

City of Tenino

149 Hodgen Street South
Tenino, WA 98589

City Council Meeting
Tuesday, January 22, 2019 at 7:00 PM

Agenda

WORK SESSION

1. In addition to proposing changing the name of the publication from the "City of Tenino Personnel Policy Manual" to the "City of Tenino City Official Handbook," the attached document has been reviewed by the Mayor, the City Attorney, and several members of the City Staff. In each case, the input was evaluated and either included, or held in abeyance pending an opportunity to discuss the proposed changes with the Mayor, City Council, or both.

Major changes to this document include: Updated and expanded definitions; updated and expanded section regarding personnel records; addition of an Employee ID Card requirement; major revisions of Chapter 2 (Hours and Attendance) and Chapter 4 (Compensation); major revisions to the Training and Travel policies; major revisions to Chapters 6 (Benefits) and 7 (Leaves of Absence and Time Off); major revisions to Chapter 8 (Employee Responsibilities & Conduct) including the addition of an Acceptable Use Policy, Social Media Policy, and E-Mail management and retention; minor revisions throughout.

2. The Administration would like to discuss possible topics of discussion for the March 16, 2019 Special City Council Meeting at Tumwater Fire Department. Attached for your consideration are the results of last year's session and a suggested list of topics for this year's session.

3. The City has had a vacancy on its Planning Commission since the departure of Commissioner Darla Kolbas in April of 2018.

Ms. Erin Konrady, who resides at 173 Howard Street North, has applied for the position and Mayor Fournier desires to appoint her as Planning Commissioner to the vacant #3 position to fill the term that expires on February 6, 2023.

4. Late in 2018, the Clerk/Treasurer's computer was infected by a virus distributed via email. During the process of cleaning the computer, the City's IT service provider, Ategan Technologies, discovered that the computer hard drive is failing. Ategan also noted the computer is well over six (6) years old and should be replaced to keep pace with current technology. Additionally, the laptop computer used by both the Clerk/Treasurer and other

members of the Administration is also aged and, while no hardware component is failing, should also be upgraded to keep pace with current technology.

After some discussion regarding the technical aspects of computer's in general, the subject of portability was also raised. In the end, Ategan recommended the C/T's desktop computer be replaced with a laptop computer and docking station that would allow the C/T to use a single computer whether in the office or while travelling, and the older laptop be retained for use by the Public as a "Pay Station" workstation that could be used to make credit card payments at City Hall.

Attached for your consideration is a Hardware & Software Quote in the amount of \$1961.87, which would include the proper disposal of the existing computer.

CALL TO ORDER

AGENDA APPROVAL

APPROVAL OF MINUTES

[5.](#)

CONSENT CALENDAR

[6.](#) Vouchers

Claims Checks for the 13th Month period ending January 20, 2019 consisting of Vouchers #27920 and #27921 in the amount of \$5738.49

EFT's and Claim Checks for the period January 9, 2019 through January 22, 2019 consisting of EFT's in the amount of \$40,474.64 and Claims Checks #27922 through #27955 in the amount of \$27,263.39, for a combined total of \$67,738.03

Recommended Action: Move to approve vouchers and EFT's as presented above in the combined amount of \$73,476.52.

7. New Applications:

Renewals:

EXECUTIVE SESSION - None

PRESENTATIONS

[8.](#) The Administration would like to present Ms. Erin Konrady, the Administrations nominee for Appointment to the vacant #3 position on the City's Planning Commission.

Recommended Action: Move to confirm the appointment of Ms. Erin Konrady to the position of City of Tenino Planning Commissioner, Position #3.

PUBLIC COMMENTS

PUBLIC HEARING

- [9.](#) This is the 2nd Public Hearing for City of Tenino Text Amendment TA 2019-001

PROCLAMATIONS

OLD BUSINESS

- [10.](#) In the Spring of 2018, the Administration first raised the issue of amending the Tenino Municipal Code to allow Wheeled All-Terrain Vehicles on City Streets. The Administration would like to take this issue up for adoption by the end of February and is requesting City Council input.

NEW BUSINESS

- [11.](#) Ordinance 896 would amend Tenino's Land Use Regulations to allow certain actions pertaining to lot combinations and the table of allowed uses.

Recommended Action: Move to approve Ordinance 896 as a first reading.

- [12.](#) The Administration requests approval to purchase a Dell Latitude 5590 Notebook Computer and a Dell Universal Dock, along with associated software and recycle support in order to replace the computer currently used by the Clerk/Treasurer.

Recommended action: Move to approve the purchase of a new notebook-based computer workstation to replace that currently used by the City's Clerk/Treasurer in an amount not exceed \$1,961.87

RESOLUTIONS - None

ORDINANCES - None

REPORTS

13. 1) Chamber of Commerce
2) Economic Development Council (EDC)
3) Experience Olympia & Beyond (VCB)
4) South Thurston Fire & EMS
5) Library
6) Museum
- [14.](#) 1) Chief of Police

- 2) Director of Public Works
 - 3) City Planner / Building Official
 - 4) City Attorney
 - 5) Clerk/Treasurer
 - 6) Mayor
15. 1) Civil Service Commission
- 2) Park Commission
 - 3) Planning Commission
 - 4) Facade Improvement Grant Review Committee (FIGR)
 - 5) Finance Committee
 - 6) Public Safety Committee
16. 1) Bucoda/Tenino Healthy Action Team (BTHAT)
- 2) Community Investment Partnership (CIP/HHSC)
 - 3) Solid Waste Advisory Board
 - 4) South Thurston Economic Development Initiative (STEDI)
 - 5) TCOMM/911
 - 6) Tenino School Board
 - 7) Thurston Regional Planning Council (TRPC)
 - 8) Transportation Policy Board

PUBLIC COMMENTS 2

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ADJOURNMENT

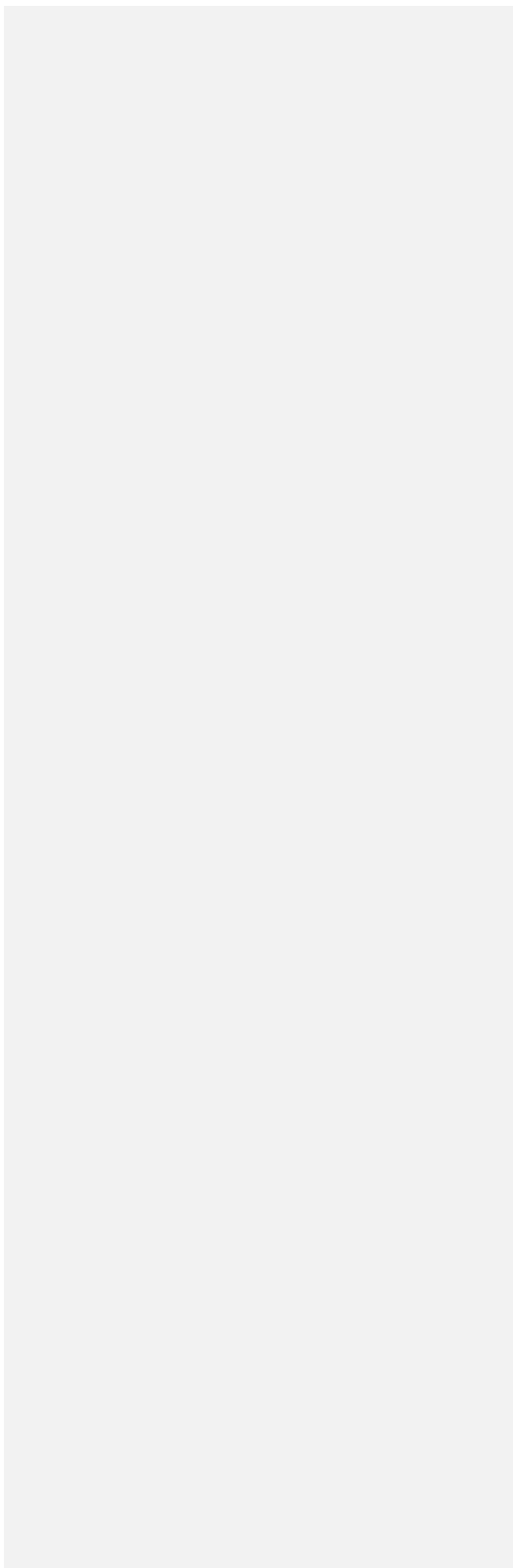
CITY OFFICIAL HANDBOOK

Adopted by Resolution 2019-002 on March 12, 2019

This handbook supersedes all previous versions of the
City of Tenino Personnel Policy Manual.

This handbook contains portions that are applicable to all City of Tenino Officials, while some portions are applicable to only certain categories of City Officials. Each area of the handbook clearly identifies which category of Official to which the policy pertains.

City of Tenino



CHAPTER 1

GENERAL

I. PURPOSE/SCOPE/APPLICABILITY

- A. As a Municipal Corporation, the City of Tenino is bound by the Statutes of the State of Washington as set forth in the Revised Code of Washington (RCW) and as amplified by the Washington Administrative Code (WAC), as well as federal law. As a result, these policies are subordinate to all applicable federal and state laws. In the event there is any conflict between these policies and any statute, the statutory provisions will take precedence. ***By accepting employment with the City, you understand and acknowledge the foregoing.***
- B. These personnel policies are not intended to be, nor should they be, construed as a contract, express or implied, or as a guarantee of employment for any specific duration. No Supervisor or representative of the City of Tenino has the authority to enter into any agreement with an individual employee for employment for any specified period or to make any written or verbal commitments contrary to the foregoing, unless such agreement is in a written employment contract signed by the Mayor, with appropriate authorization of the Council. The City also reserves the right to deviate from these regulations in individual situations, particularly in an emergency, in order to achieve its primary mission of providing orderly and cost-efficient services to its citizens.
- C. These personnel policies shall apply to all City employees and volunteers. They shall not apply to elected officials or independent contractors unless specifically indicated. In the event of a conflict between any provision of this manual and any provision of a valid and effective collective bargaining contract or in cases where the application of these regulations would conflict with applicable Civil Service rules and regulations, the provisions of the labor contract and/or the Civil Service Rules shall govern. In all other cases, these regulations shall govern. As a condition of employment all employees are required to read these personnel regulations and indicate by their signature that they understand these regulations and will comply with them.
- D. With the exception of Civil Service employees, all other employees and volunteers of the City of Tenino are considered "at will" employees. Their employment with the City of Tenino and compensation may be terminated, with or without cause and with or without notice at any time. The termination of employment for Civil Service employees is governed by the Washington State Civil Service Law, RCW § 41.06 and WAC 357.
- E. To the extent that any collective bargaining agreement or civil service rules do not address the issues of employee conduct outlined herein, these policies govern.

II. DEFINITIONS

- A. Anniversary Date: The yearly return of the day and month corresponding with the employee's date of hire. This date may be adjusted when an employee departs for any reason and then later returns to City employment.
- B. Applicant: A person who has made formal application of employment with the City.
- C. Appointment: A position (authorized by the City Council and Mayor) filled by the Appointing Authority. Appointments include full-time, trial and part-time.
- D. At-will: The State of Washington is an "at will" state. Unless covered by an individual employment contract, a collective bargaining agreement, or the Civil Service regulations, the employment relationship may be severed at any time by either the employee or the employer. If the relationship is severed by the employer, it may be for a good reason, a bad reason, or for no reason at all and the employee has no right to an explanation by the employer. However, the employer may not sever the relationship for an illegal reason (such as discrimination or retaliation.)
- E. Authorized Position: A position authorized through the budget process by the City Council and approved by the Chief Administrative Officer.
- F. Chief Administrative Officer: The Mayor is the Chief Administrative Officer and responsible for the proper administration of all City departments and programs.
- G. City credit card: A credit card issued to the City of Tenino by a financial institution for the purpose of conducting City business. These include, but are not limited to, VISA, MasterCard, American Express, and Discover cards.
- H. City Official: A City Official is someone who was elected or appointed to serve, and who actually does serve, on any Council, Commission, Committee, Board, Bureau, or Working Group of the City; a City Employee of any type; or a bona-fide Volunteer in actual service to the City
- I. Council: The City Council is the legislative body of the City government.
- J. Department Head: An at-will employee who has responsibility for the management of one or more departments on behalf of the City, generally FLSA exempt.

- K.** Employee's Relatives: An employee's relative means the spouse, son, daughter, mother, father, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, step-children, step-father, step-mother, step-brother, step-sister and grandparents on both sides.
- L.** Exempt Employee: An employee who is exempt from all overtime laws and regulations. Exempt employees are paid a fixed amount regardless of the number of hours worked. Exempt employees are expected to work not less than 40 hours per week and may have their pay adjusted for working less than the expected number of hours, but will never receive more than the agreed amount.
- M.** FLSA: The federal Fair Labor Standards Act. The foundational statute underlying employer/employee relationships across the United States.
- N.** Immediate Family Member: The employee's spouse, mother, father, brother, sister, son or daughter, mother-in-law, father-in-law, daughter- or son-in-law, including step and adoptive relationships.
- O.** Information Management Officer: The Mayor designates the City's Information Management Officer based on the knowledge, skills, and abilities of existing Employees. The Information Management Officer is a City Official whose responsibilities include managing the City's Information Technology infrastructure on a daily basis and who acts as the interface between any user of City Information Technology and the System Administrator.
- P.** Job Description: The written description of a position containing title, responsibilities and minimum qualifications, to include knowledge, skills, abilities, training, experience and possible licensing. Also known as a Position Description.
- Q.** Just Cause: The Civil Service rules modify the "at will" status in that employers, with few exceptions, may not sever the employment relationship with Public Safety Employees unless there is "just cause" to do so.
- R.** Mayor: The elected Chief Administrative Officer of the City.
- S.** Non-exempt Employee: An employee who is subject to all provisions of the FLSA. Non-exempt employees must either be paid overtime or granted compensatory time at the rate of one-and-one-half times their regular pay for any amount of time in excess of the maximum number of hours allowable under the FLSA (including the 7k exemption).

- T.** Personnel Action: Any action taken with reference to appointment, compensation, promotion, demotion, transfer, layoff, dismissal or any disciplinary action affecting status of employment.
- U.** Personnel File: Confidential personnel records of every City employee maintained and controlled by the Clerk/Treasurer, or his/her designee, at City Hall.
- V.** Position: A grouping of current duties and responsibilities assigned by the appointing authority requiring the employment of one person that is established by the legislative body of the City.
- W.** Promotion: The movement of an employee from a position in one class to another class requiring increased duties and responsibilities, requiring greater pay and qualifications, and providing a higher maximum rate of pay.
- X.** Provisional: A limited civil service appointment of a certified person to either a classified position which is not vacant but is currently unfilled due to an authorized leave-of-absence or classified position for which there is no current eligible register. Provisional appointments are not eligible for civil service protections.
- Y.** Reclassification: Change in allocation of an individual position by raising it to a classification having a lower salary range, or moving it to another classification at the same level on the basis of significant changes in the kind, difficulty or responsibility of work performed in the position.
- Z.** Regular Full-Time Employee: An employee who has completed his or her trial period and who regularly works more than 32 hours a week on a continuing basis.
- AA.** Regular Part-Time: An employee who works less than 32 hours per week and is eligible for pro-rated City benefits if they work more than 70 hours a month.
- BB.** Reinstatement: The return of an employee to his/her former position in the service of the City within five years after layoff or at any time after successful appeal of a suspension, reduction in rank or termination. If the employee is a union employee, the reinstatement (recall) shall be strictly on the basis of seniority to any previously held classification if a vacancy occurs because of a layoff or reclassification.
- CC.** System Administrator: The City contracts with commercial vendors for the administration and maintenance of its Information Technology (IT)

infrastructure. The System Administrator is the holder of the City's current IT Provider contract.

- DD.** Temporary Employee: An employee who hold jobs of limited duration arising out of special projects, abnormal workloads, or emergencies. Temporary employees are not eligible for City's benefits if the expected duration of the project is less than 6 months.
- EE.** Trial Employee: A full-time employee who is performing in a working test period, during which time the employee serves at the pleasure of the City. Also known as a "Probationary Employee."
- FF.** Trial Period: The final phase of the selection process or a working test period during which an employee is required to demonstrate his/her ability and capacity to perform the duties of the position to which he/she has been appointed.

III. EQUAL EMPLOYMENT OPPORTUNITY

- A.** The City of Tenino is an equal employment opportunity employer. The City employs, retains, promotes, terminates, and otherwise treats all employees and job applicants on the basis of merit; job related qualifications and competence. These policies and all employment practices shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, familial status, military status, sexual orientation, gender identification, medical condition, physical handicap or disability, honorably discharged veteran status, or any other basis prohibited by local, state, or federal law.
- B.** The City will not discriminate against qualified applicants or employees with disabilities. Disabilities will be reasonably accommodated, if possible, unless the disability prevents proper performance of an essential element of the job.
- C.** All recruitment, selection, placement, training and termination decisions made by the City will be based solely upon job-related qualifications and abilities. In some cases (a commissioned law enforcement officer position, for example) seniority may be treated as a factor to be considered.
- D.** Employees who have Equal Employment Opportunity related questions; problems or complaints should first communicate their concerns to their immediate supervisor. If they are dissatisfied with the supervisor's handling of the matter, they may pursue their complaint by using the City's complaint procedure.

- E. The City identifies itself as an Equal Opportunity Employer in advertising for employees, in recruiting literature, in employee information, and in all day-to-day operations.

IV. ANTI-DISCRIMINATION POLICY

- A. It is the City of Tenino's intent to provide a work environment free from all forms of unlawful harassment or discrimination. All City of Tenino employees are responsible for ensuring that the workplace is free from harassment and discrimination. Employees are expected to show respect for each other and towards those with whom the City does business at all times, despite individual differences.
- B. Unlawful harassment generally includes, but is not limited to, offensive comments or actions, such as slurs, offensive jokes, graffiti, vandalism, and/or abusive or demeaning treatment relating to race, ethnic background, gender, sexual preference or identification, religion, age, disability, or any other lawfully protected status.
- C. In some cases, conduct which constitutes unlawful harassment may lead to personal liability for the harasser.
- D. See Harassment/Discrimination Complaint Procedure, for guidance on what to do if you experience harassment.

V. SEXUAL HARASSMENT

- A. Sexual harassment is a form of sex discrimination and is an "unlawful employment practice" under Title VII of the 1964 Civil Rights Act and the Washington Law Against Discrimination (RCW 49.60). Sexual harassment will not be tolerated by the City of Tenino.
- B. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitutes sexual harassment when:
 - 1. Submission to or rejection of such conduct is used as a basis for making employment decisions affecting the recipient; or
 - 2. The conduct unreasonably interferes with the recipient's work performance; or
 - 3. The conduct creates an intimidating, hostile, or offensive work environment. Examples include, but are not limited to, comments, suggestions, or jokes of a sexual nature.
- C. For the purpose of providing a workplace free from sexual harassment, the City of Tenino prohibits all conduct and comments of a sexual nature

in the workplace, such as sexual jokes, discussion of personal or private sexual activities, graphic sexual material that is unrelated to work and other communications or depictions of sexual acts others may find offensive, that is not strictly work related, such as discussions of alleged criminal activity that the City may be investigation. This prohibition extends beyond what the law currently requires, but will ensure that our employees are in a workplace free of embarrassing or potentially offensive conduct that is unrelated to the work our employees are asked to perform.

VI. HARASSMENT/DISCRIMINATION COMPLAINT PROCEDURE

- A.** Employees who believe they are being subject to discrimination or unlawful harassment should identify the offensive behavior to the harasser and request that it stop. In the event such informal direct communication is either ineffective or intimidating, the employee should discuss his/her concerns immediately with a supervisor. If the harassment involves the employee's supervisor, the employee should notify the City Clerk/Treasurer or the Mayor. If the harassment involves the Clerk/Treasurer, the Mayor should be notified. If the harassment involves the Mayor, the City Attorney should be notified.
- B.** Employees are strongly urged to report all instances of perceived harassment or discrimination as soon as possible. It is the City of Tenino's goal to provide its employees with a professional and productive working environment. However, the City cannot address employees' concerns if those concerns are not brought to the City's attention.
- C.** No employee will suffer retaliation for reporting a concern or participating in the investigation of a complaint made under this policy. To the extent possible, complaints will be handled confidentially. Employees are expected to use this complaint procedure in good faith, since false accusations may cost an employee their job or career, undermine the City's interest and permanently damage the work environment. No employee shall knowingly bring forward a false accusation of harassment or discrimination. Knowingly bringing a false accusation will result in disciplinary action, up to and including terminations, and do not fall within the City's prohibition on retaliation.
- D.** If an investigation shows the accused employee(s) did engage in improper harassment or discrimination, appropriate action will be taken, as in the case of any other serious employee misconduct. Because employee discipline is a confidential matter, the complaining party may not always know of the specific action taken in response to their complaint. Disciplinary actions may include warnings, verbal and/or written reprimands, a permanent letter to the employee's file, transfer, demotion, suspension or termination.

VII. EMPLOYEE PERSONNEL RECORDS (Appendix B)

A. Elected and Appointed Officials.

1. The Clerk/Treasurer shall establish a Personnel File for Elected and Appointed Officials that shall be maintained as prescribed in Appendix B to this Handbook.
2. Personnel Records for elected and appointed officials shall contain only the following:
 - (a) All materials submitted as part of the appoint and confirmation (if required) of the official concerned.
 - (b) A fully executed copy of the official's Oath of Office.
 - (c) Records of training attendance, especially those that prove meeting the requirements of both the Open Public Meetings Act (RCW 25.30) and the Public Records Act (RCW 42.56).
3. For appointed officials only, a copy of the meeting minutes for the meeting in which the appointment was confirmed by council (if confirmation is required).

B. Employees.

1. The Clerk/Treasurer shall establish a personnel file for each employee as prescribed by Appendix B to this Handbook.
2. Personnel files are kept in a secure container within the Clerk's office, and access is limited to the employee's immediate supervisor, the Mayor, and the Payroll Clerk.
3. An employee's personnel file contains, but is not limited to, the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, tax withholding information, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.
4. An employee has the right to review his/her file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the City denies the employee's request to remove the information, the employee may file a written rebuttal statement to be placed in his/her file.

5. Personnel files are kept confidential to the maximum extent permitted by law and business necessity, however, by State common law, records relating to employee misconduct are subject to public disclosure laws. Except for verifications of employment, information from an employee's personnel file will not be released to the public, including the press, without a written request for specific information and either a release signed by the employee or after the employee has had the opportunity to respond to a "third party notice" issued at the time the City initially responded to the request for public records received by the City.

C. Police Personnel Training Record

1. Police personnel have unique training requirements, many of which require annual refresher training. They also, relative to non-public safety employees, have a greater number of training requirements.
2. Police personnel also have unique personnel requirements, often involving in-depth investigations into the personal background, history, finances, and legal dealings.
3. Because of these unique requirements, each public safety employee will have a separate "Police Personnel Training Record" that, while overall a part of the employee's "Personnel Record," is maintained by the Chief of Police, or his or her designee, within the confines of the Police Department.
 - (a) These records are required to be maintained at the same level of skill and confidentiality as all other Personnel Records. Accordingly, they shall be stored in a secure cabinet to which access is controlled in the manner prescribed by the Chief of Police, but in no event at a lesser level of security than is required by State Law.
 - (b) In the event of separation, for any reason, the Police Personnel Training Record will be included in the employee's Official Personnel Record for disposition in accordance with the most current Retention Schedule published by the Office of the State Archivist.

D. City of Tenino Official Identification Card

1. Identification cards have many important benefits, but the City requires each employee to possess and display a City-issued Identification card in order to:

- (a) Prove that the person carrying the card works for the city, and
 - (b) The card provides a ready means of access control.
- 2. Cards are issued by the Tenino Police Department.
 - (a) New employees shall be escorted by the applicable Department Head to the Police Department once coordination has been made to issue a card to a new employee.
 - (b) Existing employees may make appointments directly with the Police Clerk to obtain new or replacement cards.
- 3. Cards do not automatically grant access to all City facilities, particularly, the Police Department. Access to the Police Department shall be as prescribed by the Chief of Police in the Tenino Police Department Policy Manual.
- 4. Once issued, employees are required to display the card prominently upon their person during all times that the employee is conducting City business within the City Limits.
- 5. Cards may be displayed while traveling on City Business or during training while outside the City Limits.
- 6. Lost or stolen ID cards must be reported:
 - (a) Within 24 hours of discovering the card has been lost or stolen if City offices are open.
 - (b) Immediately upon reporting for work if the card is lost or stolen during a period when City offices are closed.
 - (c) The employee shall make the initial report to the Police Clerk and a follow-up report shall be made to the employee's supervisor or Department Head.

VIII. LETTERS OF REFERENCE

- A. Only the City's Management, including Department Heads and the Mayor will provide employment references on current or former regular City employees. Employees who receive a request for a reference from or pertaining to a former employee should refer the request to the City Clerk/Treasurer.

- B.** Pursuant to RCW 4.24.730, any employer providing information about a former employee, who acts in good faith, is immune from liability if the information relates to the individual's ability to perform the job, diligence, skill, reliability, attendance, and or any misconduct that occurred while the employee was employed. The City will only provide dates of employment, positions held, and rate of pay in the absence of a complete release of liability signed by the former employee.

CHAPTER 2

HOURS & ATTENDANCE

I. DAYS AND HOURS OF OPERATION

- A. As required by RCW 35.21.175, the days and hours of normal operation for all City offices are set by ordinance. The City Council may change those dates or times in order to meet the needs of the City's residents in the most cost-efficient manner. When required by local conditions however, the Mayor may authorize a temporary deviation from the requirements of the ordinance. When this occurs, a notice outlining the reason for the deviation along with the temporary dates and hours of service and the expected duration of the deviation shall be posted on the City's website. Such notice shall also be placed on or near the main entrance of City Hall, the Police Department, and the Public Works shops.
- B. For the purpose of computing overtime, the City's work week is Sunday through Saturday, except for commissioned police officers.
- C. For commissioned police officers, overtime is calculated in accordance with the 28-day 7K schedule. The first day of the 28-day schedule begins on January 1 of each year. Each 28-day period begins on the day after the immediately preceding 28-day period ends (regardless of calendar day) and continues so running until December 31 of each year. The schedule and cycle will not change mid-year.

II. WORKING HOURS

- A. Exempt employees. The City's three Department Heads are salaried FLSA-exempt employees. They are salaried because Department Heads are expected to spend the amount of time required to ensure the safe, effective, and efficient operation of their Department, which usually exceeds 40 hours per week. Each Department Head is expected to work a minimum of forty hours per week and their pay is subject to downward adjustment whenever their absence from work is adjudged improper (see Chapter 7.)
- B. Non-exempt employees. All other City employees are "hourly" employees and subject to the provisions of both the federal FLSA and Washington State's Minimum Wage Law. There are two subcategories of non-exempt employees: Public Safety Employees and all others.
 - 1. Public Safety Employees. The City's only "Public Safety" employees are its commissioned Police Officers (but for the purpose of overtime, does not include the Chief.) Since Tenino operates a very small Police Department, the City can take advantage of the "Public Safety" exemption afforded under the FLSA. This exemption is commonly known as the "7k" exemption, referring to the fact that the exemption is contained in Section 7 (k)

of the FLSA. The most prominent feature of the 7K exemption is in the number of hours that Public Safety employees must work before becoming entitled to overtime pay, which is 171.5 hours in a 28-day period. The City safe-sides this requirement by requiring one-half hour less (171 hours) as the overtime threshold. However, it is the City's policy that any amount of time worked over 12 hours in a single day will be paid at the overtime rate, regardless of the total number of hours having been worked, or to be worked, within any 28-day period.

2. All Others. All other non-exempt City employees are required to be paid overtime whenever they exceed 40 hours in any given week or longer than the regular number of hours scheduled on any particular day.
- C. Part-time and Temporary employees will work hours as specified by their supervisor or the Mayor.

III. SCHEDULED HOURS OF WORK AND OVERTIME

A. Statutory Requirements.

1. Non-exempt, non-Public Safety Employees are generally entitled to overtime compensation for hours worked in excess of forty per week.
2. There is generally no limitation on the number of hours an employee may be scheduled to work in a workweek.
3. The City can require mandatory overtime but must compensate the employee accordingly. Overtime compensation is due when an employee:
 - (a) Works more than 40 hours in a workweek or more than their scheduled number of hours on a particular day (non-Public Safety employees), regardless of whether the hours are worked on a Saturday, Sunday or holiday.
 - (b) Works more than 171 hours in a 28-day period or more than 12 hours on a particular day (Public Safety employees), regardless of whether the hours are worked on a Saturday, Sunday, or holiday.

B. Policy.

1. City Policy is that overtime must, to the degree possible, be authorized in advance and in writing.
2. Department Heads include overtime in their annual budget submissions because history has proven that the City will incur overtime and therefore, it is incumbent upon the Department Heads to make reasonable attempts to project these overtime requirements and program such overtime into their Departmental Work Plans. This is known as “scheduled overtime.”
3. When an unforeseen requirement for overtime presents itself, Department Heads may offer Compensatory Time (see Section IV, below) to the employee(s) who will be required to perform the extra work to the extent allowed by law.
 - (a) If the extra work may be performed by anyone within the applicable Department, the work shall be offered first to the employee who will agree to compensatory time.
 - (b) If the nature of the extra work requires an employee who possesses unique training, skills, experience, or licensure and such employee does not consent to compensatory time, or if no employee will agree to compensatory time, then the Department Head must inform the Mayor of the situation and the Mayor must either approve the overtime or direct that the work be deferred.

IV. COMPENSATORY TIME

- A. Non-exempt employees that are entitled to overtime pay may elect to receive compensatory time off instead of cash payment. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime.
- B. Accrual of compensatory time is limited to forty hours, which may be carried over into a succeeding year. Once an employee has accrued forty hours of Compensatory Time however, overtime compensation shall be paid.
- C. Accumulation of compensatory time as a substitute for vacation time is not permitted. All accrued compensatory time must be used prior to any vacation time.

- D. As with all other types of leave, once accrued, an employee may request use of compensatory time through their supervisor. The granting of Compensatory Time is governed by the same considerations as for all other types of leave.
- E. Employees must use accrued compensatory time in a way that does not unduly disrupt City operations. All arrangements to use compensatory time must be approved by the employee's supervisor or Department Head. If an employee is in a leave status, where all accrued benefits are paid prior to the employee remaining on unpaid leave status, accrued compensatory time will be paid prior to paying out sick and/or vacation time.
- F. FLSA-exempt employees shall be granted administrative compensatory time of not more than eight (8) hours per month, subject to approval by the Mayor in writing, in recognition of the time demands of these positions. This time is not intended to be, nor will the City allow, the accrual of administrative compensatory time as another category of "banked" leave. These hours shall not accrue but will expire on the last day of each month when not actually used.

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V. CALL BACK

- A. All employees are subject to call back in emergencies or as needed by the City to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination.
- B. Employees called back to duty will be paid their appropriate rate of pay for hours worked (including the overtime rate, if applicable.) A minimum of one (1) hour of compensation will be paid for each call back assignment.

VI. ON CALL AND STANDBY

- A. When prudence would indicate it to be necessary, employees may be placed in either a "standby" or an "on call" status.
 - 1. Employees scheduled to perform in a standby status do not have to report to their normal workplace, but must:
 - (a) Carry a beeper and/or a City-issued cellular telephone; and
 - (b) Remain within 15 minutes of their normal workplace; and
 - (c) Abstain from ingesting any substance that would prevent them from performing any of their normal workplace duties.

- (d) “Engaged to be waiting.” When placed on standby, employees are “engaged to be waiting” and must be fully capable of performing any of their normal workday duties. Because they must remain within certain geographical bounds, abstain from consuming alcohol, cannabis, or other forms of intoxicants, and otherwise be readily available for work, whenever an employee is in a standby status, it is considered “hours worked.”
- 2. On call employees are not confined to their homes or any particular place, but are required only to leave work where they may be reached, or must wear a beeper or carry a City-issued cellular phone. While not considered “hours worked,” the City’s policy is that “on call” employees shall be compensated at the rate of one hour of normal rate of pay for every four (4) hours of on call time.
 - (a) “Waiting to be engaged.” Whenever an employee has been scheduled to be “on call,” they are “waiting to be engaged” Because they are not subject to any work-related restrictions they are not generally entitled to compensation. In the event an on call employee is called in to work in an unscheduled manner, the employee is not thereby performing in a Standby status and is not entitled to be paid for the time they were waiting; rather, they are entitled to be paid as explained under the Call Back provisions, above.

VII. ATTENDANCE

- A.** Punctual and consistent attendance is a condition of employment. Once submitted by the Department Head, The Payroll Clerk is responsible for maintaining the official attendance records for all employees.
- B.** Attendance on a regular and consistent basis is considered an essential function of the job for all City employees. The flow of City business and services to the public, including our public safety responsibilities, depend on reliable employees to attend to their assigned duties on a regular and consistent basis. All employees are expected to report to work as scheduled by their supervisor and perform productive work for the City during their scheduled work shifts. All City employees provide services to the Public, therefore, no City employee may “work from home” in a routine manner. The Mayor may make a temporary (not to exceed 21 consecutive calendar days) exception to this policy for cogent reasons.
- C.** Employees unable to work or unable to report to work on time should notify their supervisor, the City Clerk/Treasurer, or the Mayor as soon as possible, ordinarily before the work day begins or within 30 minutes of the

employee's usual starting time. If the absence continues beyond one day, the employee is responsible for reporting in each day, stating the reason for being late or inability to report for work.

- D. The City will normally continue to operate even during times of inclement weather, natural or man-made disasters or other emergencies. Unless the City notifies employees otherwise, employees are expected to be at work, even during such times. An employee who is unable to get to work or who, with authorization, leaves work early because of unusual weather conditions may charge the time missed to: compensatory time, vacation, sick leave, or, if the employee has no time available on the books, leave without pay.
- E. Tardiness for work includes any failure to report to or be ready for work at the employee's designated starting time for all employees. Absences during the work day, or handling of personal business during working hours, or neglecting work duties during working hours will be treated similarly. Excessive or chronic unauthorized absences or tardiness will result in disciplinary action, up to and including termination from employment.
- F. If you are unable to meet the City's attendance requirements due to a medical condition, you may qualify for an accommodation for that condition, if you notify your supervisor of that need. All employees who may qualify for an accommodation are expected to discuss their needs with the City, before their attendance results in potential disciplinary action.
- G. An employee who is absent without authorization or notification for 3 consecutive days is considered to have abandoned their job and their employment will be terminated.
- H. A leave form will be submitted to the Payroll Clerk for any absence or request for leave. All leave forms will be signed by the employee and approved by the Supervisor. The employee's supervisor is responsible for making sure that the form is turned in for payroll.

VIII. BREAKS AND MEAL PERIODS

- A. Employees may take one (1) fifteen-minute break for every four hours worked. All breaks shall be arranged so that they do not interfere with City business or service to the public.
- B. Meal periods shall be scheduled by the Supervisor and may vary depending on the workload. Meal periods are unpaid, unless you are required by your supervisor to remain on the job site during that time.

Meal periods are usually one hour in length depending on your work schedule and the direction of your supervisor.

IX. PAYROLL RECORDS

A. Timesheets.

1. Every employee, regardless of status, and volunteers shall record their hours of work using the appropriate Timesheet.
2. Each employee is responsible to record hours worked and leave taken by category on a daily basis. The employee's signature on the timesheet constitutes verification that the time reported as work, or leave taken away from work, is in accordance with the policies of the City of Tenino and that all time has been recorded accurately. No timesheet shall be accepted without the employee's signature.
3. Department Heads shall review each timesheet with the applicable employee. Discrepancies, if any, must be resolved by the Department Head prior to signing the timesheet.
4. Each timesheet shall be signed by the Department Head prior to submission. By signing the timesheet, the Department Head is certifying the employee has accurately recorded their time, by category. No timesheet shall be accepted unless it has been signed by the Department Head.
5. Timesheets are due not later than close of business the day after the close of the payroll cycle (see Chapter 4).
 - (a) When the close of the payroll cycle lands on a non-work day, timesheets are due not later than 3:00 p.m. on the last working day of the payroll cycle in order to meet payroll processing timelines.
 - (b) Where timesheets must be delivered early in order to meet payroll processing timelines, the employee will enter the number of hours they are scheduled to work on their timesheet and submit the timesheet as described above. If the employee actually works more or less hours than scheduled, the employee will submit a "corrected" timesheet within 24 hours of returning to work during the next payroll cycle. The corrected timesheet must be processed as outlined above.

- B.** The Payroll Clerk keeps the official payroll records in accordance with the most current Retention Schedule published by the Office of the State Archivist.

CHAPTER 3

RECRUITING & HIRING

I. RECRUITING

- A.** Recruiting practices are conducted solely on the basis of ability, merit, qualifications, and competence, without regard to race, color, religion, national origin, marital status, military status, sexual preference, sex, pregnancy, physical handicap, disability, or age.
- B.** Each applicant shall complete and sign an application form prior to being considered for any position. Résumés may supplement, but not replace, the City's official application.
- C.** Any applicant supplying false or misleading information is subject to immediate termination, if they have been hired.
- D.** While there is no requirement for the City to advertise job openings, it is an acknowledged "best practice" that the City uses often. However, the City can, and does, sometimes hire without advertising the vacancy.

II. OFFERS AND CONDITIONAL OFFERS

- A.** The City memorializes the terms and conditions of employment in a writing known as an Offer of Employment, or a Conditional Offer of Employment.
- B.** An Offer of Employment is designed to ensure the potential employee is under no illusions about which position they are being offered, what the rate of pay will be, and the start date. The Offer Letter also contains mandatory disclosure items such as whether the position is FLSA-exempt or non-exempt, the fact that the City is an "at will" employer, and so forth.
- C.** A Conditional Offer of Employment differs only in that the offer is "conditioned" upon the applicant successfully completing a required test, background check, or other process that neither the applicant nor the City is in control of.

III. HIRING

- A.** When a position becomes vacant and prior to any posting or advertisement of the vacancy, the department head shall review the position, its job description and the need for such a position. The department head will submit a written request to fill the position to the Clerk-Treasurer or Mayor. The position may be posted and/or advertised only after the need for the position has been determined and the request has been approved by the Clerk-Treasurer or Mayor.
- B.** Residency within the City shall not be a condition of initial appointment or continued employment; provided however, that the employee's selection

of residence shall not interfere with the daily performance of his/her duties and responsibilities.

- C. Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least 18 years old and will be required to present a valid Washington State driver's license with any necessary endorsements. Background, credit and driving records of applicants will be checked. Applicants with poor driving records, as determined by the City, may be disqualified for employment with the City in positions requiring driving.
- D. The City may administer pre-employment examinations to test qualifications and ability of applicants, as determined necessary by the City. The City may contract with any competent agency or individual to prepare and/or administer examinations. Civil Service positions require competitive examination.
- E. After an offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment to successfully pass a medical examination which may include testing for alcohol and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure that his/her physical condition will not endanger the health, safety or well-being of other employees or the public. The offer of employment may be conditioned on the results of the examination.
- F. A candidate may be disqualified from consideration if:
 - 1. Found physically unable to perform the duties of the position and the individual's condition cannot reasonably be accommodated in the workplace; or
 - 2. The candidate refuses to submit to a medical examination or complete medical history forms; or
 - 3. If the examination reveals use of alcohol and/or controlled substances and the job for which the applicant is applying precludes the use of alcohol and/or controlled substances.

IV. TEMPORARY EMPLOYEES

- A. With approval of the Mayor, temporary employees may be used during emergencies or other peak workload periods, to temporarily replace regular employees absent due to disability, illness, vacation or other approved leaves, or to temporarily fill a vacancy until a regular employee is hired.

- B. Temporary employees may be hired without competitive recruitment or examination.
- C. Temporary employees may not work more than 90 hours a month (70 hours a month if eligible for PERS I) for more than five months in a twelve month period.
- D. Temporary employees are eligible for overtime pay and WPSL as required by law. They are not eligible for and do not receive vacation, City sick leave, health insurance, retirement, holidays, or any other benefits during their employment (provided the anticipated period of employment is less than 6 months).

V. TRIAL PERIOD

All newly hired employees, reinstated employees, or employees promoted to a new classification enter a trial period, which is considered an integral part of the selection and evaluation process. During the trial period, an employee is required to demonstrate suitability for the position through actual work performance.

- A. The normal trial period is one year from the employee's date of hire, rehire or promotion; however, longer periods may be established by the Mayor for up to an additional six (6) months for positions requiring technical, professional, specialized, unusual or unique skills or qualifications.
- B. An employee's trial period may be extended for up to an additional six (6) months when necessary because of circumstances such as extended illness or a need to continue to evaluate marginal performance, to properly evaluate the employee's performance. The trial period will not be shortened for any reason, but the City may terminate the employee prior to the completion of the trial period.
- C. New employees on the trial period will accrue vacation and sick leave but are not eligible to use vacation leave until after having completed six (6) months of employment. Employees who are on a trial period as a result of promotion or reclassification may use accrued vacation as they normally would.
- D. Employees in a trial period status remain at will. During the trial period, the employee may be terminated at any time without cause, including Public Safety employees.

- E. When the employee's supervisor determines that an employee has satisfactorily completed the trial period, the supervisor shall prepare a written performance evaluation, which will be reviewed by the Mayor. If the trial period is satisfactorily completed, the employee may be certified to regular employment status.
- F. Satisfactory completion of the trial period does not create an employment contract or guarantee employment with the City for any specified duration, nor does completion of the trial period guarantee the employee "permanent" employment. All employees of the City, except those covered by civil service or a collective bargaining agreement are employed "at will" as set forth in these policies.

VI. EMPLOYMENT OF RELATIVES (NEPOTISM)

- A. The City will consider hiring immediate family members except we will not employ members of an employee's immediate family if any of the following would occur:
 - 1. One of the parties would have authority (or practical power) to supervise, appoint, remove, or discipline the other;
 - 2. One of the parties would be responsible for auditing the work of the other;
 - 3. Both parties would report to the same immediate supervisor;
 - 4. One of the parties is, a member of the Tenino City Council.
- B. For purposes of this policy, "relatives" are defined as an employee's spouse, fiancé, live-in partner, son, daughter, mother, father, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepchildren, stepfather, stepmother, stepbrother, stepsister and grandparents on both sides, aunt, uncle, first cousin or any member of the employee's household.
- C. If a nepotism situation occurs and the City cannot make accommodations (such as a transfer), only one of the employees is eligible to remain in the City's employment. The employees involved make the decision as to which employee will resign. If this decision is not made by the employees within 30 days of notice from the City, the Mayor will make the decision on the basis of operational necessity and terminate one of the employees.

VII. PROMOTIONS AND TRANSFERS

- A.** The City of Tenino encourages current employees to apply for vacant positions for which they are qualified. Promotions and transfers are based on the Supervisor and or Mayor's recommendation, work force requirements, performance evaluations, job descriptions and related City requirements.

- B.** Employees are eligible for promotion, transfer or voluntary demotion. To be considered for another position, an employee must have satisfactorily completed his/her trial period and possess the qualifications for the vacant position, unless the Mayor, in the best interest of the City, waives such requirements.

CHAPTER 4

COMPENSATION

I. COMPENSATION

Each job title within the City is classified into one of the City's classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job title. Each classification is designated a particular salary or salary range shown on the City's salary and wage schedule, which is approved annually in the City Budget by the City Council.

II. EMPLOYEE PAY RATES

- A.** Employee compensation is based on a variety of factors including, but not limited to, job performance, experience, training or proven capability, initiative, team work, reliability and the City budget. Employees shall be paid within the limits of the wage range to which their positions are assigned.
- B.** Usually, new employees will start their employment at a lower rate than that paid to an experienced employee. However, a new employee may be employed at a higher than minimum rate when the employee's experience, training, or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum. In no case shall the pay rate be higher than the wage schedule included in the annual budget and adopted by ordinance.
- C.** Pay increases are contingent on satisfactory performance and the availability of funds. If an employee's performance is consistently unsatisfactory, the department head may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.
- D.** When funds are available the Mayor may propose, and the City Council may grant, an across-the-board pay adjustment (cost-of-living increase) from time to time, raising the salaries of all positions by a specified amount within a defined group or classifications. Such adjustment, if any, must be approved by the City Council through ordinance and will not change an employee's pay anniversary date.

III. PAYDAYS

Full-time City employees are paid on the fifth (5th) and on the twentieth (20th) day of each month. If payday is on Saturday, Sunday, or a Holiday, paychecks will be distributed on the last regularly scheduled working day before the payday. For non-Public Safety employees, pay periods are the 1st through the 15th and the 16th through the 31st. Public Safety employees under the 28-day 7k schedule are also paid on the 5th and the 20th, but each such check will represent

one-half of the 28-day period. Employees may choose to be paid on a monthly basis if they prefer.

IV. DEDUCTIONS

- A. The Law requires some regular deductions from the employee's earnings; the employee may specifically authorize other deductions. The City will withhold from the employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee, applicable union contract, or statute.
- B. City employees who incur personal expenses which are billed to the City, such as through municipal/governmental employee cell phone programs, are required to sign a written agreement authorizing deductions from employee pay for any amounts the employee fails to pay on a timely basis, including any payments due prior to, or coming due after, issuance of the employee's final paycheck.

V. PAY INCREASES

- A. No employee may receive more compensation than is authorized by the Salary Schedule which is included with each year's budget and adopted by ordinance.
- B. There is no "automatic" pay increase of any type whatsoever. Any individual increases in pay must be initiated by the appropriate Department Head using a City of Tenino "Payroll Action Request." Payroll Action Requests must be approved by the Mayor and validated by the City Clerk/Treasurer as being within the limits of the current budget. Any increase in pay that has not been approved in writing by the Department Head, Mayor, and Clerk/Treasurer is invalid and will not be honored.

1. When a Department Head has determined an employee is both eligible and deserving of an increase in pay, the Department Head will request a Payroll Action Request be prepared for the employee under consideration.

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2. The Clerk/Treasurer will prepare, or cause to be prepared, a Payroll Action Request on behalf of the employee and provide the form to the Department Head for signature by both the employee and the Department Head. Once so signed, the Department Head will return the Form to the Clerk/Treasurer.

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3. The Clerk/Treasurer will review the form for completeness and accuracy and verify the pay increase is within the means of the

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current budget and, if so, will sign the form and provide it to the Mayor for his approval.

4.4. If the Mayor agrees with the Department Head that the employee is deserving of an increase in pay, then the Mayor will sign the Payroll Action Request and return it to the Clerk/Treasurer who will provide a copy to the Payroll Clerk for action and will file the form in the employee's Personnel File.

2.5. If the Mayor does not agree with the Department Head, the Mayor shall not sign the form and the employee shall not receive the pay increase.

- (a) In the event the Mayor does not approve of the pay increase, the Department Head shall notify the employee of that fact and shall counsel the employee, in writing, and such counseling shall provide the employee with a clear understanding of what is required of the employee to gain the increase.
- (b) Once the counseling has been completed and documented, the Clerk Treasurer shall include the counseling and the non-approved Payroll Action Request in the employee's Personnel File.
- (c) The Department Head shall notify the Clerk/Treasurer, in writing, when the employee has complied with all terms of the counseling
- (d) Upon receipt of such certification, the Clerk/Treasurer will provide the original Payroll Action Form, the original written counseling, and the Department Head certification to the Mayor for approval. There is no time limit within which these actions must be completed.

VI. COMPENSATION UPON TERMINATION

- A.** When an employee's employment with the City of Tenino is terminated, (whether voluntarily or involuntarily) the employee will receive the following compensation:
 - 1. Regular wages for all hours worked up to the time of termination, which have not already been paid.
 - 2. Any overtime pay due.

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3. A lump sum payment of any accrued but unused vacation and compensatory time, up to the maximum allowable carry-over (see Chapter 7), less any legally required deductions or deductions authorized by the employee in writing.
- B.** Holiday pay and City sick leave are non-compensable benefits and shall lapse upon separation of employment. Sick leave earned under the WPSL law shall not be paid but will continue to be available to the employee should they be reinstated within 12 months of separation.
 - C.** As authorized, unpaid personal expenses that are or may be charged to the City, expenses due to the failure to return City property after termination, or any damage caused by the employee to City property will be subtracted from the final paycheck. In the event a terminated employee does not return all City property which could include, but is not limited to, keys, credit cards, phones, radios or other equipment, they will be charged for all expenses related to the loss or replacement of such items or re-keying of buildings, vehicles or equipment.

CHAPTER 5

PERFORMANCE EVALUATIONS, TRAINING AND TRAVEL

I. PERFORMANCE EVALUATIONS

- A.** Performance evaluations are designed to provide a tool for regular communication between the employee and his/her supervisor. Performance evaluations are normally prepared in writing, and then discussed with the employee by an appropriate supervisory employee. In the event an employee is not performing up to the City and the supervisor's standards, the supervisory employee shall establish a time frame for improvement and identify the tools needed for improvement. If the employee fails to improve in the time frame specified, the employee may be subject to demotion or termination.
- B.** To achieve the City's goal of teamwork, public accountability and efficiency, as well as to educate, train, promote and retain the best qualified employees for every job, the City conducts periodic performance evaluations for all positions. Employees are normally evaluated by their supervisor prior to completion of their trial period and annually thereafter.
- C.** The Mayor is responsible for developing and maintaining the City's performance evaluation program.
- D.** The evaluation is part of an employee's personnel record and may be a factor in determining, whether the employee receives a wage increase, or is to be promoted, transferred, demoted, laid off, or terminated.

II. TRAINING POLICY

- A.** Our employees are the City's most valuable asset and training is the most cost-effective risk-reduction measure the City can undertake to protect those assets. Properly trained employees are both more productive and are less likely to commit errors. Training instills confidence and thereby bolsters employee morale. The willingness to commit to training engenders loyalty among the City's employees, making training an even more cost-effective undertaking because it reduces turnover.
- B.** The City seeks, within the limits of available resources, to offer training to increase an employee's skills, knowledge, and abilities directly related to City employment; to obtain or maintain required licenses and certifications; and to develop staff resources or promote cross training of existing employees. Opportunities may include, but are not limited to:
 - 1.** On-the-job training and in-house workshops and seminars sponsored by other agencies or organizations.
 - 2.** Conferences and conventions organized around specific subjects, professions, or fields of endeavor.

3. On line training, such as that made available by the Association of Washington Cities, the Risk Management Services Agency, or other State agencies.
 4. Enrollment in distributive training courses that may use correspondence, web-based training platforms, or interactive video to facilitate learning.
 5. Employees are encouraged to work with their supervisor to identify appropriate training programs to assist employees in improving job performance or expanding their job duties or increasing their accuracy, skills or efficiency.
- C. Employees may be required to cross-train with other specialties within their own or another Department to perform a variety of tasks, in order to allow the City to provide uninterrupted services in the event of an employee's absence, whether such absence is long or short term. Cross-training helps all employees assist each other in times of high work load as well. Each Department Head is responsible for identifying needed cross training functions, and demonstrating their Department is capable of functioning, even while they are away from work.

III. TRAVEL POLICIES, REGULATIONS, AND PROCEDURES

- A. The City of Tenino encourages attendance and participation of City officials at meetings, conferences, and training events where such participation is determined to be in the best interests of the City of Tenino.
- B. City Officials who attend such meetings, conventions, or training shall be reimbursed or shall be provided a City Credit Card for all valid business expenses related to such attendance. Spouses, other family members, or guests may accompany such City Officials (when appropriate), but their attendance shall be at the sole expense of the Official involved and at no cost to the City.
- C. Regardless of purpose, whenever travel is required or desired on behalf of the City, the following policy is applicable:
1. Except as otherwise provided by law, City-owned or leased motor vehicles are to be used only for Official City Business.
 2. When a City-owned or leased motor vehicle is being operated, any person exercising control over and/or operating the vehicle is expressly prohibited from engaging in the transportation of unauthorized passengers. Unauthorized passengers or those

passengers not engaged in performing official city business and/or not specifically authorized by the Mayor or a Department Head. Unauthorized passengers can include, but are not limited to, family members, relatives, friends, or pets.

3. When driving or operating any City vehicle, the driver or operator is required to:
 - (a) Be in possession of a valid Driver's License and present it when requested by any appropriate authority.
 - (b) Familiarize themselves with the manufacturer's handbook pertaining to the vehicle and operate the vehicle at all times in a professional and safe manner, to include compliance with all applicable traffic laws and regulations.
 - (c) Properly use seat belts as required by state law. The driver must ensure compliance by all passengers. Any passenger who refuses to comply with the seat belt requirements shall not be authorized to ride in the vehicle.
 - (d) Adjust driving speed and vehicle equipment to match any change in driving conditions. If, for safety reasons, travel plans must be altered due to environmental conditions beyond the driver/operators control, you must promptly notify your immediate supervisor (or Department Head) and seek guidance before continuing.
 - (e) Ensure the vehicle is ready for the next use prior to returning the vehicle at the completion of a trip by purchasing fuel, lubricants, or other required items and providing the receipts for such purchases to the supervisor or Department Head.
 - (f) Seek supervisor or Department Head approval prior to authorizing any emergency repairs.
 - (g) Promptly report the occurrence of any moving or non-moving violation or infraction the operator has been cited for. It is also the responsibility of the operator to promptly pay the issuing jurisdiction for any fines or fees as a result of any such infraction or violation. Such expenses shall not be reimbursed by the City.
 - (h) Follow City policies for reporting vehicle mechanical problems and arranging for repairs or maintenance.

- (i) Be responsible for maintaining a good appearance of the vehicle.
 - (j) Complete a City of Tenino Vehicle Accident Report form, or other approved vehicle accident report form, for any accident, regardless of how minor. Such report must be submitted to the Department Head and Clerk/Treasurer within 24 hours of trip completion, or the next business day if the trip ended on a Friday or the eve of a Holiday.
 - (k) Safely organizing and storing equipment/supplies in the vehicle so they are secure in the event of a sudden stop or other violent maneuver.
 - (l) Selecting a well-lit, safe area for parking.
4. The following items are prohibited while driving, operating, or riding as a passenger in a City Vehicle:
- (a) Smoking, chewing, vaping, or otherwise ingesting any tobacco, cannabis, or other intoxicating substance.
 - (b) Driving under the influence of any intoxicating beverage, drug, or other impairment-producing substance as advised by health professionals.
 - (c) The transportation of firearms or other weapons or explosives, concealed or otherwise, unless the transportation of such items are required for the performance of official duties.
5. Drivers or operators are prohibited from the following while driving or operating a City-owned or leased vehicle:
- (a) Using any hand-held electronic devices (such as a cellular telephone or two-way radio), unless such electronic devices are capable of "hands free" operation, or are permanently installed as part of the vehicles' mission-essential equipment (police, fire, and emergency medical response vehicles, for example.)
 - (b) Using any headphones, "ear-buds," or other device specifically designed to either insulate the wearer from environmental noises or to convey audio signals such that only the wearer may hear them. For the purpose of this policy, prescription hearing aids are exempted.

- D. If a private automobile is used for business travel away from the City, the employee will be reimbursed operating expenses at the rate specified by the federal General Services Administration. Every effort should be made to car pool, use public transportation, or coordinate with neighboring jurisdictions in an attempt to conserve resources whenever feasible.

IV. TRAVEL EXPENSE REIMBURSEMENT

- A. Regardless of purpose, all travel to be performed at City expense must be authorized in writing by the Mayor (for Elected or Appointed Officials and Department Heads) or a Department Head (all other employees or volunteers).
- B. The arrangements for any such travel shall be those that are most advantageous to the City of Tenino and not at the whim or personal convenience of the traveler, regardless of the traveler's position with the City. Accordingly, it is preferred that the City make all such arrangements. Reimbursement for transportation provided by a Commercial Carrier shall be no greater than "coach" class (or equivalent) and the maximum reimbursement of lodging costs is limited to the maximum amount for lodging as determined by the federal General Services Administration for the destination under consideration. If personal travel is combined with City-related travel, the traveler is personally responsible for any expenses not related to the purpose of the travel.
- C. When authorized to travel at City expense, City officials will be reimbursed per diem expenses up to the maximum allowable amount as determined by the federal General Services Administration for the destination under consideration.
 - 1. The per diem allowance is designed to cover the costs of being away from home, such as food, laundry, toiletries, tips, and other incidental expenses. In general, the per diem allowance may be used in any manner the traveler wishes, except that the City specifically will not reimburse any expenses related to alcohol, cannabis, pornography, or the procurement of any personal services not directly related to the purpose of the travel.
 - 2. When the cost of training (or conference attendance) includes meals, the per diem rate will be adjusted accordingly. The amount of the adjustment will be the cost for the meal (Breakfast, Lunch, or Dinner) established by the federal General Services Administration for the destination under consideration.

- D.** Requests for reimbursement shall be submitted on a City of Tenino Employee Reimbursement form completed and signed by the employee and the Department Head. All receipts must be attached.
1. Receipts are required for:
 - (a) Any transportation via Commercial Carrier.
 - (b) Lodging.
 - (c) Any item purchased with a City credit card.
 2. Receipts are not required for any meals, tips, or other personal items not purchased with a City credit card. As explained above, reimbursement for such items will not exceed the Per Diem rate established by the federal General Services Administration for the destination under consideration.
- E.** Reimbursement will be made in the next regular accounts payable claims cycle and the Travel Expense Voucher will be audited by the Clerk/Treasurer prior to presentation to Council for approval.
- F.** Travel Using a City credit card.
1. For the convenience of the traveler, travel may be conducted solely through the use of a City credit card, when approved by the appropriate Department Head.
 2. When the expected form of payment for all travel-related expenses is a City credit card, all of the policy provisions related to the travel are in full force and effect, including:
 - (a) All travel is to be performed at the least cost to the City and the maximum amounts payable for lodging and per diem are those amounts established by the federal General Services Administration for the destination under consideration.
 - (b) The traveler is responsible for any amounts over and above the established limits that were charged to the City credit card.
 - (c) The City credit card shall not be used to purchase anything on behalf of anyone other than the authorized traveler.
 - (d) The traveler is responsible to provide the receipt for any purchase made using the City credit card.

- (e) The traveler shall not use a City credit card to purchase anything not related to the purpose of the travel.
- (f) If the City credit card is lost or stolen while travelling, the traveler shall immediately notify the credit card company and file a lost/stolen credit card report. The traveler shall then notify the City Clerk/Treasurer, who will notify the appropriate Department Head.

CHAPTER 6

BENEFITS

I. RETIREMENT BENEFITS

- A.** The City of Tenino makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA and Medicare payroll deductions.
- B.** The Law Enforcement Officers' and Firefighters' Retirement System (LEOFF) covers all regular full-time uniformed employees in the police department. The State of Washington sets benefit levels and contribution rates.
- C.** The Public Employees' Retirement System (PERS) covers all eligible employees. The State of Washington sets benefit levels and contribution rates.
- D.** Employees intending to retire should notify their Supervisor at least three months prior to the date of retirement, to assist the City in the transition of responsibilities, hiring, and training of a replacement and to ensure a smooth transition for both the City and the employee.

II. WORKERS COMPENSATION

- A.** All current employees are covered by the State Industrial Insurance program (worker's compensation). This type of insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, State Industrial Insurance will pay the employee for workdays lost for any disability resulting from job-related injuries or illnesses. All job-related accidents must be reported immediately to the employee's Supervisor and the City Clerk-Treasurer.
- B.** When an employee is absent for one or more days due to an on-the-job accident, he/she is required to file a claim for Worker's Compensation.
- C.** If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave) the employee's regular salary, pending receipt of Worker's Compensation benefits. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than he/she would have received had the injury not occurred.
- D.** Failure to repay the City for any duplication of benefits as required by this policy will be considered fraudulent and will subject the employee to discipline, including termination and continuing obligation to repay the benefits duplicated between sick or personal leave payout and wage compensation paid by the State.

- E. A Doctor's Certificate authorizing return to work and specifying any limitations will be required prior to the employee returning to work. Such medical return to work evaluations are to ensure the safety of the returning employee, the City and public and will be required in any situation where a leave occurs which indicate the employee's leave from work was due to a condition that was inconsistent with or has impacted the employee's job duties, particularly the employee's essential job functions.
- F. The City may require an examination at the City's expense, performed by a physician of the City's choice, to determine when the employee can return to work and if he/she will be capable of performing the duties and responsibilities of the position.

III. INSURANCE BENEFITS

- A. Full-time employees are eligible to participate in the City of Tenino's insurance programs. Insurance coverage will begin on the first of the month following date of hire. The programs and criteria for eligibility will be explained upon hire and are outlined in these policies. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable.
- B. Temporary and Provisional employees are not eligible for health insurance benefits.
- C. Unless otherwise required by law, the City does not pay health insurance coverage for employees who are on unpaid leaves of absence after the premium is paid for the initial first month of the unpaid leave. This includes employees requesting or placed on family leave and who are on worker's compensation leave. This includes employees requesting or placed on family leave and who are on worker's compensation leave, once all accrued compensation is exhausted.
- D. If permitted by the insurance provider, an employee on approved unpaid leave of absence may elect to continue to self-pay the health insurance premiums to maintain coverage during the period of their leave.
- E. Except in cases of termination for gross misconduct, upon an employee's termination from City employment, the former employee may elect, at his/her option and expense, to continue City health insurance benefits to the extent permitted by the insurance policy, up to a maximum of one year or any other applicable statutory period where coverage can be extended under COBRA.

- F. An administrative handling fee over and above the cost of the insurance premium may be charged the employee or his/her dependents who elect to exercise their COBRA continuation rights.

IV. UNEMPLOYMENT COMPENSATION

- A. City employees may qualify for Washington State Unemployment Compensation after termination from City employment depending on the reason for termination and if certain qualifications are met. An employee is not eligible for benefits if they voluntarily resign their position without good cause. Employees who are terminated for misconduct are not entitled to benefits. Under Washington's Employment Security Act, an employee's intentional violation of an employer's rule which harms the employer's interest can be considered misconduct. Refer to the unemployment statutes for additional information on eligibility.
- B. The City is not able to negotiate with employees as to their eligibility or ineligibility for unemployment benefits, as this decision is made by Washington's Employment Security Department. The City is obligated to respond to each application for benefits accurately, providing the Department with specific reasons for the employee's separation, to make certain these benefits are administered properly.

CHAPTER 7

LEAVES OF ABSENCE AND TIME OFF

I. LEAVE TYPES.

A. Vacation Leave.

1. Vacation time is accrued monthly. Part-time employees will receive vacation on a pro-rata basis, provided they normally work at least 70 hours per month.
2. Temporary and Provisional employees are not eligible for any vacation benefits. Employees do not accrue vacation leave during leave without pay.
3. Whenever an employee accrues and carries-over into a succeeding year more than 40 hours of vacation leave, Supervisors shall ensure each such employee schedules a minimum of one continuous 40-hour block of vacation leave sometime in that year.
4. Unless the result of a bona fide emergency, leave requests shall be submitted at least two weeks prior to taking vacation leave if such leave will be in excess of two (2) consecutive days.
5. The maximum number of vacation days which may be carried over from December 31 of one year to January 1 of the next year is 120 hours. Vacation hours will be utilized on a first-in-first-out basis. Where a vacation had been previously scheduled, but City operations have made it impractical for an employee to take such scheduled vacation time, the Mayor may authorize additional carryover. Such authorization must be in writing and the vacation must be taken as soon as possible after City operations permit.
6. In the interest of employee health and well-being, even where there is no carry over from a previous year, all eligible employees shall be encouraged to take a minimum of forty (40) consecutive hours per year of vacation leave, if accrued hours are available.
7. Employees will be paid for unused vacation time upon termination of employment, up to the maximum of 120 hours that may be carried over from year to year.
8. Each regular full-time employee is entitled to vacation leave as follows:

Length of Employment	Vacation Earned per month
1 – 12 Months	8 hours
13 – 48 Months	9.33 hours

49 - 84 Months	10 hours
85 - 120 Months	10.67 hours
121 - 156 Months	11.33 hours
157 - 192 Months	12 hours
193 - 228 Months	12.67 hours
229 + Months	14 hours

B. Sick Leave.

1. Washington Paid Sick Leave Law. Under the WPSL, all workers, whether full-time, part-time, permanent, temporary, or provisional, sick leave is accumulated at the rate of one (1) hour of paid sick leave for every 40 hours worked. Sick leave may carry over at the end of each year, and employers may limit the amount of carry-over to 40 hours. If a separated employee is reinstated within 12 months, the employee's former accrued sick leave balance is restored up to a maximum of 40 hours.
2. However, the City of Tenino provides a more generous sick leave program to its full-time employees than that made mandatory by the WPSL law. All full-time regular employees will accrue sick leave benefits at the rate of eight hours for each calendar month of continuous employment. The City allows accrual of up to 720 hours.
3. Employees accrue and may use sick leave during their trial periods. Temporary employees do not earn City sick leave benefits but will earn WPSL sick leave. Employees do not accrue sick leave benefits during leave without pay.
4. The City's sick leave covers those situations in which an employee is absent from work due to:
 - (a) Physical injury to or illness of the employee (not due to a workplace injury);
 - (b) The need to care for the employee's dependent children under the age 18 who are ill;
 - (c) To care for a spouse, parent, parent-in-law, or grandparent of the employee who has a serious or emergency health condition; Medical or dental appointments for the employee or dependent child, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day;

- (d) Exposure to a contagious disease where on-the-job presence of the employee would jeopardize the health of others;
 - (e) Use of a prescription drug which impairs job performance or safety;
 - (f) Actual periods of temporary disability associated with pregnancy or childbirth. Employees may request additional time off beyond the actual period of disability. Vacation leave, compensatory time, or leave without pay may be used for this additional time off.
5. A doctor's certificate may be required when an employee is absent for a period in excess of three (3) days. The City may also request the opinion of a second doctor at the City's expense to determine whether the employee suffers from a chronic physical or mental condition which impairs his/her ability to perform the job. Employees who are habitually absent due to illness or disability may be terminated if their disability cannot be reasonably accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of services to the citizens of the City.
 6. Employees who use all their accumulated sick leave and require more time off work due to illness or injury are eligible to utilize the Family Medical Leave Program. Employees may not use sick or vacation leave in advance of accrual.
 7. Employees will not be paid for any unused sick leave upon leaving City service for any reason. As mentioned above, up to 40 hours of sick leave will remain available to an employee who is reinstated within 12 months of separation.
 8. The City may require a doctor's certificate to verify a family member's condition and the need for treatment, supervision or care.
 9. Any conflict between the WPSL and the City's sick leave policy will be decided by the requirements of the WPSL.
 10. Sharing of Sick Leave.
 - (a) The purpose of shared leave is to permit City employees, at no additional employee cost to the City other than the administrative cost of administering the program, to come to

the aid of a fellow employee who is suffering from illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to either take leave without pay or to terminate their employment with the City.

- (b) Employees with a medically documented illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to either be in a leave without pay status or to terminate employment with the City, may, subject to the provisions of this section, request and be permitted to receive donations of sick leave from other employees.
- (c) The Mayor may authorize sick leave donations if:
 - (i) The employee requests to receive donations of sick leave.
 - (ii) The employee's request is consistent with the purpose of this section and the employee has depleted, or is about to deplete, his or her annual leave and sick leave accruals.
 - (iii) The employee has been employed by the City for 24 consecutive months and is not under disciplinary action at the time the request for donated sick leave is made.
 - (iv) The employee is currently eligible for sick leave and has no documented record of sick leave abuse.
 - (v) The employee has diligently pursued and is found to be ineligible for state industrial insurance benefits, or such benefits have been exhausted.
 - (vi) There are other City employees who are willing to donate sick leave.
 - (vii) The total amount of sick leave that can be donated to any single employee will be determined by the Mayor on a case-by-case basis. In no case will the amount of donated sick leave exceed 600 hours (75 working days during an employee's career).

- (viii) While an employee is on shared leave, he or she will continue to be classified as a City employee and shall receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation leave.
- (d) Leave shall be transferred on an hour-for-hour basis, regardless of the hourly wage of either the transferor or the transferee.
- (e) Any employee with more than 120 hours of accrued sick leave may donate any of the amount over 120 hours, up to a maximum of 600 hours. There is no limit to the number of times any single employee may donate sick leave during their employment with the City.
- (f) Any leave donated under this section that is not used will be returned to the donating employee(s), provided that there is no reasonable expectation that the leave will be needed in the near future in connection with the illness or condition for which the donation was permitted.
- (g) This program is a voluntary program and creates no vested rights for any employee. It may be amended, suspended, or terminated at any time by the City Council.

C. Family Medical Leave Program

1. Washington's Paid Family and Medical Leave Program is designed to offer a partial wage replacement while on leave to recover from an illness or injury, to bond with a new child, to take care of a sick or injured family member, or for absences resulting from certain military obligations.
 - (a) Beginning January 1, 2019, employees will begin monthly deductions to pre-pay for WPFML benefits.
 - (b) Beginning January 2, 2020, employees may apply for benefits.
 - (c) Employees who have been with the City for at least 12 months and who work at least 1,250 hours in the prior year, PFML leave is job-protected, meaning an employee must be returned to the same or comparable position at the end of the leave period.

2. The City of Tenino also offers its own Family Medical Leave Program and will provide up to 12 weeks of unpaid leave during a 12-month period to any eligible employee who needs the time off:
 - (a) For a serious health condition of the employee that prevents him/her from performing the essential functions of his/her job; or
 - (b) To care for the employee's spouse, child or parent where that family member has a serious health condition; or
 - (c) For the birth of a child of the employee, in order to care for the child; or
 - (d) For the placement of an adopted or foster child with the employee.
3. To be eligible an employee must have been employed for at least 12 months and have worked for at least 1600 hours during the previous 12-month period.
4. The employee must provide the City with reasonable notice of his/her intention to take leave when possible.
5. The City of Tenino requires that employees utilize all their available paid leave, regardless of type, prior to taking any unpaid leave.
6. The City may require certification from the health care provider of the employee or employee's ill family member in support of the employee's request for leave. This certification should state the date on which the serious health condition commenced, the probable duration of the condition, and the appropriate medical facts known by the provider regarding the condition. If the leave request concerns a family member, the certification should state that the employee is needed to care for the family member, and provide an estimate of the length of time that the employee's care will be necessary.
7. The City may request subsequent re-certification of a medical condition at reasonable intervals, not to exceed once every thirty days.
8. The City may grant intermittent leave or a flexible work schedule, specific schedules will be set up to accommodate the needs of both the City and the employee, this schedule must be followed.

9. In the event of the death of an immediate family member, not to exceed three (3) consecutive days to attend the funeral or memorial service (maximum 24 hours). The phrase "immediate family" for the purpose of the bereavement policy includes the employee's spouse (or domestic partner), brother, sister, father, mother, stepfather, stepmother, grandparent, children, stepchildren, grandchildren, father-in-law, mother-in-law, grandparent-in-law, sister-in-law, brother-in-law, son-in-law and daughter-in-law.
10. Two additional consecutive days off with pay will be approved for travel from the employee's home to the funeral or memorial service if the travel exceeds two hundred (200) miles each way (maximum 16 hours).

D. Leave without pay

1. The Supervisor, with the approval of the Mayor, may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include time off work for personal reasons, such as prolonged illness, parenting, caring for an ill relative, pursuing an education, or fulfilling a military obligation in excess of twenty-one (21) days per year (unless eligible for WPFML.)
2. Only full-time and part-time employees who have satisfactorily completed their trial period are eligible for leave without pay. The following requirements apply:
 - (a) Leave may be granted to an employee for a period of up to thirty days at the discretion of the Supervisor and with the approval of the Mayor. Further extensions are at the discretion of the Mayor.
 - (b) Accrued compensatory time, if any, sick leave and vacation leave must be exhausted prior to taking any leave without pay.
 - (c) An employee's benefits are suspended during the period of unpaid leave until the employee returns to work. Vacation, sick leave and/or any other benefits do not accrue while an employee is on leave without pay.
 - (d) In certain circumstances, self-payment of insurance benefits may apply. See Section 6.3 on Insurance Benefits.

3. An employee who fails to report promptly at the end of the unpaid leave is presumed to have resigned. An employee returning from a temporary disability may, at the City's option, return to the same position or to a similar position at a comparable rate of pay.
4. If the leave without pay is due to an illness, the City may require a doctor's certificate stating that the employee is capable of returning to work and performing the work, duties, and responsibilities of the employee's position.
5. The City may require verification of the reason for the leave. If the leave is due to a medical condition, whether of the employee or of the employee's family member, the City may require a doctor's certificate verifying the need for leave and estimated length of time for the leave, as set forth above. For military leave, a copy of the employee's orders must be provided.
6. The City may require verification that the employee is entitled to reinstatement, such as copies of discharge papers or proof of attendance at jury duty. If the leave without pay is due to the employee's serious medical condition the City may require a doctor's certificate stating that the employee is capable of returning to work and performing the essential duties, and responsibilities of the employee's position safely.

E. Jury and Witness Leave

1. The City of Tenino provides all employees with leave for the full period of jury duty service. Jury duty for the first two weeks is paid; thereafter it is unpaid. The employee must provide a copy of the jury duty summons as soon as possible after receiving it. Upon completion of jury duty, the employee is required to provide proof of jury service and to reimburse the City for any additional jury pay received for the time period that the City was paying the employee for jury duty. If an employee is summoned during a critical work period, the City may ask the employee to request a waiver from duty.
2. All full and part-time employees summoned to testify in court are allowed time off for the period they serve as witnesses. In general, witness duty leave is unpaid unless the employee is testifying as a witness for the City or as part of their job duties. Employees may utilize their available paid leave during this type of leave.

F. Administrative Leave

On a case-by-case basis, the City may place an employee on administrative leave with pay for an indefinite period of time. Administrative leave may be used in the best interest of the City as determined by the Mayor during an investigation or other administrative proceeding

G. Military Leave

1. Employees who are members of the National Guard or Federal Reserve Military Units may be absent from their normally scheduled duties, for a period of up to twenty-one (21) days per calendar year when they are performing ordered active military duty or active training duty.
2. The employee must provide a copy of their orders (or duly approved Training Schedule) for the time period the employee is on military leave and, in accordance with Washington State Law, such employee will continue to receive their regular City wages while performing such duties.
3. Employees who are members of the National Guard or Federal Reserve Military Units who are ordered to deploy in support of contingency operations (whether overseas or within CONUS) will not continue to be paid their regular City wages, but will be granted Military Leave for the duration of such deployment.

II. HOLIDAYS

A. The following holidays are recognized by the City:

New Year's Day	January 1
Martin L. King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in September
Veterans' Day	November 11
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25th
Floating Holiday (2)	

B. Any holiday falling on a Saturday will be observed on the preceding Friday. Any holiday falling on Sunday will be observed on the following Monday.

- C.** Non-exempt regular full-time employees scheduled to work over any holiday will be paid for the holiday plus one and one-half times their regular rate of pay for any time worked on the holiday.
- D.** Temporary employees will be paid at their regular straight time rate for hours worked on a holiday.
- E.** New employees hired prior to July 1 will be entitled to one floating holiday for that year. New employees hired after that date do not receive a floating holiday in the year hired.
- F.** If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with the Mayors approval, take the day off using vacation, compensatory time, or leave without pay.

CHAPTER 8

**EMPLOYEE
RESPONSIBILITIES
&
CONDUCT**

I. EMPLOYEE RESPONSIBILITIES & CONDUCT

A. GENERAL CODE OF CONDUCT

1. All City employees are expected to represent the City to the public in a professional manner that is courteous, efficient, and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by their position and supervisor.
2. Because the City of Tenino's success in serving its citizens depends upon each employee's performance, the City has established certain minimum standards of personal conduct. Among the City's expectations are:
3. Use of basic tact and courtesy toward the public and fellow employees, at all times;
4. Adherence to City policies, procedure's, safety rules and safe work practices;
5. Compliance with directions from supervisors;
6. Preserving and protecting the City's equipment, grounds, facilities and resources;
7. Providing orderly and cost-efficient services to citizens;
8. When in public all employees will refrain from any conversation or action that could discredit or distract from the City's objectives.
9. All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the City. Acts, errors, or omissions that discredit the public service or impair the provision of orderly services to the citizens of the City may result in discipline, including termination.
10. The City of Tenino is a relatively small organization. To make the most efficient use of personnel, the City reserves the right to change an employee's work conditions and duties as originally assigned to the extent allowed by law. When these arrangements become necessary, the City expects the employee's cooperation.

B. RESPONSE TO CITIZEN COMPLAINT

1. When a complaint is received it will be distributed to the appropriate Department Supervisor, the City Clerk/Treasurer and the Mayor when appropriate.
2. The Department Supervisor will complete a Citizens Action Request for any complaint received. A copy of the completed Citizens Action Request will be delivered to the City Clerk/Treasurer within 7 working days of receipt of the original Complaint. If more time is needed to complete the investigation, notice must be submitted in writing to the City Clerk/Treasurer detailing the reason additional time is requested.

II. PROHIBITION OF WORKPLACE VIOLENCE

- A. The safety of the City's employees and the public is the City's paramount concern when dealing with issues of violence or threatened violence in the workplace. Acts of violence, threats, aggressive behavior, or intimidation will not be tolerated by City employees. This includes verbal or physical threats made while on duty or on City property. This includes communications through electronic means or through a third party. Destruction of property is also prohibited.
- B. Threats or intimidation of public officials is prohibited. Any such conduct by members of the public directed at a City employee or City official will be grounds for refusing City services or access to services, or legal action, including criminal action, when appropriate. Any such conduct by a City employee is grounds for disciplinary action up to, and including, dismissal.
- C. If any City employee is aware of such conduct being directed at a City employee or City official, whether the source is another City employee or member of the public, they are encouraged to report such conduct immediately to the City Clerk/Treasurer, Mayor or law enforcement. The City will take police action when needed to meet these safety goals.
- D. An employee, who participates in, commits or threatens to commit an act of violence in the course of his or her employment or directed toward a co-worker will be subject to discipline, most likely immediate termination, as a means of protecting the work environment from this type of conduct.

III. OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

- A. Employees shall not, directly or indirectly, engage in any outside employment or financial interest, which may, in the City's sole opinion,

conflict with the best interests of the City or interfere with the employee's ability to perform his/her assigned City job. Examples include, but are not limited to, outside employment which:

1. Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
 2. Is conducted during the employee's work hours;
 3. Utilizes City telephones, computers, supplies, or any other resources, facilities or equipment;
 4. Is employment with a firm which has contracts with or does business with the city; or May reasonably be perceived by members of the public as a conflict of interest or otherwise discredits the City.
- B.** An employee, who chooses to have an additional job, contractual commitment or self-employment, may do so provided he/she obtains prior approval from his/her immediate supervisor.
- C.** Employees may not wear City uniforms or use City equipment, including vehicles, in ways which indicated or could be interpreted to indicate incorrectly that the City is sponsoring or endorsing activities. To avoid conflicts of interest, each employee must:
1. Maintain a high standard of conduct and disqualify him or herself from exerting influence in any transaction where his or her own interest may conflict with the best interest of the City, or where the employee may gain or be perceived to gain any financial or other personal benefit.
 2. Report to the City Clerk/Treasurer any financial interest the employee or any member of his or her family may have in any entity, agency or concern doing business with the City.
 3. Refuse to accept any remuneration, gift or promise of a benefit received from anyone who has a business relationship with the City, and report all such conduct to the City Clerk/Treasurer or Mayor.
 4. Accept no cash, merchandise or any item of more than a de minimis value from anyone who has a business relationship with or interest in dealing with the City. Items that are donated to use as a door prize for a fundraiser or to be auctioned or raffled off for the

benefit of the City are not considered gratuities to the employee if used strictly for the purpose intended.

5. Refrain from using information or knowledge acquired by virtue of the employee's position in the City for any personal gain or advantage by divulging such information to anyone who could use it in a manner detrimental to the City or detrimental to the fairness of the process, such as a competitive bidding process.
 6. Report to the Mayor or City Clerk/Treasurer any knowledge the employee has of a potential violation of this policy.
- D.** Any employee who serves as a consultant to, or a director, officer or part-time employee of a business or agency that does business with the City, when that relationship has not been fully disclosed to the City has a conflict of interest. This is true even when the City employee has no direct contact with the City in the course of the business or agency's dealings with the City. This places the City at risk for inadvertent disclosure of confidential information and creates the appearance of impropriety. Thus, all employees must obtain written approval from the Mayor before the employee may accept outside work with a firm or entity that has or may have dealings or a relationship with the City.

IV. POLITICAL ACTIVITIES

- A.** City employees may participate in political or partisan activities of their choosing on their own time provided that City resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on City time or in a City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities.
- B.** Any City employee who meets with or may be observed by the public or otherwise represents the City to the public, while performing his/her regular duties may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on City property or City time, for a contribution for a partisan political cause.
- C.** Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment rights.

V. CONFIDENTIALITY OF BUSINESS INFORMATION

Employees of the City of Tenino may receive and have access to personal information regarding its taxpayers, rate payers and other employees and officials. Employees are obligated to keep this information confidential. All requests for confidential City records or information must be referred to the City Clerk/Treasurer, Department Head or Mayor. Employees are prohibited from distributing confidential information. This obligation exists during employment and it continues indefinitely after employment with the City ends. Employees who violate this provision shall be subject to discipline up to and including termination.

VI. NO SMOKING POLICY

- A.** Smoking (of any substance) or vaping is prohibited in all areas frequented by the general public and all meeting rooms used by City staff or the public and all work areas.
- B.** Smoking or vaping is prohibited in City Equipment, including but not limited to vehicles.
- C.** Smoking or vaping (of non-intoxicating substances) is permitted only in designated areas outside of the City's buildings.

VII. PERSONAL PROPERTY AND EXPECTATIONS OF PRIVACY

- A.** The City of Tenino does not assume responsibility for any theft or damage to the personal belongings of employees. Desks, equipment, lockers, vehicles and other business property belong to the City. Employees have no expectation of privacy when using or granted access to City provided equipment, such as lockers, desks, storage areas, vehicles, computers, phone systems or any other City owned property or equipment. The City reserves the right to search these areas or equipment from time to time, to make certain City policies regarding use of this equipment or the City facilities is appropriate. In addition, if there is a reasonable belief that a criminal act, such as theft has occurred on City premises, the City reserves the right to search employee's personal belongings brought onto City premises, when necessary to confirm whether a crime or theft has occurred or to confirm whether a violation of these policies has occurred.
- B.** Improper use of equipment or City owned facilities or an employee's personal property during work hours, including use of personal cell phones for excessive personal phone calls, text-messaging or videotaping, may also result in disciplinary action.

VIII. USE OF CITY RESOURCES

Use of City phones for local personal phone calls should be kept to a minimum; long distance personal use is prohibited, as are excessive personal calls that increase the City's cost of services. Other City equipment, including vehicles, should be used by employees for City business only. All City vehicles shall remain on City property while not in service, unless specifically authorized by the Department Head. An employee's misuse of City services, telephones, vehicles, equipment or supplies can result in disciplinary action, including termination.

A. City Credit Cards.

1. The purpose of City credit cards is to provide flexibility in the procurement of goods and services on behalf of the City. They are an integral part of City operations and shall not be used to procure anything that has not been authorized by the City Council, the Mayor, or a Department Head. Any such authorization is to be made strictly in accordance with the rules for procuring goods and services by a political subdivision of the State of Washington and then only within the constraints of the most recently adopted Municipal Budget.
2. A log is maintained documenting who has possession of City Visa Credit Cards.
3. Department Supervisors will sign out the credit card.
4. All receipts for credit card purchases will be turned in to the Accounts Payable Clerk office on at least a weekly basis for reconciliation to the statements and payment.

B. City Information Technology Resources

1. **ACCEPTABLE USE POLICY**
 - (a) The City provides information technology resources to employees for the purpose of conducting official city business, advancing and supporting the city's mission and to assist in providing services to its citizens. The purpose of this section is to outline general provisions which must be adhered to while using city owned information technology resources. Personal use of such equipment and access, including electronic mail, Internet access, and network resources, is authorized only in accordance with this Acceptable Use Policy.

- (b) The City reserves the right to review employee information technology use to determine whether the use of the resources is appropriate and conforms to this policy. If an employee is not complying with this policy, the City reserves the right to remove the employee's access to the information services resources or to proceed with other disciplinary action, up to, and including, termination.
- (c) All software installations must be approved prior to acquisition. This includes programs such as screen savers, computer games, weather services, or new updates. This is to avoid system conflicts, anticipate necessary upgrades to hardware, etc.
- (d) Employees are responsible to establish and maintain passwords consistent with City requirements. User accounts and passwords must be unique to each employee and kept confidential.
- (e) Prohibited and Inappropriate Use. Information technology resources are intended for the conduct of City business. The following uses are categorically determined to be prohibited and inappropriate:
 - (i) Gaining, or seeking to gain, information for criminal purposes. Seeking access to City passwords belonging to others.
 - (ii) Unauthorized attempts to break ("hack") into any computer or voicemail system whether of the City or another organization.
 - (iii) Using information technology resources or knowingly allowing another to use the resources to advertise or promote a personal business, for commercial product advertisement, for promotion or distribution of information about non-City affiliated organizations when such organizations are unrelated to any activity or professional organization that is necessary for or adjunct to the employee's job or professional certification, or for religious purposes.
 - (iv) Using an information technology resource to assist a campaign for election of any person to any office or

for the promotion of or opposition to any ballot proposition, except as set forth in RCW 42.17.130.

- (v) Processing, distributing, transmitting, or displaying inappropriate stored electronic media such as obscene, libelous or defamatory materials. This includes downloading, transmission and possession of pornographic, profane or sexually explicit materials. (Activities of the police department related to criminal investigations, or authorized personnel investigations by a Department Manager, would not constitute a prohibited or inappropriate use.)
 - (vi) Sending messages that constitute criminal activity, including but not limited to threatening or harassing messages.
 - (vii) Sending or posting confidential materials outside of the City, or posting City confidential materials inside the City to non-authorized personnel.
 - (viii) Infringing on third party copyrights or other intellectual property rights, license agreements or other contracts; for example, illegally installing or making available copyrighted software.
 - (ix) Utilizing City information resources in a manner that potentially reduces the internet bandwidth available for City business such as streaming media for non-work purposes.
 - (x) Installing unauthorized software such as games, internet based services or other personal software on City owned equipment.
 - (xi) Accessing online gambling websites in order to gamble.
- (f) Limited use of information technology is permitted subject to the following limitations:
- (i) Such use shall be at no cost to the City.
 - (ii) Such use shall be reasonable, as determined by management, and shall not interfere with the

performance of the employee's, or other employee's, official duties.

- (iii) Such use does not compromise the security or integrity of city information technology resources, nor involve the installation of hardware or software not purchased by the City.
 - (iv) Such use may not involve the storage of personal photos, music, documents, or other type of data on a city-owned computer or storage device.
- (g) Personal use remains subject to the "prohibited and inappropriate use" policies set forth in Section XI B, above.
- (h) No Expectation of Privacy
- (i) The city reserves the right to access, monitor and audit the activity and use of city information technology resources, communications, data, files and documents of all elected or appointed officials and employees including content sent, received and/or stored through the use of such resources. Users shall have no expectation of privacy when using city information technology resources. Such records may be subject to disclosure under the Public Records Act or may be disclosed for audit or other legitimate city operational or managerial purposes.
 - (ii) Employees are hereby advised that almost any communication on publicly owned equipment is a public record subject to disclosure under Washington state law. Furthermore, any records created while conducting city business using personally owned information technology resources may also be subject to disclosure under Washington state law. All documents, files, communications and messages stored or created on City computers are the property of the City. Accordingly, such documents, files, communications and messages are not private or confidential. The City reserves the right to review the contents of any document or communication, created or stored on a City computer or phone system, including electronic mail and voicemail.

- (iii) Users should be aware that any information technology resource, whether networked or stand alone, may be accessible to other users. The City does not guarantee the privacy or confidentiality of e-mail or voice mail communications, whether internal or external.
- (iv) Never assume that e-mail or voice mail can be read/heard by no one except yourself; others may be able to read or access these communications. Users should assume that any communication, whether deleted or unsaved, may be retrieved. This can include
- (v) Copies of documents that were produced on a City copy machine (digital imager) and saved in the memory of the copy machine. All users should compose communications with the expectation that they could be made public.
- (i) All electronic messages, Internet and network activity must be appropriate to the City's professional environment and consistent with the City's policies prohibiting discrimination and harassment.

2. **SOCIAL MEDIA POLICY**

- (a) Scope. This policy pertains to Social Media accounts established by, and for, the City of Tenino.
- (b) Social Media Defined. Social Media is defined here as the use of third-party hosted online technologies that facilitate social interaction and dialog. Such third-party hosted services and tools may include, but are not limited to: social networking sites (MySpace, FaceBook, Linked-In), micro-blogging tools (Twitter, RSS feeds), audio-visual networking sites, (YouTube, Flickr), web logs (blogs), and so forth.
- (c) The goal of the City's social media channels is to serve as an online information source focused on City issues, projects, news, and events, and **are not intended as a Public Forum**.
- (d) The City does not endorse any link or advertisements on its social media sites placed on the site by the site owners, their

vendors, or partners. The City reserves the right to remove any content from its social media sites at any time.

- (e) Policy.
 - (i) No Social Media account may be opened in the name of the City without first having obtained the permission of the Mayor, in writing.
 - (ii) Social media accounts opened in the name of the City are to prominently identify themselves as the “City’s Official (Insert name of Platform) Site”.
 - (iii) While social media, with its use of popular abbreviations and shorthand, does not adhere to standards and conventions of correspondence, the content and tenor of any conversations, correspondence, or posting on any social media/networking site by any City Official must adhere to basic rules of grammar and diction and must be presented in a professional manner.
 - (iv) City social media accounts are to be used by City Officials for the purpose of promoting City events and only for the purpose of providing factual information concerning such events.
 - (v) Postings shall be made only during normal business hours. After-hours or weekend postings shall only be made with approval of the Mayor or the Information Management Officer.
 - (vi) Any City Official authorized to post items on the City website or any City social media account shall not express his or her own personal views or concerns through such postings. Posting to the City website or any City social media account shall only reflect the views of the City.
- (f) City social media accounts shall not be used for any of the following purposes:
 - (i) To “take action”, as that term is defined in RCW 42.30.020.

- (ii) To promote any policy making decision.
 - (iii) For official public noticing (legal notice requirements).
 - (iv) To discuss items of political, legal, or fiscal significance to the City (as opposed to providing factual information.)
 - (v) To advertise or promote commercial services, entities or products.
 - (vi) To endorse or oppose any political candidate or ballot proposition.
- (g) Social Media and the Public Records Act (RCW 42.56, *et seq*)
- (i) State records retention laws and schedules apply to any social media post created by the City.
 - (ii) All City social media accounts must adhere to the information retention standards in accordance with the appropriate Retention Schedule published by the Office of the State Archivist. This includes any comments that are generated in response to the original social media entry.
 - (iii) Accordingly, all City social media accounts will prominently display a disclaimer that states: "All content submitted by members of the public is potentially subject to public disclosure pursuant to the Public Records Act, RCW 42.56
- (h) All comments posted to the City's social media accounts will be monitored. The City reserves the right to remove, in its sole judgement, comments that are inappropriate. Inappropriate comments include those that:
- (i) Contain obscene language or sexual content.
 - (ii) Threaten or defame any person or organization.
 - (iii) Violate the legal ownership interest of another party.

- (iv) Support of oppose political candidates or causes.
 - (v) Promote illegal activity.
 - (vi) Promote commercial services or products.
 - (vii) Are not related to the topic that gave rise to the original post.
- (i) The City's official website at www.ci.tenino.wa.us (or any domain owned by the City) will remain the City's primary means of internet communication.
 - (j) All content on the City website and all City social media accounts shall be reviewed, approved, and administered by the City's Information Management Officer, or designee.
 - (k) The City reserves the right to terminate access to the City website or any City Social Media account at any time and without any notice.
 - (l) The City shall retain full permission or rights to any content posted by the City, including documents, pictures, videos, or any other electronic content of any type.

3. **E-Mail Management and Retention**

- (a) Electronic mail, or email, is a permanent fixture of 21st century America. The City provides email services to increase both the effectiveness and efficiency of all City Officials.
- (b) This policy applies to all users of City-provided email services, regardless of position or status.
- (c) The City of Tenino provides email services for up to 35 subscribers via contract.
- (d) The City has an email addressing scheme that is based on authorized positions, not individual employees.
 - (i) Email addresses are formed by a combination of the position title, followed by the City's domain name. For example, the email address for the Mayor is: mayor@ci.tenino.wa.us

- (ii) City Officials assigned to a position have access to the email account for that position for the duration of time they are assigned to the position. Upon transfer, they will be able to access the account associated with their new position including all previous email history, but will be prohibited from accessing the account for their old position. Upon separation, for any reason, access to all City email accounts will be terminated. The City retains the right to control all emails sent or received by each, and every, City email account.
 - (iii) Obviously, with this type of address scheme, there is no expectation of privacy and users should not expect, or assume, any privacy regarding the content of email communications. Users should be aware that it is still possible to examine the contents of individual emails that have been deleted.
 - (iv) The City reserves the right to monitor and inspect the contents of any City email account or individual inbox contained within any City email account.
- (e) City email accounts may not be used for the following purposes:
- (i) Transmitting any material or messages in violation of federal, state, county, or local statutes, codes, regulations, ordinances, or written policies.
 - (ii) Taking any “action” (as that term is defined by RCW 42.20.020.)
 - (iii) Transmitting anything that may be construed as harassment or disparagement of others. This includes, but is not limited to, sending threatening messages, slurs, obscenities, or sexually explicit images, cartoons, or messages.
 - (iv) Distributing sensitive or confidential information as defined by RCW 42.23.070 (Code of Ethics for Municipal Officer, Prohibited Acts.)
 - (v) Distributing unauthorized broadcast messages, soliciting or proselytizing others for commercial

ventures, religious, or political causes; or other non-job related matters except as provided elsewhere in this policy.

- (vi) Distributing copyrighted materials when the City does not own the copyright.
 - (vii) Distributing any materials that are designed to infiltrate computer systems internally or externally (viruses), or intentionally disrupting network traffic or crashing the network and connected system.
 - (viii) Representing yourself as another user or forging electronic mail messages.
 - (ix) Accessing, or attempting to access, any system or account to which the user is not authorized access (hacking.)
- (f) Emails are Public Records.
- (i) RCW 42.56, the Public Records Act, defines a “public record” as “any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”
 - (ii) Every email generated using the City’s Information Technology infrastructure is, by that definition, a Public Record and therefore must be maintained in accordance with the most current applicable retention scheduled published by the Office of the State Archivist, which is generally seven (7) years.
 - (iii) Unless specifically exempted by another provision in the Act, they are subject to public disclosure and, as pointed out several times above, there is no expectation of privacy such that “A person’s right to privacy, right of privacy, privacy, or personal privacy, as those terms are used in the Act, is invaded or violated only if disclosure of information about the person:
 - (1) Would be highly offensive to a reasonable person, **and**

- (2) Is not of legitimate concern to the public.
- (iv) Washington case law is replete with examples of very public figures being extremely embarrassed, not to mention financially, politically, and/or personally devastated, by the fact that very little of what is done as part of governing a City is deemed not “of legitimate concern to the public.” The Legislative Declaration that forms the basis for the Public Records Act is instructive:

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

IX. CONTACT WITH NEWS MEDIA

- A.** The Mayor is responsible for all official contacts with the news media, including answering of questions from the media. The Mayor may designate specific employees to give out procedural, factual, or historical information on particular subjects.
- B.** Employees who are contacted by the news media regarding the City or City business should remain respectful and courteous, but should attempt to refer the media to the Mayor. If such efforts are unsuccessful, the employee must tell the media they are not authorized to speak on behalf of the City and therefore, anything said does not represent the official position of the City. Any employee contacted by the media must report such contact to their supervisor and the supervisor must report the contact to their Department Head, who must then report the contact to the Mayor.

X. SEAT BELT/SAFETY POLICY

- A.** Per Washington law, anyone operating or riding in City vehicles must wear seat belts at all times. Employees using their own personal vehicle while on official City business must also comply with this rule.
- B.** All employees are expected to obey all traffic laws and regulations. Any citations issued to the employee while engaging in City business must be paid by the employee as a personal expense. The employee driving in

connection with City business is expected to drive safely for the conditions, and be courteous to other drivers. All employees using a personal vehicle for City related business must provide proof of insurance that provides coverage for the business use of their vehicle. If such proof of insurance is not available, or has not been provided to the City, the employee should request use of any available public vehicle, or arrange for public transportation in connection with any business related travel.

XI. DRIVER'S LICENSE REQUIREMENTS

- A.** As part of the requirements for certain specific City positions, an employee may be required to hold a valid State Driver's License or a Commercial Driver's License.
- B.** Driving records may be checked. While the City may not make inquiry into criminal or driving records prior to selecting an applicant for a position, once selected, driving records will be checked when the position requires the operation of City vehicles and/or equipment.
- C.** If an employee's license is expired, revoked, suspended, lost, or is in any other way not currently valid and in the employee's possession, the employee shall promptly notify his/her supervisor and will be immediately suspended from driving duties. The employee may not resume driving until proof of a current, valid license is provided.
- D.** Depending on the duration of license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination.

XII. SAFETY

- A.** Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Each employee shall promptly report all unsafe or potentially hazardous conditions to his/her supervisor. The City will make every effort to remedy problems as quickly as possible.
- B.** In case of an accident involving a personal injury, regardless of how serious, employees shall immediately notify their supervisor. The Department Head shall report the accident to the Risk Manager within 24 hours. The Risk Manager will process the notification to the City's Insurance carrier.
- C.** In any accident that results in serious property loss or bodily injury, it is the City's policy to test the employee for drugs or alcohol use, to confirm that the use of drugs or alcohol was not a factor in the accident. In addition, no City employee is permitted to engage in conduct after an accident occurs,

that will negatively impact the City's or law enforcement official's investigation of the accident.

- D. All insurance information relating to the accident will be provided promptly at the accident scene and City employees will fully co-operate with any investigating officer. If any employee does not have all the information necessary, they shall contact his/her Department Head. In all cases, you must also notify your Department Head of the accident, as soon as possible.
- E. Employee safety depends on the safety consciousness of everyone. In order to facilitate a safe work environment, employees may not bring dangerous weapons to the workplace. This includes, but is not limited to, weapons for which employees have a valid permit. The only exception to this rule involves law enforcement positions for which the job requires possession of dangerous weapons. Violations of this policy may result in termination, or other forms of corrective action as appropriate.

XIII. SUBSTANCE ABUSE

- A. The City of Tenino is committed to providing a safe, healthy, and efficient working environment for all employees. To help with this goal, employees are prohibited from:
- B. Possessing, distributing, selling, manufacturing or being under the influence of any unlawful drugs;
- C. Consuming alcoholic beverages or any cannabis product while on City premises, in City vehicles, or while on City business or time. Reporting for duty or responding to emergency calls under the influence of alcohol, drugs or other controlled substances or bringing them onto City premises;
- D. Abusing prescription drugs or possessing prescription drugs that have not been prescribed for the employee by a physician.
- E. An employee who violates this policy is subject to corrective action up to and including termination of employment. In keeping with this policy, employees may be required to submit to drug and alcohol testing. Employees involved in accidents may be subject to a drug and/or alcohol screen, as referenced above. Refusal to submit to a drug and/or alcohol screen may be grounds for immediate termination.
- F. While the City does not condone the abuse of alcohol or cannabis, prescription drugs, and/or use of illegal drugs, the City of Tenino does recognize that addiction to drugs and/or alcohol can be treated. If an employee voluntarily seeks assistance for a drug and/or alcohol problem

in advance of any impact noted to the employees work performance, the City will assist the employee in seeking treatment through the City's Employee Assistance Program (EAP). If disciplinary action or performance correction has already begun, but the process has not been completed, the employee may forfeit his or her access to the City's EAP services.

- G. Employees using any prescription or over-the-counter drugs that might impair their work performance should notify their supervisor. At the option of the supervisor, an employee may be reassigned to less hazardous duty or be placed on sick leave if impaired work performance might pose a threat to the public confidence or to the safety of the employee or others.
- H. Employees must notify the City within five days of any conviction for a drug violation.

XIV. EMPLOYEE COMPLAINT PROCEDURES

- A. The City recognizes that sometimes situations arise in which an employee feels that he/she has not been treated fairly or in accordance with City rules and procedures. For this reason, the City provides its employees with procedures for resolving complaints. An employee should first try to resolve any problem or complaint with his/her supervisor/department head.
- B. When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of City policies and procedures the employee should attempt to resolve the problem with the City Clerk/Treasurer.
- C. When all other remedies fail employees may make an appointment with the Mayor to discuss their concerns.
- D. These complaint procedures do not modify the employee's "at will" status.

XV. IMPROPER GOVERNMENTAL ACTION

- A. In compliance with the Local Government Employee Whistle blower Protection Act, RCW 42.41.050, the City encourages employees to disclose improper governmental action taken by City employees or elected officials without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints to be made first to the Employer, with a process provided for speedy dispute resolution.
- B. Definitions. As used in this policy, the following terms shall have the meanings indicated:

- (a) "Improper governmental action" means any action by a City of Tenino employee or elected official that is undertaken in the performance of the official's or employee's official duties, whether or not the action is within the scope of the employee's employment; and that is in violation of any federal, state, or local law or rule, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.
- (b) "Improper governmental action" **does not include** routine personnel actions (appointments, hiring, promotions, re-assignments, reinstatements, performance evaluations, reductions in pay, dismissals, suspensions, disciplinary notices, violations of collective bargaining or civil service laws, alleged violations of labor agreements, reprimands or internal grievance procedures, for example) that may simply be unfavorable to a particular employee. In addition, employees are not free to disclose matters that are protected from disclosure by state law, such as communications protected by the attorney client privilege and/or the rules governing executive sessions.
- (c) "Retaliatory action" means any adverse change in the terms and conditions of a City of Tenino employee's employment that is substantially motivated by the employee's decision to prepare or participate in a whistle blower complaint.
- (d) "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

C. Procedures for reporting

1. Employees who become aware of improper governmental action should follow this procedure:
2. In writing, bring the matter to the attention of his/her supervisor, if not involved, stating in detail the basis for the employee's belief that an improper governmental action has occurred, and provide a copy to the City Clerk. This should be done as soon as the employee becomes aware of the improper action but no later than 30 days from the date of the action in question.
3. Where the employee believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the Mayor.

4. The Mayor, and/or their designee shall promptly investigate the report of improper governmental action. After the investigation is completed (within (30) days of the employee's report), the employee shall be advised of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential. A copy of the Action Report will be submitted to the City Clerk/Treasurer for the file.
 5. An employee who fails to make a good-faith effort to follow this policy shall not be entitled to the protection of this policy against retaliation, pursuant to RCW 42.41.030. An employee is also charged with responsibility to ascertain the correctness of the information furnished and may be subject to disciplinary action, not limited to but including termination, for knowingly furnishing false information as determined by the appointing authority.
 6. In the case of an emergency where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may bypass the above procedure and report the improper action directly to the appropriate government agency responsible for investigating the issue. Such agencies include the State Auditor and the County's Prosecuting Attorney.
 7. Employees may report information about improper governmental action directly to an outside agency, if the employee reasonably believes that an adequate investigation was not or will not be undertaken by the City to determine whether an improper governmental action occurred. If information is reported to the State Auditor, it must be reported within one year of the occurrence. However, emergency situations require prompt reporting of any occurrence that would harm persons or property.
- D.** It is unlawful for a government agency to take retaliatory action because an employee, in good faith, complained about an incident of improper government action. Employees who believe they have been retaliated against for reporting an improper government action should follow the following procedure:
1. Employees must provide a written complaint to the supervisor and the City Clerk/Treasurer within thirty (30) days of the occurrence of the alleged retaliatory action. If the supervisor is involved, the notice should go to the Mayor. If the Mayor is involved, the written complaint should be delivered to the City Attorney. The written charge shall specify the alleged retaliatory action and the relief requested.

2. The Mayor, or designee, shall investigate the complaint and respond in writing within thirty (30) days of receipt of the written charge. The identity of the complaining party shall be kept confidential, to the extent possible under the law, unless the employee authorizes disclosure in writing.
 3. After receiving the City's response, if the employee determines the City's response did not adequately address the problem, the employee may request a hearing before a state administrative law judge, to establish that a retaliatory action occurred and to obtain appropriate relief under the law. The request for hearing must be delivered within the earlier of either fifteen (15) days of receipt of the City's response to the charge of retaliatory action or within forty-five (45) days of receipt by the Mayor of the charge of retaliatory action.
 4. Within five (5) working days of receipt of a request for hearing the City shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge. At the hearing, the employee must prove that a retaliatory action occurred by a preponderance of the evidence. The administrative law judge will issue a final decision not later than forty-five (45) days after the date of the request for hearing, unless an extension is granted.
- E. The Mayor, or designee, is responsible for implementing these policies and procedures. This includes posting of the policy in an area open to employees, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Department heads and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

XVI. NIMS COMPLIANCE

- A. ICS/NIMS has been institutionalized through exercise, training and through the daily use of the Incident Command System. ICS/NIMS will be used during all large scale training and real life events. ICS/NIMS will be used when pre-planning large events and when working with other jurisdictions. ICS/NIMS will be used in emergency events and incidents to more effectively manage emergency scenes, enhance safety and improve efficiency.
- B. All new hires will go through NIMS orientation to include appropriate levels of FEMA Training.

- C.** All staff will remain current with necessary FEMA Education standards as related to NIMS.

CHAPTER 9

**CORRECTIVE
ACTION
&
TERMINATIONS**

I DISCIPLINE AND TERMINATION

- A.** Civil Service employees should reference the Civil Service Rules and Regulations and refer to the Civil Service Commission for appeals on any disciplinary action taken by their supervisor.
- B.** All employees are expected to exercise good judgment, loyalty, common sense, dedication, and courtesy in the performance of their duties. The primary mission of every employee is to provide courteous, orderly, efficient, and economic delivery of services to the citizens of the City.
- C.** Acts, errors, or omissions that discredit the public service or impair the provision of orderly services to the citizens of the City may result in discipline, including termination.
- D.** The Mayor has full discretion and authority to impose disciplinary action in accordance with City policy and the circumstances of the case (with the exception of Civil Service employees). Employee disciplinary action is based on the employer's assessment of the severity of the conduct requiring correction, the frequency and number of prior acts of misconduct or neglect and may be affected by the employer's assessment of how such conduct affects the safety and well-being of other employees. Each situation will be assessed individually and the determination of what discipline is appropriate is at the sole discretion of the City.
- E.** The City is an at-will employer, with the exception of civil service employees; all employees are employed at-will. Nothing contained in these disciplinary guidelines is intended to change the at-will nature of the employment relationship. The City is not required to provide progressive discipline where immediate termination of employment is determined by the City in its sole discretion to be in the best interest of the City.
- F.** The City of Tenino's success depends on its employees. The following list contains examples of actions which are detrimental to the City's interests and may result in discipline for the employee. This list is not all-inclusive, but rather merely illustrative, and is provided for your guidance.
 - 1. Possession, use, sale or being under the influence of alcohol, cannabis, or controlled substances while on City business (including standby duty). Abuse of prescription or non-prescription drugs.
 - 2. Violation of duties or rules imposed by these personnel policies or other City rule, regulation or administrative order, including those policies which prohibit discrimination and harassment and violations of City's computer and telephone use policies.

3. Inability, inefficiency, carelessness, negligence or insubordination, including a refusal or failure to perform assigned work. Concealing defective work.
4. Habitual lateness for work. Absence without proper notification to immediate supervisor. Excessive absenteeism unrelated to an approved leave.
5. Conviction of a felony or a gross misdemeanor.
6. Unauthorized use of City position for personal gain or advantage. Accepting unlawful gratuities or bribes.
7. Unauthorized release of confidential information about the City, its customers, or its employees.
8. Theft or unauthorized removal or possession of property from the City, fellow employees, customers or anyone on City property. Misusing, destroying or damaging property of the City, a fellow employee, a customer, or a visitor.
9. Altering or falsifying any timekeeping record. Unauthorized recording or alteration of another employee's time record.
10. Misrepresenting information, situations or one's actions to a supervisor, City management or others in authority.
11. Misrepresentation or withholding of pertinent facts in securing employment. An individual who supplies false or misleading information to the City in the hiring process is subject to immediate termination, if hired, without regard to the length of time the employee has been employed by the City.
12. Intentional falsification of records/paperwork required in the transaction of City business.
13. Disorderly conduct, including fighting on the premises.
14. Bringing dangerous or unauthorized materials on City property or a job site, such as, but not limited to, explosives, firearms or other similar items.
15. Failure to observe safety practices, rules, regulations, and instructions. Negligence that results in injury to others. Failure to wear required safety clothing and equipment.

16. Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned. This includes the unauthorized use of another employee's computer password or email address.
17. Theft of mail, either paper or electronic, or unauthorized viewing of mail of the City or fellow employees.
18. Carelessness or negligence while performing work related duties.
19. Working unauthorized overtime.
20. Rudeness, discrimination, intimidation, coercion, use of obscene language or gestures or lack of courtesy to the customers, the public or fellow employees. Immoral conduct while on duty.
21. Making malicious, false or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the City, public officials and/or other employees, on or off premises.
22. Failure to promptly report to your immediate supervisor and the City Clerk/Treasurer an on-the-job injury or accident involving an employee, equipment, property, or visitor.
23. Failure to properly secure City facilities or property.

II POSSIBLE CORRECTIVE ACTIONS

- A.** In the event that corrective action is necessary, the following types of actions may be utilized:
 1. Oral Warning.
 2. Written Reprimand.
 3. Suspension
 4. Demotion.
 5. Termination.
- B.** The choice of corrective action is solely at the City's discretion. In many situations, it is not in the City's best interest to allow any serious safety issue or misconduct to recur and immediate termination may be

appropriate. Any documentation of the above disciplinary actions will be placed in the employee's personnel file once the information has been directly communicated by the supervisor to the employee. Information placed in the employee's personnel file is not subject to removal unless the civil service rules specifically include a provision to the contrary. Personnel records are intended to provide the City with a record of long-term and short-term performance issues and will normally not be subjected to modification by removal or destruction of performance related information.

- C. If the City terminates an employee for acts of dishonesty or criminal conduct, such as embezzlement, the City will actively pursue restitution and provide information to law enforcement authorities, when appropriate, in an effort to protect the public, or recover stolen property belonging to the City.

III LAYOFF

- A. The City of Tenino may lay off employees for lack of work, budgetary restrictions or other changes that have taken place.
- B. Temporary employees or employees who have not completed their trial period will be laid off before regular employees are affected.
- C. In determining who is to be laid off, consideration will be given to the individual performance and the qualifications required for the remaining jobs. Seniority may be considered when performance and qualifications are equal.
- D. Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified.

IV RESIGNATION

An employee should provide two (2) weeks notice of resignation. The employee's supervisor may waive this time limit.

V DEATH

Upon the death of an employee, all compensation due shall be paid to the surviving spouse or the estate of the employee.

A PROPOSED “TENINO CITY COUNCIL SHARED VISION”

WHO ARE WE AS A COMMUNITY?

Tenino is a friendly, authentic small town that is quickly evolving as a growing, healthy, sustainable, rural community.

We recognize that Tenino is best known for the quarry pool and our sandstone heritage and products.

We value Tenino’s

- Authentic small-town atmosphere
- Affordable housing options
- Emphasis on family and a family friendly environment

WHAT IS OUR SHARED VISION FOR THE FUTURE?

We envision a future with:

- More living wage jobs in our community
- Enhanced transportation and pedestrian investments
- More local consumers that are buying from more local businesses

Our biggest challenges to our shared vision are:

- Balancing expenditures (needs) and revenue (ability)
- An aging infrastructure
- Community resistance to change

We envision a local economy that is based on:

- Agricultural resources
- Clean/green energy
- Small scale industry and service and retail

HOW WILL WE ACT?

We are mindful that actions today shall not have negative impacts on

- Our small-town atmosphere
- Affordable housing and choices
- The ability to sustain our infrastructure requirements

PROPOSED “TENINO CITY COUNCIL NEXT STEPS”

HOW WILL WE ACHIEVE OUR SHARED VISION?

We recognize the need to immediately address:

- Water issues – usage and quality goals
- City Infrastructure –planning and replacement for aging items
- The Police Department – sustainable operations and employee opportunities

To achieve our vision for the future, we will work to increase investments in:

- The Police Department
- Our roads and sidewalks
- The water and sewer system
- The park in accordance with the master plan
- The Agricultural Innovation Park

We recognize the need to immediately plan for an Agricultural Innovation Park that does not include:

- Big box retailers
- Polluting industries or the use of toxic materials
- High noise levels or noxious odors
- Large scope and scale transportation impacts
- Low wage jobs or automated facilities

We will create an Agricultural Innovation Park that enables and includes:

- Educational opportunities and partnership with colleges
- Versatile, flexible, reconfigurable tenant space
- Test/lab facilities and gardens
- Food study/research center
- Agricultural processing facilities
- Businesses that provide living wage jobs
- Curbside appeal that contributes to local tourism activities
- Support local agriculture producers
- Stabilize agricultural land values in the face of development

**PROPOSED AGENDA ITEMS
TENINO CITY COUNCIL
YEARLY VISIONING SEMINAR**

March 16, 2019

City Legislative Agenda

Economic Development
Affordable Housing/Homelessness
Behavioral Health System
Environment
Public Works Trust Fund

Capital Budget Requests

Ag Park
City Hall
Streets/Sidewalks/Parking

City Hall Hours of Operation

Habitat Conservation Plan

Pursuit of Grants

RCO
CDBG
Heritage
Small Cities
CERB

Strong cities make a great state. Cities house 65 percent of the state's residents, drive its economy, and provide the most accessible government. The continued success of cities depends on adequate resources and community-based decision-making to best meet the needs of our residents. Preserving local decision-making continues to be one of our core principles.



Support economic development tools to encourage job creation and economic growth

Washington's cities need additional economic development tools that assist in maintaining, expanding, and modernizing local infrastructure to help spur local private sector investment. By supporting value capture financing, the Legislature can partner with cities and towns to advance our shared goals of building a robust and diverse economy for communities around the state.



Keep the Public Works Trust Fund in working order

Cities support ongoing investment in the various infrastructure funding programs sponsored by the state. In particular, the Public Works Trust Fund (PWTF) is a crucial funding partner in our efforts to provide the necessary infrastructure for our communities. We seek full funding for the Public Works Board's \$217 million budget, funded from the current stream of loan repayments and the 2 percent of REET dedicated to the account. Additionally, we look to strengthen the program by ending REET fund diversions from the account now instead of waiting until 2023.



Invest in affordable housing

Communities around the state are facing a housing affordability crisis. Cities support an ongoing \$200 million capital budget investment in the Housing Trust Fund, a \$20 million per year local government revenue sharing proposal, and \$1.5 million per year for reinvestment of the sales tax from the construction of multifamily development. In addition, cities support proposals that remove barriers to affordable housing, including voluntary density and infill development solutions, opportunities for creating shared housing, and addressing condominium liability to expand housing choices.



Fund a systems approach to correct fish-blocking culverts

AWC and state agency partners are focused on developing and funding a comprehensive statewide approach to fix salmon-blocking culverts. In order to achieve meaningful salmon and orca recovery, cities need ongoing and significant funding to upgrade city culverts. This critical investment will support fish passage by maximizing collaboration with the state's legal obligation to upgrade its culverts, while also addressing other critical needs like stormwater and water quality. Cities support creating a permanent framework to fund systemwide corrections that begins with fully funding the Fish Barrier Removal Board this biennium, including capacity for a grant program in the second half of the biennium. An effective framework also includes a commitment to future investment.



Provide responsive funding for the Criminal Justice Training Commission (CJTC)

Cities need a responsive funding model for the CJTC to ensure that newly-hired law enforcement officers and corrections officers have timely access to basic training. Cities seek funding for at least 19 Basic Law Enforcement Academy (BLEA) classes per year and at least seven Corrections Officer Academy classes per year in order to meet our public safety needs.



Address a failing behavioral health system

Cities are experiencing the ramifications of an overwhelmed mental health and drug abuse response system. The state needs to make investments sufficient to improve access to these systems and their success across the state. Cities will work with the state to pursue enhancements and reforms to the behavioral health delivery systems including engaging with mental health transformation proposals, the *Trueblood* settlement, making permanent the mental health co-responder program, and supporting comprehensive opioid response legislation.

Contact:

Candice Bock

Director of Government Relations
candiceb@awcnet.org • 360.753.4137



CITY OF TENINO

Commission/Committee Vacancy Application

(Please type or print clearly)

Name as registered: ERIN KONRADY

Physical Address: 173 HOWARD ST N, TENINO, WA. 98589

Mailing Address: PO BOX 1080, TENINO, WA. 98589

Home Phone: NA **Cell Phone:** (208) 660-3365

Email Address: ERIN.KONRADY@GMAIL.COM

How long at Residence: 9 MONTHS **Best time to contact:** ANY

Personal Information (optional):

List any prior experience as an appointed or elected official:
 NONE

List any applicable work experience:
 NONE

List any experience working with municipal budgets:
 NONE

Please list three (3) references:

Name: ROCHELLE ANDRAKE
Address: 7409 HENDERSON CT SE, TUMWATER, WA. 98501
Contact Number: (360) 791-5693

Name: JAY OSTRANDER
Address: 511 S SULLIVAN #335, SPOKANE VALLEY, WA. 99037
Contact Number: (509) 590-5923

Name: MARIA COOK

Address: 1225 18TH AVE SE, OLYMPIA, WA. 98501

Contact Number: (360) 704-0654

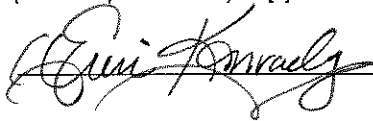
Commission and committee members make recommendations and decisions that affect the entire community.

- 1.) Do you foresee possible conflicts of interest with any of your current employment or civic positions? Yes *(Please explain on back)* No

- 2.) When making recommendations and decisions do you feel you could be impartial and base your decision on the overall need and benefit of the Community? Yes No *(Please explain on back)*

- 3.) Are there any days or evenings you are unavailable to meet?
 Yes *(Please explain on back)* No

Signature:



Date: 01/15/2019

Please return completed form and any additional information to:
City of Tenino – Attn: City Clerk, 149 Hodgden St South, P.O. Box 4019, Tenino, WA 98589
For more information please call (360) 264-2368

City of Tenino
Commissions/Committee
Vacancy Application

Question #3 continued...

My standard working hours are Monday through Friday, 8:00am – 5:00pm, with various and frequent weekday travel. There isn't a particular evening that I am not available, although, there will be times I am out of town for work for several days and that would interfere with my availability. I am applying for the Planning Commission Vacancy, and at this point there is no conflict with the scheduled meetings over the next several months.

Requirements:

All commission or committee members must be a registered voter in the State of Washington in accordance with the Revised Code of Washington (RCW), section 42.04

Some commission or committee members must be residents of the City of Tenino, while some commission or committee members may not be Tenino residents, but must reside within the Tenino School District, and some commission or committee members need not meet any residency requirement. The vacancy announcement will specify which requirement applies to the position being advertised.

Commitment:

- **Commissions: One regular meeting per month; special meetings upon proper notice by the Commission Chair**
- **Committees:**
 - **All except the FIGR: One regular meeting per quarter; special meetings upon proper notice by the Committee Chair**
 - **FIGR: Upon proper notice by the committee chair**



FROM
 Keith Welch
 Ategan Technologies, LLC
 4405 7th Ave SE Suite 303
 www.ategan.com
 PHONE
 3605283426

FOR
 City of Tenino
 TO
 John Millard
 EMAIL
 clerktreasurer@ci.tenino.wa.us

QUOTE NUMBER
 50004
 DATE
 January 16, 2019
 VALID UNTIL
 February 15, 2019 at 9:05am

Hardware & Software Quote

NDXNV Hardware		1,304.99
		x 1
Dell Latitude 5590 15.6" LCD Notebook		1,304.99
D6000		196.55
		x 1
Dell Universal Dock - D6000		196.55
Services		200.00
		x 1
Computer Replacement - Prep, configure, migrate data		200.00
PC Recycle Recycle		100.00
		x 1
Recycle old pc and wipe hard drive.		100.00
Software		
	Subtotal	1,801.54
	Tax 8.9%	160.33
	Total including tax	\$1,961.87

City Council Meeting
Tuesday, January 08, 2019

Minutes

WORK SESSION

WORK SESSION Convened at 6:30 pm

PRESENT

Councilmember Linda Gotovac
Councilmember Dave Watterson
Councilmember John O'Callahan
Councilmember Jason Lawton

1. The City has initiated the process to update several items in our Municipal Code in order to ease the burden on both Residents and Developers with respect to gaining approval for various land use issues.

One item is creating the ability to "undo" a lot combination in very specific situations. What the Administration proposes is the addition of a new code provision that would allow a lot that had been previously combined to revert back to the original, separate, lots when there has been no change of actual conditions on the ground and the lot was combined by the immediately preceding landowner. This action would not be available if any conditions on the ground would not have been permitted had the lots remained segregated, nor would the action be available if the immediately preceding landowner had not been the one to initiate the action that combined the lots.

The other item is a change to the allowed uses table for properties zoned Public/Semi Public that would permit the types of activities envisioned to occur at the Southwest Washington Agriculture and Innovation Park.

2. The Tenino Farmer's Market has submitted their Special Events Permit request for the 2019 season.

They are requesting a waiver of all fees and deposits.

3. The last complete update to the City's Personnel Policy Manual was undertaken in December of 2008. There have been several Resolutions since then that have not been incorporated into the Policy Manual and there have been major revisions to several Employment Law statutes in the last two years.

Accordingly, the Administration would like the Council to consider adopting a completely revised Personnel Policy Manual, attached below.

4. Ms. Rachel Davidson has submitted her application to fill the Position #5 seat vacated by Susan Copeland.

The Administration has reviewed her application, interviewed her, and desires Council Confirmation of appointment.

5. Mayor Fournier has prepared this year's roster of Committee/Commission/Liaison assignments for Council approval.

CALL TO ORDER

CALL TO ORDER Convened at 730 pm

PRESENT

Councilmember Linda Gotovac
Councilmember Dave Watterson
Councilmember John O'Callahan
Councilmember Jason Lawton

AGENDA APPROVAL

AGENDA APPROVAL

Added to New Business: City Hall Renovation Bid

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan,
Councilmember Lawton

APPROVAL OF MINUTES

APPROVAL OF MINUTES

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan,
Councilmember Lawton

6. **Recommended Action:** Move to approve the Regular Meeting Minutes for December 11, 2018 as presented.

Recommended Action: Move to approve the Regular Meeting Minutes for December 11, 2018 as presented.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan,

Councilmember Lawton

CONSENT CALENDAR

7. Consent Calendar for the period December 12, 2018 through December 21, 2108, consisting of Payroll EFT's in the amount of \$20,360.74 and Claims Checks #27842 through #27869 in the amount of \$27,094.19 for a grand total of \$47,454.93

Recommended Action: Move to approve Vouchers #27842 through #27869 and EFT's in the total amount of \$47,454.93

Consent Calendar for the period December 12, 2018 through December 21, 2108, consisting of Payroll EFT's in the amount of \$20,360.74 and Claims Checks #27842 through #27869 in the amount of \$27,094.19 for a grand total of \$47,454.93

Recommended Action: Move to approve Vouchers #27842 through #27869 and EFT's in the total amount of \$47,454.93

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac.
Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton

8. Consent Calendar for the period December 22, 2018 through January 8, 2019, consisting of Payroll EFT's in the amount of \$32,690.86 and Claims Checks #27877 through #27918 in the amount of \$190,536.25 for a grand total of \$223,227.11

Recommended Action: Move to approve Vouchers #27877 through #27918 and EFT's in the total amount of \$223,227.11

Consent Calendar for the period December 22, 2018 through January 8, 2019, consisting of Payroll EFT's in the amount of \$32,690.86 and Claims Checks #27877 through #27918 in the amount of \$190,536.25 for a grand total of \$223,227.11

Recommended Action: Move to approve Vouchers #27877 through #27918 and EFT's in the total amount of \$223,227.11

Motion made by Councilmember O'Callahan, Seconded by Councilmember Lawton.
Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton

9. None

None

EXECUTIVE SESSION

PRESENTATIONS

10. Ms. Rachel Davidson is presenting herself to Council for the purpose of confirming her appointment to fill the unexpired term of office for City Council Position #5.

Ms. Rachel Davidson is presenting herself to Council for the purpose of confirming her appointment to fill the unexpired term of office for City Council Position #5.

Mayor Fournier performed the oath of office to Rachel Davidson.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Gotovac.
Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton

PUBLIC COMMENTS

PUBLIC COMMENTS Vern Roy Virgil St. Requested to know he was put in cuffs and police car. Mayor Fournier advised this was not the time to discuss this he could make an appointment to meet with the Chief and Mayor regarding the incident.

PUBLIC HEARING

PUBLIC HEARING

Mayor Fournier introduced Clerk/Treasurer Millard to explain to reason for the text amendment and public hearing.

11. The City has initiated the process to update several items in our Municipal Code in order to ease the burden on both Residents and Developers with respect to gaining approval for various land use issues.

One item is creating the ability to "undo" a lot combination in very specific situations. What the Administration proposes is the addition of a new code provision that would allow a lot that had been previously combined to revert back to the original, separate, lots when there has been no change of actual conditions on the ground and the lot was combined by the immediately preceding landowner. This action would not be available if any conditions on the ground would not have been permitted had the lots remained segregated, nor would the action be available if the immediately preceding landowner had not been the one to initiate the action that combined the lots.

The other item is a change to the allowed uses table for properties zoned Public/Semi Public that would permit the types of activities envisioned to occur at the Southwest Washington Agriculture and Innovation Park.

Mayor Fournier opened the Public Hearing at 7:45 pm and C/T Millard read portions of the Staff Action Report into the record.

Commissioner Leslie Lamb, in his private capacity, asked how long the ability to vacate a Lot Combination would exist. C/T Millard answered that the length of time was not the measure, but rather who, in the order of succession of ownership would determine for how long the provision to vacate would be available. As written, the vacation would only be available to the immediately subsequent owner in due course.

Councilmember Linda Gotovac commented that she would prefer the vacation provision be available to any owner in due course, to which Councilmember Watterson agreed.

The Public Hearing was closed at 8:00 pm. The next Public Hearing will occur during the January 22nd Regular Meeting of the Tenino City Council.

PROCLAMATIONS

OLD BUSINESS

OLD BUSINESS

Added during Agenda Approval: City Hall Renovation Architectural Report Preparation

The City Engineer has provided a proposed Scope of Work to prepare an Architectural Report for the purpose of determining the scope and probable costs associated with the renovation of City Hall

12. The Tenino Farmer's Market has submitted their Special Events Permit request for the 2019 season.

They are requesting a waiver of all fees and deposits.

The Tenino Farmer's Market has submitted their Special Events Permit request for the 2019 season.

They are requesting a waiver of all fees and deposits.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Watterson.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton

13. Each January, the Council votes to select a Mayor Pro Tempore from among their number in the event Mayor Fournier is unavailable. Also each January, the Council votes to accept or reject Mayoral recommendations for Committee/Commission/Liaison assignments.

Recommended action: Move to nominate Councilmember _____ to serve as Mayor Pro Tempore, when required, and to approve the Committee/Commission/Liaison assignments as submitted (or as modified.)

Each January, the Council votes to select a Mayor Pro Tempore from among their number in the event Mayor Fournier is unavailable. Also each January, the Council votes to accept or reject Mayoral recommendations for Committee/Commission/Liaison assignments.

Recommended action: Move to nominate Councilmember David Watterson to serve as Mayor Pro Tempore, when required, and to approve the Committee/Commission/Liaison assignments as submitted, but with the addition of the FIGR Committee with Councilmember Gotovac as the Primary Liaison and the addition of S.T.E.D.I. with Councilmember O'Callahan as the Primary Liaison.

Motion made by Councilmember O'Callahan, Seconded by Councilmember Watterson.

Voting Yea: Councilmember Gotovac, Councilmember Watterson, Councilmember O'Callahan, Councilmember Lawton

NEW BUSINESS

NEW BUSINESS

Scope of Work for City Hall: Mayor Fournier read into record the scope of work by the engineer.

RESOLUTIONS

ORDINANCES

REPORTS

14. 1) Chamber of Commerce
- 2) Economic Development Council (EDC)
- 3) Experience Olympia & Beyond (VCB)
- 4) Fire District
- 5) Library
- 6) Museum
- 1) Chamber of Commerce
- 2) Economic Development Council (EDC)
- 3) Experience Olympia & Beyond (VCB)
- 4) Fire District
- 5) Library

6) Museum: John O'Callahan reported that they should have their money within the next couple of weeks. He also will be stepping down as the President but will still be involved with the group.

15. 1) Chief of Police

2) Director of Public Works

3) City Planner / Building Official

4) City Attorney

5) Clerk/Treasurer

6) Mayor

1) Chief of Police: Chief reported he would be presenting with Mayor and Council with a 2018 year end report of the last 6 months. He has 2 possible reserves in the final phase of training. He will be opening a Reserve Police Academy here in Tenino in the near future with little or no cost to the City. They will be starting their next Citizens academy in May. He is on the board for the LEXIPOL policy manual as asked by WASPIC. The wrap for the school car will begin next week. He is working with John O'Callahan to start the school enforcement soon. He updated Mayor and Council on the assault DV that happened in December.

2) Director of Public Works: Attached a report

3) City Planner / Building Official

4) City Attorney

5) Clerk/Treasurer: Attached a report.

6) Mayor: Attended the monthly Mayor's forum in Lacey which included discussion of the homeless. He attended a meeting of the TC Chamber and in doing so found they did not invite Tenino, Rainier, and Bucoda to be part of a committee regarding Thurston County.

16. 1) Civil Service Commission

2) Park Commission

3) Planning Commission

4) Facade Improvement Grant Review Committee

5) Finance Committee

6) Public Safety Committee

1) Civil Service Commission: Commissioner Lamb reported they will be having their first meeting for 2019 on Thursday the 10th.

2) Park Commission

3) Planning Commission: Meeting on 1/9/19

4) Facade Improvement Grant Review Committee: Councilmember Gotovac reported the 2018 grants and reimbursements are all complete.

5) Finance Committee

6) Public Safety Committee

17. 1) Bucoda/Tenino Healthy Action Team (BTHAT)

2) Community Investment Partnership (CIP)

3) Solid Waste Advisory Board

4) TCOMM/911

5) Tenino School Board

6) Thurston Regional Planning Council (TRPC)

7) Transportation Policy Board

1) Bucoda/Tenino Healthy Action Team (BTHAT)

2) Community Investment Partnership (CIP): Councilmember O'Callahan reported George Sharp pulled him aside after the meeting to advise him that the Creative Arts District is moving along.

3) Solid Waste Advisory Board: Councilmember Watterson reported the last meeting consisted of discussing the recycling problems with China not accepting any further recycling products. The current recycle process is none and all is going into the regular garbage.

4) TCOMM/911

5) Tenino School Board

6) Thurston Regional Planning Council (TRPC): Councilmember Watterson reported they will be having their bi-annual retreat soon and if anyone has any issues they would like brought up please let him know as he is on the board.

7) Transportation Policy Board

PUBLIC COMMENTS 2

PUBLIC COMMENTS 2

None

ADJOURNMENT

ADJOURNMENT 8:17 pm

CHECK REGISTER

City Of Tenino
MCAG #: 0757

12/31/2018 To: 12/31/2018

Time: 14:30:46 Date: 01/22/2019
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3340	12/31/2018	Claims	5	27920	NW Hydroseeding, LLC	1,122.16	
3341	12/31/2018	Claims	5	27921	Uline	4,616.33	
						5,738.49	
310 Municipal Capital Imp Fund 310						5,738.49	
						<u>5,738.49</u>	Claims: 5,738.49
						5,738.49	

WE, the members of the City Council of the City of Tenino, Thurston County, Washington, DO HEREBY certify that the merchandise or services listed above have been received and that the above listed vouchers and the related checks have been reviewed and approved for payment by the Tenino City Council.

DATED this _____ day of _____ 2018.

Clerk/Treasurer

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

CHECK REGISTER

City Of Tenino
MCAG #: 0757

01/09/2019 To: 01/31/2019

Time: 14:24:25 Date: 01/22/2019
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
107	01/09/2019	Payroll	5	EFT	AWC Benefits Trust	9,126.01	Pay Cycle(s) 12/20/2018 To 01/05/2019 - AWC Disability; Pay Cycle(s) 12/20/2018 To 01/05/2019 - AWC
108	01/09/2019	Payroll	5	EFT	Dept Retirement Systems	200.00	Pay Cycle(s) 12/20/2018 To 01/05/2019 - Deffered Comp
109	01/09/2019	Payroll	5	EFT	Dept Retirement Systems	9,622.74	Pay Cycle(s) 12/20/2018 To 01/05/2019 - Unique; Pay Cycle(s) 12/20/2018 To 01/05/2019 - LEOFF II; Pay Cycle(s) 12/20/2018 To 01/05/2019 - PERS II
169	01/20/2019	Payroll	5	EFT	Tyler J Baker	1,401.95	
170	01/20/2019	Payroll	5	EFT	Veronica A Barnes	1,500.44	
171	01/20/2019	Payroll	5	EFT	Jack W Burnham	825.34	
172	01/20/2019	Payroll	5	EFT	Troy LK Cannon	1,797.42	
173	01/20/2019	Payroll	5	EFT	Brent L Gibbs	1,349.27	
174	01/20/2019	Payroll	5	EFT	John C Millard	1,773.28	
175	01/20/2019	Payroll	5	EFT	Denise C Nelson	1,516.97	
176	01/20/2019	Payroll	5	EFT	Jason M Plaja	1,429.18	
177	01/20/2019	Payroll	5	EFT	Maria Rodriguez	1,221.16	
178	01/20/2019	Payroll	5	EFT	Seth D Sharp	1,740.52	
179	01/20/2019	Payroll	5	EFT	Robert Swain	1,708.27	
180	01/16/2019	Payroll	5	EFT	Timberland Bank	5,262.09	941 Deposit for Pay Cycle(s) 04/01/2019 - 04/30/2019
226	01/22/2019	Claims	5	27922	Chehalis Steel Company, Inc	74.99	
227	01/22/2019	Claims	5	27923	Chehalis Tribal Jail	260.00	
228	01/22/2019	Claims	5	27924	Comcast	370.30	
229	01/22/2019	Claims	5	27925	DPI Legal & Classified Publishing	62.64	
230	01/22/2019	Claims	5	27926	Dragon Analytical Laboratory	938.00	
231	01/22/2019	Claims	5	27927	Environmental Resource Assoc	797.40	
232	01/22/2019	Claims	5	27928	Evergreen Rural Water	355.20	
233	01/22/2019	Claims	5	27929	Sam Garcia	174.22	
234	01/22/2019	Claims	5	27930	Gibbs & Olson Inc	1,217.84	
235	01/22/2019	Claims	5	27931	H D Fowler Co	5,223.98	
236	01/22/2019	Claims	5	27932	LN Curtis and sons	244.14	
237	01/22/2019	Claims	5	27933	Lewis County Chemical	447.30	
238	01/22/2019	Claims	5	27934	Lexipol, LLC	7,075.00	
239	01/22/2019	Claims	5	27935	Mountain Mist Water	53.01	
240	01/22/2019	Claims	5	27936	Northstar Chemical, Inc	672.01	
241	01/22/2019	Claims	5	27937	Diana J. Ortiz	100.00	
242	01/22/2019	Claims	5	27938	Puget Sound Energy	3,206.80	
243	01/22/2019	Claims	5	27939	Quill	108.97	
244	01/22/2019	Claims	5	27940	Retail Lockbox Merchant Services, LLC	70.00	
245	01/22/2019	Claims	5	27941	Seth D Sharp	60.27	
246	01/22/2019	Claims	5	27942	John Stines	147.31	
247	01/22/2019	Claims	5	27943	TRPC	1,832.00	
248	01/22/2019	Claims	5	27944	Take Aim	1,082.01	
249	01/22/2019	Claims	5	27945	Tenino Marketfresh	233.70	
250	01/22/2019	Claims	5	27946	Thurston Co Public Health & Social Serv	216.00	
251	01/22/2019	Claims	5	27947	Thurston Co Sheriff	234.22	
252	01/22/2019	Claims	5	27948	Thurston County Central Services Dept	86.32	
253	01/22/2019	Claims	5	27949	USA BlueBook	220.40	
254	01/22/2019	Claims	5	27950	Utilities Underground Location	1.54	
255	01/22/2019	Claims	5	27951	Verizon Wireless (Cell)	751.22	
256	01/22/2019	Claims	5	27952	WASPC	60.00	
257	01/22/2019	Claims	5	27953	Wells Fargo Vendor Fin Serv	521.99	
258	01/22/2019	Claims	5	27954	Wilson Parts Corporation	84.74	

CHECK REGISTER

City Of Tenino
MCAG #: 0757

01/09/2019 To: 01/31/2019

Time: 14:24:25 Date: 01/22/2019
Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
259	01/22/2019	Claims	5	27955	Zumar Industries	279.87	
		001 General Government Fund #001				41,018.42	
		002 Quarry Pool Fund #002				12.50	
		101 City Street Fund #101				3,855.39	
		401 Water Fund				8,306.04	
		402 Water Capital Imp Fund				1,481.28	
		410 Sewer Fund				13,064.40	
						<hr/>	
						67,738.03	Claims: 27,263.39 Payroll: 40,474.64

WE, the members of the City Council of the City of Tenino, Thurston County, Washington, DO HEREBY certify that the merchandise or services listed above have been received and that the above listed vouchers and the related checks have been reviewed and approved for payment by the Tenino City Council.

DATED this _____ day of _____ 2018.

Clerk/Treasurer

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember



CITY OF TENINO

Commission/Committee Vacancy Application

(Please type or print clearly)

Name as registered: ERIN KONRADY

Physical Address: 173 HOWARD ST N, TENINO, WA. 98589

Mailing Address: PO BOX 1080, TENINO, WA. 98589

Home Phone: NA **Cell Phone:** (208) 660-3365

Email Address: ERIN.KONRADY@GMAIL.COM

How long at Residence: 9 MONTHS **Best time to contact:** ANY

Personal Information (optional):

List any prior experience as an appointed or elected official:
NONE

List any applicable work experience:
NONE

List any experience working with municipal budgets:
NONE

Please list three (3) references:

Name: ROCHELLE ANDRAKE
Address: 7409 HENDERSON CT SE, TUMWATER, WA. 98501
Contact Number: (360) 791-5693

Name: JAY OSTRANDER
Address: 511 S SULLIVAN #335, SPOKANE VALLEY, WA. 99037
Contact Number: (509) 590-5923

Name: MARIA COOK

Address: 1225 18TH AVE SE, OLYMPIA, WA. 98501

Contact Number: (360) 704-0654

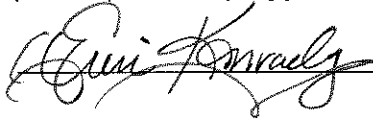
Commission and committee members make recommendations and decisions that affect the entire community.

- 1.) Do you foresee possible conflicts of interest with any of your current employment or civic positions? Yes *(Please explain on back)* No

- 2.) When making recommendations and decisions do you feel you could be impartial and base your decision on the overall need and benefit of the Community? Yes No *(Please explain on back)*

- 3.) Are there any days or evenings you are unavailable to meet?
 Yes *(Please explain on back)* No

Signature:



Date: 01/15/2019

Please return completed form and any additional information to:
City of Tenino – Attn: City Clerk, 149 Hodgden St South, P.O. Box 4019, Tenino, WA 98589
For more information please call (360) 264-2368

City of Tenino
Commissions/Committee
Vacancy Application

Question #3 continued...

My standard working hours are Monday through Friday, 8:00am – 5:00pm, with various and frequent weekday travel. There isn't a particular evening that I am not available, although, there will be times I am out of town for work for several days and that would interfere with my availability. I am applying for the Planning Commission Vacancy, and at this point there is no conflict with the scheduled meetings over the next several months.

Requirements:

All commission or committee members must be a registered voter in the State of Washington in accordance with the Revised Code of Washington (RCW), section 42.04

Some commission or committee members must be residents of the City of Tenino, while some commission or committee members may not be Tenino residents, but must reside within the Tenino School District, and some commission or committee members need not meet any residency requirement. The vacancy announcement will specify which requirement applies to the position being advertised.

Commitment:

- **Commissions: One regular meeting per month; special meetings upon proper notice by the Commission Chair**
- **Committees:**
 - **All except the FIGR: One regular meeting per quarter; special meetings upon proper notice by the Committee Chair**
 - **FIGR: Upon proper notice by the committee chair**

**TEXT AMENDMENT
Amending TMC 114.100
2019-001**

**STAFF REPORT: John Millard
November 27, 2018**

APPLICANT: City of Tenino

REQUEST: Text Amendment approval, pursuant to Section 100.60.010, Development Code Amendments and Section 100.40.120, Process V, Legislative Review, of the Tenino Municipal Code to amend Chapter 114.100 (Lot Combinations) to add a new Section to be numbered 114.100.040 and titled Lot Split, and to amend the Use Schedule, TMC 108.40.010, to allow agricultural uses in areas currently zoned Public/Semi-Public with an Administrative Use Permit issued by the City.

SUGGESTED MOTION

Move to approve Text Amendment 2019-001, finding that the proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; bears a substantial relationship to the welfare of the public; and is in the best interest of the residents of the city.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Text Amendment 2019-001 based upon finding the request is consistent with the applicable provisions of the Comprehensive Plan; does bear a substantial relationship to the welfare of the public; and is in the best interest of the residents of the city.

BACKGROUND

Chapter 114.100, Lot Combinations, of the Tenino Municipal Code allows for the economical combining of two or more properties into one lot and provides the mechanism for doing so. While there are other reasons, oftentimes, a land owner will use this ability in order to create a single, buildable parcel out of several smaller parcels that zoning restrictions would otherwise prohibit the desired use. While this ability has many applications, sometimes a property owner in due course would prefer, for any number of reasons, to split the combined lot and revert back to the prior parcel descriptions. At present, the

only way to “undo” a lot combination is via the sub-division process as set forth in Title 114 of the Tenino Municipal Code and that process is both time-consuming and costly.

The current Use Schedule does not allow for agricultural uses on land zoned Public/Semi-Public. The vision for the SW Washington Agriculture and Innovation Park does include some agricultural processes (such as preserving and packaging locally grown produce, meat, and dairy products) and the only place within the City Limits with enough space to consider these types of activities is on the parcel of land currently occupied by the City’s Wastewater Treatment Plant. While some agricultural uses would not be approved (a fixed slaughterhouse facility, for example) some light agricultural uses are actually very compatible...complementary, in fact....and should be allowed with proper precautions.

PROPOSAL

As authorized by TMC 100.40.120 E (2), The City proposes to amend TMC 114.100 by adding a new subsection that would allow the first subsequent owner in due course to split the property along the original parcel divisions without recourse to the subdivision process. Instead, the new subsection would provide for a one-time reversion to the original sub-divided parcels provided that the full legal description for each constituent part of the lot previously combined parcel was available and valid so as to restore each parcel that had been combined to exactly the same dimensions as each parcel had prior to the combination having been formed.

It is also proposed to amend the Schedule of Uses to allow some agricultural uses on land currently zoned Public/Semi-Public, with an Administrative Use Permit issued by the City.

KEY ISSUES

This amendment is desired because the City has received requests to “undo” prior Lot Combinations and at present, the only way a single parcel may be subdivided is to pursue a subdivision using one of the processes for subdividing property currently required by the Tenino Municipal Code.

In cases where a single parcel was formed using the Lot Combination Process, the subdivision process could be greatly expedited and could be done at less cost because the survey data for the previous lots would be readily available. If that data could be applied without having recourse to an encumbrance of any sort, it would be greatly to the advantage of the property owner and any potential additional property owners, if the lots could be segregated.

Having additional buildable lots would be a benefit to the City in that the City would realize additional revenues via additional Ad Valorem taxes. Connection of additional properties to the City’s water and sewer systems would help spread the cost of amortizing those systems across additional subscribers, thereby lowering utility rates.

One possible unintended consequence, should the proposed text amendment be adopted, is that subdivision of a combined lot could lead to fewer buildable lots, although the risk of this could be

mitigated by an additional proviso in the proposed Text Amendment that would preclude a reversion to the prior state of affairs should such a subdivision result in fewer buildable parcels

As to the Schedule of Uses, any agricultural use on lands zoned Public/Semi-Public are not allowed. As it exists today, some agricultural practices currently in progress at Tenino High School could be viewed as an unauthorized use. Amending the schedule to authorize certain agricultural activities would preclude any allegation of improper use and prevent any such unauthorized use at the soon-to-be-constructed Agriculture and Innovation Park.

SEPA REVIEW

Despite the fact that this Text Amendment meets the Categorical Exemption as outlined in WAC 197-11-800 para 19(b), staff provided and reviewed an environmental checklist to evaluate the impact this proposal will have on the environment. Based on the information contained in the checklist, the Clerk/Treasurer issued a Determination of Nonsignificance (DNS) on December 26, 2018.

The DNS, review memo, and the checklist have been made available to the public and other agencies having jurisdiction. As of the writing of this staff report, no comments have been received in reference to the DNS.

LEGAL NOTICE AND PUBLIC COMMENT

Legal notice of this request will be advertised in the Tenino Independent on January 9, 2019 and again on January 23, 2019, 20 days prior to the Public Hearing scheduled for January 22, 2019. As of the writing of this staff report, no comments have been received from the public, and all noticing requirements have been met.

FINDINGS FOR APPROVAL OF A LEGISLATIVE DECISION

The city may amend the text of this chapter or other development regulation only if it finds that:

1a. The proposed amendment is consistent with the applicable provisions of the comprehensive plan;

The standard is met. The proposed text amendment would not detract from the character of existing single-family development. Land Use Goal LU 2. The splitting of a formerly combined lot would respectfully include new housing units within existing single-family residential neighborhoods.

1b. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
The standard is met. The proposed text amendment improves the ability of landowners within the City to allow for productive use of property that would otherwise not be buildable. The increased density thus created would allow more homes to be connected to the City’s water and sewer utilities, thereby

spreading the cost of amortization across a wider base. The provision of safe drinking water and the sanitary disposal of human waste is a definite increase to the public health and safety.

1c. The proposed amendment is in the best interest of the residents of the city.

The standard is met. As explained in item 1b, above, the ability to spread the costs of amortization of the City’s water and sewer utilities is in the best interests of the residents of the city. Likewise, provision of safe drinking water and the sanitary disposal of human waste supports the City’s Land Use Goal LU 1 in that allowing lot splits would facilitate the building of excellent neighborhoods throughout Tenino.

2a. The proposed amendment is consistent with the applicable provisions of the comprehensive plan;

The standard is met. The proposed text amendment would not detract from the character of existing P/PS land uses. Natural Resources Goal NR 12. The allowing certain agricultural uses within West Tenino balances the preservation of prairie habitat with commercial and residential development.

2b. The proposed amendment bears a substantial relation to public health, safety, or welfare; and

The standard is met. The City Council, in its seminal 2018 “Shared Vision” document, articulates economic development as the most important element of the City of Tenino’s planning under the State’s Growth Management Act. Amending the Schedule of Uses brings the Council’s shared vision more in line with reality.

2c. The proposed amendment is in the best interest of the residents of the city.

The standard is met. As explained in item 2b, above, the ability to bring complementary uses together to achieve the City’s goals is, by definition, in the best interests of the residents of the City.

ATTACHMENTS

Attachment 1 – SEPA documentation

Attachment 2 – Noticing and Public Comment (TBP)

City of Tenino

STATE ENVIRONMENTAL POLICY ACT

Determination of NonSignificance

December 26, 2019

Lead agency: City of Tenino

Agency Contact: John Millard, Clerk/Treasurer/(360) 264-2368, clerktreasurer@ci.tenino.wa.us

Agency File Number: Tenino TA-2019-001

Description of proposal – Text Amendment to allow for the restoration of a lot previously combined under Tenino Municipal Code § 114.100

Location of proposal – Not applicable.

City of Tenino, Tenino City Council, (360) 264-2368, clerktreasurer@ci.tenino.wa.us

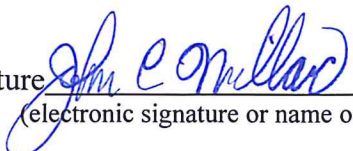
We have reviewed the attached Environmental Checklist and the Lead Agency has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c) because there will be no environmental impact. This information is available at: www.CityofTenino.us

This determination is based on the following findings and conclusions:

Proposed Text Amendment would only be available in very limited circumstances and would not result in any activity being permitted (or prohibited) if such activities were not otherwise in accordance with existing land use regulations.

This DNS is issued under WAC 197-11-340(2) and the comment period will end on January 22nd, 2019.

John C. Millard, Clerk/Treasurer, (360) 264-2368, PO Box 4019, Tenino, WA 98589, clerktreasurer@ci.tenino.wa.us:

Signature  Date 27 Dec 18
(electronic signature or name of signor is sufficient)

Appeal process: This DNS is issued under WAC 197-11-340; the lead agency will not act on this proposal for 14 days from the date above. Comments and/or appeals must be submitted by Tuesday, January 22, 2019, to the address above.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: Tenino Text Amendment TA 2019-001
2. Name of applicant: City of Tenino

3. Address and phone number of applicant and contact person: 149 Hodgden Street S, Tenino, WA 98589 (360) 264-2368

4. Date checklist prepared: December 26, 2018

5. Agency requesting checklist: City of Tenino

6. Proposed timing or schedule (including phasing, if applicable): Public Comment period closes on January 22, 2019.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No

10. List any government approvals or permits that will be needed for your proposal, if known.

N/A

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Text Amendment Tenino TA 2019-001 would provide for the vacation of a lot combination under very specific circumstances. The amendment would also change the City's Schedule of Allowed Uses to provide for agricultural uses on property zoned Public/Semi-Public with an Administrative Use Permit approved by the City.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

N/A

B. Environmental Elements

1. Earth

- a. General description of the site: Not Applicable

- b. What is the steepest slope on the site (approximate percent slope)? Not Applicable.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Not Applicable

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. Not Applicable

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. Not Applicable.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Not Applicable.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Not Applicable

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Not Applicable.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Not Applicable.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. Not Applicable.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: Not Applicable.

3. Water

- a. Surface Water:
 - 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. Not Applicable.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. Not Applicable.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. Not Applicable.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. Not Applicable.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Not Applicable.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. Not Applicable.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. Not Applicable.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. Not Applicable.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. Not Applicable.
- 2) Could waste materials enter ground or surface waters? If so, generally describe.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

4. Plants

a. Check the types of vegetation found on the site:

- ___deciduous tree: alder, maple, aspen, other
- ___evergreen tree: fir, cedar, pine, other
- ___shrubs
- ___grass

- ___ pasture
- ___ crop or grain
- ___ Orchards, vineyards or other permanent crops.
- ___ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ___ water plants: water lily, eelgrass, milfoil, other
- ___ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? Not Applicable.
- c. List threatened and endangered species known to be on or near the site. Not Applicable
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Not Applicable.
- e. List all noxious weeds and invasive species known to be on or near the site. Not Applicable.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Not Applicable.

Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. Not Applicable.
- c. Is the site part of a migration route? If so, explain. Not Applicable.
- d. Proposed measures to preserve or enhance wildlife, if any: Not Applicable.
- e. List any invasive animal species known to be on or near the site. Not Applicable.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. Not Applicable.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. Not Applicable.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: Not Applicable.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses. Not Applicable.
- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. Not Applicable.
- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Not Applicable.
- 4) Describe special emergency services that might be required. Not Applicable.
- 5) Proposed measures to reduce or control environmental health hazards, if any: Not Applicable.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? Not Applicable.
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. Not Applicable.
- 3) Proposed measures to reduce or control noise impacts, if any: Not Applicable.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. Not Applicable.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? Not Applicable.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: Not Applicable.

- c. Describe any structures on the site. Not Applicable.
- d. Will any structures be demolished? If so, what? Not Applicable.
- e. What is the current zoning classification of the site? Not Applicable.
- f. What is the current comprehensive plan designation of the site? Not Applicable.
- g. If applicable, what is the current shoreline master program designation of the site? Not Applicable.
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. Not Applicable.
- i. Approximately how many people would reside or work in the completed project? Not Applicable.
- j. Approximately how many people would the completed project displace? Not Applicable.
- k. Proposed measures to avoid or reduce displacement impacts, if any: Not Applicable.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Not Applicable.
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: Not Applicable.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Not Applicable.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. Not Applicable.
- c. Proposed measures to reduce or control housing impacts, if any: Not Applicable.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Not Applicable.
- b. What views in the immediate vicinity would be altered or obstructed? Not Applicable.
- b. Proposed measures to reduce or control aesthetic impacts, if any: Not Applicable.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Not Applicable.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? Not Applicable.
- c. What existing off-site sources of light or glare may affect your proposal? Not Applicable.
- d. Proposed measures to reduce or control light and glare impacts, if any: Not Applicable.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? Not Applicable.
- b. Would the proposed project displace any existing recreational uses? If so, describe. Not Applicable.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: Not Applicable.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe. Not Applicable.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. Not Applicable.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Not Applicable.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. Not Applicable.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. Not Applicable.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? Not Applicable.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Not Applicable.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). Not Applicable.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. Not Applicable.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? Not Applicable.
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. Not Applicable.
- h. Proposed measures to reduce or control transportation impacts, if any: Not Applicable.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. Not Applicable.
- b. Proposed measures to reduce or control direct impacts on public services, if any. Not Applicable.

16. Utilities

- a. Circle utilities currently available at the site:
 electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
 other _____ Not Applicable.
- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. Not Applicable.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: John C. Millard

Position and Agency/Organization: Clerk/Treasurer

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? None

Proposed measures to avoid or reduce such increases are: Not Applicable.

2. How would the proposal be likely to affect plants, animals, fish, or marine life? None.

Proposed measures to protect or conserve plants, animals, fish, or marine life are: Not Applicable

3. How would the proposal be likely to deplete energy or natural resources? None

Proposed measures to protect or conserve energy and natural resources are: Not Applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? None

Proposed measures to protect such resources or to avoid or reduce impacts are: Not Applicable

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities? None

Proposed measures to reduce or respond to such demand(s) are: Not Applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. None.

ORDINANCE 897

**AN ORDINANCE OF THE CITY OF TENINO, WASHINGTON,
ADDING CHAPTER 18.20, WHEELED ALL-TERRAIN VEHICLES, TO
THE TENINO MUNICIPAL CODE**

WHEREAS, RCW 46.06.455 (Authorized and Prohibited Uses for Off-road Vehicles) authorizes Cities to approve or prohibit the use of Wheeled All-Terrain Vehicles (WATV's) on City Streets; and

WHEREAS, the City Council of the City of Tenino deliberated upon the subject of WATV's on City Streets during their regularly scheduled meetings on February 12, 2019 and again on February 26, 2019, wherein public comment was invited on the subject ; and

WHEREAS, the City Council of the City of Tenino finds approving the use of Wheeled All-Terrain Vehicles to be in the best interests of the City.

NOW THEREFORE, the City Council of the City of Tenino, Washington, do ordain as follows:

Section I. It is the intention of the City Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Tenino, Washington, and the section of the code and this ordinance may be renumbered to accomplish that intention.

Section II. A new chapter, numbered 18.20, and titled "Wheeled All-Terrain Vehicles," shall be added to the Tenino Municipal Code as described in Exhibit A attached hereto, made part hereof, and incorporated herein by reference.

Adopted by the Tenino City Council this 26th day of February, 2019.

Wayne Fournier, Mayor

Attest:

John C. Millard, Clerk/Treasurer

First reading: February 12, 2019
Second reading: February 26, 2019

Approved as to Form:

Richard L. Hughes, City Attorney

EXHIBIT A TO ORDINANCE 897

**Chapter 18.20, Tenino Municipal Code
WHEELED ALL-TERRAIN VEHICLES**

18.20.001 - Definitions.

When used in this Chapter, the City defines the words and phrases listed below as follows:

“City” means the City of Tenino, Washington, its elected officials, its employees, and its agents.

“City Street” means every way, lane, road, street, boulevard, and every way or place in the City open as a matter of right to public vehicular traffic inside the City limits. This includes that portion of Old Highway 99 from the westernmost point at which the speed limit is reduced to 35 MPH to the easternmost junction of State Route 507 and also includes those portions of State Route 507 that are also designated as Sussex Avenue and Wichman Street, as follows:

Sussex Avenue from west to east between the intersection of Morningside Drive and Stitham Lane.

Wichman Street from south to north between the intersection of 6th Avenue and Morningside Drive.

“Motorcycle helmet” means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with the manufacturer's certification applied in accordance with 49 C.F.R. Sec. 571.218 indicating that the motorcycle helmet meets standards established by the United States department of transportation.

“Rules of the Road” means all the rules that apply to vehicle or pedestrian traffic as set forth in State statute, rule, or regulation.

“Sidewalk” means that property between the curb lines or the lateral lines of a City street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a City street and dedicated to use by pedestrians.

“Wheeled All-Terrain Vehicle (WATV)” means:

a. Any motorized nonhighway vehicle with handlebars that is 50 inches or less in width, has a seat height of at least 20 inches, weighs less than 1,500 pounds, and has four tires having a diameter of 30 inches or less; or

b. A utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of 20 psi or less, has a maximum

EXHIBIT A TO ORDINANCE 897

width less than 74 inches, has a maximum weight less than 2,000 pounds, has a wheelbase of 110 inches or less, and satisfies at least one of the following:

- i. Has a minimum width of 50 inches; or
 - ii. Has a minimum weight of at least 900 pounds; or
 - iii. Has a wheelbase of over 61 inches.
- c. A wheeled all-terrain vehicle is an off-road vehicle for the purpose of this chapter.

18.20.005 – Use of wheeled all-terrain vehicles on City streets.

Subject to the restrictions and requirements set forth in this Chapter, a person who is at least 18 years of age and who possesses a valid driver's license issued by the state of the person's residence may operate a wheeled all-terrain vehicle upon a City street having a speed limit of 35 miles per hour, or less.

18.20.010 – Restrictions on use of wheeled all-terrain vehicles on City streets.

- A. No person under the age of 18 may operate a WATV on City streets. Such a person may cross a City street while operating a WATV if, at that crossing, signs indicate that wheeled all-terrain or off-road vehicles may be crossing, or on a nonhighway road designated for off-road vehicle use, under the direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under RCW 46.20.
- B. Passengers are only allowed in WATV's being operated on City streets if the WATV is designed for two or more passengers. No passengers under the age of five (5) are allowed.
- C. The operator and any passenger in a wheeled all-terrain vehicle must wear a properly fastened motorcycle helmet while the vehicle is in motion.
- D. A person may not operate a wheeled all-terrain vehicle upon any City street with a speed limit in excess of 35 MPH.
- E. Any person may operate a wheeled all-terrain vehicle upon any City street while being used under the authority or direction of an appropriate agency that engages in emergency management as defined in RCW 38.52.010, or a law enforcement agency as defined in RCW 16.52.011 within the scope of the agency's official duties

EXHIBIT A TO ORDINANCE 897

18.20.010 – Equipment requirements of a wheeled all-terrain vehicle.

A. A person may operate a WATV on the City's streets only if the WATV meets the following criteria:

1. Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion upon a highway;
2. At least one tail lamp meeting the requirements of RCW 46.37.525 and used at all times when the vehicle is in motion upon a highway; however, a utility-type vehicle, as described under RCW 46.09.310, must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a highway;
3. A stop lamp meeting the requirements of RCW 46.37.200;
4. Reflectors meeting the requirements of RCW 46.37.060;
5. During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;
6. A mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the highway for a distance of at least two hundred feet to the rear of the vehicle; however, a utility-type vehicle, as described under RCW 46.09.310(19), must have two mirrors meeting the requirements of RCW 46.37.400;
7. A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington state patrol;
8. A horn or warning device meeting the requirements of RCW 46.37.380;
9. Brakes in working order;
10. A spark arrester and muffling device meeting the requirements of RCW 46.09.470; and
11. For utility-type vehicles, as described under RCW 46.09.310(19), seat belts meeting the requirements of RCW 46.37.510.

B. A person who operates a wheeled all-terrain vehicle upon a public roadway must provide a declaration that includes the following:

EXHIBIT A TO ORDINANCE 897

1. Documentation of a safety inspection to be completed by a licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop in the state of Washington that must outline the vehicle information and certify under oath that all wheeled all-terrain vehicle equipment as required under this section meets the requirements outlined in state and federal law. A person who makes a false statement regarding the inspection of equipment required under this section is guilty of false swearing, a gross misdemeanor, under RCW 9A.72.040;
2. Documentation that the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop did not charge more than fifty dollars per safety inspection and that the entire safety inspection fee is paid directly and only to the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop;
3. A statement that the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop is entitled to the full amount charged for the safety inspection;
4. A vehicle identification number verification that must be completed by a licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop in the state of Washington;
5. A release, on a form to be supplied by the department, signed by the owner of the wheeled all-terrain vehicle and verified by the department, county auditor or other agent, or subagent appointed by the director that releases the state, counties, cities, and towns from any liability; and
6. A statement that outlines that the owner understands that the original wheeled all-terrain vehicle was not manufactured for on-road use and that it has been modified for use on public roadways.

C. This section does not apply to emergency services vehicles, vehicles used for emergency management purposes, or vehicles used in the production of agricultural and timber products on and across lands owned, leased, or managed by the owner or operator of the wheeled all-terrain vehicle or the operator's employer.

18.20.015 – Registration requirements of a wheeled all-terrain vehicle.

A wheeled all-terrain vehicle operated on a City street must comply with all licensing and registration requirements of RCW 49.06.

18.20.020 – Duty to obey traffic-control devices and rules of the road.

Unless a Police Officer directs otherwise, a person operating a WATV must obey all rules of the road that apply to vehicle or pedestrian traffic and must obey the instructions of all official traffic-control signals, signs, or other devices. A person operating a WATV upon a City street is subject to all of the duties RCW 46.61, *et seq*, imposes on an operator of a vehicle, except as to those provisions thereof which, by their nature, can have no application.

EXHIBIT A TO ORDINANCE 897

18.20.030 Prohibited uses.

- A. No person may operate or ride as a passenger in a wheeled all-terrain vehicle in a negligent or unsafe manner but must do so with reasonable regard for his or her own safety and for the safety of others.
- B. Only one person may occupy any seat on a wheeled all-terrain vehicle while the vehicle is in motion.
- C. No WATV may tow other vehicles or devices while on City streets.
- D. No person may operate a WATV side-by-side in a single lane of traffic.

18.20.040 – Prohibited areas.

- A. It is unlawful to operate a wheeled all-terrain vehicle on a sidewalk.
- B. It is unlawful to operate a wheeled all-terrain vehicle in a park, unless a Special Event Permit has been granted by the City and such permit specifically provides for the operation of WATV's within a City park, except that wheeled all-terrain vehicles may use the City Park's paved parking lot or the gravel parking lot adjacent to the Quarry House.
- C. It is unlawful to operate a wheeled all-terrain vehicle on the Yelm-Tenino Trail. It is lawful to cross the Yelm-Tenino Trail where signs designate such a crossing.

18.20.045 – Violation – penalty.

A person who violates a provision of this chapter is guilty of a traffic infraction and will be punished by the imposition of a monetary penalty not to exceed \$250.00 for the first offense, exclusive of statutory assessments; provide, that conduct that constitutes a criminal traffic offense may be charged as such and is subject to the maximum penalties allowed for such offenses. Repeat offenses under this chapter shall be punished in accordance with the "General Penalty" provisions of TMC 1.16.01

18.20.050 Severability.

Each separate provision of this chapter is independent of all other provisions. If any provision of this chapter, or any part thereof, is declared invalid, all other provisions, or parts thereof, remain valid and enforceable.

18.20.100 - Statutes adopted by reference.

The following sections of Chapter 46.09 of the RCW, are adopted by reference: 46.09.440, 46.09.442, 46.09.444, 46.09.455, 46.09.457, 46.09.460.

ORDINANCE 896

**AN ORDINANCE OF THE CITY OF TENINO, WASHINGTON
APPROVING TEXT AMENDMENT TA2019-001, AMENDING TITLES
100 AND 114 OF THE TENINO MUNICIPAL CODE**

WHEREAS, the City of Tenino has received requests to vacate previous lot combinations made per Title 114.100 of the Tenino Municipal Code; and

WHEREAS, updates to the City's Schedule of Uses are also required; and

WHEREAS, the city issued a State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) for the contemplated changes on December 26, 2018; and

WHEREAS, the City of Tenino notified Tribal Governments, State Agencies, and other Interested Parties on December 27, 2018; and

WHEREAS, the City of Tenino considered any comments received with respect to its December 27, 2018 notifications; and

WHEREAS, the City held Public Hearings before the City Council on January 9, 2019 and January 22, 2019; and

WHEREAS, the Public Hearings were properly noticed pursuant to the provisions of TMC Section 100.40.190.

NOW THEREFORE, the City Council of the City of Tenino, Washington, do ordain as follows:

Section I. It is the intention of the City Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Tenino, Washington, and the section of the code and this ordinance may be renumbered to accomplish that intention.

Section II. The Use Schedule, TMC 108.40.010, is amended as follows:

Open Space Uses, Agriculture, in Special Purpose Zones is changed from “-“ (not allowed) to “A” (Administrative Use Permit required)

Section III. A new section, numbered 114.100.040 and titled “Lot Split,” shall be added to the Tenino Municipal Code as follows:

114.100.040 – Lot Split

A. Whenever a lot has been combined using the procedure authorized in this Chapter, the action may be vacated, and the boundaries restored according to the previously defined legal descriptions, subject to any conditions required by the City, including payment by the property owner of any costs associated with boundary restoration, only when:

1. The request for a lot split is made by the immediately succeeding owner in due course; and
2. There has been no substantive changes respecting use or modification of the environment on the lot that had been previously combined; and
3. For the zone in which the resulting parcels would be located, the contemplated split will not result in any parcel unable to be used according to any Land Use provision contained in the Tenino Municipal Code (Titles 100 through 114) at the time such request is made; and
4. The City has determined that restoration of the previous boundaries meets all legal requirements existing at the time of the proposed vacation

B. Applications for a Lot Split shall be submitted to the Community Development Department and presented to the City Planning Commission for a decision.

C. The Planning Commission shall be the approval authority for a Lot Split, subject to appeal pursuant to TMC 100.40.070.

D. If approved, a Lot Split Form shall be completed and submitted to the City for processing through the County Auditor. When the form has been recorded by the County Auditor, the lot split shall be considered complete.

Adopted by the Tenino City Council this 12th day of February 2019. This Ordinance will become effective after publication as required by law, but not before March 1, 2019.

Wayne Fournier, Mayor

Attest:

John C. Millard, Clerk/Treasurer

First reading: January 22, 2019
Second reading: February 12, 2019

Approved as to Form:

Richard L. Hughes, City Attorney

Commented [RH1]: Under WAC 197-11-305, there are exceptions to the Part 9 categorical exemptions for things like critical areas. Therefore, there will still need to be a legal analysis anytime a lot boundary is restored.

Commented [RH2]: I assume your ordinance allows appeal to the city council.



FROM
 Keith Welch
 Ategan Technologies, LLC
 4405 7th Ave SE Suite 303
 www.ategan.com
 PHONE
 3605283426

FOR
 City of Tenino
 TO
 John Millard
 EMAIL
 clerktreasurer@ci.tenino.wa.us

QUOTE NUMBER
 50004
 DATE
 January 16, 2019
 VALID UNTIL
 February 15, 2019 at 9:05am

Hardware & Software Quote

NDXNV Hardware		1,304.99
		x 1
Dell Latitude 5590 15.6" LCD Notebook		1,304.99
D6000		196.55
		x 1
Dell Universal Dock - D6000		196.55
Services		200.00
		x 1
Computer Replacement - Prep, configure, migrate data		200.00
PC Recycle Recycle		100.00
		x 1
Recycle old pc and wipe hard drive.		100.00
Software		
	Subtotal	1,801.54
	Tax 8.9%	160.33
	Total including tax	\$1,961.87

Clerk/Treasurer Council Meeting Report January 22, 2019

Budget:

- **13th Month Window Closed January 20, 2019**

- **Current status (2019 Budget) is:**
 - Total revenues are 3.4% of projections (+ 2.6%)
 - Total expenditures are 7.5% of projections (+1.8%)
 - Target: **7.7%**

- **Grants and Other Funding:**
 - Y-T Trail Extension Feasibility Study – No change from last report
 - Wayfinding Signs – No change from last report
 - CDBG/Quarry Pool Renovation: RFP to be published NLT February 15, 2019
 - PoO Small Cities Grant – No change from last report
 - Veterans' Memorial and Wall: Approximately 97% complete.
 - LEXIPOL reimbursement submitted January 22, 2019

Other business:

- **48 Citizens submitted approximately 56 Citizen Action Requests in 2018**
- **72 Public Records Request**
 - 14 General
 - 58 Law Enforcement
- **10 Ordinances (1 franchise)**
- **11 Resolutions**
- **9 Proclamations**
- **13 Agreements (new or renewals)**