METROPOLITAN PARK DISTRICT OF TACOMA

AGENDA

November 25, 2019
6:00 P.M.
METRO PARKS HEADQUARTERS
4702 S. 19th St.
Tacoma, WA 98405

MEETINGS ARE RECORDED AND MAY BE HEARD AT THE PARK DISTRICT OFFICES UPON REQUEST

COMMISSIONERS
AARON POINTER, PRESIDENT
TIM REID, CLERK
ANDREA SMITH
ERIK HANBERG
JESSIE BAINES, JR.

5:30 P.M. STUDY SESSION 3RD QUARTER FINANCIAL UPDATE

6:00 P.M. CALL TO ORDER

ROLL CALL

FLAG SALUTE

SPECIAL PRESENTATIONS TACOMA PUBLIC SCHOOLS PROP 1.

PRESIDENT'S REPORT

STANDING COMMITTEE & COMMISSION REPORTS

NOMINATIONS FOR 2020 BOARD OFFICERS

EXECUTIVE DIRECTOR'S REPORT

REGULAR MEETING

CITIZEN COMMENTS

"Park District meeting sites are accessible to people who require special accommodations, please contact 305-1091 48 hours prior to the meeting time."
MINUTES

MINUTES OF THE OCTOBER 28, 2019 REGULAR BOARD MEETING

CONSENT AGENDA

(9-10) **RESOLUTION NO. C70-19**: APPROVAL OF Warrants Claim Fund For October 2019
(Contact: Erwin Vidalon, Chief Financial Officer)

(11-12) **RESOLUTION NO. C71-19**: REVISING DECEMBER BOARD MEETING SCHEDULE FOR THE BOARD OF PARK COMMISSIONERS
(Contact: President Pointer)

REGULAR AGENDA

PURCHASING RESOLUTIONS
(Requiring one reading for adoption)

PUBLIC WORKS PURCHASING RESOLUTIONS
(Requiring one reading for adoption)

(13-16) **RESOLUTION NO. PW72-19**: WATERFRONT PHASE 1 WAVE WALL & MARKER PILES PROJECT CONTRACT AWARD TO AMERICAN CONSTRUCTION COMPANY
(Contact: Debbie Terwilliger, Director of Planning & Development)

(17-20) **RESOLUTION NO. PW73-19**: BROWNS POINT PLAYFIELD IMPROVEMENTS PROJECT CONTRACT AMENDMENT NO. 3 FOR BRUCE DEES & ASSOCIATES, LLC
(Contact: Debbie Terwilliger, Director of Planning & Development)

(21-24) **RESOLUTION NO. PW74-19**: PDZA FILTRATION IMPROVEMENTS CONTRACT AWARD TO GENERAL MECHANICAL, INC.
(Contact: Debbie Terwilliger, Director of Planning & Development)

SINGLE READING RESOLUTIONS
(Requiring one reading for adoption)

SECOND READING RESOLUTIONS
(Requiring two readings for adoption)

(25-28) **RESOLUTION NO. RR68-19**: AUTHORIZING 2019 GENERAL TAX LEVY OF REGULAR PROPERTY TAX FOR COLLECTION IN 2020
(Contact: Erwin Vidalon, Chief Financial Officer)

(29-32) **RESOLUTION NO. RR69-19**: AUTHORIZING EXCESS TAX LEVY FOR UNLIMITED TAX GENERAL OBLIGATION (UTGO) BOND REDEMPTION
(Contact: Erwin Vidalon, Chief Financial Officer)
FIRST READINGS:
(Requiring two readings for adoption)

(33-79)  **RESOLUTION NO. RR75-19:** ADOPTION OF DISTRICT POLICIES
(Contact: Paul Weed, Chief Administrative Officer)

UNFINISHED BUSINESS

NEW BUSINESS

BOARD COMMENTS

ADJOURNMENT

UPCOMING BOARD MEETINGS

<table>
<thead>
<tr>
<th>Date</th>
<th>Committee/Meeting</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 27, 2019</td>
<td>Capital Improvement Committee</td>
<td>5:00 PM</td>
<td>Park Headquarters</td>
</tr>
<tr>
<td>December 9, 2019</td>
<td>Regular Park Board meeting</td>
<td>6:00 PM</td>
<td>Park Headquarters</td>
</tr>
<tr>
<td>December 11, 2019</td>
<td>Capital Improvement Committee</td>
<td>5:00 PM</td>
<td>Park Headquarters</td>
</tr>
<tr>
<td>December 16, 2019</td>
<td>Committee of the Whole</td>
<td>5:30 PM</td>
<td>Park headquarters</td>
</tr>
</tbody>
</table>

* Committee Meetings are subject to change - please check the Metro Parks Website, [www.metroparkstacom.org](http://www.metroparkstacom.org) for the most up to date meeting schedules.
MINUTES OF REGULAR MEETING
BOARD OF PARK COMMISSIONERS
October 28, 2019

PRESENT: Aaron Pointer, President
          Tim Reid, Clerk
          Andrea Smith
          Erik Hanberg

ABSENT: Jessie Baines

IN THE CHAIR: President Pointer

PLACE: Metro Parks Tacoma District Headquarters

FLAG SALUTE: Commissioner Smith

STUDY SESSION QUARTERLY CAPITAL UPDATE
Debbie Terwilleger commented that this update is reporting on capital activities through September 2019. The Board was reminded of the 2104 Bond Project categories and associated funding. Ms. Terwilleger then showed several budget tables summarizing the 19-20 capital funding distribution as well as actual expenditures and revenues of the capital program through September of 2019. Staff noted the amount of capital bond dollars leveraged through partnership totaling just over $7.8M. Marty Stump then reviewed a list of completed projects in quarter 3 of 2019 including Waterfront Phase 1 and many others. Photos of many of the competed projects were highlighted. Projects under construction in the 3rd quarter of 2019 were then listed with associated site photos. These included Titlow Park TOA Site Demo, and the Norpoint Roof Replacement. Mr. Stump then briefly spoke about projects to be scheduled for construction in 2020 including the Conservatory, Dickman Mill and Gas Station Park. The Board was also update on projects in design in quarter 3 of 2019 including NW Tram Station, Meadow Park Bridge, Swan Creek Park, Titlow Park and Owen Beach Improvements.
Staff emphasized importance of the planning and coordination work that occurs being one with partnering agencies including The City of Tacoma and Tacoma Public Schools during all phases of project work.

REGULAR MEETING
The regular meeting of the Metropolitan Park District Board of Park Commissioners was called to order by president Pointer at 6:00p.m.

SPECIAL PRESENTATIONS None

PRESIDENTS REPORT None

STANDING COMMITTEE AND COUNCIL REPORTS None

EXECUTIVE DIRECTOR’S REPORT
Executive Director, Shon Sylvia commented on the following:

- The Bimonthly newsletter was sent to Board members today.
• Marina Becker introduced two full time employees; Jenny Petty & Elizabeth Rudrud

CITIZEN COMMENTS  None

MINUTES OF THE OCTOBER 14, 2019 REGULAR BOARD MEETING
Commissioner Hanberg moved to adopt the minutes as amended; seconded by Commissioner Reid and passed on a vote of 4-0 (Commissioner Baines being absent).

CONSENT AGENDA  None

PURCHASING RESOLUTIONS  None

PUBLIC WORKS PURCHASING RESOLUTIONS

RESOLUTION NO. PW65-19: PDZA MECHANICAL UPGRADES BID#: J2019-17
CONTRACT AWARD TO TMEC, LLC.

Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Reid.

Staff commented that this item was reviewed at the October 16th CIC meeting. The Project will address aging infrastructure in the Zoo’s elephant barn.

Being no additional comment the question was called and the resolution passed on a vote of 4-0 (Commissioner Baines being absent).

SINGLE READING RESOLUTIONS

RESOLUTION NO. R66-19: APPROVING THE REVISED FORT NISQUALLY LIVING HISTORY MUSEUM MISSION STATEMENT
Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Reid.

Marina Becker stated that the mission statement was last updated in 2013. As a result of accretion through the American Association for State and Local History Standards staff has determined the current mission statement needed review. It was noted that staff began meeting with a Fort Nisqually Constituency Committee in 2017. The draft revised statement was shared with the Arts & Heritage Advisory Council and Fort Nisqually Foundation Board. The Board was reminded that they approved a revised code of ethics and collections policy and strategic plan for the Fort in September 2018. Ms. Becker stated the revised mission statement is:

Engaging a diverse regional audience with Puget Sound’s first globally connected settlement through historic preservation, experiential learning, and interpretation.

Commissioner Pointer thanked Fort Nisqually Manager Jim Lauderdale for his leadership.

Being no additional comment the question was called and the resolution passed on a vote of 4-0 (Commissioner Baines being absent).

RESOLUTION NO. R67-19: DE-ACCESSIONING AND SURPLUSING OF ITEMS FROM THE FORT NISQUALLY COLLECTION
Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Reid.

Marina Becker commented that this resolution authorizes staff to deaccession and surplus select items from the Fort Nisqually Living History Museum Permanent Collection. Ms. Becker
commented that Staff has identified artifacts no longer on display or appropriate for the correct interpretation of Fort Nisqually’s history. Accordingly, staff have prepared a list of artifacts qualifying for deaccession from the permanent collection. Once deaccessioned from the collection the items will be disposed of following guidelines outlined in Policy No: 200.005.

Being no additional comment the question was called and the resolution passed on a vote of 4-0 (Commissioner Baines being absent).

SECOND READINGS RESOLUTIONS None

FIRST READING RESOLUTIONS

RESOLUTION NO. RR68-19: AUTHORIZING 2019 GENERAL TAX LEVY OF REGULAR PROPERTY TAX FOR COLLECTION IN 2020

Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Reid.

The Board was briefed on how property tax is calculated by the county. The District’s historical information on property tax collection was also reviewed. Mr. Vidallon commented that the percentage increase for regular property tax collection in 2020 will be 2.6%.

Mr. Vidallon commented then reviewed a table that estimated levy rates based on principal and interested payments associated with the UTGO Bonds.

Being no additional comment resolution moves to second reading on November 25th.

RESOLUTION NO. RR69-19: AUTHORIZING EXCESS TAX LEVY FOR UNLIMITED TAX GENERAL OBLIGATION (UTGO) BOND REDEMPTION

Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Reid.

Being no additional comment resolution moves to second reading on November 25th.

UNFINISHED BUSINESS None

NEW BUSINESS None

BOARD COMMENTS
President Pointer commented positively on the recent advisory council summit.
Commissioner Hanberg commend that the parks are looking great with the all the fall foliage, Commissioner Smith commented on the great Halloween displays at the Conservatory.

ADJOURN:
Being no further business, the meeting was adjourned at 6:45 p.m.

APPROVED:

__________________________________  ____________________________
President                                Clerk

Submitted by: Jennifer Bowman, Board Secretary
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C70-19

APPROVAL OF WARRANTS CLAIM FUND FOR OCTOBER 2019

WHEREAS, the Board of Park Commissioners approved, appropriated and adopted the 2019-2020 Biennial Budget in Resolution No. RR92-18, dated December 10, 2018 to meet public expenses, bond retirement, interest and operational expenses for the biennium ending December 31, 2020; and

WHEREAS, the Board of Park Commissioners has authorized the Executive Director to establish procedures to meet the fiscal year public debt, to maintain accountable records of all transactions, and to provide certification that labor and debt claims have been met; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that the warrants issued to meet obligations in the Warrants Claim Fund and the Disbursements by Funds in the amounts and for the period indicated on Attachment "A" have been audited and certified by the auditing officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090, be approved for payment.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____________, 2019.

ATTEST: ____________________________________________

President

__________________________

Secretary

__________________________

Clerk
BLANKET CERTIFICATION AND WARRANT APPROVAL FORM

AUDITOR'S CERTIFICATION

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

FOR THE PERIOD STARTING OCTOBER 1, 2019 AND ENDING OCTOBER 31, 2019.

WARRANTS CLAIM FUND

ACCOUNTS PAYABLE CLAIMS FUND:

Warrant Serial Numbers 329628 to 33066

AMOUNT: $5,845,792.88

PAYROLL CLAIMS FUND:

Warrant Serial Numbers 05610 to 051847

AMOUNT: $97,790.87

(Most employees receive payment through direct deposit advices, which are paid to the bank through the Accounts Payable Claims Fund.)

TOTAL $5,943,583.75

Finance and Accounting Auditing Officer
Metropolitan Park District of Tacoma

- Warrant summary reports are available with the board secretary.
- Detail reports and claim vouchers are available in the Finance and Administrative Services Office.
MEMORANDUM

TO: Board of Park Commissioners
FROM: Aaron Pointer, Board President

SUBJECT: Revising December 2019 Board Meeting Schedule

DATE: November 13, 2019

EXECUTIVE SUMMARY: It is requested that the Board of Park Commissioners revise its meeting schedule for the month of December 2019. It is requested that the December 23rd meeting be cancelled.

BACKGROUND: The Park Board of Commissioners passed resolution RR75-14 that states meetings of the Board of Park Commissioners are to be on the 2nd and 4th Mondays of each month unless changed by Board action and announced to the public. The Board is requesting that the December 23, 2019 Regular Board Meeting be cancelled.

FISCAL IMPACT: None.

ADDITIONAL INFORMATION: For additional information, contact President Pointer at (253) 305-1091.
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C71-19

REVISING DECEMBER 2019 MEETING SCHEDULE FOR THE BOARD OF PARK COMMISSIONERS

WHEREAS, the Metropolitan Park District of Tacoma’s Board of Park Commissioners established its meeting schedule with the adoption of Resolution No. RR75-14; and

WHEREAS, Resolution No. RR75-14 provides the meeting of the Board of Park Commissioners are to be on the 2nd and 4th Mondays of each month unless changed by Board action and announced to the public; and

WHEREAS, from time to time the Board of Park Commissioners desires to revise and amend its meeting schedule; and

WHEREAS, the second Board Meeting in December falls on December 23, 2019; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that it hereby revise its meeting schedule by canceling the December 23, 2019 regularly scheduled Board Meeting.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a meeting held on ________________, 2019.

ATTEST:  

President

Secretary  

Clerk
MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Debbie Terwilleger, Director of Planning Design & Development

SUBJECT: Contract award to American Construction Company for the Waterfront Phase 1 Wave Wall & Marker Piles Project

DATE: November 20, 2019

EXECUTIVE SUMMARY: This resolution authorizes a construction contract award to American Construction Company for the Wave Wall & Marker Pile Project at the Point Defiance Park yacht basin in the amount of $203,870.00.

CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION: This resolution was reviewed by the Capital Improvement Committee at their meeting on Wednesday, October 30, 2019 with a recommendation to forward the action on to the full Board for approval.

BACKGROUND: Under the Waterfront Phase 1 project recently completed in partnership with the Environmental Protection Agency (EPA), shoreline improvements were constructed at the entrance to the Pt. Defiance Park yacht basin that altered the slope and configuration of the peninsula shoreline. This project proposes to construct additional enhancements in the form of a Wave Wall and Marker Piles to better delineate the navigational corridor and to attenuate for a slight increase in wave exposure to boats moored in the TYC and Breakwater Marina.

Construction of the wave wall includes timber lagging and bracket assemblies to attach the lagging to the HP piles. The piles are driven into an existing armored slope consisting of geotextile overlain with a bedding layer and large armor rock. Construction includes repair and replacement of the armor stone and geotextile if damaged during construction. Work will be conducted in the water and require a debris curtain in the marina. Navigational signage will also be added.

FISCAL IMPACT: A construction contract in the amount of $203,870.00 is requested. Project funds will be coming directly from the Environmental Protection Agency Project.

ADDITIONAL INFORMATION: For additional information, please contact Debbie Terwilleger, Director of Planning design and Development at (253) 305-1086.
## BID RESULTS

**BIDS Due:** October 7, 2019 2:00 PM  **Bids read @ 2:05PM**

<table>
<thead>
<tr>
<th>BIDDER NAME</th>
<th>American Construction Co</th>
<th>Quigg Bros Inc.</th>
<th>Rogntin's Inc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>1501 Taylor Way</td>
<td>P.O. Box 1707/819 W. State Street</td>
<td>P.O. Box 307/321 W. State Street</td>
</tr>
<tr>
<td>City, State</td>
<td>Tacoma, WA 98421</td>
<td>Aberdeen, WA 98520-0281</td>
<td>Aberdeen WA 98520</td>
</tr>
<tr>
<td>Contact</td>
<td>Kevin Culbert</td>
<td>Charles Quigg</td>
<td>Katie Snodgrass</td>
</tr>
<tr>
<td>Telephone</td>
<td>253.254.0118</td>
<td>360.533.1530</td>
<td>360.532.5220</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Bid Documentation</th>
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<tr>
<td>Bid Proposal Signed</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Bidder Responsibility Criteria Information Provided</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Addenda Acknowledgment 1,2, 3</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Certification of Compliance with Wage Payment Statutes</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Non-Collusion Affidavit</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Bid Bond (signed/notarized) or Cashier's Check</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>MWBE Utilization Form</td>
<td>X</td>
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<tr>
<td>Base Bid</td>
<td>$185,000.00</td>
<td>$204,700.00</td>
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<tr>
<td>Tax 10.2% TOTAL</td>
<td>$18,670.00</td>
<td>$20,879.40</td>
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<tr>
<td>TOTAL</td>
<td>$203,670.00</td>
<td>$225,579.40</td>
</tr>
</tbody>
</table>

**AFFIRMATION:** The undersigned Team Member affirms they have no beneficial interest, directly or indirectly, and has not received any compensation, gratuity, or reward from any other person beneficially interested in this contract award in accordance with 23 CFR Ch 1 §636.117 and RCW 42.52.030.

Signature: [Signature]
Printed Name: [Printed Name]
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. PW72-19

WATERFRONT PHASE 1 WAVE WALL & MARKER PILES PROJECT CONTRACT AWARD TO AMERICAN CONSTRUCTION COMPANY

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to move forward with the requested work from the Environmental Protection Agency for the Wave Wall & Marker Piles Project.

WHEREAS, American Construction Company was selected to provide in water construction services as the lowest bidder of three (3) responsive Bid Proposals received in response to Metro Parks formal bid process (J2019-11); and

WHEREAS, a construction contract will be entered into with American Construction Company for proposed Wave Wall & Marker Pile in water construction services; and

WHEREAS, funds for the project are provided directly from the Environmental Protection Agency; now, therefore, be it

RESOLVED, by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to award the contract for Wave Wall & Marker Piles Construction Services to American Construction Company in the amount of $ 203,870.00.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____________, 2019.

ATTEST:                      President

__________________________            __________________________
Secretary                       Clerk
MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Debbie Terwilliger, Director of Planning & Development

SUBJECT: Browns Point Playfield Improvements Project
(District-Wide Court Improvements – Phase 1 Project)
Bruce Dees & Associates, LLC Contract Amendment No. 3

DATE: November 20, 2019

EXECUTIVE SUMMARY: This resolution authorizes contract Amendment No. 3 to Bruce Dees & Associates, LLC for the design of improvements to Browns Point Playfield Improvement Project (District-Wide Court Improvements – Phase 1 Project) in the amount of $48,747.00 bringing the contract total to an amount not to exceed $120,847.00.

CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION: This resolution was reviewed by the Capital Improvement Committee at their meeting on Wednesday, October 30, 2019 with a recommendation to forward the action on to the full Board for approval.

BACKGROUND: The District-Wide Court Improvements – Phase 1 Project includes improvements to Browns Point Playfield, Titlow Park and Stewart Heights Park. The design firm of Bruce Dees & Associates, LLC was hired to design improvements at each of these three sites. To date the improvements at Stewart Heights Park have been completed while the improvements at Titlow Park remain in the planning phase. Under this contract amendment final design work will be executed for improvements to Browns Point Playfield as described below.

An initial analysis of the Browns Pt. Playfield site identified the need for additional site improvements to complement the original court renovation project. Specific near-term improvements at Browns Point Playfield include the reconstruction of the existing tennis and basketball courts, ADA-accessible sidewalks, ramps, and parking, modest playground improvements, and storm drainage improvements. Browns Point Playfield was originally identified under the District-Wide Court Improvement Project – Phase 1 as needing tennis court rehabilitation including paving, surfacing, fencing and new posts/net systems. Additionally the courts will be striped with pickle ball lines. The project scope was amended on December 17, 2018 to include an evaluation and planning for the entirety of Browns Point Playfield to anticipate future improvements and to put these near-term improvements into a more complete context, (see Amendment #1 below). Permitting will be through Pierce County Planning and Land Services.

Bruce Dees & Associates, LLC was selected from Metro Parks A&E Roster for landscape architecture services. The roster includes seven firms who submitted their qualifications and availability for landscape architecture and knowledge of City of Tacoma land development code
and permitting. Bruce Dees & Associates, LLC was contracted to design and provide for construction administration services for three parks identified under this contract.

Amendment Summary:

- **Amendment #1** – Amending the existing agreement dated August 11, 2017 to revise the Scope of Work for Browns Point Playfield to add overall park planning and delete construction drawings specific to tennis courts. A no-cost Amendment.

- **Amendment #2** – Amending the existing agreement dated August 11, 2017 to revise the Scope of Work for Titlow Park to add tennis court siting study and delete construction drawings specific to tennis courts. A no-cost Amendment.

- **Amendment #3** – Amending the existing agreement dated August 11, 2017 to revise the Scope of Work for Browns Point Playfield Park in the amount of $48,747.00 for specialized architectural design services including design development, construction documents/permits, bidding, construction review, and project closeout for tennis court renovation, playground and associated site improvements. Staff is requesting approval for Amendment No. 3 for Bruce Dees & Associates, LLC in the amount of $48,747.00, for a total contract amount not to exceed $120,847.00.

Contract Summary:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Design Contract</td>
<td>$ 72,100.00</td>
</tr>
<tr>
<td>Amendment #1 - Revise Scope of Work for Browns Pt. Playfield</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Amendment #2 - Revise Scope of Work for Titlow Park (Courts)</td>
<td>$ 0.00</td>
</tr>
<tr>
<td>Amendment #3 - Revise Scope of Work for Browns Pt. Playfield</td>
<td>$48,747.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$120,847.00</strong></td>
</tr>
</tbody>
</table>

**FISCAL IMPACT:** The total amount of project funds allocated for improvements to Browns Point Playfield, Titlow Park and Stewart Heights Park are derived from 2014 UTGO Bonds for Neighborhood Parks & Recreation, Small Capital Improvements, and Waterfront Park & Facilities.

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwilliger, Director of Planning and Development at 253-305-1086.
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. PW73-19

BROWNS POINT PLAYFIELD IMPROVEMENTS PROJECT CONTRACT
AMENDMENT NO. 3 FOR BRUCE DEES & ASSOCIATES, LLC

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to move forward with construction management services with Bruce Dees & Associates, LLC for the Browns Point Playfield Project; and

WHEREAS, Bruce Dees & Associates, LLC was selected from an interview of seven (7) qualified architect/engineer/landscape architect teams listed on the Metro Parks Architects & Engineer roster; and

WHEREAS; and Bruce Dees & Associates, LLC has been asked by Metro Parks Tacoma to adopt a full plan for improving the public facilities at Browns Point for Capital Improvements by which this Amendment No. 3 fulfills in professional landscape design services; and

WHEREAS, fund for the project are provided from Metro Parks Tacoma 2014 UTGO Capital Improvement Bond Fund; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to approve Amendment No. 3 for Bruce Dees & Associates, LLC services for an amount not to exceed $48,747.00, for a total contract amount not to exceed $120,847.00.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on ___________ 2019.

____________________________________
President

ATTEST:

____________________________________
Secretary

____________________________________
Clerk
MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Debbie Terwilleger, Director of Planning & Development

SUBJECT: PDZA Filtration Improvements
Contract Award to General Mechanical, Inc.

DATE: November 20, 2019

EXECUTIVE SUMMARY: This resolution authorizes a contract award to General Mechanical, Inc. to install new foam fractionators and associated improvements to exhibit filtration systems at the Point Defiance Zoo and Aquarium in the amount of $647,816.21.

CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION: This resolution was reviewed by the Capital Improvement Committee at their meeting on Wednesday, October 30, 2019 and with a recommendation to forward the action on to the full Board for approval.

BACKGROUND: The work to occur under this contract was originally encompassed in the Seawater Supply Project, but has since been broken out into a separate project. The following are specific improvements defined in the Final Scope of this Filtration Improvements project:

- Rocky Shores (Excluding Polar Bear Exhibit): Address the upgrade and improvement needs as identified in a 2013 report prepared by TJP Engineers, including but not limited to the Sand Filters, Vertical Pumps, FRP Pumps, Butterfly Valves in Filtration Piping, Butterfly Valves in Seawater Intake Piping, Stark Valves, Electric Valve Actuators, Check Valves, Deaeration Towers, Foam Fractionators, Pressure Sensors, Chillers, Air Compressors, HVAC System, Electrical Service Board, and Automated LSS Control Systems.

- Phasing: All work will require phasing as necessary and other provisions in order to ensure that life support and filtration systems remain online throughout.

The work of the requested contract award consists of the installation of new foam fractionators provided as “owner furnished, contractor installed;” the fabrication and installation of an access platform, and; all associated concrete, plumbing, and electrical work indicated in the contract plans and specifications.

The bid opening was held on October 3, 2019. Three (3) bid proposals were received; all were considered responsive. Please refer to the attached bid tabulation for the list of contractors and bid amounts. General Mechanical, Inc. submitted the low Base Bid in the amount of $587,855.00 (not
including WSST). Reference checks by staff have confirmed that General Mechanical, Inc. is a responsible contractor and performs quality work.

Staff is recommending award of the Base Bid for a total amount of $647,816.21 (including Washington State Sales Tax).

The construction is expected to take 120 calendar days to complete after issuance of a Notice to Proceed.

**FISCAL IMPACT:** A construction contract in the amount of $647,816.21 is requested. Funds allocated to this project in the amount of $1,060,506.00 are from the following sources:
- 2014 UTGO PDZA, North Pacific Aquarium & Exhibits, Seawater Systems
- 2014 UTGO PDZA, North Pacific Aquarium & Exhibits, Rocky Shores Exhibit
- 2014 UTGO PDZA, Miscellaneous Capital Improvements

**Funding:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>2014 UTGO Bond PDZA – Seawater Systems</td>
<td>$795,889.00</td>
</tr>
<tr>
<td>2014 UTGO Bond PDZA – Rocky Shores Exhibit</td>
<td>$134,645.00</td>
</tr>
<tr>
<td>2014 UTGO Bond PDZA – Misc Capital Improvements</td>
<td>$136,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1% To District Art Fund</td>
<td>$6,028.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,060,506.00</strong></td>
</tr>
</tbody>
</table>

**Budget:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning &amp; Design Services</td>
<td>$25,686.00</td>
</tr>
<tr>
<td>Construction (includes tax)</td>
<td>$647,816.21</td>
</tr>
<tr>
<td>Capitalized Equipment</td>
<td>$336,930.00</td>
</tr>
<tr>
<td>Other costs</td>
<td>$3,473.00</td>
</tr>
<tr>
<td><strong>Contingency</strong></td>
<td><strong>46,600.79</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,060,506.00</strong></td>
</tr>
</tbody>
</table>

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwilleger, Director of Planning and Development at 253-305-1086.
## BID RESULTS

**BIDS OPENED:** October 3, 2019 @ 2:05PM

### PDZA Filtration Improvements

<table>
<thead>
<tr>
<th>BIDDER NAME:</th>
<th>EMTech, LLC</th>
<th>General Mechanical</th>
<th>JH Kelly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>1133 Kresky Ave., Suite 106</td>
<td>2316 S State St</td>
<td>3422 1st Ave. S</td>
</tr>
<tr>
<td>City, State, Zip</td>
<td>Centralia, WA 98531</td>
<td>Tacoma, WA 98405</td>
<td>Seattle, WA 98134</td>
</tr>
<tr>
<td>Contact</td>
<td>David Reich</td>
<td>Eric Martin</td>
<td>Greg Fox</td>
</tr>
<tr>
<td>Telephone</td>
<td>360.748.4891</td>
<td>253.627.8155</td>
<td>206-549-2460</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:projects@emtech.us">projects@emtech.us</a></td>
<td><a href="mailto:emartin@generalmechanical.com">emartin@generalmechanical.com</a></td>
<td><a href="mailto:gfox@jhkelly.com">gfox@jhkelly.com</a></td>
</tr>
</tbody>
</table>

### Bid Documentation:

<table>
<thead>
<tr>
<th>Item</th>
<th>EMTech, LLC</th>
<th>General Mechanical</th>
<th>JH Kelly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid Proposal Signed</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Bidder Responsibility Criteria Information Provided</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Addenda Acknowledgment</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Certification of Compliance with Wage Payment Statutes</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Non-Collusion Affidavit</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Bid Bond (signed/notarized)</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>MWBE Utilization Form</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

### Base Bid

<table>
<thead>
<tr>
<th>BIDDER NAME:</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMTech, LLC</td>
<td>$700,000.00</td>
</tr>
<tr>
<td>General Mechanical</td>
<td>$587,855.00</td>
</tr>
<tr>
<td>JH Kelly</td>
<td>$588,278.00</td>
</tr>
</tbody>
</table>
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. PW74-19

PDZA FILTRATION IMPROVEMENTS CONTRACT AWARD TO
GENERAL MECHANICAL, INC.

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to improve the Filtration Systems in use at the Point Defiance Zoo & Aquarium; and

WHEREAS, funds for the project are provided by 2014 UTGO PDZA, North Pacific Aquarium & Exhibits, Seawater Systems, Rocky Shores Exhibit, and Miscellaneous Capital Improvements; and

WHEREAS, three (3) bids (Bid# J2019-18) were received with all three (3) being considered responsive; and

WHEREAS, the low base bid submitted by General Mechanical, Inc., in the amount of $587,855 (not including WSST), has been reviewed by contract compliance and is considered a responsive bid; and

WHEREAS, Metro Parks staff has checked the references of General Mechanical, Inc. and find them to be responsible; Now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to award the contract for installing a new foam fractionator to General Mechanical, Inc. in the amount of $647,816.21.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on ____________ 2019.

________________________________________
President

ATTEST:

________________________________________
Secretary

________________________________________
Clerk
MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Erwin Vidallon, Chief Financial Officer

SUBJECT: Authorizing 2019 General Tax Levy of Regular Property Tax for Collection in 2020

DATE: October 22, 2019

EXECUTIVE SUMMARY: This resolution establishes the 2019 levy of regular property tax for Metro Parks that will be collected during 2020.

BACKGROUND: Metro Parks Tacoma (MPT) has regular property tax levy authority that totals $0.75 per $1,000 of assessed value composed of two separate levies as shown below:

- $0.50 per $1,000 of assessed value levy; and
- $0.25 per $1,000 of assessed value levy.

MPT’s levy rate history over the last ten years shows a period of decreasing levy rates as a result of the imposition of a one percent growth in property tax revenue along with significant growth in assessed property values, followed by the recession and declining property values and the approval of a levy lid lift on April 27, 2010, to restore our levy to the maximum allowable amount of $.75.

In November 2007, the State Legislature approved new legislation that imposed a one percent annual property tax growth limitation, following voter approval of I-747 in 2001. The legislation limits annual property tax revenue growth to 1%, plus new construction. The impact is that regardless of assessed valuation growth, revenues cannot grow more than the limit.

The passage of a levy lid lift in 2010 and the subsequent decline in assessed valuations in 2012 and 2013 resulted in Metro Parks’ property tax revenue to decrease significantly during this time period. However, with six years of increasing assessed valuations since 2014, Metro Parks has now surpassed the previous highest levy in 2019 to $16,374,998 in 2020.

The chart below provides a ten-year history of our assessed value and levy rates.

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessed Value</td>
<td>$19,448,091,249</td>
<td>$18,016,099,709</td>
<td>$16,335,169,585</td>
<td>$16,935,340,498</td>
<td>$18,254,065,447</td>
</tr>
<tr>
<td>Percent Change</td>
<td>-8.18%</td>
<td>-7.36%</td>
<td>-9.33%</td>
<td>3.67%</td>
<td>7.79%</td>
</tr>
<tr>
<td>Levy Rate</td>
<td>$0.7500</td>
<td>$0.7500</td>
<td>$0.7500</td>
<td>$0.7500</td>
<td>$0.7500</td>
</tr>
<tr>
<td>Tax Collection</td>
<td>$14,586,068</td>
<td>$13,512,075</td>
<td>$12,251,377</td>
<td>$12,701,505</td>
<td>$13,690,549</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent Change</td>
<td>6.32%</td>
<td>9.28%</td>
<td>11.58%</td>
<td>14.44%</td>
<td>12.00%</td>
</tr>
<tr>
<td>Levy Rate</td>
<td>$0.7500</td>
<td>$0.7073</td>
<td>$0.6533</td>
<td>$0.5892</td>
<td>$0.5397</td>
</tr>
<tr>
<td>Tax Collection</td>
<td>$14,555,524</td>
<td>$14,999,274</td>
<td>$15,459,636</td>
<td>$15,954,897</td>
<td>$16,374,998</td>
</tr>
</tbody>
</table>
**FISCAL IMPACT:** Metro Parks Tacoma levies its property tax on an annual basis even though it has adopted a biennial budget. The preliminary levy amount is $16,374,998 which is an increase of 2.6330% over 2019.

**ADDITIONAL INFORMATION:** If you have any questions before the Board meeting, please contact Erwin Vidallon at 1-253-305-1081.
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. RR68-19

AUTHORIZING 2019 GENERAL TAX LEVY
OF REGULAR PROPERTY TAX FOR COLLECTION IN 2020

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma has met and considered its budget for the 2019-2020 biennium; and

WHEREAS, the District’s actual levy from the previous year was $15,954,897.34; and

WHEREAS, the population of this district is more than 10,000; and now, therefore be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2020 tax year.

The dollar amount of the increase from the previous year shall be $420,100.34, which is a percentage increase of 2.6330 percent from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state-assessed property, any annexations that have occurred and refunds made.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on ______________________, 2019.

______________________________
President

ATTEST:

______________________________
Secretary

______________________________
Clerk
MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Erwin Vidallon, Chief Financial Officer

SUBJECT: Authorizing Excess Tax Levy for Unlimited Tax General Obligation (UTGO) Bond Redemption

DATE: October 22, 2019


Unlike regular property taxes where the Board establishes the amount of increase in revenue (up to the statutory maximum of one percent), with excess levies the Board specifies the exact dollar amount to be collected and the Pierce County Assessor-Treasurer’s Office calculates the appropriate levy rate to collect the tax. Adoption of this resolution is required by state law to enact the Metro Parks Tacoma excess property tax levy.

BACKGROUND: Voters approved an $84.3 million bond issue in November 2005. The first two issues have been paid off through subsequent refunding bonds. The third issuance of $19,210,000 was approved on November 10, 2008 (scheduled to be paid off on December 2018), and the fourth and final issuance of $25,025,000 was approved on November 22, 2010.

On June 13, 2012, $9,995,000 of refunding bonds were issued to refund a portion of bonds issued for PDZA projects in 2003 and the 2005 bonds. The remaining 2003 and 2005 bonds were paid off in December 2013 and 2015, respectively.

Following voter approval in April 2014 of a $198,000,000 bond issue, $33,400,000 in UTGO and $18,040,000 in refunding (2006 issue) bonds were issued following Board approval on October 13, 2014. The remaining 2006 bonds was paid off in December 2016. In 2015, $14,280,000 in refunding (2005 issue) bonds were issued following Board approval on July 13, 2015. Following Board approval on October 24, 2016, the district issued $70,000,000 of UTGO bonds and $6,290,000 of refunding (2008 issue) bonds. And on April 9, 2018, the district issued...
$40,020,000 of UTGO. Most recently, on April 22, 2019, the Board approved the refunding of the $25,000,000 Build America Bonds originally issued in 2010, which generated an estimated savings of $2 million in debt payments over the remaining life of the bond.

**FISCAL IMPACT:** We know from our current debt service schedules established at the time of the bond sales the exact principal and interest due each year. Included in the levy is a small reserve in each fund to accommodate non-payment or late-payment of taxes by property owners. Subsequent collection of delinquent taxes provides additional cash on hand which reduces the ensuing year’s levy. All taxes collected remain within the bond redemption fund until we are able to make principal and interest payments. In the final years of the debt service associated with each individual issue, we may reduce the levy by any excess cash available in the fund.

The Park Board is authorizing the levy of tax on property in 2019 for collection in 2020 for the following principal and interest payments associated with the referenced bonds:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Principal &amp; Interest Due in 2020</th>
<th>Total Tax Collection Required in 2020</th>
<th>Assessed Value for Excess Levy for Bonds</th>
<th>Estimated Levy Rate for Bond Debt Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012 UTGO</td>
<td>$1,097,075</td>
<td>$1,102,000</td>
<td>$30,067,675,781</td>
<td>0.0367</td>
</tr>
<tr>
<td>2014 UTGO A</td>
<td>$484,925</td>
<td>$426,000</td>
<td>$30,067,675,781</td>
<td>0.0142</td>
</tr>
<tr>
<td>2014 UTGO B</td>
<td>$2,629,100</td>
<td>$2,676,000</td>
<td>$30,067,675,781</td>
<td>0.0890</td>
</tr>
<tr>
<td>2015 UTGO</td>
<td>$1,640,250</td>
<td>$1,673,000</td>
<td>$30,067,675,781</td>
<td>0.0556</td>
</tr>
<tr>
<td>2016 UTGO</td>
<td>$4,515,650</td>
<td>$4,283,000</td>
<td>$30,067,675,781</td>
<td>0.1424</td>
</tr>
<tr>
<td>2018 UTGO</td>
<td>$8,467,000</td>
<td>$8,730,000</td>
<td>$30,067,675,781</td>
<td>0.2903</td>
</tr>
<tr>
<td>2019 Refunding UTGO</td>
<td>$914,800</td>
<td>$1,487,000</td>
<td>$30,067,675,781</td>
<td>0.0495</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$19,748,800</strong></td>
<td><strong>$20,377,000</strong></td>
<td><strong>$30,067,675,781</strong></td>
<td><strong>0.6777</strong></td>
</tr>
</tbody>
</table>

The final levy rate will be determined by the Pierce County Assessor-Treasurer’s office once the final property values have been established for Metro Parks Tacoma.

**ADDITIONAL INFORMATION:** For additional information, please contact Erwin Vidallon at 1-253-305-1081.
METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. RR69-19

AUTHORIZING EXCESS TAX LEVY FOR UNLIMITED TAX GENERAL OBLIGATION (UTGO) BOND REDEMPTION

WHEREAS, an unlimited tax, general obligation (UTGO) bond issue of $84,300,000 for the stated purpose of making general improvements to parks and recreation facilities was authorized by voters at the general election held on November 8, 2005; and

WHEREAS, the Board of Park Commissioners authorized the issuance of $19,210,000 of said UTGO bonds on November 10, 2008, and a final authorization of $25,025,000 on November 22, 2010; and

WHEREAS, the Board of Park Commissioners authorized the issuance of $9,995,000 of refunding bonds to advance refund portions of a 2003 UTGO bond issue for the Point Defiance Zoo and Aquarium and the 2005 voter-approved UTGO bond issues on May 14, 2012; and

WHEREAS, an unlimited tax, general obligation (UTGO) bond issue of $198,000,000 for the stated purpose of making general improvements to parks and recreation facilities was authorized by voters at the general election held on April 22, 2014; and

WHEREAS, the Board of Park Commissioners authorized the issuance of $33,400,000 in UTGO bonds on October 13, 2014, and $18,040,000 to refund UTGO bonds originally issued in 2006; and

WHEREAS, the Board of Park Commissioners authorized the issuance of $14,280,000 in UTGO bonds on July 13, 2015 to advance refund portions of the UTGO bonds originally issued in 2005; and

WHEREAS, the Board of Park Commissioners authorized the issuance of up to $80,000,000 in UTGO bonds on October 24, 2016 for new projects and to advance refund portions of the UTGO bonds originally issued in 2008; and

WHEREAS, the Board of Park Commissioners authorized the issuance of up to $50,000,000 in UTGO bonds on April 9, 2018 for carry-over and new projects; and

WHEREAS, the Board of Park Commissioners authorized the issuance of $22,970,000 in refunding the Build America Bonds originally issued in 2010 on June 26, 2019; and

WHEREAS, "unlimited annual property taxes and other available monies" were authorized as a means of paying both principal and interest on said bond issues; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that the amount to be levied for payment of UTGO bond principal and interest due from the 2019 excess property tax levy for collection in 2020 is as follows, based on property values provided by the Pierce County Assessor-Treasurer:
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2012 UTGO refunding</td>
<td>$1,102,000</td>
</tr>
<tr>
<td>2014 UTGO A</td>
<td>$426,000</td>
</tr>
<tr>
<td>2014 UTGO B</td>
<td>$2,676,000</td>
</tr>
<tr>
<td>2015 UTGO refunding</td>
<td>$1,673,000</td>
</tr>
<tr>
<td>2016 UTGO</td>
<td>$4,283,000</td>
</tr>
<tr>
<td>2018 UTGO</td>
<td>$8,730,000</td>
</tr>
<tr>
<td>2019 UTGO refunding</td>
<td>$1,487,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$20,377,000</strong></td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that this resolution be certified to the proper officials of Pierce County for collection in the same manner as other general taxes.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _________________, 2019.

__________________________
President

__________________________
Secretary

__________________________
Clerk
MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Paul Weed, Chief Administrative Officer

SUBJECT: Adoption of Policies

DATE: November 20, 2019

EXECUTIVE SUMMARY: A comprehensive process of reviewing the District’s policies has resulted in a recommendation to update 17 policies to provide clarity in direction.

BACKGROUND: As part of the District’s efforts to attract, retain, develop and engage high-performing employees, the OD/HR department is recommending some minor and a few substantive changes to the attached Human Resources policies. These policies were reviewed by the District staff, Internal Equity Team, Human Resources, Executive Cabinet, legal counsel and our labor partners. Rationale for changes were described during New Business at the October 14th Board Meeting and November 18th Committee of the Whole meeting.

The policies being recommended for amendment and adoption include:

- **000.0003 Disposal of Real Property Policy**
  - Updates and replaces language to link back to the District’s Strategic Master Plan
- **511.007 Promotions**
  - Defines and clarifies what a promotion is and provides framework for promotional terms and pay increases.
- **513.003 VEBA Benefit**
  - Adds language to allow VEBA payout in last paycheck for amounts less than $500
- **000.0007 Surplus and Removal of Wood Material From Park Lands**
  - Adds language to clarify waste disposal of wood and materials.
- **512.001 Recruitment**
  - Aligns MPT equal opportunity employer language with both personnel recruitment policy and positions postings. Clarifies personnel who may authorize advance benefits with employment offers.
- **514.009 Inclement Weather & Emergency Closure/Disruption of Service**
  - Policy updated to provide clarity on the roles and responsibilities of leadership during inclement weather and emergency closure/disruption of service.
- **514.007 FMLA**
  - Updated to comply with domestic violence legal requirements.
• Section added to define examples of reasonable safety accommodations.

• **514.001 Sick Leave Use and Accrual**
  o Aligns policies with compliance with WA State law and employer best practices.

• **New - Alternative Workforce Background Check**
  o New policy to establish guidelines for background checks for scheduled alternative workforce members.

• **200.006 Volunteer Engagement**
  o Replaces the word “Volunteer” with “Alternative Workforce” throughout policy.

• **New – Familiarization Pass**
  o New policy on distribution of familiarization passes.

• **New – Drug and Alcohol Policy for Use with FMCSA/DOT Regulated Employees**
  o New policy to meet federal requirements for CDL drivers.

• **502.001 Drug and Alcohol – Free Workplace**
  o Updates policy for consistence testing for safety sensitive positions and ties policy to new CDL drug and alcohol policy.

• **515.002 Pay Increases**
  o Updated to include the ability to grant wag adjustments for employees who have taken on additional duties and responsibilities.

• **000.0001 Policy and Procedures of the Board**
  o Removes the work “citizen” and replaces it with “community member or community” throughout the policy.
  o Items removed from Section VII that are no longer relevant.

• **New – Metro Parks Tacoma Day of Service**
  o Creates new policy establishing guidelines for Day of Service.

• **New – Reasonable Accommodation for Pregnancy**
  o New legal policy establishing reasonable accommodation for pregnant employees.

**FISCAL IMPACT:** There are no direct financial impacts to the policy amendments.

**ADDITIONAL INFORMATION:** For additional information, please contact Paul Weed, Chief Administrative Officer at 253-404-3949.
METROPOLITAN PARK DISTRICT OF TACOMA
RESOLUTION NO. RR75-19
ADOPTION OF DISTRICT POLICIES

WHEREAS, the Board of Park Commissioners recognizes the importance of maintaining a current comprehensive policy package that is relevant for decision-making; and

WHEREAS, the policies being brought forward have been thoroughly reviewed in order to provide clear direction for application; and

WHEREAS, the adjustments to policies will not compromise the quality of service provide to the community, now, therefore be it,

RESOLVED that the Board of Park Commissioners of the Metropolitan Park District of Tacoma amend policy 000.003 Disposal of Real Property Policy; 511.007 Promotions; 513.003 VEBA; 000.007 Surplus and Removal of Wood Material From Park Lands; 512.001 Recruitment; 514.009 Inclement Weather & Emergency Closure/Disruption of Service; 514.007 FMLA; 514.001 Sick Leave Use and Accrual; 200.006 Volunteer Engagement; 502.001 Drug and Alcohol - Free Workplace; 515.002 Pay Increases; and 000.001 Policy and Procedures of the Board. Create new policies for Alternative Workforce Background Check; Familiarization Pass; Drug and Alcohol Policy for Use with FMCSA/DOT Regulated Employees; Metro Parks Tacoma Day of Service; and Reasonable Accommodation for Pregnancy.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _________________, 2019.

ATTEST:  

______________________  
President

______________________  
Secretary

______________________  
Clerk
DISPOSAL OF REAL PROPERTY POLICY

<table>
<thead>
<tr>
<th>Policy No.:</th>
<th>Resolution No.:</th>
<th>Date Approved:</th>
<th>Supersedes the following Resolutions &amp; Policies:</th>
</tr>
</thead>
<tbody>
<tr>
<td>000.003</td>
<td>C31-97</td>
<td>03-10-97</td>
<td>Procedures approved by the Executive Director:</td>
</tr>
</tbody>
</table>

Date procedures adopted by the Executive Director:  
Procedure revision date: Procedures approved by the Executive Director:

Policy: (Approved by the Board of Park Commissioners.)

Purpose: Real property held by the Metropolitan Park District of Tacoma (Metro Parks Tacoma) may be considered for trade, sale, conveyance or other disposition.

It is in the best interest of Metro Parks Tacoma to have guidelines to be considered for the disposal of real property by staff and Board of Park Commissioners when considering the disposal of real property.

Policy Requirements:

Section I. Inaugural Event. Real property may be considered for disposition upon the occurrence of any or a combination of the following events:

A. Property for which any department or agency or United States or the State of Washington, a county, a municipality or any subdivision thereof, a public, private or charitable entity, or an individual expresses a desire in writing to trade to Metro Parks Tacoma for property of comparable or greater value.

B. Property for which any department or agency or United States or the State of Washington, a county, a municipality or any subdivision thereof, a public, private or charitable entity, or an individual expresses a desire in writing to purchase from Metro Parks Tacoma for money, services or other valuable consideration; or

C. Property that may be traded, sold or conveyed when the Board reasonably believes such trade, sale or conveyance is in the best interest of Metro Parks Tacoma and best serves the needs of the citizens served by Metro Parks Tacoma and when such trade, sale or conveyance is consistent with the mission statement of Metro Parks Tacoma and the Recreation and Open Space Facilities Plan as those documents currently exist or as they may be amended in the future.

Section II. Surplus. In the event Metro Parks Tacoma chooses to consider disposal of its property, Metro Parks Tacoma should consider the following:

A. Metro Parks Tacoma should strive to maximize the unique attributes of Tacoma’s location in the Pacific Northwest and seek to meet the changing needs of the community with respect to sites for a variety of recreation and open space area, including parks, playgrounds, gulches, steep slopes, scenic view sites, historic areas, shoreline and wetland areas, and other natural open spaces.

B. Metro Parks Tacoma should consider "Level of Service" use established for planning purposes as required by Growth Management Act as the "Level of Service" is currently stated or as may be amended from time to time in the future.

C. Factors which may assist Metro Parks Tacoma in determining real estate held by themselves to be surplus for park purposes shall include but are not limited to the following:
1. Disposal of the subject property does not create a park deficit area as such area is defined in the Recreation and Open Space Facilities Plan District’s Strategic Master Plan.
2. The subject property does not offer potential to compliment the unique ecological or geographical features indigenous to the area;
3. The property fails to take advantage of the nature beauty of the area;
4. The subject property is unrelated to historical or cultural resources;
5. The subject property does not offer potential for mixed or multiple use as a park, recreation area or open space;
6. By reason of a change in zoning laws, land uses, or environmental conditions the subject property no longer serves the public in the manner for which it was intended.

Section III. Title and Covenants. Metro Parks Tacoma should also obtain a title search or the disposition property and, if applicable, the acquisition property.

Section IV. Appraisal. Metro Parks Tacoma should obtain an appraisal of the disposition property and, if applicable, the acquisition Property. The appraisal may be performed either by Metro Parks Tacoma personnel qualified to make such appraisals or by an independent commercial property appraiser.

Section V. Report to the Board and Citizen Participation. All the information obtained pursuant to the above paragraphs shall be provided to the Board of Park Commissioners (Board) for review. In the event the Board determines that the disposition should be considered for surplus, report shall be made to the Business Advisory Council and the Metro Parks Tacoma Advisory Council and/or Neighborhood Council geographically located within or adjacent to the disposition property and, if applicable the acquisition property. The councils may conduct an independent study of the contemplated transaction and provide citizen feedback to the Board. Metro Parks Tacoma staff shall provide to the Councils all information as its disposal relative to the transaction except such information otherwise exempt pursuant to the Public Disclosure Act Chapter 42.17 RCW.
POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy regarding promotion of a current employee based on his/her/the employee education, skills, ability, previous work record and other applicable factors to fill a position.

Policy Requirements:

Section I. Promotion: A promotion is defined as upward movement for a career-non represented employee to a newly created or open position in a higher job group classification or job range that has been approved by the Executive Director or designee for recruitment, career appointment, or interim appointment.

Section II. Requests to fill a promotional position within Metro Parks Tacoma shall be done on forms developed by Human Resources and shall require the written approval of the Executive Director or designee prior to any recruitment/placement.

Section III. Promotions made on a competitive basis shall be designed to:
   A. Offer qualified employees the opportunity for advancement.
   B. Provide an opportunity for an employee to demonstrate skills, abilities, training and other factors to Metro Parks Tacoma.
   C. Assure maximum utilization of qualified employees for the best interests of Metro Parks Tacoma.
   D. Foster a culture of internal development and investment in employees as an intentional succession planning strategy.

Section IV. The Executive Director or designee, with recommendation from HR/OD Human Resources, may authorize a non-competitive appointment to a promotional position when it is in the best interests of Metro Parks Tacoma provided two or more of the criteria listed below have been met:
   A. The employee meets all of the minimum qualifications for the job.
   B. It would create a hardship on Metro Parks Tacoma to undertake a competitive recruitment process due to the need for immediate filling of the position.
   C. The employee has served successfully in an interim role.
   D. Other factors regarding the promotion are deemed in the best interests of Metro Parks Tacoma.

Section V. Promotions may be on a temporary or an interim basis. Appointment to a temporary or interim promotion shall not give the affected employee any vested right to the position during a competitive recruitment to fill the position or should the Executive Director or designee elect to fill the vacancy on a non-competitive basis.
Section VI. Temporary or interim appointments which are reasonably expected to be greater than one month in duration may be eligible for a temporary adjustment in salary. The adjustment shall not exceed 10% of the employee's current base salary or the minimum salary range of the new position, whichever is greater. Temporary increases are not adjusted by cost of living or merit increases. Temporary or interim promotions may end at any time, with or without notice, but shall not exceed 120 days unless a recruitment is underway.

Section VII. Employees promoted to a new position will move to the appropriate job group classification and pay range. Promoted employees are eligible for an adjustment in salary up to 10% of the employee's current base salary, or will be moved to the minimum of the new job range, whichever is greater.

Section VIII. The promoted employee shall serve a six (6) month promotional probationary period during which time their performance in the promoted position will be evaluated. Evaluation of the promoted employee shall be in a similar manner to a newly hired employee.

Section IX. Should an employee fail to successfully pass the promotional probationary period, Metro Parks Tacoma may elect to:
A. Return the employee to their former or similar position at their former rate of pay.
B. Transfer the employee to another vacant position for which the employee is qualified.
C. Lay off the employee if Metro Parks Tacoma cannot identify a position to which they can transfer the employee and assure continued productive operations. Metro Parks Tacoma is not required to create a position for the employee who fails a promotional probationary period.

Section X. Nothing in this policy shall supplant, replace, supersede conflicting provisions in collective bargaining agreements.
VEBA BENEFIT

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Date procedures adopted by the Executive Director:          Procedure revision date:          Procedures approved by the Executive Director:  

**POLICY:** (Adopted by the Board of Park Commissioners)

**Purpose:** To establish a policy on a HRA VEBA medical reimbursement plan for non-represented career employees.

**Policy Requirements:**

**Section I.** Metro Parks Tacoma will offer a vote for group participation of a HRA VEBA every two years. Career non-represented employees over the age of 50 will be eligible to vote for participation. A simple majority will determine participation for the entire group.

**Section II.** Participation is limited to employees who retire or separate from service with sick leave cash out eligibility as stated in the Sick Leave and Accrual Policy. Employer contribution to the HRA VEBA shall include the entire 25% of the employee’s sick leave banked hours. However, any amount less than $500 will be paid out with the last paycheck.

**Section III.** Employees eligible for the 25% sick leave cash-out will be required to complete the HRA VEBA Membership Enrollment and submit to Human Resources no later than 30 days following the last day worked. Reporting PERS 1 retiree information to the Department of Retirement services will be delayed until the enrollment form is received. Failure to submit the completed form to Human Resources within that time will result in forfeiture of any banked sick-leave hours.
SURPLUS AND REMOVAL OF WOOD MATERIAL FROM PARK LANDS POLICY

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Date procedures adopted by the Executive Director:   Procedure revision date:   Procedures approved by the Executive Director:

POLICY: (Approved by the Board of Park Commissioners.)

Purpose:

It is the policy of the Board of Park Commissioners to recognize that from time to time it is necessary to prune limbs for park trees and that parts of trees break off and fall in parks and that surplus wood will be generated from routine tree maintenance, clean-up from storm damage to trees, or when logs are removed from under piers and in parks. The resulting wood includes brush, debris, large limbs and surplus wood needing trees that need to be disposed of in a very ecologically responsible and economical manner. It is illegal to burn. Generally these surplus materials. The cost of wood will be recycled on site, or taken off site to county wood disposal has risen dramatically, in addition and recycling locations. The general public is occasionally interested in obtaining this surplus wood for a variety of end uses. This policy describes when it is permissible to allow citizens, at no cost to staff and equipment costs, to take the material to the approved county disposal sites, remove surplus wood from park lands for private use.

Policy Requirements:

Section I. The Board authorizes staff to surplus and dispose of such wood and wood materials through the public on-site, first come, first served, removal a case by private citizens at no cost to Metro Parks-Tacoma case basis. Some uses that would be considered for approval are large woody debris for use in restoration sites, and stock for furniture makers, wood carvers, or other artisans whose purpose is to recycle wood products. In support of the Puget Sound Clean Air Agency Wood Smoke Reduction Initiatives surplus wood will not be made available for use as firewood. The Executive Director, or his or her designee, will be responsible to determine if and when surplus wood can be released to the public.
POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy on filling a position vacancy and applicant review and selection.

Policy Requirements:
Section I. Requests to fill new or vacant career or part-time benefits eligible positions within Metro Parks Tacoma shall be done on forms developed by Human Resources and shall require the written approval of the Executive Director or designee prior to any recruitment. The Department Director shall determine whether a position will be opened internally/externally or internally only.

Section II. The Department Director of the hiring department is authorized to extend offers of employment to seasonal, part-time and part-time benefits eligible employees following an open recruitment process. All open positions must be posted through the Metro Parks Tacoma employment website. The department may give preference to former employees provided they left employment with Metro Parks Tacoma in good standing.

Section III. The Executive Director or designee may authorize a non-competitive appointment for a position, provided two or more of the criteria listed have been met:
A. The employee possesses all of the necessary qualifications expected of the job.
B. It would create a hardship on Metro Parks Tacoma to undertake a competitive recruitment due to the need for immediate filling of the position.
C. A reclassification of a part-time benefits eligible employee to career status that is in the same or similar position at the same rate of pay.
D. Other factors deemed in the best interests of Metro Parks Tacoma.

Section IV. Falsification by an applicant of any material contained on his/her application, including any resume or supporting materials attached or included with the application, shall be grounds for termination of employment at any time the falsification is discovered by Metro Parks Tacoma. The applicant’s electronic signature on the application certifies that all information supplied on the application, including resume and supporting materials, is true and correct.

Section V. Metro Parks Tacoma has no obligation to consider any non-solicited applications and/or resumes, nor does it have a duty or obligation to inform any such applicant of current or future vacancies.

Section VI. In connection with any competitive examination, Metro Parks Tacoma will grant a percentage increase to applicants who are covered veterans as required by RCW 41.04.010. Additionally, in accordance with RCW 73.16.010, Metro Parks Tacoma will
afford a hiring preference to honorably discharged veterans, their widows/widowers, or the spouse or registered domestic partner of an honorably discharged veteran who has a service connected permanent and total disability. The preference shall function as a tie breaker where applicants are equal as to all other relevant hiring considerations.

Section VII  The Deputy Executive Director or designee has the authority to offer additional benefits, such as banked leave hours, upon offer of employment. Such benefits shall be included in the offer of employment.

Section VIII  Metro Parks Tacoma shall conduct all activities related to personnel functions in a manner that will assure equal employment opportunity for all persons regardless of race, color, religion, national origin, sex, sexual orientation, age, marital status, military or veteran status, presence of any disabling condition, or other status protected by law.
INCLEMENT WEATHER & Emergency Closure/Disruption of Service

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POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy regarding inclement weather and emergency closure/disruption of service.

Policy Requirements:

Section I Declared inclement weather and emergency closure situations may pose varying threats to life, health or safety of our employees and/or customers. The District may remain open during emergencies and employees are to assume they report to work unless the employee is not able to do so safely or has been notified otherwise (see Notification Procedures, below). However, services may be reduced or cancelled to balance employee and community safety with the delivery of and demand for District services. Ultimately, the nature of the emergency will determine which services and staffing must be maintained in inclement weather and emergency situation. If operations and/or facilities remain closed for multiple days in extreme situations, the Board of Park Commissioners may amend this policy to include special leave provisions.

In District declared inclement adverse weather or emergency closure conditions, the the Executive Director, or designee, retains authority to determine when emergency conditions warrant closing down District offices and services. The designated department Duty Officer will make the determination department specific recommendations for any program cancellation, building closure, building delay and/or early building closures of services based on public, participant and/or employee safety. Ultimately, Executive Director or designee shall provide information on the District operations and services and provide notifications to employees. The nature of the situation or disruption of service will determine which operations and essential staffing may be maintained in emergency situations. If operations and/or facilities remain closed for multiple days in extreme situations, the Board of Park Commissioners may amend this policy to include special leave provisions.

Section II In an effort to provide essential services, an employee may be determined by the Duty Officer to be essential and have a vital function and may be allowed to report to work during a delayed opening and/or building closure or complete the function before leaving during an early building closure.
Section III  Career employees scheduled but not able to report to work due to unsafe conditions, a program cancellation, building closure, building delay and/or early building closure may elect to utilize Vacation Leave, Compensatory Leave, Administrative Leave, Floating Holiday Leave, Leave Without Pay, or upon mutual agreement with their supervisor work from home, at another location deemed safe, or work a flexible schedule for the work week to make up for the leave. Supervisors shall make every effort to work with employees to find a suitable solution.

Section IV  Career employees who are working when a District closure or disruption of service is announced will be paid for their normally scheduled work day, and paid leave need not be charged for the hours applicable to the closure.

Section V  A building District property and/or facility may be closed or delayed for opening by the Duty Officer if the air quality, roadways, walkways, and parking lots or environmental conditions have been deemed a safety hazard due to inclement weather. Metro Parks Tacoma will utilize external regulatory agencies to help determine if the working environment is safe for employees during inclement weather or environmental advisories. Examples of external regulatory agencies may include: Tacoma/Pierce County Health Department, Washington State Dept. of Ecology. In these cases situations or any disruption of service, staff will be notified by the Notification Procedures as identified in Notification Procedures below. The information will be posted on the employee intranet and employees will not be permitted to report to the building until it has been cleared to safely enter. Each department shall also have a designated phone number relaying the information. The employee shall be responsible for reviewing the intranet all notifications or contacting the designated phone number in an event of closure or delay.

Section VI  Supervisors may encourage employees to leave early if weather conditions and/or roadways become a safety concern. If conditions worsen to the degree that there is an inability to provide or keep staff the parking lots and walkways in a safe or conducive condition environment, the Duty Officer may require the early closure building to close early. Staff impacted by this will be given notification at the earliest possible time. All staff will be required to exit the building by the determined closure time. Employees are not permitted to remain in the building during an early closure unless an employee is considered part of essential services applies.
FAMILY AND MEDICAL LEAVE (FMLA) / LEAVE FOR SPOUSES OF MILITARY PERSONNEL; DOMESTIC VIOLENCE / SEXUAL ASSAULT LEAVE

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Date procedures adopted by the Executive Director: Procedure revision date: Procedures approved by the Executive Director:

POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy regarding leave provided for family and medical leave, leave for spouses of military personnel and the domestic violence/sexual assault leave.

Policy Requirements:
Section I. Recognizing the importance of family and out of concern for the well being of its employees, Metro Parks Tacoma family and medical leave program enables employees to take time off, under certain conditions, for health reasons or to care for family members. This policy will be administered in accordance with the federal Family and Medical Leave Act (FMLA) and the Washington Family Leave Act (FLA). A notice entitled “Employee Rights and Responsibilities under the Family and Medical Leave Act” is posted in the employee break rooms and is available to employees on the employee intranet. Nothing in this policy affects or supersedes any federal or state law or collective bargaining agreement that may provide greater entitlements to medical or family leave than those set forth in this policy.

Section II. To be eligible for leave under this family and medical leave policy, an employee must have been employed by Metro Parks Tacoma for at least 12 months and must have worked at least 1,250 hours in the preceding 12 months.

Section III. An eligible employee may request up to 12 workweeks of FMLA leave per "leave year" for one or more of the following reasons:
A. To care for the employee's child upon birth, or to care for a child upon the child's placement with the employee for adoption or foster care;
B. To care for a spouse, registered domestic partner, son, daughter or parent who has a serious health condition;
C. To care for self, if the employee has a serious health condition that makes the employee unable to perform the essential functions of the position (including incapacity due to pregnancy, prenatal medical care or childbirth); or
D. For a "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member (including those in the regular Armed Forced, the National Guard or the Reserves) who is on active duty, or has been notified of an impending call to covered active duty. Qualifying exigencies are generally activities related to the active duty or call to duty, including attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

Section IV. Metro Parks Tacoma defines leave year as the rolling twelve-month period measured forward from the date an employee uses any FMLA leave. FMLA leave for birth or...
placement for adoption or foster care must conclude within 12 months of the birth or placement. In addition, spouses or registered domestic partners who are both employed by Metro Parks Tacoma are jointly entitled to a combined leave of 12 workweeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent with a serious health condition. Each spouse or registered domestic partner is, however, eligible for the full 12 weeks of leave in the 12-month leave period to care for a child, spouse or registered domestic partner with a serious health condition, or for either employee's own serious health condition.

Section V. An eligible employee may also take up to 26 weeks of leave during a single 12-month period to care for an injured servicemember who is the employee's spouse, parent, child or next of kin. A covered servicemember is a current member of the Armed Forces, including National Guard or Reserves members, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation or therapy; or is in outpatient status; or is on the temporary disability retired list. A covered servicemember may also be a veteran who was a member of the Armed Forces any time during the five years preceding his/her need for medical treatment, recuperation or therapy for a serious injury or illness, where the injury or illness was incurred or aggravated in the line of duty. For purposes of this kind of leave, the 12-month period begins with the first day the employee takes leave. The combined total of leave for all purposes described in this policy may not exceed 26 weeks in the applicable leave year.

Section VI. A serious health condition is an illness, injury, impairment or physical or mental condition that involves:
A. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility;
B. A period of incapacity of more than three consecutive, full calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider;
C. A period of incapacity due to pregnancy or for prenatal care;
D. A period of incapacity or treatment due to a chronic serious health condition, for a permanent or long-term condition for which treatment may not be effective, or to receive multiple treatments for restorative surgery after an accident or injury or for a condition that would likely result in an incapacity of more than three full, consecutive calendar days in the absence of medical treatment (e.g., chemotherapy for cancer or dialysis for kidney disease).

Section VII. In certain circumstances, eligible employees may take FMLA intermittently (for example, in smaller blocks of time) or by reducing their work schedule. If the FMLA leave is because of the employee's own serious health condition or to care for a family member, the employee may take the leave intermittently or on a reduced work schedule if it is medically necessary. Eligible employees may also take FMLA leave on an intermittent or reduced schedule basis when necessary because of a qualifying exigency arising from a family member's military service. If FMLA leave is to care for a child after birth or the placement for adoption or foster care, employees may take their FMLA leave intermittently or on a reduced work schedule only with Metro Parks Tacoma's permission. Where intermittent leave or reduced-schedule leave is needed for planned medical treatment, an employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt Metro Parks Tacoma's operations. Where an employee needs intermittent or reduced-schedule leave based on planned medical treatment, Metro Parks Tacoma may transfer the employee to an alternative position with equivalent pay and benefits that can better accommodate such recurring leave.
Section VIII. Employees who want to take FMLA must provide Metro Parks Tacoma with at least 30 days’ notice of the need for leave, if the need for leave is foreseeable. If 30 days’ advance notice is not possible, notice must be provided as soon as practicable (which is generally the same day or next business day after the need for leave becomes known). Absent unusual circumstances, employees are required to follow their department’s regular procedural requirements when requesting FMLA leave. When requesting leave, employees must provide sufficient information for Metro Parks Tacoma to determine whether the leave may be FMLA-qualifying, and the anticipated timing and duration of requested leave. Employees must also inform Metro Parks Tacoma if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Section IX. When leave is requested in connection with planned medical treatment, the employee must make a reasonable effort to schedule treatment in order to prevent disruptions to Metro Parks Tacoma operations.

Section X. Employees who need leave for their own or a family member’s serious health condition must provide medical certification from a health care provider of the serious health condition. Metro Parks Tacoma may require a second or third opinion (at Metro Parks Tacoma expense), periodic recertifications of the serious health condition and, when the leave is for an employee’s own serious health condition, a certification that the employee is fit to return to work. Employees who need leave for a qualifying exigency arising from a family member’s military leave must provide a certification confirming the need for leave.

Section XI. Metro Parks Tacoma may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave. Metro Parks Tacoma also may delay or deny approval of leave for lack of proper certification establishing the need for leave. Further information and forms relating to FMLA leave requests may be obtained from Human Resources.

Section XII. FMLA leave is unpaid leave. However, employees are required to use any accrued paid leave available to them as part of their 12 weeks of FMLA leave.

Section XIII. During all leave taken under FMLA, Metro Parks Tacoma will continue to pay the employer’s portion of health insurance premiums, provided that the employee continues to pay his/her share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. Under certain circumstances, if an employee fails to return to work at the end of the leave, the employee may be responsible to pay back Metro Parks Tacoma for the employer portion of the health insurance premiums. Leaves such as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

Section XIV. Upon return from family and medical leave, an employee will be entitled to return to the employee’s former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (e.g., the employee’s position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify Metro Parks Tacoma as soon as possible.

Section XV. In addition to leave under the federal FMLA described above, state law provides certain additional leave rights in connection with pregnancy-related disability and to care for a newborn. Regardless of whether an employee is eligible for FMLA leave, she or he is entitled Pregnancy Disability leave for the period of time that she or he is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. If the employee is eligible for FMLA leave, the Pregnancy Disability leave will run concurrently with FMLA leave.
Pregnancy Disability leave is unpaid and health benefits are not automatically continued (unless the employee is also eligible for FMLA leave); however, accrued leave may be used and the employee may continue insurance coverages at her expense. An employee may also be eligible for additional post-childbirth leave under the Washington Family Leave Act (FLA). The FLA largely mirrors the FMLA, with the same eligibility standards and entitlement to 12 weeks of leave for family and medical reasons. In most situations, leave under the FLA runs concurrently with FMLA leave. However, the FLA leave does not run concurrently with any leave taken for Pregnancy Disability leave; this affords an employee time to care for her newborn once the employee has recovered from the Pregnancy Disability. The following example illustrates the application of the various pregnancy and childbirth-related leave entitlements. Assume that an FMLA and FLA-eligible employee works up to her delivery date, and needs six weeks of Pregnancy Disability leave to recover from childbirth. This six-week period is also covered by FMLA leave. At that point, when the employee is no longer disabled from childbirth, the employee also has up to 12 weeks of FLA leave available to care for the newborn. The remaining six weeks of FMLA leave would run concurrently with the FLA leave. Thus, the total leave entitlement in this case would be 18 weeks: six weeks of Pregnancy Disability leave (running concurrently with the first six weeks of FMLA leave) followed by 12 weeks of FLA leave (running concurrently with the remaining six weeks of FMLA leave). All leave would be unpaid, but employees must use available accrued leave. During the portion of leave covered by FMLA, Metro Parks Tacoma would continue to pay the employer share of health insurance. During the leave covered only by pregnancy disability regulations of the FLA, an employee is responsible for the cost of continue health insurance. Employees are encouraged to contact Human Resources with any questions about how the various laws are coordinated in a particular situation.

**LEAVE FOR SPOUSES OF MILITARY PERSONNEL**

Section XVI. During a period of military conflict declared by the President or Congress, an employee who is the spouse or registered domestic partner of a member of the Armed Forces, National Guard or Reserves is entitled to up to 15 days of unpaid leave while his/her spouse is on leave from deployment, or before and up to deployment. (This reason for leave may also be covered under FMLA leave for a qualifying exigency, although an employee need not meet the more stringent FMLA eligibility requirements in order to take this spousal military leave.) The purpose of this leave is to support the families of military personnel serving in military conflicts by permitting them to spend time together before a family member is deployed or while the family member is on leave from a deployment. An employee must work an average of 20 hours per week to be eligible for this family military leave.

Section XVII. An employee who seeks to take family military leave must provide Metro Parks Tacoma with notice of his/her intent to take leave within five business days of receiving official notice that the employee's spouse or registered domestic partner will be on leave or of an impending call to active duty. The employee may substitute any available accrued leave for any part of this family military leave.

**DOMESTIC VIOLENCE / SEXUAL ASSAULT LEAVE**

Section XIII. Domestic Violence/Sexual Assault leave is available to employees who are victims of domestic violence, sexual assault, or stalking. It is also available to employees with a family member (child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. The leave may be taken in blocks, intermittently, or on a reduced leave schedule. The amount of leave that an employee
may take is limited to a "reasonable" amount. Domestic violence/sexual assault leave is
unpaid, although an employee may elect to use the employee’s accrued paid leave (e.g.,
vacation, sick leave, compensatory time) in connection with such leave.

Section XIX. Domestic Violence/Sexual Assault Leave may be taken for the following purposes:
A. To seek law enforcement or legal assistance or to prepare for or participate in any
   legal proceeding related to domestic violence, sexual assault, or stalking;
B. To seek health care treatment for physical or mental injuries from domestic violence,
   sexual assault, or stalking, or attend to such health care treatment for a family
   member;
C. To obtain (or assist a family member in obtaining) services from a domestic violence
   shelter, rape crisis center, or other social services;
D. To obtain (or assist a family member in obtaining) mental health counseling related to
   domestic violence, sexual assault, or stalking;
E. To participate in safety planning, to temporarily or permanently relocate, or to take
   other actions to increase the safety of the employee or family member relating to
domestic violence, sexual assault, or stalking.

Section XX. If an employee needs to request a reasonable safety accommodation they should contact
Human Resources. Examples of a reasonable safety accommodation are:
A. Transfer or reassignment;
B. Modified job schedule;
C. Change in work telephone number, email address, or workstation;
D. Installed locks;
E. Implementing safety procedures; or
F. Any other adjustment to a job structure, workplace facility, or work requirement in
   response to an actual or threatened domestic violence, sexual assault, or stalking.

Section XX. When possible, employees must give advance notice of the intention to take leave. If
advance notice is not possible, employees (or their designees) must give notice of the
need for this leave no later than the end of the first day the employee takes the leave.
Metro Parks Tacoma may require verification to support the need for the leave.
Depending on the situation, verification can take the form of police reports, court
documents, or the employee’s own written statement of the need for the leave. Except
where disclosure is authorized or required by law, Metro Parks Tacoma will maintain
confidentiality regarding the use of Domestic Violence/Sexual Assault leave.
SICK LEAVE USE AND ACCRUAL

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Date procedures adopted by the Executive Director: Procedure revision date: Procedures approved by the Executive Director:

POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy regarding the use and accrual of sick leave for employees.

Policy Requirements:

Section I. Sick leave is defined as paid time off for an injury, illness, medical condition, or preventative medical care of any employee, or when an employee needs to care for his/her child, spouse, registered domestic partner, parent, parent-in-law, sibling, grandchild or grandparent who has an illness, injury, health condition, or who needs preventive care. Sick leave can also be used for the following situations:

A. Employee’s place of business has been closed by order of public official for any health-related reason, or where employee’s child’s school or day care is closed for such a reason.

B. Absences covered by the Domestic Violence/Sexual Assault/Stalking leave statute per Human Resources policy 514.007 section XIX.

Section II. Sick leave will not be advanced to the employee.

Section III. Absences by employees scheduled to work on a holiday are not charged against sick leave but are to be taken as the holiday.

Section IV. To claim sick leave for any absence, employees shall promptly report their absence to their supervisor prior to the start of the workday and document the use of sick leave on the time card submitted to payroll for processing. Sick leave is charged in quarter-hour increments for non-exempt employees. Unless a collective bargaining agreement provides otherwise, any hours in a workweek that an employee is compensated by using accrued sick leave, vacation leave, compensatory time, or other time off, will not count toward the minimum number of hours (generally, 40) required to receive overtime compensation for that week. Employees are required to receive approval from their supervisor to work hours that will result in overtime pay. For non-career employees, paid sick leave may only be requested for a maximum amount of hours that the employee was scheduled to work on that day. For example, a part-time employee scheduled to work 4 hours is limited to claim a maximum of 4 hours of paid sick leave for the day.

Section V. A doctor’s certificate may be required by the employee’s supervisor, Department Director, or Human Resources for any absence charged to sick leave by the employee that exceeds 3 consecutive work days.
Section VI. An employee found to have abused sick leave privileges by falsification or misrepresentation will be subject to disciplinary action including, but not limited to, termination of employment.

Section VII. No employee will be discriminated or retaliated against for the proper use of paid sick leave.

Section VIII. For career employees, at separation from employment with Metro Parks Tacoma, all sick leave shall be forfeited except under the following circumstances:
A. In the event of death of the employee, accrued sick leave shall be paid at the following rates:
   1. If death is the result of a non-work-related accident or illness, the lump-sum payment will be fifty (50%) percent of the employee’s current sick leave accrual paid at the regular hourly rate of pay in effect at the time of death.
   2. If the death is a result of a work-related accident or illness, the lump-sum payment will be one hundred (100%) percent of the sick leave accrual paid at the regular hourly rate of pay in effect at the time of death.
   3. The designated beneficiary shall be as listed for their retirement account with the Public Employment Retirement System.
B. Upon separation from employment (excluding termination for cause), twenty-five (25%) percent of the employee’s sick leave balance shall be paid at their regular hourly rate of pay if any of the following apply:
   1. The employee is eligible to draw pension with State Department of Retirement Services and files for benefits within two months of leaving Metro Parks employment.
   2. The employee is minimum age 50 and has five plus years of service with MPT or ten plus years of service with PERS.
   3. The employee is any age and has 30 years of service with MPT.
C. If a career employee returns to employment in any capacity within a 12 month period the remaining balance after any cash out has occurred will be restored in full.

Other than in the above-described situations, sick leave will not be cashed out.

Section VIII. For non-career employees, all accrued and unused sick leave will be forfeited at termination of employment for any reason. If an employee returns to employment within a 12 month period their remaining balance at the time of separation will be restored in full. However, if the employee returns to work within a 12 month period but in the subsequent year following their termination of employment they will receive the remaining balance in their account up to a maximum of 40 hours.

Section IX. For a career full-time employee, sick leave shall accrue at a rate of eight (8) hours per month, or 1 hour for every 40 hours worked, whichever is greater. It shall be credited to the employee's sick leave accrual balance in accordance with Park District payroll procedures. Career part-time employees shall have their sick leave accrual pro-rated based on their percentage of full-time employment listed in the fiscal year budget. Career part-time employees shall not accrue less than 1 hour for 40 hours worked. Non-career employees shall accrue sick leave at a rate of 1 hour for every 40 hours worked.

Section XI. Sick leave may be accumulated without a maximum limit.
A. Career employees roll over all unused sick leave from year to year.
B. Non-Career employees can roll over a maximum of 40 hours into the next year. Any amount over the 40 hours will be forfeited as of December 31st.
**ALTERNATIVE WORKFORCE BACKGROUND CHECK POLICY**

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**POLICY: (For Review by Park Board of Commissioners)**

**Purpose:** Metro Parks Tacoma performs background checks for scheduled alternative workforce members—interns, volunteers, and committee members—in order to protect the wellbeing of the public, District employees, and other members.

**Policy Requirements:**

Section I. Metro Parks Tacoma commits to providing a safe and conducive work environment and will require alternative workforce members (18 years of age and older) who work with and/or around minors, vulnerable adults and/or the elderly to complete an annual criminal background check as a condition of placement for service with Metro Parks Tacoma.

Section II. Members' placement will be contingent upon an acceptable background check as determined by the District.

Section III. Members age 17 and younger are not required to undergo a background check. However, they are required to complete an application that includes one character reference. Youth members must be in groups of two or more in order to supervise minors, vulnerable adults and/or elderly participants.

Section IV. Alternative workforce members 18 years of age and older that meet any of the following criteria are required to be screened:

1. Those working independently from supervision within a program that involves children, elderly or vulnerable adults.
2. Scheduled members who have made a commitment to serve with an intention of consistent involvement.
3. Members working with animals.
4. Any alternative workforce member the District deems necessary to have a background check conducted.

Section V. Metro Parks Tacoma may pass the expense for background checks and other participation requirements to program members.

Section VI. Metro Parks Tacoma reserves the right to administer, interpret, and enforce the Alternative Workforce Background Check Policy. Nothing in this policy shall supplant.
replace, or supersede conflicting provisions in collective bargaining agreements. Also, Metro Park's Alternative Workforce Background Check policy shall be interpreted to comply with federal, state, and local laws.
VOLUNTEER-ALTERNATIVE WORKFORCE ENGAGEMENT

Policy No.: 200.006  Resolution No.: RR51-14  Date Approved: 7/14/14  Supersedes the following Resolutions & Policies: RRS9-10

Date procedures adopted by the Executive Director: 8/11/14  Procedure revision date:  

Procedures approved by the Executive Director:  

POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy on volunteer alternative workforce engagement and management. Volunteerism allows members of the community to offer time, experience and talents to support Metro Parks’ program and service delivery and administrative functions. The provision of volunteer opportunities is part of MPT’s service to the community. Metro Parks Tacoma provides volunteer opportunities to engage the widest range of members of the community to build social capital and foster volunteerism for its recreational, educational, conservation and leisure benefits.

Policy Requirements:

Section I    Metro Parks Tacoma shall invest adequate resources to adequately manage and recognize volunteer alternative workforce member—interns, volunteers, and committee members—engagement.

1. Metro Parks Tacoma shall designate a District Volunteer Coordinator to provide district-wide coordination of the volunteer program. The District Volunteer Coordinator will work with all departments to plan, develop, and manage a unified and consistent process for volunteer alternative workforce engagement.

2. Departments which utilize volunteers alternative workforce members shall list volunteer management in staff job descriptions to clearly outline which staff has the responsibility to supervise volunteersmembers. Staff supervising volunteersmembers are responsible for regular communication with the District Volunteer Coordinator and to strategize for a unified, comprehensive district program.

3. Metro Parks Tacoma shall provide training opportunities to staff who work with volunteersmembers. Those staff who are highly involved in volunteer management shall be provided more extensive training on volunteer management best practices.

Section II    Metro Parks Tacoma shall provide general liability insurance which covers property damage or bodily injury which might occur to others through the behaviors of a volunteer member acting within the scope and duties of the volunteer position description.

Section III   Volunteers—alternative workforce members—interns, volunteers, and committee members—cannot financially or contractually obligate Metro Parks Tacoma. Volunteers Members cannot purchase materials or receive funds on behalf of Metro Parks Tacoma. Volunteers Members cannot act as an agent of the organization outside of the position description provided and only as authorized by the supervising staff member.

Section IV    Metro Parks Tacoma may pass on the expense for background checks and other volunteer requirements to program alternative workforce members-volunteers.

Section V    Metro Parks Tacoma shall maintain the protection and confidentiality of all personal information that is collected concerning individual volunteersmembers. These records shall be maintained by the supervisor for six years after service is complete per public records requirements.

Sections VI   Volunteers Members will comply with all District policies and procedures while performing service under the direction of and on behalf of Metro Parks Tacoma.
1. District computers, phones, and vehicles may be used by volunteers; provided the department volunteer management staff has provided training and maintains documentation of that training on file.

2. Mileage for a volunteer’s use of their own personal vehicle for MPT assignments, not related to personal travel to and from the volunteer assignment location, may be reimbursable if authorized in advance by the supervisor.

3. Volunteers are expected to adhere to the same code of conduct as all staff. Volunteer positions are at-will and may not be subject to progressive discipline. Serious infractions will result in a volunteer’s immediate dismissal.

Section VII Position descriptions and/or volunteer engagement agreements shall be developed and maintained to define the scope of the responsibilities, rights and expectations of volunteers and Metro Parks Tacoma staff for all volunteer positions.

Related Policies:

- Background Check
- Partnership
- Public Engagement
- Advisory Council Charter
**FAMILIARIZATION PASS POLICY**

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**POLICY: (For review by the Board of Park Commissioners)**

**Purpose:** To establish a policy for the distribution of Familiarization Passes.

**Policy Requirements:**

**Section I.** All Metro Parks Tacoma employees will receive one (1) Familiarization Pass each calendar year (January-December).

**Section II.** Each alternative workforce member is eligible to receive one (1) Familiarization Pass each calendar year (January-December) based on service hours approved through the District volunteer database from the previous calendar year.
POLICY: (For Review by Board of Park Commissioners)

Purpose: To establish a policy to comply with federal regulations regarding employees that hold a Commercial Driver’s License (CDL).

Policy Requirements:
Section I. Federal regulations require that employers conduct alcohol and controlled substances testing of drivers who operate commercial motor vehicles, including but not limited to, employer drivers, contract drivers, mechanics, and supervisors with a commercial driver’s license who fill in. This policy provides guidelines for circumstances under which the Federal Motor Carrier Safety Administration (FMCSA) and the United States Department of Transportation (DOT) mandated testing must be conducted. Of course, all the details of every possible situation cannot be anticipated, so the Metro Parks Tacoma reserves the right to determine the appropriate application of this policy and general employment policies to any particular case.

Section II. Employees covered by this policy will receive a copy of the policy and by signature verify that they have read and understand the policy. Drivers should note that in addition to the required DOT regulations, they are also subject to the Metro Parks Tacoma Drug and Alcohol Free Workplace Policy and all other policies and procedures as applied to all employees. Metro Parks Tacoma expects all drivers to work drug- and alcohol-free at all times. If you have any questions about this policy, contact Human Resources.

Section III. The following conditions and activities are expressly prohibited:
A. The manufacture, or sale, or use or possession of alcohol, any controlled or illegal substance (except strictly in accordance with medical authorization) or any other substances which impair job performance or pose a hazard, when use or possession occurs on Metro Parks Tacoma premises or property, or during work time, or while representing Metro Parks Tacoma in any work-related fashion.
B. Reporting for work having consumed alcohol or used illegal drugs or controlled substances at a time, or in such quantities, or in a manner that may impair work performance. For purposes of this policy, having any detectable level of an illegal or controlled drug, or alcohol with an alcohol concentration of .02 or greater, in one’s system while covered by this policy will be considered to be a violation.
Section IV.

Alcohol and Drug Problems
In some cases alcohol and drug abuse can be a result of chemical dependency that can be successfully treated with professional help. Drivers who are having problems with alcohol or drug use are encouraged to seek voluntary counseling and treatment. It is the driver's responsibility to seek help when needed, and to do so before substance abuse causes problems on the job, results in a positive drug or alcohol test, or results in disciplinary action.

A. Drivers who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation, and treatment requirements of 49 CFR Part 382 and 40, provided that:
   1. The admission is in accordance with the Metro Parks Tacoma's the Drug and Alcohol Free Workplace policy;
   2. The driver does not self-identify in order to avoid testing;
   3. The driver makes the admission of alcohol misuse or controlled substances use before performing a safety-sensitive function;
   4. The driver does not perform a safety-sensitive function until the Metro Parks Tacoma is satisfied that the driver has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.

B. Normally, Metro Parks Tacoma will:
   1. Not take adverse action against a driver making a voluntary admission of alcohol misuse or controlled substances use provided that the admission occurs before the employee has been subject to disciplinary action or the use/misuse has affected job performance;
   2. Allow the driver sufficient opportunity to seek an evaluation, education or treatment to establish control over the employee's drug or alcohol problem;
   3. Permit the employee to return to safety sensitive duties only upon successful completion of an educational or treatment program, as determined by a substance abuse professional, and may require the employee to sign a Last Chance Agreement as a condition of employment.

C. The employee must pay the cost of the pre-treatment evaluation and any treatment. Metro Parks Tacoma's medical plan, when available to the employee, may cover a portion of the evaluation and treatment costs; however, uncovered costs remain the employee's responsibility to pay. Metro Parks Tacoma will pay the cost of any follow-up controlled substances or alcohol testing required by the substance abuse professional. The following Substance Abuse Professional can provide help and referrals: Wellspring EAP at https://www.wellspringeap.org/ or 1-800-553-7798.

Section V.
Definitions
A. "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
B. "Alcohol concentration (or content), BAC" means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under 49 CFR Part 382.
C. "Alcohol use" means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.
D. "Commercial motor-vehicle" (or "CMV") means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or Has a gross vehicle weight rating of 26,001 or more pounds; or is designed to transport 16 or more passengers, including the driver; or is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be
placarded under the Hazardous Materials Regulations (49 CFR Part 172, subpart F).

E. "Controlled substances" mean those substances identified in 49 CFR Part 40.85: marijuana, cocaine, opioids, amphetamines, and phencyclidine.

F. "DOT Agency" means an agency (or "operating administration") of the United States Department of Transportation administering regulations requiring alcohol and/or drug testing (14 CFR parts 61, 63, 65, 121, and 135; 49 CFR parts 382, and 385), in accordance with 49 CFR Part 40.

G. "Driver" means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer.

H. "Drug" has the meaning of any controlled substances, prescription, or over-the-counter medication.

I. "EBT (or evidential breath testing device)" means an EBT approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA’s "Conforming Products List of Evidential Breath Measurement Devices" (CPL), and identified on the CPL as conforming with the model specifications available from the National Highway Traffic Safety Administration, Office of Alcohol and State Programs.

J. "Employer" means an entity employing one or more employees (including an individual who is self-employed) that is subject to DOT agency regulations requiring compliance with 49 CFR Part 382. The term refers to the entity responsible for overall implementation of DOT drug and alcohol program requirements, as well as those individuals employed by the entity who take personnel actions resulting from violations of 49 CFR Part 382 and any applicable DOT agency regulations. Service agents are not employers.

K. "Licensed medical practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

L. "Medical Review Officer (MRO)" means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

M. "Performing (a safety-sensitive function)" means a driver is considered to be performing a safety-sensitive function during any period in which the employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

N. "Refuse to submit (to an alcohol or controlled substances test)" means that a covered employee: Fails to show up for any test (except a pre-employment test) within a reasonable time after being directed to do so by the Employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a Consortium/Third Party Administrator; Fails to remain at the testing site until the testing process is complete; provided, that an applicant who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused a test. The testing process commences once the applicant has been provided the specimen collection cup. Fails to provide a urine specimen for any drug test or breath or saliva sample for an alcohol test required by 49 CFR Part 382, if the employee leaves after the testing process has commenced; In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the provision of a specimen; Fails to provide a sufficient amount of urine, breath or saliva when directed, unless it has been
determined, through a required medical evaluation, that there was an adequate medical explanation for the failure to provide; Fails or declines to take a second test the employer or collector has directed following a negative dilute result as required by 40.197(b); Fails to undergo an additional medical examination, as directed by the MRO as part of the verification process, or as directed by the Designated Employer Representative (DER) concerning the evaluation as part of the "shy bladder" procedures in 49 CFR Part 40, subpart I; or fails to undergo a medical examination or evaluation as directed by the employer as part of the insufficient breath procedures outlined in 40.265(c); Fails to cooperate (e.g. refuses to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector) or otherwise interferes with any part of the testing process; Fails to sign the certification at Step 2 of the alcohol testing form (ATF), Is reported by the MRO as having a verified adulterated or substituted test result; For an observed collection, fails to follow the observer's instructions to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if there is any type of prosthetic or other device that could be used to interfere with the collection process; Possesses or wear a prosthetic or other device that could be used to interfere with the collection process; Admits to the collector or MRO to having adulterated or substituted the specimen.

Q. "Safety-sensitive function" means all time from the time a driver begins to work or is required to be in readiness to work until the time the employee is relieved from work and all responsibility for performing work. Safety-sensitive function shall include: All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer; All time inspecting equipment as required by FMCSA regulations or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time; All time spent at the driving controls of a commercial motor vehicle in operation; All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of 49 CFR 393.76); All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; All time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Section VI. Prohibited Conduct
A. The following is considered prohibited conduct under this policy:
1. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. No driver shall use alcohol while performing safety-sensitive functions.
3. No driver shall perform safety-sensitive functions within four hours after using alcohol.
4. No driver required to take a post-accident alcohol test under 49 CFR 382.303 shall use alcohol for eight (8) hours following the accident, or until the employee undergoes a post-accident alcohol test, whichever occurs first.
5. No driver shall refuse to submit to a post-accident, random, reasonable suspicion, or follow-up controlled substance and/or alcohol test required by 49 CFR Part 382.
6. No driver shall report for duty, remain on duty or perform a safety-sensitive function when there is a quantifiable level of a controlled substance in the driver's body above the minimum thresholds established in 49 CFR Part 40. Although the personal use of marijuana is permitted under Washington law, federal law still
prohibits the use and possession of marijuana. Employees must be aware that having a detectable level of marijuana in their body, regardless of whether their use was for recreational or medical purposes, constitutes prohibited conduct.

7. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any drug except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in §382.107, who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle. Notwithstanding the above, the medical use of marijuana that causes drug or drug metabolites to be present in the body above minimum thresholds established in 49 CFR Part 40 constitutes prohibited conduct regardless of whether the marijuana was used under the guidance of a medical practitioner and regardless of whether the medical practitioner advised that such use will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

8. Metro Parks Tacoma shall not permit a driver to continue to perform safety sensitive functions if the Metro Parks Tacoma has actual knowledge of a driver violating any of the aforementioned prohibitions. Actual knowledge may be based on the MPT's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances, or an employee's admission of alcohol or controlled substances use, except when participating in a voluntary self-identification program.

Section VII  Other Related Alcohol Conduct

A. A driver tested under the requirements of this policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall be removed immediately from performing safety-sensitive functions until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following the test administration.

Section VIII Controlled Substances and Alcohol Testing

A. Submission to the controlled substance and alcohol testing described in this policy is a condition of employment with the Metro Parks Tacoma for those drivers covered by DOT and FMCSA regulations. A refusal to submit (as described above) will constitute a violation of this policy and grounds for termination of employment. The driver may be tested for controlled substances at any time during his/her work day, except pre-employment, and alcohol testing will be conducted just before, during or after performing safety sensitive functions.

B. Drivers will be subject to testing as follows:

Pre-Employment: Drivers will be tested for controlled substances unless:

1. The driver participated in a DOT testing program within the past 30 days and;
2. While participating in that program, either:
   a. Was tested for controlled substances within the past 6 months (from the date of application with the Metro Parks Tacoma), or
   b. Participated in the random controlled substances testing program for the previous 12 months (from the date of application with the Metro Parks Tacoma); and
3. No prior employer of the driver of whom the employer has knowledge has records of a violation of DOT controlled substances regulations within the previous 6 months.

C. A driver/applicant who tests positive on a pre-employment test will not be hired, but may be eligible to reapply for employment with Metro Parks Tacoma after six months from the date of the positive test. In addition, an applicant who tested positive on any DOT mandated pre-employment drug test after August 1, 2001, must provide documentation of his/her successful completion of DOT return-to-duty requirements.
(i.e., an evaluation by a substance abuse professional, education and/or treatment, and a negative DOT pre-employment test all of which meet the requirements of 49 CFR Part 40).

Section IV — Post-Accident

A. As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each surviving driver shall be tested for controlled substances and alcohol if:
   1. The driver was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life (fatality); or
   2. The driver received a citation for a moving violation and the accident involved bodily injury to any person who, as a result of the accident, immediately receives medical treatment away from the scene of the accident; or
   3. The driver received a citation for a moving violation and the accident involved one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

B. A driver may not consume alcohol for eight (8) hours following an accident that requires the DOT alcohol test. The alcohol test must be completed within two (2) hours of the accident; if not, the supervisor must document the reasons for the delay, and shall continue to have the test conducted up to eight (8) hours following the accident. After eight (8) hours the attempt to test will be ceased, and the supervisor must again provide the reasons for the test not being administered.

C. A controlled substances test shall be administered as soon as practicable up to 32 hours following the accident. After 32 hours the attempt to test will be ceased, and the supervisor must provide the reasons for the test not being administered promptly. A driver must remain readily available for testing, or may be deemed by Metro Parks Tacoma to have refused to submit to testing.

D. Nothing in this policy should be construed to require the delay of necessary medical attention for the injured.

Section V — Random

A. Metro Parks Tacoma is using a consortium/third party administrator to facilitate the random selection of drivers and notification to Metro Parks Tacoma of the driver(s) selected for testing. The consortium/third party administrator is:
   A WorkSAFE Service, Inc.
   1696 Capitol St NE
   Salem OR 97301
   (503) 391-9363

B. Drivers will be subject to random alcohol and controlled substance testing under the following program:
   1. Random selection of drivers will be made by a scientifically valid method using a computer-based random number generator that is matched with drivers' social security numbers.
   2. Each driver shall have an equal chance of being drawn each time selections are made.
   3. Selections for testing are unannounced and reasonably spread throughout the calendar year.
   4. Random selections are made to ensure testing for controlled substances is conducted at not less than the minimum annual 25% rate and alcohol is conducted at not less than the minimum annual 10% rate, or the rates as established by the FMCSA.
   5. A driver shall only be tested for alcohol just before, during, or after performing safety-sensitive functions; however, the employee may be tested for controlled substances any time while performing work for Metro Parks Tacoma.
6. Once a driver is notified of selection for random alcohol and/or controlled substances testing, the employee shall proceed to the test site immediately.

Section VI: Reasonable Suspicion:

A. Drivers will be tested for alcohol and/or controlled substances whenever Metro Parks Tacoma has reasonable suspicion that the individual is under the influence of alcohol or a controlled substance. Reasonable suspicion will be based on specific, contemporaneous, articulable observations concerning the behavior, speech, appearance or body odors of the driver, including any indicators of the chronic and withdrawal effects of controlled substances. Drivers required to be tested under reasonable suspicion testing will be removed from performing safety-sensitive functions pending the outcome of the test result(s) and be transported to the testing facility by Metro Parks Tacoma.

B. Reasonable suspicion drug testing is authorized when the supervisor's observation of the driver's behavior occurs anytime during the workday. Reasonable suspicion alcohol testing is authorized only if the supervisor's observation of the driver's behavior has been made during, just preceding, or just after performing any safety-sensitive function.

C. The alcohol test must be completed within two (2) hours of the observation; if not, Metro Parks Tacoma must document the reasons for the delay, and shall continue to have the test conducted up to eight (8) hours following the observation. After eight (8) hours, the attempt to test will cease. If an alcohol test is not completed within the two (2) or eight (8) hour time periods described above, the Metro Parks Tacoma shall prepare and maintain on file a record stating the reasons the test was not administered within the appropriate time frames.

D. Metro Parks Tacoma shall not permit a driver to report for duty, remain on duty, perform, or continue to perform any safety-sensitive functions while the driver is impaired by alcohol, as shown by the behavioral, speech, or performance indicators of alcohol misuse, until an alcohol test is administered and the driver's alcohol concentration measures less than 0.02 percent, or the start of the driver's next regularly scheduled duty period, but not less than twenty four (24) hours following the supervisor's determination that reasonable suspicion exists.

E. Supervisors and any Employer representative that may be expected to serve in a supervisory capacity, and who may be required to make a reasonable suspicion determination, must have received at least 60 minutes of training on the indications of probable drug use and an additional 60 minutes training on the indicators of probable alcohol misuse. Only those individuals who have received this training are qualified to make these decisions.

Section VII: Return-to-Duty and Follow-Up

A. Drivers who test positive or admit to misuse of alcohol or controlled substance use and enter into a voluntary self-identification program are not permitted to return-to-duty involving safety-sensitive functions until the driver has a verified negative controlled substances test and/or an alcohol test with a result less than 0.02 alcohol concentration. The voluntary self-identification program must meet the criteria described earlier in this policy.

Section VIII: Failure to Cooperate

A. Employees who are subject to this policy are expected to comply fully with any required testing. Failure to do so (including, for example, refusing to sign consent or refusing to test, obstructing the testing process, failing to make themselves available for a required test, failing to provide an adequate sample for testing, attempting to adulterate or substitute a specimen, or in any way tampering with a required test, failing to empty pockets or wash hands as requested by collection site personnel, refusing to permit an observed collection, possessing or wearing a prosthetic or other device that could be used to interfere with the collection process) will cause the driver...
to be immediately relieved from performing safety-sensitive functions, and will also be considered a violation of the Metro Parks Tacoma policy that will subject the employee to discipline, up to and including termination of employment. Metro Parks Tacoma also reserves the right to involve law enforcement officials for any conduct that Metro Parks Tacoma believes might be in violation of state or federal law.

Section IX  Testing Procedures

A. Urine Specimen Collection: Specimen collections will be conducted in accordance with the procedures of 49 CFR Part 40, as amended. The collection procedures are designed to ensure the security and integrity of the specimen provided by each covered employee, and those procedures will strictly follow federal chain-of-custody guidelines. Moreover, every reasonable effort will be made to preserve the individual's privacy as much as possible consistent with ensuring an accurate result. Covered employees will be required to empty their pockets before providing the drug test specimen. Under normal circumstances, the applicant or covered employee will be afforded complete privacy in the restroom for providing the urine sample. Certain situations do require the urine sample be provided under same-gender direct observation. Those situations include:

1. The temperature on the original specimen was out of range; or
2. The original specimen appeared to have been tampered with (i.e., unusual color, odor, foam, etc.);
3. The collector observes materials brought to the collection site or the individual's conduct clearly indicates and attempt to tamper with a specimen;
4. The laboratory reported to the MRO that a specimen is invalid, and the MRO reported to the Metro Parks Tacoma there was not an adequate medical explanation for the result; or
5. The MRO reported to Metro Parks Tacoma that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed; or
6. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL, and the MRO reported the specimen to Metro Parks Tacoma as negative-dilute and a second collection must take place under direct observation; or
7. All return-to-duty or follow-up drug tests. When that occurs, the individual subject to testing will be required to follow the observer's instructions to raise their clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if there is any type of prosthetic or other device that could be used to interfere with the collection process. Refusing to permit an observed collection, or possessing or wearing a prosthetic or other device that could be used to interfere with the collection process, are considered a refusal to test and will constitute a verified positive drug test result.

Section X  Laboratory Analysis

A. As required by 49 CFR Part 40, only a laboratory certified by the Department of Health and Human Services (DHHS) will be retained by the Employer to perform the analysis of the urine specimen for controlled substances. The initial screening test will be performed by immunoassay and will test for substances and at cutoff levels required by 49 CFR Part 40, as amended. All specimens identified as positive on the initial screening test will be confirmed using gas chromatography/mass spectrometry techniques at cutoff levels required by 49 CFR Part 40, as amended.

Section XI  Breath Alcohol

A. Testing will be conducted by a qualified technician according to 49 CFR Part 40 procedures using a DOT-approved device. If an initial test indicates an alcohol...
concentration of less than 0.02, no further testing will be conducted. If the initial test result is 0.02 or greater, a confirmation test will be conducted by a Breath Alcohol Technician using an Evidential Breath Testing (EBT) device. Testing will be conducted in a manner that protects the confidentiality of the employee’s testing information as well as the integrity of the testing process.

Section XII  Medical Review
A. All controlled substances test results will be reviewed by a Medical Review Officer (MRO) before results are reported to Metro Parks Tacoma. The MRO will attempt to contact the driver to discuss the test results before reporting positive results to Metro Parks Tacoma.
B. Metro Parks Tacoma’s Medical Review Officer is:
   Dee J. McGonigle, M.D.
   18912 North Creek Parkway
   Suite 202
   Bothell, WA 98011
   (425) 488-9755

Section XIII  Notification of Results
A. Metro Parks Tacoma will notify the affected driver of any controlled substances test that is reported as positive by the MRO. Metro Parks Tacoma will notify driver-applicants of the results of pre-employment controlled substances testing if the applicant requests that information in writing within 60 days after Metro Parks Tacoma notifies the applicant that the employee has or has not been hired.

Section XIV  Analysis of Split Sample Specimen
A. A urine sample will be split at the time of collection. Within 72 hours of the MRO notifying the driver of a verified positive controlled substances test, or an adulterated or substituted specimen, the driver may request the split sample to be tested. Only the MRO may authorize such testing, which may take place only at laboratories certified by the Department of Health and Human Services (DHHS). If the split sample test fails to reconfirm the presence of the drug or drug metabolite, the MRO shall cancel the test or take such steps as are directed by DOT regulations. All applicants/drivers have a right to request testing of the split sample. Metro Parks Tacoma will be responsible for the cost of testing the split sample.

Section XV  Confidentiality
A. Records required under this policy, including test results, will be maintained in a secure location with controlled access. Each driver, upon written request, shall be entitled to receive copies of his/her own records, and to have copies of his/her records made available to any subsequent employer. Information may also be disclosed to the relevant state or federal agencies, or in connection with judicial, administrative or related proceedings (e.g., grievances and arbitration) initiated by or on behalf of the driver, or where otherwise required by law.

Section XVI  Evaluation and Referral
A. DOT regulations require that any driver who violates the alcohol and controlled substances rules of 49 CFR Part 382 be advised of available evaluation resources and be evaluated by a Substance Abuse Professional. The driver must complete an appropriate education and/or treatment program before being eligible to return to safety-sensitive duty.
B. Before returning to performing safety-sensitive functions for any DOT employer, a driver must be tested for controlled substances with a verified negative controlled substances test result and/or alcohol with a test result less than 0.02 alcohol concentration. The driver will be subject to follow-up testing at least six times in the...
first 12 months of returning to duty, and follow-up testing may continue for five years. All return-to-duty and follow-up drug tests will be required to be collected as same gender direct observation collections.

Section XVII Information on Effects and Signs of Alcohol and Controlled Substance Use

A. DOT regulations require employers to furnish information regarding the effects of alcohol and controlled substance use, as well as the signs and symptoms of such use. Included in an appendix to this policy are fact sheets regarding alcohol and various controlled substances. Any employee who suspects a co-worker has an alcohol or drug problem may refer the co-worker to contact information for the Substance Abuse Professional with the Metro Parks Tacoma Employee Assistance Program Wellsprings EAP, or to management.

B. Personnel responsible for supervising and managing employees subject to testing under this policy must attend at least two hours of training on alcohol and drug misuse symptoms and indicator used in making determinations for reasonable suspicion testing.

Section XVIII Consequences

A. Drivers violating this policy or federal regulations will be suspended from performing any safety-sensitive functions with a commercial motor vehicle as defined by this policy, and their employment will be terminated. Metro Parks Tacoma also reserves the right to involve law enforcement officials for any conduct the Metro Parks Tacoma believes might be in violation of state or federal law.
DRUG AND ALCOHOL-FREE WORKPLACE

<table>
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<tr>
<th>Policy No.:</th>
<th>Resolution No.:</th>
<th>Date Approved:</th>
<th>Supersedes the following Resolutions &amp; Policies:</th>
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<tr>
<td>502.001</td>
<td>RR81-15</td>
<td>12/14/15</td>
<td>R23-94: R100-98: R6-10</td>
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Date procedures adopted by the Executive Director: Procedure revision date: Procedures approved by the Executive Director:

POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy regarding a drug and alcohol-free workplace for Metro Parks Tacoma employees. Metro Parks Tacoma is obligated to comply with both federal and state law and is committed to providing a drug and alcohol-free working environment.

Policy Requirements:

Section I. Employees who use, manufacture, dispense, distribute, or possess alcohol or drugs when reporting for duty, while on-duty, or when on Metro Parks Tacoma’s premises or who report for duty with drugs or alcohol in their systems constitute a threat to the health, safety and security of their fellow employees and other members of the public.

Section II. Metro Parks Tacoma prohibits the use, manufacture, distribution, dispensing, and possession of illegal drugs or alcohol by employees of Metro Parks Tacoma while on any District property or conducting Metro Parks Tacoma business off District property.

Section IV. Employees are prohibited from reporting for duty or engaging in responsibilities on behalf of Metro Parks Tacoma at other than Metro Parks Tacoma property under the influence of drugs or alcohol. Employees will be considered under the influence of drugs or alcohol if they test positive for drugs or alcohol.

Section V. For purposes of this policy, drugs may include, but are not limited to, the following:

A. Narcotics (heroin, morphine, etc.)
B. Cannabis (marijuana, hashish)
C. Stimulants (cocaine, diet pills, etc.)
D. Depressants (tranquilizers)
E. Hallucinogens (PCP, LSD, "designer drugs," etc.)

Section VI. Employees are also prohibited from working or reporting for duty under the influence of any prescription drug or over-the-counter drug which impairs their ability to perform the job safely. Employees must report to their supervisors when they are taking prescriptions or over the counter medications that might impair their driving or other job duties.

Section VII. Failure to comply with this policy may result in disciplinary action against the employee, including the potential for termination, regardless of whether or not the employee is participating in a treatment program.

Section VIII. Alcoholism and drug dependency, which are treatable illnesses, can be successfully dealt with if identified in their early stages and referred to an appropriate source for treatment. Metro Parks Tacoma encourages an alcohol or chemical-dependent employee to seek...
treatment as early as possible. To facilitate this treatment, Metro Parks Tacoma provides the services of an Employee Assistance Program (EAP) for employees.

Section IX. Metro Parks Tacoma will strive to work with the employee to permit participation in a resident or other treatment program through a modified work schedule or other accommodations. Because circumstances and employees are different, each situation will be evaluated on an individual basis. Employees participating in an outpatient treatment program are expected to observe all other job performance standards, including attendance, required of other employees.

Section X. Any employee who comes forth and notifies Metro Parks Tacoma of an alcohol or chemical dependency problem, prior to the occurrence of an incident related to the use of drugs and/or alcohol, will be given the same consideration and assistance extended to employees with any other illness. Sick leave, vacation leave or leave of absence without pay may be granted for treatment or rehabilitation as in any other illness, and insurance coverage for treatment will be provided to the extent established in the benefit plan. Employees are encouraged to contact the Human Resources Department for assistance in understanding seniority, sick leave, vacation leave and leave of absence without pay policies and their impact on an individual situation as well as the health insurance plan under which they have coverage through Metro Parks Tacoma.

Section XI. Any decision to seek help privately or through Metro Parks Tacoma's EAP prior to an occurrence of an incident related to the use of drugs and/or alcohol will not interfere with an employee's continued employment or eligibility for consideration for future promotional opportunities.

Section XII. Information regarding the Employee Assistance Program (EAP) may be obtained from the employee's supervisor or the Human Resources Department. Confidentiality of information will be maintained at all times to the extent provided by law.

Section XIII. While Metro Parks Tacoma strives to assist employees with alcohol or chemical dependency problems, employees are expected to remember that safety is paramount. Therefore, employees must not report for work or continue working if they are unable to avoid the use of alcohol or other drugs while on-duty.

Section XIX. The Drug Free Workplace Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991 require employees to abide by the terms of this policy as a condition of employment.

Section XX. In addition to the prohibited behaviors, one of the measures adopted to ensure a drug and alcohol-free workplace is drug and alcohol testing. All employees are subject to reasonable suspicion drug and alcohol testing to determine the presence of alcohol or drugs in their systems. For the purposes of this policy, "reasonable suspicion" may include, but is not limited to:
A. Impaired behavior of staggering or irregular gait;
B. The odor of alcohol on the breath;
C. Slurred speech;
D. Dilated or constricted pupils;
E. Inattentiveness;
F. Listlessness;
G. Hyperactivity;
H. Illogical speech or thought processes;
I. Poor judgment;
J. Unusual or abnormal behavior.
Section XXI. Employees in safety sensitive positions in areas such as public safety or transportation/lifeguarding or driving a tram are also subject to random drug and alcohol testing. An example of other safety sensitive positions and tasks includes work as a life guard; underwater diving; day camp leader leading groups on programs such as hiking, climbing, etc.; working with high voltage; working with dangerous animals and the like.

Section XXII. Employees who refuse to comply with the testing portion of this policy will be considered insubordinate and, therefore, subject to discharge.

Section XXIII. Employees must notify Metro Parks Tacoma of any conviction under a criminal drug statute for violations occurring on or off Metro Parks Tacoma property while conducting Metro Parks Tacoma business. The report to management of a conviction must be made within five (5) days after the conviction. An employee convicted under a criminal drug statute will be subject to disciplinary action as required by the Drug Free Workplace Act.

Section XXIV. Employees who are required to have and maintain a Commercial Driver's License (CDL) are subject to the provisions outlined in the Drug and Alcohol Policy for Use With FMCSA/DOT Regulated Employees, along with additional requirements, including random drug and alcohol testing, pre-employment drug testing and post-accident testing. The requirements for this testing are outlined in Metro Parks Tacoma's Drug and Alcohol Testing Procedures Manual. Employees affected by this requirement and their supervisors will be provided training specific to the testing procedures.
PAY INCREASES

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<th>Policy No.: 515.002</th>
<th>Resolution No.: RR19-18</th>
<th>Date Approved: 02/26/2018</th>
<th>Supersedes the following Resolutions &amp; Policies: R23-94, R178-96, R100-98, R28-00, RR21-04, RR6-10</th>
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<tr>
<td>Date procedures adopted by the Executive Director:</td>
<td>Procedure revision date:</td>
<td>Procedures approved by the Executive Director:</td>
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POLICY: (Adopted by the Board of Park Commissioners)

Purpose: To establish a policy for granting pay increases for career employees within Metro Parks Tacoma.

Policy Requirements:

Section I. The Executive Director or designee shall establish the necessary administrative procedures for carrying out the intent of the Board's policy direction for employee compensation. The Executive Director or designee shall comply with applicable local, state or federal laws and regulations in establishing the administrative procedures required.

Section II. Career non-represented employees of Metro Parks Tacoma may be eligible on an annual basis for a pay increase. The decision whether to grant a pay increase will be dependent on the following: (a) whether the employee has met the job requirements and goals established through their work plans as determined by the employee's supervisor, (b) and have not reached the top of their specific salary range, and (c) whether Metro Parks Tacoma has the financial resources to afford pay increases. Seniority and length of service are generally not considered in deciding whether an employee shall receive a pay increase. Represented employees shall be eligible with acceptable performance for one step increase after one year following the date of hire, then one step increase every two years thereafter until the top step is reached.

Section III. If an employee is denied a pay increase due to his/her failure to meet job requirements and goals established by the work plan, the employee's supervisor may be tasked with establishing and monitoring a development plan for the next annual period in an effort to improve the employee's performance sufficient to merit a future pay increase.

Section IV. Employees who reach the top of the salary range for their position shall not be entitled to pay increases unless and until the top of the salary range increases. Should employees be at the top of the salary range for their position, the Executive Director or their designee may authorize a lump sum payment.

Section V. Employees may be eligible for pay increases under the provisions of the Promotion Policy. The Executive Director or designee may also grant wage adjustments deemed essential to the best interest of Metro Parks when considering such factors as internal/external alignment, retention, performance & experience and special skills. The Executive Director or designee may also grant temporary wage adjustments, not to exceed 10% of the employee's current salary, when the employee has taken on higher level additional duties of at least twenty percent of effort outside of the employee's positions typical duties for an extended period of time.
Section VI. Employees may be eligible for an equity pay increase after a formal review by Human Resources has been completed. Equity increases are meant to help correct cases of salary inequity (internal or external) or inappropriate salary differences between Supervisors and those they supervise (referred to as “salary compression”). Equity increases are not meant to replace or supplement merit increases or reclassification increases, nor are they given solely on the basis of longevity, performance or increased workload. Criteria for submitting an Equity Review Request is:

A. The employee must be actively working (not on leave.)
B. Have satisfactory performance for the last 3 years.
C. Been in the position for the last 3 years
And meet one or more of the following criteria:

1. Internal salary inequity between employees in the same or similar job title
2. Internal salary inequity between new hires and current employee in the same or similar job title in a particular department or division of Metro Parks Tacoma.
3. External market inequity, as evidenced by one or more of the below situations:
   a. Valid market data showing that our competition pays higher salaries for similar work
   b. Recruitment difficulties
   c. Sharp increase in turnover for similar work.
4. Salary compression between supervisors and those whom they supervise.

Section VI. Nothing in this policy shall supplant, replace, or supersede conflicting provisions in collective bargaining agreements.
### POLICY AND PROCEDURES OF THE BOARD OF PARK COMMISSIONERS

<table>
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<tr>
<th>Policy No.: 000.001</th>
<th>Resolution No.: RR86-09</th>
<th>Date Approved: 2/22/10</th>
<th>Supersedes the following Resolutions &amp; Policies: 43-92, 5-97, 144-98, R10-99, 51-02, R106-02; Board motion on 3/27/07; Board Motion 2/22/10</th>
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<td>Procedure revision date:</td>
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**POLICY:** (Approved by the Board of Park Commissioners.)

**Purpose:** The Metropolitan Park District of Tacoma (Metro Parks Tacoma) is accountable to its citizens for its use of public dollars. The limited financial resources of Metro Parks Tacoma must be wisely used to ensure adequate funding to support the services, public facilities, and infrastructure necessary to meet the community's present and future needs.

This *Policy and Procedures of the Board of Park Commissioners* establishes the operating policy for Board of Park Commissioners. Within this policy, the Board of Park Commissioners establishes how it will conduct the business affairs of the Board and establish how business may be brought before the Board for action.

The policy is designed to provide elected and appointed officials, employees, and the general public with clearer information on how the Board of Park Commissioners conducts the public's business and what opportunities the public has for presenting its advice, requests and input on matters under consideration by Metro Parks Tacoma.

**Policy Requirements:**

**Section I.** The Board of Park Commissioners is charged with establishing the policy direction for the Metropolitan Park District of Tacoma under Washington State law. While recognizing the formal legal name of the entity as the Metropolitan Park District of Tacoma, Pierce County, Washington the Board desires that the name of Metro Parks Tacoma be utilized in all references not requiring the formal legal name of the organization.

**Section II.** This *Policy and Procedures of the Board of Park Commissioners* identifies the enabling legislation for Metro Parks Tacoma, the Board-adopted rules and regulations governing the conduct of meetings of the Board of Park Commissioners and other matters related to the conduct of business by the Board.

**Section III.** The enabling legislation governing Metro Parks Tacoma is RCW 35.61. In addition, other local, state, and federal laws and regulations govern the conduct and business of Metro Parks Tacoma.

**Section IV.** Officers of the Board of Park Commissioners are as follows:

A. Board President
B. Board Clerk
C. Term of office is for one year or until new officers have been elected as provided below.
D. Nomination of officers of the Board shall be at the last meeting in the prior calendar year and at the first meeting in the new calendar year.
E. Election of officers shall be at the first meeting in the new calendar year. The new officers shall immediately take office upon the conclusion of the voting by the Board of Park Commissioners.
F. The Board shall appoint a Board Secretary from within the administrative staff of Metro Parks Tacoma to take minutes of the meetings of the Board of Park Commissioners.
Section V. The fiscal year of the Metropolitan Park District of Tacoma shall be from January 1 through December 31.

Section VI. Meetings of the Board of Park Commissioners shall be conducted as follows:
A. Meetings shall be held in accordance with all provisions of the Washington State Open Public Meetings Act as provided in RCW 42.30.
B. Regular meetings: Second and fourth Mondays of each month unless changed by resolution of the Board of Park Commissioners and announced to the public. The location of the Board meetings shall be at the administrative headquarters, 4702 South 19th Street, Tacoma, WA unless changed by resolution approved by the Board.
C. Time of Meeting: The Board will begin consideration of the Agenda at 6:00 PM or as close to that time as possible following the conclusion of any earlier Study Session. No Study Session preceding a regular meeting shall begin earlier than 5:00 PM.
D. Executive Session: May be held at any time during a regular or special meeting in accordance with the requirements of RCW 42.30.
E. Study Sessions: Allows for the presentation of information to the Board by staff, consultants, or citizens/community members in an arena where the Board is not in a decision-making mode. Rather, the Board is afforded the opportunity to receive information, ask questions, and consider options regarding the various matters under discussion. The public is not permitted to ask questions during a Study Session. The Board may not take formal action during a Study Session.
F. Public Hearings: Public hearings to seek and receive citizen input regarding matters under consideration by the Board of Park Commissioners may be scheduled as part of any regular or special meeting of the Board of Park Commissioners. During a public hearing citizen comments will be taken and included as part of the official record of proceedings of the Board of Park Commissioners.
G. Citizen-Community Comments: Citizens/community members are afforded an opportunity at each regular and special meeting of the Board of Park Commissioners to offer their comments to the Board. Citizens/community members are limited to a three (3) minute time limit and may only speak once during the Citizen-Community Comment period at each meeting. Comments will be included as part of the official record of the meeting.
H. Special Meetings: May be called by the President of the Board of Park Commissioners or as agreed upon by at least three (3) members of the Board. Time and place of the meeting to be announced with notice given to the media at least 24 hours in advance of the meeting, except in the case of an emergency.
I. Quorum: Three (3) commissioners.
J. Minutes: The Board Secretary shall take and prepare the meeting minutes for subsequent review and approval by the Board. Voice tape recordings shall also be made of the Board meeting.
K. Notice to the Media: Notice of Board meetings together with a copy of the agenda shall be forwarded to the Tacoma News Tribune and all other members of the media making formal request of the Board Secretary.

Section VII. The Executive Director shall prepare the Agenda for the Board of Park Commissioners meeting as follows:

A. The Agenda shall be laid-out in the following manner:
   1. Business before the Regular Agenda. Items may include:
      a. Study Sessions
      b. Public Hearings
   2. Regular Agenda shall include:
      a. Call to Order
      b. Roll Call
      c. Flag Salute
      d. President's Report
      e. Executive Director's Report
      f. Special Presentations
      g. Board Committee and Advisory Council Reports
      h. Citizen-Community Comments
      i. Business Meeting:
         1) Approval of the Minutes of the Previous Meeting
         2) Consent Agenda
3) Non-Public Works Purchasing Resolution – all contracts, agreements, goods and services proposed to be bought or acquired by Metro Parks Tacoma
4) Public Works Purchasing Resolutions – contracts, agreements, goods and services
5) Resolutions Requiring a Single Reading for Approval
6) Resolutions Requiring Two Readings for Approval
7) Unfinished Business
8) New Business
9) Comments by Board Members
10) Adjournment

B. The Consent Agenda shall be utilized by the Board of Park Commissioners to relatively minor matters for the Board for consideration and potential approval and are designated by the letter “C” in the resolution number. Items on the Consent Agenda are not subject to Board debate or questions. Any member of the Board may request that an item be removed from the Consent Agenda and placed on the Regular Agenda under Resolutions requiring a Single Reading for approval (Section VII.A.2.h.4). Items generally considered to be eligible for placement on the Consent Agenda include:

1. Approval of warrants and vouchers
2. Appointment of members to advisory committees
3. Authorizing special event permits
4. Setting the dates for public hearings and similar actions
5. Accepting and appropriating grants, gifts, donations or other monies not originally included in the adopted budget.

6. Amending the amount of funds authorized for existing petty cash and change funds or closing of such funds

7. To accept Board-awarded public works construction projects following receipt of the appropriate releases from State Agencies having authority over the release of public works projects and completion of all punch-list items.

8. Rejection of bids for purchase of goods or services that would have required approval by the Board of Park Commissioners to award.

9. Minor matters of a routine nature such as authorizing submission of a grant application or authorizing sending of a letter regarding the position of Metro Parks Tacoma on a particular matter of concern.

C. A Non-Public Works Purchasing Resolution requiring a single reading shall be utilized to seek Board approval of all contracts, agreements, goods, or services proposed to be acquired or bought as required in the Purchasing Policy. The Purchasing Resolution shall combine all items proposed for Board approval at the current meeting. Each item shall be itemized as to vendor and cost. Non-public works related the letter “P” in the resolution number should designate purchasing resolutions.

D. A Public Works Purchasing Resolution requiring a single reading for each individual contract, agreement, service or goods to be acquired that are considered to be a part of a public work as defined by state law and in the Metro Parks Purchasing Policy. Public works related the letters “PW” in the resolution number should designate purchasing resolutions. A Public Works Purchasing Resolution may be held over for a second reading on a motion approved by a majority of the Board.

E. Single Reading Resolutions shall be utilized to conduct matters of greater substance that requires Board approval. The letter “R” in the resolution number shall designate single Reading Resolutions. Included among the items that would qualify for the Single Reading Resolution process would be the following:

1. Approval of agreements with other governmental entities.
2. Approval of agreements with not-for-profit agencies, businesses, or companies.
3. Granting of utility easements whereby the easement does not materially affect the use of the property for parks and recreational purposes.
5. All other items not specifically listed as requiring a Two Reading resolution process.

F. Two Reading Resolutions shall be utilized to conduct matters of the greatest importance for Metro Parks Tacoma. The letters “RR” in the resolution number shall designate two-reading resolutions. Among the items of business intended to have two readings are the following:

1. Approval or amendments to the biennial budget.
2. Approval of a master plan for a park, recreation facility, zoological facility, or programs.
3. Approval of strategic or long-range plans.
4. Approval of ballot measures referred to the electorate.
5. Issuance of debt.
6. Disposition of real property.
7. Approval of park development or redevelopment projects including setting of the budget wherein the budget for the development or redevelopment is estimated to exceed $100,000.
8. Changes to the Policy and Procedures of the Board of Park Commissioners. Changes to the Policy and Procedures of the Board of Park Commissioners shall require the affirmative vote of four (4) Commissioners.
9. Other matters of similar importance.
10. The Board, by majority vote, may suspend the requirement for a Second Reading in order to permit a vote on the question at the current meeting. A motion to suspend the Rules is not debatable.

G. The Agenda shall be mailed or emailed to the members of the Board on the Wednesday preceding the next regular meeting. Alternatively, the Agenda may be delivered to the Commissioner’s residence or business address no later than the Thursday preceding the next regular meeting. If there is a special or emergency meeting, the Agenda should be provided to the members of the Board at least 24 hours in advance, if possible.

Section VIII. The Presiding Officer at all meetings of the Board of Park Commissioners shall be the President, and in his/her absence, the Clerk who shall conduct business and deliberations of the Board under the rules contained in the Policy and Procedures of the Board of Park Commissioners. If the President and Clerk are both absent and a quorum of the Board is present, the Board members shall elect one of the members to serve as Acting President and another member to serve as Acting Clerk. The duties of the President shall be as follows:

A. The duties of the President shall be as follows:
1. Preserve order and decorum in the meeting room and observe and enforce all rules adopted for procedure.
2. Appoint various commissioners as representatives of the Board to standing and ad-hoc committees wherein a Commissioner serves as a representative of Metro Parks Tacoma. Standing committees currently in place include:
   a. Joint Municipal Action Committee (2 Commissioners)
   b. Pt. Defiance Zoo Liaison Committee (2 Commissioners)
   c. Executive Committee (2 Commissioners - Board President & Clerk)
   d. Capital Improvement Committee (2 Commissioners)
   e. Committee of the Whole (Entire Board)
   f. Cultural Arts & Heritage Advisory Council (1 Commissioner)
   g. Active Lifestyles & Community Wellness Advisory Council (1 Commissioner)
   h. Nature & Environment Advisory Council (1 Commissioner)
   i. Business & Responsive Agency Advisory Council (1 Commissioner)
   j. Tacoma 360 Executive Board (2 Commissioners)
   k. Metro Parks Tacoma Public Schools Coordinating Committee
   l. Metro Parks City of Tacoma interlocal Policy

Ad Hoc Committees:
   a. Park Naming Committee (1 Commissioner)
   b. Board Development Committee (1 Commissioner)

Representatives to External Committees:
   a. Pt. Ruston/Asarco Stakeholders Committee (1 Commissioner)
      b. a. Tacoma-Pierce County Baseball Committee (1 Commissioner)

3. Exercise his/her discretion to consider a matter in an order other than as listed on the official, printed agenda.
4. The Presiding Officer may speak, vote, and make motions without relinquishing the chair. In addition, the Presiding Officer need not rise while putting questions to a vote.

B. Any member of the Board, including the Presiding Officer, shall have the right to challenge any action or ruling of the Presiding Officer, or member, as the case may
Section IX. Where a procedure or process regarding the conduct of business by the Board is not specifically outlined within the Policy and Procedures of the Board of Park Commissioners Robert’s Rules of Order will prevail.

A. When a question is under consideration, no motion shall be entertained except as described below. The motions shall have precedence in order as shown:
   1. To adjourn
   2. To remove an item from the agenda
   3. For the previous question
   4. To lay on the table (decided without debate)
   5. To take from the table (decided without debate)
   6. To postpone to a certain time (decided without debate)
   7. To postpone indefinitely (decided without debate)
   8. To amend
   9. To substitute
  10. To reconsider

B. No motion to reconsider a vote shall be in order except at the following meeting, and by a member who voted with the prevailing side.

C. A motion to take from the table or to reconsider, having been put and lost, shall not be renewed either by the mover or by any other member of the Board.

D. Any member of the Board shall have a right to change his/her final vote, in order to be on the prevailing side, at any time before final action is taken on the next ensuing item of business.
**METRO PARKS TACOMA DAY OF SERVICE POLICY**

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<th>Policy No.:</th>
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<th>Date Approved:</th>
<th>Supersedes the following Resolutions &amp; Policies:</th>
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**POLICY:** Day of Service

**Purpose:** The purpose of this program is to provide employees with opportunities to engage in and contribute to our local communities, internal programs, and organizational mission through service and volunteerism.

**Policy Requirements:**

**Section I.** Volunteerism is considered work performed for an outside organization that an employee has voluntarily chosen to participate in for a personal reason; and, Service is considered work performed internally within the District that is not associated with the duties assigned within an employee’s position description.

**Section II.** During time associated with the Day of Service, employees are to represent Metro Parks Tacoma as outlined in the Department and District policies and will be covered as required by governing laws, rules and regulations.

**Section III.** Metro Parks provides eligible employees a total of eight (8) hours per calendar year (non-accruing) to voluntarily serve events/venues approved by Human Resources. This may involve Volunteerism for an outside organization or Service within the District as described in Section I.
**REASONABLE ACCOMMODATION FOR PREGNANCY**

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**POLICY:** (For Review by Board of Park Commissioners)

**Purpose:** To establish a policy regarding reasonable accommodation for pregnant employees. Metro Parks Tacoma’s accommodation process is intended to be interactive and collaborative, relying on open communication and active participation between a pregnant employee and the park district. The primary goal of this process is to help pregnant employees perform all of the essential functions of their current position, with or without accommodation.

**Policy Requirements:**

Section I.

The following accommodations will be provided when a pregnant employee makes a request to their supervisor:
A. More frequent, longer, or flexible bathroom breaks
B. Modification of food or drink policy
C. Allowing sitting if job requires standing
D. Limiting lifting to under 17 pounds

These accommodations do not require a medical certification.

Section II.

Additional accommodations will be provided when no undue hardship is created and medical certification has been provided. These accommodations include but are not limited to:
A. Job restructuring
B. Reassignment to a vacant position
C. Modified schedule
D. Temporary transfer to a less strenuous position

Section III.

Pregnant employees who seek accommodation beyond those listed in Section I should notify Human Resources as soon as reasonably practicable. Metro Parks Tacoma will make every reasonable effort to accommodate an individual’s impairment or disability so they can perform the essential functions of their job.