or the outside employment. If an employee is injured as a result of an accident during the outside employment, the other employer's benefits must be used to the degree available before receiving coverage from the City's benefit plans.

Commissioned police employees are subject to the terms of the Standard Operating Procedures on outside employment.

GARNISHMENTS

Employees who have had their earnings garnished for the satisfaction of three or more separate indebtednesses within a period of 12 consecutive months will be discharged, unless the CAO determines that the employee should not be discharged due to extenuating circumstances.

MEDIA INQUIRIES

All media inquiries and non-customer service related general inquiries should be referred to department directors. The CAO may delegate the authority to respond to media inquiries without prior approval to specific employees. Questions about employee references or other information concerning current or former employees must be referred to the Human Resources office.

COMPLAINT PROCEDURE

The City recognizes that sometimes situations arise in which employees feel that they have not been treated fairly or in accordance with City rules and procedures. Complaints will be investigated, and the City will take prompt, corrective action to remedy any complaints found to have merit. Employees should use the following procedures for resolving complaints. (See the anti-harassment, discrimination, accommodation, retaliation, or reporting improper governmental actions for the procedure related to these policies.)

Step 1: Employees should first try to resolve complaints with their immediate supervisors.

Step 2: When normal communication between employees and supervisors is not successful, or when employees disagree with the application of City policies and procedures, employees should file written complaints with their department directors. Department directors should meet with employees within five working days and respond to employees in writing within five working days after the meeting.

Step 3: If employees are not satisfied with the response from their department directors, they may submit the issue, in writing, to the CAO. If the complaint is with the CAO, the written complaint should be directed to the Mayor. The written complaint must be filed within ten working days of the occurrence leading to the complaint, or ten working days after the employee became aware of the circumstances.

The written complaint must contain, at a minimum, the following items.

- Description of the problem.

- Specific policies or procedures that employees believe have been violated or misapplied.
- Dates of the circumstances leading to complaints or dates when employees first became aware of those circumstances.
- Remedies sought by employees to resolve complaints.

The CAO should respond in writing within ten working days of receipt of complaints. The CAO's response and decision shall be final.

Some employees may have more than one source of dispute resolution rights, such as civil service rules, collective bargaining agreements, and this complaint process. Employees represented by a bargaining unit or who are covered under civil service rules must follow grievance procedures set out in their respective labor contracts or civil service rules, where applicable. In all other cases, the procedures described in this section shall be used. Under no circumstances shall employees have the right to use both this process and another complaint or appeal procedure that may be available to them.

USE OF CITY RESOURCES

USE OF CITY PROPERTY

Employees shall not request or permit the use of City owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as City policy for the use of those employees in the conduct of official business.

COMPUTER SYSTEMS AND ELECTRONIC COMMUNICATIONS

This policy applies to all City employees, elected, and appointed officials.

Computers, telephones, fax, copy machines, all associated software and peripheral devices, and any other City equipment provided for employee use are the property of the City and are intended solely for use in conducting official City business. All messages sent, received, or stored on the email system, all records of Internet use, and all software installed on computers are the property of the City and may be reviewed, audited, intercepted, accessed, or disclosed by the Mayor or designee without employee authorization.

Employees may use some City equipment for VERY LIMITED personal use, provided that it is done on employees' own time, does not violate any law or City policy, such as harassment or solicitation, and is not used for commercial, religious, or political activities. Also, this use must not interfere with employees' job performance, disrupt or distract themselves or coworkers from the conduct of City business, and it must not result in additional cost or liability to the City.

Use of City time and resources may be allowed for approved participation in professional organizations related to the employee's official position, upon approval by the CAO. All outgoing messages which do not reflect the official position of the City must include the following disclaimer: "The opinions expressed here are my own and do not necessarily represent those of the City of Marysville."

Internet access by default is provided to every employee with a City login. Access may be restricted at a supervisor's request. Resources of any kind for which there is a fee, including all Internet sites, must not be accessed or downloaded without prior approval of department directors. Space on public access databases (such as home pages on the World Wide Web) shall not be created without prior approval of the CAO or designee.

Text messaging is highly discouraged for use in City business. Text messaging is a public record and therefore must be retained as such. The only exceptions to this are for Police tactical messages and SCADA alarm messages.

Due to the difficulty in retaining Instant Messaging, Chat and Blogs the use of these types of communications are prohibited for all City business. The only exceptions to this are for Police tactical messages and the employee must maintain a log of messages as per state law.

Due to the difficulty in managing Social Media content and inherent security risks, access to Social Media is generally prohibited to City Internet users. All City of Marysville social media sites are subject to approval by the CAO prior to activation; and monitored and maintained by the Community Information Officer. The City uses social networking websites Facebook® and Twitter® as a means to increase citizen awareness and communications between citizens and the City.

Employees not involved in the maintenance or operation of the voicemail and email systems are prohibited from retrieving or reading any voicemail or email sent to other employees without a direct request from the intended recipient. If any user receives a message by mistake they should stop reading as soon as they realize the message was not meant for them, delete it, and notify the sender immediately.

All electronic records, including information sent via email or posted on the Internet reflects on the City, is public property, and must be retained according to the City's retention schedule and disclosed pursuant to the state's Public Records Act. The IS Department maintains copies of every email the City sends or receives for review by the City's Email Retention Administrator. All email communications must comply with City standards and policies as well as laws such as copyright protection. Exercise due caution when sending confidential or sensitive information electronically. Email messages need to be composed with the expectation that they are public and must be businesslike, courteous, and civil. Users shall have no expectation of privacy in e-mail messages. Non-City email accounts (e.g. Gmail, AOL, MSN, or Yahoo) may not be used to conduct City business unless approved in advance by the CAO or designee. Protected Data (i.e. HIPPA, CJIS, PCI, etc) must be sent via encrypted electronic mail. The City's email system is not intended to be used for general mass mailings or to transmit attachments larger than 10 MB.

Employees must protect all system user identifications and passwords, along with voicemail PIN numbers and email account passwords, at all times. Individual passwords must not be printed or stored online. Individual passwords must not be shared with others, and users are prohibited from accessing any City computer system using another user's account or password.

Networked computer systems can easily spread computer viruses, and it is every employee's responsibility to exercise due caution to minimize the risk of viruses. Since email attachments are a common source of viruses, only those received from expected and known business sources may be opened. No external computer files may be downloaded without being properly scanned for viruses.

The City purchases licensed software for employee use for City business. All software must be installed by authorized employees per license agreement. Employees are prohibited from usage

which violates software license agreements such as making a copy of software for personal use or downloading software unless pre-approved by IS.

Employees are responsible for taking adequate measures to prevent damage, theft, or loss of City equipment. Laptop computers, in particular, are subject to damage, theft, or loss when removed from City offices.

Use of the City's information or data systems from a personal or company-owned computer through company-owned connections is subject to this policy, too. Use of personal computers to perform city business through non-city owned connections is also subject to the provisions of this policy and the provisions of the state's Public Records Act and records retention schedule.

A link to additional information, policies, and procedures can be found at the top of the City's Intranet main page. These additional policies and procedures include more granular policies including but not limited to: Passwords, Records Retention, and Internet Use.

Employees who abuse City equipment and technology resources or fail to follow the City's policies and procedures for the use of City resources are subject to disciplinary action. If these resources are used for purposes that violate federal or state laws, employees may be held legally accountable. City employees who learn of any misuse of software or related documentation within the organization shall immediately notify their immediate supervisors or department directors.

Questions or issues which arise from this policy should be directed to the Finance Director or CAO.

USE OF TELEPHONES AND WIRELESS HANDHELD COMMUNICATIONS DEVICES

Employees may use city telephones and wireless handheld communications devices for VERY LIMITED personal use, provided that it is done on employee's own time, does not violate any law or City policy, such as harassment or solicitation, and is not used for commercial, religious, or political activities. Also, this use must not interfere with employees' job performance, disrupt or distract employees or coworkers from the conduct of City business, and it must not result in additional cost or liability to the City. Personal toll calls should be billed directly to the employee's home phone or personal credit card, with the exception of calls necessitated by unanticipated overtime or an emergency.

City-Owned Wireless Handheld Communications Devices

The City requires employees to use its cellular telephones and other wireless handheld communications devices safely while conducting City business. Employees who are issued such devices are expected to limit use of them while driving a City vehicle. Any person operating a moving motor vehicle while holding a cell phone or other wireless communication device to their ear is guilty of a traffic infraction, unless the person is: operating an authorized police vehicle; using a hands-free device including a speaker phone, a headset, or an earpiece; reporting illegal activity; summoning emergency help; or using a hearing aid. Cell phones issued for City business may legally be used while driving if used in speaker phone mode only unless the person is: operating an authorized police vehicle; using a hands-free device including a speaker phone, a headset, or an earpiece; reporting illegal activity; summoning emergency help; or using a hearing aid. Regardless of the circumstances, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees are prohibited from placing themselves or others at risk to fulfill business needs.

If it is imperative to accept a call while driving, employees must use a hands-free device per state law. In positions that require regular driving and answering business calls, the City may provide hands-free equipment, if feasible.

Employees are prohibited from sending or receiving text messages via wireless handheld communications devices while operating a motor vehicle or performing a task.

Personal Wireless Handheld Communications Devices

Personal calls and text messaging during the workday, regardless of the communications device used, can interfere with employee productivity and be distracting to others. The use of personal wireless handheld devices is limited to rest breaks and meal times. Employees are expected to keep their personal wireless handheld devices off or in silent mode during work hours. Flexibility may be provided by the supervisor in circumstances demanding immediate attention.

Employees are prohibited from using personal wireless devices while operating a City vehicle.

The City is not liable for the loss of personal wireless devices brought into the workplace.

WORKPLACE HEALTH AND SAFETY

EMPLOYEE SAFETY

The City complies with all applicable federal, state, and local health and safety regulations and is committed to providing a safe work environment in which employee exposure to accidental injury and occupational illness is reduced or eliminated. Employees are expected to comply with all federal, state, and local safety and health requirements. The City has a comprehensive accident prevention program—applicable to all employees—to recognize, evaluate, and control occupational safety and health hazards. The Safety and Health Committee assists management in communicating and evaluating workplace safety and health issues.

Employees have the following responsibilities to ensure the health and safety of themselves and coworkers.

- Understand and comply with the safety regulations and procedures.
- Coordinate and cooperate with all employees in attempts to eliminate accidents.
- Apply the principles of accident prevention in daily work, and use proper safety devices and protective equipment as required by the City.
- Properly care for all personal protective equipment.
- Promptly report all industrial injuries or occupational illnesses, regardless of severity, to their supervisors.
- Refrain from wearing torn or loose clothing while working around machinery.
- Refrain from using or being under the influence of drugs or alcohol during work hours.

The City furnishes required safety items—such as steel-toed boots, hard hats, vests, goggles, or gloves—to employees. Uniforms and clothing shall be worn and maintained in a neat and clean condition, at the employee's cost. The City may provide two uniforms per year, or it may rent uniforms to employees as necessary and required to perform their jobs.

WORKED-RELATED INJURY OR ILLNESS

Employees who suffer on-the-job injuries or occupational diseases during the course of their City employment may be eligible for worker's compensation benefits administered by the Washington State Department of Labor and Industries. Employees must use available sick, vacation, compensatory, and administrative leave time (in this order) during the period of disability; the period of disability leave shall run concurrently with designated Family and Medical Leave Act leave to the extent permitted by law.

An employee receiving time-loss payments from Washington State Dept. of Labor & Industries (L&I) must "buy back" sick leave during the period of disability. Sick Leave buy back is a program that enables employees, off work due to a workplace injury, to receive a paycheck from the City while they wait for L&I to process their claim and issue time-loss compensation. The City will use available sick leave banks and if sick leave is exhausted, vacation leave or comp time hours will be used. It is mandatory that an employee "buy back" their sick leave hours. "Buy back" must be done by personal check or money order payable to the City of Marysville. L&I time-loss checks cannot be endorsed and signed over to the City.

Employees promoted or hired to fill a vacancy created by another employee on disability leave shall hold such positions subject to the return of the injured or ill employee. A promoted employee affected by the return of the injured or ill employee shall be restored to the position he or she had held previously or to any other equivalent position. A newly-hired employee affected by the return of the injured or ill employee shall be placed in a comparable vacant position for which he or she is qualified or may be laid off if there are no comparable vacant positions.

Disability leave shall not apply in cases of permanent, total disability or disability retirement as defined in Washington State law. Injuries resulting from employees' willful misconduct, however, shall not entitle them to disability leave.

RETURN TO WORK PROCEDURES AND TEMPORARY LIGHT DUTY

The City of Marysville values the safety, health and well being of all its employees. We want to provide safe and healthful working conditions in all of our operations and to follow all laws and regulations in regards to the safety and health of our employees.

The City supports the practice of bringing injured employees back to work, as soon as they are medically able, to a position compatible with any physical restrictions they may have. The Return to Work program is intended to restore employees to gainful employment as soon as possible when there is little probability of re-injury to themselves and no direct threat to others.

It is the City's policy to provide temporary alternatives to normal employment activities for employees who, as the result of an injury, have been released to lighter duties than their regular job requires. Temporary ("light") duty assignments are provided when the medical prognosis indicates that the employee is expected to return to full duty following a course of medical treatment.

The City will make every reasonable effort to place returning employees in existing positions that are the same as, or equivalent to, those held prior to the illness or injury. However, the City is under no affirmative obligation to create a position solely for this purpose. If the only suitable position is in a lower classification the employee will receive the salary within that classification. Employees in positions that are at a reduced pay level may be entitled to loss of earnings (LOE) from the Department of Labor and Industries. LOE payments help offset the difference between the employee's original wage and the temporary wage.

GENERAL

Employees with an injury that results in disability may request to be assigned to temporary light duty work or, at the City's request, the employee may agree to work light duty. Employees injured on the job will be given preference in filling temporary light duty assignments. Consideration for temporary light duty assignments will be made on a case by case basis and will be contingent upon the following:

1. The employee presenting a physician's statement that includes a complete description of the physical restrictions or limitations and releasing the employee for temporary light duty;
2. The City's ability, consistent with operational requirements, to temporarily modify the employee's regular job to accommodate the restrictions or limitations as stated by the medical professional OR the availability of light duty work, either in the employee's assigned work group or any other work group within the City, that does not exceed the identified restrictions/limitation;
3. The employee being otherwise qualified, i.e., possessing the necessary knowledge, skills and abilities, and certifications, as determined by Human Resources, to perform the work.
4. Temporary light duty assignments shall be short-term and shall mean 30 days or less. After 30 days, the need for additional light duty will be reviewed on a case by case basis and must be approved by the Chief Administrative Officer or designee. Nothing in this policy or procedure establishes a right to be placed on temporary light duty or, once placed, to continue in such an assignment for any specified length of time.

Human Resources has the overall responsibility for the coordination and administration of this program and will work with Department Directors, or their designee, to identify appropriate temporary light duties. If possible, employees will be returned to their regular department. In instances where there are no modifications that are compatible with the restrictions, the temporary position may be in another department. First priority will be placement within the

employee's job classification. Second priority will be placement within the employee's department, and third priority will be placement in another department.

PROCEDURE

An employee must submit to Human Resources a physician's statement, typically a completed Return to Work Authorization form, with specific information indicating that they are temporarily unable to perform the scope of duties of their position. The **worker cannot return to work without a release** from the treating physician.

Human Resources will contact the employee's Director/Manager and notify them that the physician has indicated that an employee has work restrictions. The Director/Manager and Human Resources will determine whether an appropriate temporary light duty assignment is available.

If clarification is needed to determine whether an employee can safely perform temporary light duty, Human Resources will notify the treating physician that the injured worker may be considered for temporary light duty and provide a Temporary Job Analysis Form. This form will list tasks available and describe the required physical capabilities.

If temporary light duty is approved, Human Resources will contact the employee. All tasks assigned/performed are to be within the limits defined by the physician. The Director/Manager is to explain/review limitations with the employee prior to work so that the recovering employee will not aggravate his/her condition while performing temporary light duty.

Human Resources should be contacted immediately if problems arise with the employee and/or temporary light duty assignments.

USE OF CITY VEHICLES

Employees who operate vehicles owned or leased by the City are required to maintain a valid Washington State driver's license. These employees must notify their supervisor immediately if they no longer have a valid Washington State driver's license. Failure to have a valid Washington State driver's license, if required for the position, may result in disciplinary action.

It is mandatory for all City employees operating motor vehicles to use seat belts, unless the person is operating an authorized police vehicle. This includes all employees operating City owned vehicles, passengers in City-owned vehicles, and all employees operating personal vehicles while engaged in City business, and employees riding as a passenger in a vehicle while on City business. Employees are also required to utilize seat belts, if available, when operating heavy equipment. Exceptions will be allowed under certain circumstances at the discretion of the CAO and Department Directors or for Police Officers in tactical situations.

Employees may not use a vehicle owned or leased by the City for personal purposes, other than de minimis personal use (such as stopping for lunch during a business trip). When a City vehicle is not being used for City business, it shall be parked at a designated location.

Some City positions may receive a vehicle allowance, at the discretion of the CAO, to provide savings in vehicle costs by keeping the vehicle fleet at a minimum.

Requirements for CDL Drivers

In addition to the requirements listed above, special requirements apply to employees who utilize a Commercial Driver's License (CDL) to conduct City business. Employees who utilize a CDL must be familiar with the rules and regulations contained within the Commercial Driver Guide as published by the Washington State Department of Licensing.

In accordance with federal law, CDL drivers are subject to having their Motor Vehicle Record (MVR) checked on an annual basis. Human Resources will review each MVR, also known as a driving abstract, for suspensions or infractions. CDL drivers must also complete a Traffic Violation Certification Form on an annual basis.

Employees must notify their supervisor immediately if their commercial drivers license is suspended, revoked, cancelled or they receive any other notice of disqualification or restriction from operation of a commercial vehicle. They must notify Human Resources, in writing, of all traffic convictions within thirty (30) days. This includes infractions incurred while driving a personal vehicle, regardless of whether the infraction resulted during personal time or while conducting City business. Parking infractions do not need to be reported. Notification must be made to the Washington State Department of Licensing of all out-of-state traffic convictions within thirty (30) days.

CDL drivers must perform a pre-trip and post-trip inspection as required by the Federal Motor Carrier Safety Administration regulation CFR 396.11 and CFR 396.13. An inspection log must be retained and available upon request. Failing to comply with this regulation is unlawful and could result in a citation in the event of an accident or traffic infraction.

SUBSTANCE ABUSE

The City strives to maintain a drug and alcohol-free workplace and provide a safe, healthy, and secure work environment for employees and people doing business with the City. The manufacture, distribution, dispensation, possession, use and/or sale of a controlled substance in the workplace and/or during work hours or breaks in the workday is strictly prohibited. This prohibition encompasses the possession, sale, distribution or use of any detectable amount of a drug illegal under state or federal law, a drug not medically authorized, or other substances that could impair job performance or pose a hazard to the safety and welfare of the employee, the public, or other employees. Workplace includes City buildings, City-owned premises, public property, City-owned or City-approved vehicles used to perform City functions, including travel to and from the workplace. The workplace also includes activities performed by an employee, whether on City property or not, on City time on behalf of the City. Failure to comply with this policy may result in disciplinary action up to and including termination.

This policy applies to all City employees. City employees working in safety-sensitive positions, including those who are required to hold a commercial driver's license, are subject to additional rules and regulations imposed by the federal government as described in other personnel policies.

Employees are prohibited from reporting to work or remaining on duty while under the influence of unauthorized or illegal drugs and/or alcohol, including medically authorized or over-the-counter drugs that could impair safe work performance. Employees must report to supervisors their medical use of drugs or over-the-counter medications which can impair safe job performance. Management may require an opinion from a licensed medical practitioner as to whether the medication would impair job performance. Failure to report the medical use of such drugs or other substances or failure to provide proper medical authorization can result in disciplinary action up to and including termination.

Reporting Requirements

As a condition of continued employment, employees shall notify their supervisors of their convictions under any criminal drug or alcohol statute or ordinance for a violation occurring in the workplace as defined above. Such notification shall be provided no later than five calendar days after conviction. For purposes of this policy, the term "conviction" shall mean a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal, state, or municipal drug or alcohol statutes or ordinances. "Criminal drug statute or ordinance" means any federal, state, or municipal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance.

Testing

Employees may be subject to drug and/or alcohol testing when the City reasonably believes they are not fit for duty immediately prior to, during, or immediately after performing their job duties or while on City property. Referral for testing will be based on documented, observable facts. Referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use.

Employees may be subject to drug and/or alcohol testing when involved in a motor vehicle accident which results in: 1) a fatality, 2) bodily injury to a person who immediately receives medical treatment away from the scene of the accident, or 3) one or more motor vehicles incur disabling damage requiring the vehicle to be towed from the scene, unless the person is operating an authorized police vehicle.

Applicants for and employees in safety-sensitive positions are subject to additional testing as outlined in the *Drug and Alcohol Testing for Employees who Operate Commercial Motor Vehicles* policy.

Disciplinary Action

Appropriate disciplinary action will be taken when employees report to the workplace under the influence of a controlled substance or when their job performance is impaired because they are under the influence of drugs or alcohol on the job. The City may investigate as is necessary to verify the use of drugs or alcohol and the nature of the impairment of the employee's job performance. Such investigation may include the performance of drug and/or alcohol tests where there is reasonable suspicion that drugs or alcohol have been used. Refusal to submit to drug testing may result in disciplinary action up to and including termination.

Reinstatement

The Employer through its disciplinary process will evaluate appropriate discipline or conditions for reinstatement.

A verified adulterated or substituted test result will be considered a refusal to test and subject to the return to work stipulations above.

As a condition of eligibility for reinstatement after an employee has been suspended or discharged for violating this policy, employees may be required to satisfactorily complete a drug or alcohol rehabilitation or treatment program approved by the City, at employees' expense. The City does not guarantee reinstatement of employees, nor does the City incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

In all substance test situations, an employee may request the presence of his/her union representative if the employee is employed in a unit with a certified bargaining representative.

Although an employee may later file a grievance against the direction to submit to substance testing, the employee must take the test when requested to do so.

Employee Assistance Program

The City supports employees who voluntarily seek treatment for alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to use the employee assistance program. Employees who notify the City of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as with other illnesses. Insurance coverage for treatment is provided to the extent of individual coverage.

Confidentiality and Record Retention

All records related to drug and alcohol testing will be maintained in the Human Resources office in a secure location with controlled access, and information may be released only to those people with a need to know, in compliance with all regulations regarding release of medical records. These records are kept in files separate from employees' general personnel records.

DRUG AND ALCOHOL REQUIREMENTS AND TESTING FOR EMPLOYEES WHO OPERATE COMMERCIAL MOTOR VEHICLES

All City employees are covered by the City's *Substance Abuse* policy; however, the *Drug And Alcohol Requirements and Testing for Employees Who Operate Commercial Motor Vehicles* policy establishes an additional compulsory drug and alcohol compliance and testing program as a condition of employment for employees required to have a commercial driver's license to perform their job duties. This policy complies with regulations issued by the U.S. Department of Transportation and Federal Motor Carrier Safety Administration covering employees in safety-sensitive positions, including those required to hold commercial driver's licenses. All questions regarding this policy should be directed to the Human Resources Director.

Effects of Alcohol and Controlled Substances

The City will provide on-going training to employees about the adverse effects of substance abuse and will provide supervisors with information and procedures to recognize and deal with substance abuse in the workplace. Training for employees will include the provisions of this policy, consequences of prohibited behaviors, testing requirements and procedures, and effects of alcohol and drug use on an individual's health and work environment. Training for supervisors and managers responsible to determine reasonable suspicion of alcohol or drug use will include the provisions of this policy and related procedures and additional training about indicators of probable misuse of drugs.

Prohibited Behavior

Employees are required to comply with federal and state law, which prohibit the following behaviors:

- Consuming alcohol and/or drugs while on duty.

- Operating a commercial vehicle within four hours after using alcohol. On-call employees who consume alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty.
- Consuming alcohol within eight hours following an accident or until a post-accident alcohol test is given, whichever comes first.
- Reporting for duty or remaining on duty requiring performance of a safety-sensitive function while having an alcohol concentration of 0.04 or more.
- Refusing to submit to any drug or alcohol test required under this policy, which implements federal law requirements.
- Reporting for duty when using a controlled substance, except when the use is at the instruction of a physician who has advised the employee that the substance does not adversely affect their ability to safely operate a commercial motor vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely and effectively must provide written notice from a licensed medical practitioner that the substance will not adversely affect the employee's ability to safely perform work. Failure to report the medical use of such drugs, or failure to provide proper evidence of medical authorization, may result in disciplinary action, including possible termination.

Testing Procedures

The City is a member of the Association of Washington Cities Drug and Alcohol Testing Consortium, which administers this testing program. The Consortium contracts with a select clinic to conduct the testing services, provide the testing laboratory services, arrange the testing collection sites, and provide the medical review officer functions. The services of a substance abuse professional are available for employees with positive test results. All testing procedures and protocols will be in accordance with federal regulations. A description of the complete testing protocol is available from the Human Resources office.

Testing

There are six circumstances in which this policy requires testing employees for drug or alcohol use.

- *Pre-employment*: Applicants applying for positions covered by this policy must pass a drug test as a post-offer condition of employment.
- *Random*: Employees are subject to random, unannounced alcohol and drug testing. Random selection of drivers will be made by a scientifically valid method, and each driver shall have an equal chance of being selected each time selections are made.
- *Reasonable Suspicion*: Employees shall submit to a drug and/or alcohol test when the City reasonably suspects that this policy may have been or is presently being violated. If a supervisor or manager reasonably suspects that an employee may be under the

influence of or impaired by a substance, the employee shall be removed from duty immediately, and may be required to undergo substance testing. Referrals for testing will be based on contemporaneous, articulable observations made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use.

Alcohol testing for reasonable suspicion may only be conducted just before, during, or after an employee performs a safety-sensitive function. If removed from duty based on reasonable suspicion of alcohol use, and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform covered functions until either an alcohol test is administered and the driver's breath alcohol concentration measures less than 0.02 or 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.

- Post-Accident : Following an accident (as defined in this policy) involving a commercial motor vehicle, the driver is required to submit to alcohol and drug tests when the driver receives a citation under state or local law for a moving traffic violation or where a fatality occurs as a result of the accident. Testing should occur as soon as possible but may not exceed eight hours after the accident for alcohol testing and 32 hours after the accident for drug testing. Drivers who are subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Drivers who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test.
- Return to Duty: Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty. Per 49 CFR 40.67(b), all employees who go for return-to-duty tests must have their collections observed.
- Follow-up: Employees who are referred for assistance related to alcohol misuse and/or use of drugs are subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a Substance Abuse Professional and the City. The number and frequency of follow-up tests will be determined by the Substance Abuse Professional and the City, but will not be less than six tests in the first 12 months following employees' return to duty. Per 49 CFR 40.67(b), all employees who go for follow-up tests must have their collections observed.

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the Medical Review Officer.

Alcohol concentration results of less than 0.02 are considered negative for purposes of this testing program. Pursuant to federal law, employees having a breath alcohol concentration of at least 0.02 but less than 0.04 shall be removed from duty requiring driving a commercial motor vehicle for at least 24 hours, and employees having a breath alcohol concentration of 0.04 or more shall be removed from duty requiring driving a commercial motor vehicle for at least 60 consecutive days.

All tests for which the result is negative but dilute the employee will be sent back to the lab immediately when the result is received. If the result is negative dilute again then the test would be treated as a negative.

Definitions

The following are definitions of some key words in this policy.

- Accident: An occurrence involving a commercial motor vehicle on a public road which results in: (1) a fatality, (2) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or (3) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.
- Driver: Employees whose positions may involve driving a commercial motor vehicle and that require the possession of a commercial driver's license.
- Commercial Motor Vehicle: A vehicle that either: (1) has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds), (2) is designed to transport 16 or more persons, including the driver, or (3) is used to transport hazardous materials.
- Drugs: Marijuana, cocaine, opiates, phencyclidine, and amphetamines.
- Medical Review Officer (MRO): Licensed physician responsible for receiving and interpreting laboratory results from the urine drug tests.
- Safety-sensitive Position: Positions associated with the driving of commercial motor vehicles.
- Performance of a Safety-sensitive function: Encompasses all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include: (1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer; (2) All time inspecting equipment as required by §§392.7 and 392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time; (3) All time spent at the driving controls of a commercial motor vehicle in operation; (4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth; (5) All time

loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

- *Substance Abuse Professional (SAP)*: Licensed physician, licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

Refusing to Submit to a Required Test

Employees shall not refuse to submit to an alcohol or drug test as directed under this policy. Refusing to submit to a required test is considered the same as a positive test result. Refusing to submit to a required test includes, but is not limited to, the following actions.

- Leaving the scene of an accident without a valid reason before the tests have been conducted.
- Failing to immediately report to the collection site.
- Failing to remain at the collection site until the process is complete.
- Failing to provide sufficient quantities of breath, saliva, or urine for testing without a valid medical explanation.
- Failure to permit a monitored or observed urine collection.
- Interfering with the collection procedure.
- Tampering with or attempting to adulterate the specimen.
- Having a test result reported by the MRO as adulterated or substituted.

Disciplinary Action

Employees will be subject to appropriate disciplinary action, up to and including termination, if they test positive for drug or alcohol use or engage in prohibited behaviors as described in this policy. Employees will be advised of resources available to them to evaluate or resolve problems associated with drug use or alcohol misuse, regardless of disciplinary actions taken.

Even if employees are not terminated for violations of this policy, they will immediately be removed from duties requiring driving a commercial motor vehicle. They will not be permitted to return to work unless they have been evaluated by a qualified SAP, followed the rehabilitation prescribed, and they have a verified negative result on a return-to-duty alcohol and/or drug test.

Upon completion of a recommended rehabilitation program and successful return to work, employees will be subject to follow-up random testing for up to 60 months as recommended by the SAP and the City, with a minimum of six such unscheduled tests within the first twelve months of returning to duty.

Employee Assistance Program

The City supports employees who voluntarily seek treatment for alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to use the employee assistance program. Employees who notify the City of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses. Insurance coverage for treatment is provided to the extent of individual coverage.

Participation in drug and alcohol abuse programs, however, may not interfere with the tests required by these rules. For example, drivers may not identify themselves as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. Also, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy or other City policies.

WORKPLACE VIOLENCE

The City of Marysville strives to provide employees a safe and secure environment that is free from violence. The City does not tolerate workplace violence committed by or against employees, and any form of workplace violence will be acted upon immediately.

Threat of Immediate Danger

If employees or anyone else in the workplace are in immediate danger, they should move out of danger, call 911 immediately, and inform a supervisor or manager as soon as possible. If employees confront or encounter an armed or dangerous person, they should not attempt to challenge or disarm the individual (unless the employee is a law enforcement officer acting in his/her official capacity). Employees should remain calm, make constant eye contact, and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of employees or others, such notice should be given. Otherwise, employees should cooperate and follow the instructions given.

Employees who believe that they or anyone else in the workplace may be a target for workplace violence must inform a supervisor as soon as possible. All reports of violence or suspicion of violent behavior will be taken seriously, handled in a confidential manner, and information will be released on a need-to-know basis.

Prohibited Conduct

City employees are prohibited from engaging in any violent behavior towards others, with the exception of law enforcement officers who are acting in an official capacity. Prohibited conduct can include oral or written statements, gestures, or expressions that communicate in a direct or indirect manner an intent to engage in any of the conduct described below.

The following list of prohibited behaviors is not exclusive.

- Causing physical injury to another person.
- Making threatening remarks.
- Showing aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging City property or property of another employee.
- Possessing a weapon while on City property or while on City business, except people engaged in law enforcement, military activities sponsored by the federal or state government, or anyone else who must carry a concealed weapon as part of their job duties.
- Intimidating or verbally or physically abusing another person.
- Committing acts motivated by or related to domestic violence.

Reporting Procedures and Enforcement

Employees who witness or are involved in a workplace violence situation must have as their first priority their own safety and the safety of those around them. The following procedures should be followed to the extent possible consistent with this goal.

- Employees must report potentially dangerous situations immediately. Employees who are subject to or observe violent behavior or threat of violent behavior, a firearm or other weapon, or other situation that appears to be potentially dangerous, must immediately report the action to their supervisor, manager, department director, or the Human Resources office. If the conduct involves the employee's supervisor or manager, then the employee must report the incident to another supervisor, manager, or Human Resources office.
- Employees who have obtained restraining or no contact orders against another person are to report this information to their supervisor, manager, department head, or the Human Resources office.
- Supervisors, managers, department directors, or the Human Resources staff will take immediate action to resolve workplace violence incidents. Reports of violence will be evaluated immediately and confidentially.
- The Human Resources staff will assist supervisors, managers, and department directors in investigating and preparing documentation for action concerning an incident of violent behavior. In some cases, a referral to the employee assistance program may also be appropriate. Employees who have information related to the investigation are required to participate, and failure to do so is cause for disciplinary action.
- Retaliation or attempted retaliation is a violation of this policy and is cause for disciplinary action up to and including termination. Acts of retaliation should be reported to department directors or the Human Resources Director.

Threats, threatening conduct, or other acts of aggression or violence in the workplace will not be tolerated. Employees who violate this policy will be subject to disciplinary action up to and including termination. Nonemployees engaged in violent acts on City premises will be reported to the proper authorities and fully prosecuted.

OTHER PERSONNEL POLICIES AND PROGRAMS

TRAVEL EXPENSES

Officers and employees of the City will be reimbursed for expenses incurred on behalf of the City during the performance of official duties as allowed by the Marysville Municipal Code. The City does not reimburse or compensate employees for time or expenses incurred in commuting to or from employees' homes to their workplaces.

EMPLOYEE APPRECIATION AND RECOGNITION

The City of Marysville recognizes that its employees are its most important asset and resource for providing high quality public services to the citizens of Marysville. The City appreciates and recognizes the value of exceptional employee performance that contributes to improved service, quality, productivity, and/or employee actions that are beneficial to the community. The City also recognizes the tradition of hard and often exemplary work and dedication to public service among its employees. The employee appreciation and recognition program provides a means of honoring employees, both individuals and teams, for years of service, exceptional performance, and behavior both in the workplace and community.

Employees, managers, and citizens may nominate an employee (or group of employees) for recognition at any time. Nominations for awards will be made public. Written nominations, stating the positive contribution(s) of the employee are submitted to department directors. Department directors present and discuss nominations with the Selection Committee. The Selection Committee—comprised of City employees representing several departments, varying levels of the organization, and both represented and nonrepresented employees--reviews the nominations and makes recommendations to the CAO for consideration and action. The Mayor and CAO make final decisions to recognize employees under this program.

Awards are usually presented at department staff meetings and/or City Council meetings. City employees and City Councilmembers will be invited to attend appreciation or award events at the City's expense. Employees' spouses, guests, and interested citizens will be invited to attend at their own expense. Awards recipients will be announced, and award presentations will be publicized.

The Mayor and CAO may, at their discretion, present individual employees with a gift or gift certificate or a group of employees with a group-oriented recognition such as a pizza lunch or ice cream feed.

This program is designed to recognize a wide variety of employee achievements, employee team efforts, and contributions made by individuals to the successful operation of City services. Individuals and teams are eligible to receive recognition in the following categories. Other

categories of awards may be added or eliminated as deemed appropriate by the Selection Committee. The Selection Committee will determine and announce criteria for additional categories.

- *Recognition of Continuous Service*: Regular status employees will be recognized for their years of service for the City and receive a service award for completing 5, 10, 15, 20, 25, 30, 35, 40, and 45 years of service.
- *Recognition of Retirement*: An employee retiring from service with the City of Marysville may receive this award.
- *Safety Award*: Employees may be recognized for excellent safety records and/or acts that result in an improved City safety program.
- *Excellence in Public Service*:
 - Extraordinary effort and/or continuous excellence in service to the public.
 - Implementation of innovative and practical new work methods, programs, or cost-saving solutions that have a substantial impact on improving service and efficiency.
 - Outstanding professionalism and competence in completion or implementation of a project with significant benefit to the community or City.
 - Consistent and outstanding performance at work (that is, employee regularly finds “better-ways-to-do-it,” is a problem solver, expediter, assists others do their jobs better, or serves as mentor, teacher, or role model for others).
 - Exceptional community volunteerism with a positive impact on the lives of others.
 - Heroism in response to an emergency situation.
 - Other meritorious performance or actions of a similar nature.

The employee appreciation and recognition program is funded in the budget for human resources programs, and all City expenditures for employee appreciation and recognition activities must come from funds appropriated in the current budget. Purchases and all other related accounting activities must comply with applicable City procedures for City-funded activities.