

**REGULAR PARK BOARD MEETING AND AGENDA
SEPTEMBER 14, 2020
5:30 PM STUDY SESSION
6:00 PM REGULAR MEETING
REMOTE MEETING**



ATTENTION:

Protecting the public, our partners, and our staff are of the utmost importance.

Due to recent health concerns with the novel coronavirus and in compliance with the Governor's Executive Order 20-28.2 (amending 20-05, 20-28, 20-28.1, 20-28.2, 20-28.3, 20-28.4, 20-28.7 & 20-28.8), this meeting will be held remotely.

The public is encouraged to participate via telephone or Zoom and will be given opportunities to comment, as noted below.

You can listen to the Study Session and Regular Park Board Meeting via telephone by following the instructions below:

Telephone Instructions:

Dial: 253-215-8782

Enter Meeting ID: 950 1749 4879 #

Participant ID: no ID needed just press #

You can listen and view presentations of the Regular Park Board Meeting via the Zoom link:

Join Zoom Meeting

<https://zoom.us/j/95017494879>

Community comment is encouraged to be submitted in advance of the meeting in written form. Please submit written comments to the Board by 5pm on September 14, 2020 by e-mailing them to Jennifer Bowman at jenniferb@tacomaparks.com. Comments will be compiled and sent to Board members in advance of the meeting.

Comments may also be left on voicemail at 253-305-1091 by 5pm on September 14, 2020. Verbal comments will also be allowed during the meeting. To request to speak during community comments, please press the Raise Hand button near the bottom of your Zoom window or *9 on your phone. All speakers will have up to three minutes to speak.

**METROPOLITAN PARK DISTRICT
OF TACOMA**



AGENDA

**SEPTEMBER 14, 2020
6:00 P.M.
REMOTE MEETING**

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

COMMISSIONERS

TIM REID, PRESIDENT

ERIK HANBERG, CLERK

AARON POINTER

ANDREA SMITH

JESSIE BAINES, JR.

5:30 P.M. **STUDY SESSION** TACOMA PUBLIC UTILITIES UPDATE

6:00 P.M. **CALL TO ORDER**

ROLL CALL

SPECIAL PRESENTATIONS

PRESIDENT'S REPORT

STANDING COMMITTEE & COMMISSION REPORTS

EXECUTIVE DIRECTOR'S REPORT

"Park District meeting sites are accessible to people who require
special accommodations. please contact 305-1091



REGULAR MEETING**COMMUNITY COMMENTS**

Community comment is encouraged to be submitted in advance of the meeting in written form. Please submit written comments to the Board by 5pm on September 14, 2020 by e-mailing them to Jennifer Bowman at jenniferb@tacomaparks.com. Comments will be compiled and sent to Board members in advance of the meeting. Comments may also be left on voicemail at 253-305-1091 by 5pm on September 14, 2020. Verbal comments will also be allowed during the meeting. To request to speak during community comments, please press the Raise Hand button near the bottom of your Zoom window or *9 on your phone. All speakers will have up to three minutes to speak.

MINUTES

(5-8) MINUTES OF THE AUGUST 24, 2020 REGULAR BOARD MEETING

CONSENT AGENDA

(9-10) **RESOLUTION NO. C39-20**: APPROVAL OF WARRANTS CLAIM FUND FOR AUGUST 2020
(Contact: Erwin Vidallon, Chief Financial Officer)

(11-14) **RESOLUTION NO. C40-20** : ACCEPTING \$213,048.25 IN CONTRIBUTIONS FROM THE GREATER METRO PARKS FOUNDATION FOR MULTIPLE METRO PARKS PROJECTS AND PROGRAMS
(Contact: Sandra Eliason, Chief Marketing & Development Officer)

REGULAR AGENDA**PURCHASING RESOLUTIONS**

(Requiring one reading for adoption)

PUBLIC WORKS PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

SINGLE READING RESOLUTIONS

(Requiring one reading for adoption)

(15-16) **RESOLUTION NO. R41-20**: FUNDING A JOINT STAFF POSITION AT THE TACOMA/PIERCE COUNTY HEALTH DEPARTMENT, FOCUSED ON JOINT MATTERS RELATED TO PUBLIC HEALTH AND PUBLIC PARKS AND RECREATION
(Contact: Joe Brady, Chief Strategy Officer)

SECOND READING RESOLUTIONS

(Requiring two readings for adoption)

FIRST READINGS:

(Requiring two readings for adoption)

UNFINISHED BUSINESS

NEW BUSINESS FAMILIES FIRST CORONAVIRUS RESPONSE ACT POLICY

BOARD COMMENTS

ADJOURNMENT

UPCOMING BOARD MEETINGS

September 16, 2020	Capital Improvement Committee	5:00 PM	Remote Meeting
September 21, 2020	Committee of the Whole	5:30 PM	Remote Meeting
September 28, 2020	Regular Park Board Meeting	6:00 PM	Remote Meeting
September 30, 2020	Capital Improvement Committee	5:00 PM	Remote Meeting

*Remote meeting details can be found on the Metro Parks Website www.metroparkstacoma.org

*Committee Meetings are subject to change - please check the Metro Parks Website, www.metroparkstacoma.org for the most up to date meeting schedules.





**MINUTES OF REGULAR MEETING
BOARD OF PARK COMMISSIONERS
August 24, 2020**

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

IN THE CHAIR: Tim Reid

PLACE: Remote call in meeting

STUDY SESSION CAPITAL PROGRAM UPDATE

Debbie Terwilleger commented gave an overview of the presentation. She reminded the Board that the CIP was recalibrated months ago to adjust to circumstances in 2020. Marty Stump reminded the Board of the seven criteria established to evaluate activities in the capital program in the COVID recovery phase. The seven criteria are as follows:

- Regulatory Requirements
- Physical and Emotional Health of the Community
- Equity and Geographic Balance
- Innovation in Meeting Community Needs
- Cost Recovery / Revenue Opportunity / M&O Offset
- Staffing and Budgetary Constraints
- Contractual and Partnership Considerations

Mr. Stump noted projects were evaluated based on those criteria, and work was prioritized during stabilization and into recovery phases. The Board was informed that staff has now added an additional three criteria as follows:

- Consistent with 2014 Bond Brochure Language
- Public Safety and Staff Safety Benefits
- Covid19 Recovery Opportunities (Shovel Ready / Stimulus Program Candidate)

Mr. Stump then commented on a summary of opportunities that have been revealed through this recalibrating process, including the following: slowing the pace, capitalizing on down times, enhancements to work flow efficiencies, developing new communication and public engagement tools, informed by renewed community open space and recreation needs, increased focus upon community and staff health/ wellness, increased focus upon priority populations, attentive to local economic recovery, focus on flexibility, emphasis on higher degree of resiliency in park system of the future.

Staff then opened to floor to the Board members to discuss what they feel are the greatest opportunities provided in the CIP development and what are the non-negotiable.

Commissioner Reid commented that the County has shown interest in the District completing the trail system behind the Eastside Community Center. Staff indicated that there are certain

remain protected at this time. Board members suggesting adding some signage to educate visitors to the site about the wetland buffer area. Commissioner Hanberg suggested the use of capital funds on things related to COVID safety and leveraging those in non-traditional ways. He highlighted ideas such as circles in parks or purchasing large tents to offer under cover opportunities as the fall approaches.

Commissioner Baines is most interested making sure the District uses local construction and small business opportunities in recovery.

Debbie Terwilleger stated that moving forward community outreach and mapping with an equity analysis would be conducted. From there, project lists and funding plans will be developed and worked into the Budget Development briefing planned for October.

REGULAR MEETING

The regular meeting of the Metropolitan Park District Board of Park Commissioners was called to order by Commissioner Reid at 6:00 p.m.

SPECIAL PRESENTATIONS RETIRING EMPLOYEE RECOGNITION

The following employees were recognized by staff and the Park Board on the occasion of their retirement from Metro Parks Tacoma:

Neil Allen, Kathryn Edmondson, Jeannie Marsh, Leslie Moe, Ed Cleveland, Sue Behrns, Dan Belting, Scott Knox, Bob Bitz, Debbiann Thompson, Steve Andre, Mary Parmer, Walt Miller, James Cooper

PRESIDENTS REPORT

President Reid urged the community to continue wearing masks, practicing social distancing and recreating responsibility in parks.

STANDING COMMITTEE AND COUNCIL REPORTS

Joint Municipal Action Committee

Commissioners Smith and Reid noted that JMAC met on August 14th. The committee discussed the idea of supporting a joint work plan to address to following issues: community safety, affordable childcare, ensuring safer routes & trail connectivity, and improving waterfront access. It was determined that a sub-committee will be formed to begin address this work. The committee also agreed to craft a joint letter to the Governor to ask for assistance related to school transportation funding.

Greater Metro Parks Foundation

Commissioner Smith commented the Greater Metro Parks Foundation met on August 13th. At the meeting it was determined that a fundraising campaign will be launched to support the Active Kids Scholarship Fund.

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Shon Sylvia stated he would be preparing an update to the Board on several issues including Point Defiance Park, return to work, and childcare. Mr. Sylvia commented that staff is planning to launch the details on the budget community outreach.

COMMUNITY COMMENTS

James McCormick submitted written comments related to addressing the derelict vessels abandoned at the Point Defiance Dock.

MINUTES OF THE AUGUST 10, 2020 REGULAR BOARD MEETING

Commissioner Hanberg moved to adopt the minutes as presented; seconded by Commissioner Pointer and passed on a vote of 5-0.

CONSENT AGENDA None

PURCHASING RESOLUTIONS None

PUBLIC WORKS PURCHASING RESOLUTIONS

RESOLUTION NO. PW37-20: HEADQUARTERS FACILITY IMPROVEMENTS
BID#: J2020-04 CONTRACT AWARD TO PIONEER HUMAN SERVICES

Commissioner Pointer moved adoption of the resolution; seconded by Commissioner Hanberg.

Debbie Terwilleger commented that this work is part of the 2014 Bond Program. Work under this contract will generally consist of replacement of failed window glazing, replacement of failed doors, interior painting, carpet and renovations to the board room in order to remove the auditorium style seating and the construction of a level floor surface to accommodate moveable furniture. It was noted that this item was discussed at the August 12th CIC meeting. Project Manger, Roger Stanton commented that this work will be contracted with Pioneer Human Services.

Being no additional comments the question was called and the resolution passed on a vote of 5-0.

SINGLE READING RESOLUTIONS

RESOLUTION NO. R38-20: INTERLOCAL COOPERATION AGREEMENT FOR THE 56TH STREET SIDEWALK PROJECT WITH THE CITY OF TACOMA STREET INITIATIVE PACKAGE #33

Commissioner Pointer moved adoption of the resolution; seconded by Commissioner Hanberg.

Debbie Terwilleger commented that this item was reviewed by the CIC on August 12th. Ms. Terwilleger noted that this resolution authorizes and appropriates up to \$80,800 from the 2014 Bond funds trial and open space for construction of a sidewalk from First Creek Middle School (Pipeline Trail) to the Swan Creek 56th Street entrance. The resolution also authorizes the executive director to enter into the necessary agreements wit the City of Tacoma.

Being no additional comments the question was called and the resolution passed on a vote of 5-0.

SECOND READINGS RESOLUTIONS None

UNFINISHED BUSINESS None

NEW BUSINESS None

BOARD COMMENTS

ADJOURN:

Being no further business, the meeting was adjourned at 7:00 p.m.

APPROVED:

President

Clerk

Submitted by: Jennifer Bowman, Board Secretary

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C39-20

APPROVAL OF WARRANTS CLAIM FUND FOR AUGUST 2020

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 _____, 2020.

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 AUGUST 1, 2020 AND ENDING AUGUST 31, 2020.

WARRANTS CLAIM FUND

ACCOUNTS PAYABLE CLAIMS FUND:

Warrant Serial Numbers <u>332438</u> to <u>332633</u>	AMOUNT:	<u>\$3,924,559.11</u>
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PAYROLL CLAIMS FUND:

Warrant Serial Numbers <u>053072</u> to <u>053131</u>	AMOUNT:	<u>\$42,291.70</u>
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(Most employees receive payment through direct deposit advices, which are paid to the bank through the Accounts Payable Claims Fund.)

TOTAL	<u>\$3,966,850.81</u>
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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

THROUGH: Shon Sylvia, Executive Director

FROM: Sandra Eliason, Chief Marketing & Development Officer

SUBJECT: Accepting 2020 Mid-Year Funds from Greater Metro Parks Foundation for various programs and projects

DATE: September 9, 2020

EXECUTIVE SUMMARY: A resolution is requested to accept funds from the Greater Metro Parks Foundation, the first of two 2020 fund distributions. With the exception of the Summer Feeding Program, funds identified under Parks and Recreation in this resolution are for programs that occurred in the first quarter of 2020. In addition, our generous philanthropic community made incremental donations to support the District’s needs towards Covid19-Response.

This fund distribution is to support the following Metro Parks Tacoma programs and projects:

<u>Parks & Recreation Department</u>	
Scholarships-Recreation	\$ 3,431.08
Specialized Recreation	\$ 500.00
Tacoma Titans Wheelchair Bball	\$ 5,925.00
Adaptive Recreation	\$ 250.00
Resource Development-Sponsorship	\$ 2,500.00
Youth Development – Late Night	\$ 2,300.00
Summer Feeding Program	\$ 19,198.97
Eastside Community Center Programming	\$ 82,232.20
<u>MPT Unrestricted</u>	
Covid-19 Response	<u>\$ 96,711.00</u>
	\$ 213,048.25

BACKGROUND: The Greater Metro Parks Foundation is a private, nonprofit organization that has been serving the Tacoma area since 1991. The mission of the Greater Metro Parks Foundation is “Inviting you to build a healthier, more vibrant community by investing in people and parks”. The Greater Metro Parks Foundation is comprised of a group of community board volunteers that are guided by MPT professional resource development staff, who are all committed to improving parks and recreation in our community.

Metro Parks Tacoma staff members from Parks and Recreation play an active role in raising funds with the Resource Development Office and the Greater Metro Parks Foundation to benefit Metro Parks Tacoma. Support from MPT program and project staff is vital to the success of private philanthropy.

The Greater Metro Parks Foundation distributes funds to Metro Parks Tacoma semiannually after completion of the specifically earmarked programs.

FISCAL IMPACT: Metro Parks Tacoma will accept \$213,048.25.

ADDITIONAL INFORMATION: For additional information, please contact Sandra Eliason, Chief Marketing & Development Officer at 253-305-1016.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C40-20

**ACCEPTING \$213,048.25 IN CONTRIBUTIONS FROM
THE GREATER METRO PARKS FOUNDATION
FOR MULTIPLE METRO PARKS PROJECTS AND PROGRAMS**

WHEREAS, the Greater Metro Parks Foundation was established to promote financial support for Metro Park’s programs, services and projects conducted by Metro Parks; and

WHEREAS, the Greater Metro Parks Foundation desires to provide Metro Parks Tacoma with a mid-year disbursement of \$213,048.25 in contributed funds for the following programs and projects:

<u>Parks & Recreation Department</u>	
Scholarships-Recreation	\$ 3,431.08
Specialized Recreation	\$ 500.00
Tacoma Titans Wheelchair Bball	\$ 5,925.00
Adaptive Recreation	\$ 250.00
Resource Development-Sponsorship	\$ 2,500.00
Youth Development – Late Night	\$ 2,300.00
Summer Feeding Program	\$ 19,198.97
Eastside Community Center Programming	\$ 82,232.20
<u>MPT Unrestricted</u>	
Covid-19 Response	\$ <u>96,711.00</u>
	\$ 213,048.25

Now, therefore, be it

RESOLVED by the Board of Park Commissioners that the Metropolitan Park District of Tacoma accepts the cash contributions of \$213,048.25 from the Greater Metro Parks Foundation.

The forgoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____ 2020.

ATTEST:

Secretary

President

Clerk





MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Joe Brady, Chief Strategy Officer

SUBJECT: Advancing Public Health Outcomes In Tacoma

DATE: September 14, 2020

EXECUTIVE SUMMARY: This resolution provides authority for the Executive Director to enter into a contract with the Tacoma/Pierce County Health Department for a shared staffing position that focuses on public health policy and matters related to joint partnership opportunities between the two agencies.

BACKGROUND: Metro Parks Tacoma (MPT) and Tacoma/Pierce County Health Department (TPCHD) share many goals related to the social, economic and environmental conditions that support health. Both organizations are committed to healthy and safe opportunities for healthy and engaged communities; green spaces; access to nutritional food; and improved social connections for our community. Furthermore, both agencies recognize that working collaboratively on health policies and system changes to accomplish these goals is efficient and cost effective. This collaboration will help introduce and sustain changes that benefit the health and wellbeing of residents of Tacoma.

Metro Parks Tacoma and the Tacoma Pierce County Health Department have jointly agreed that the most efficient pathway to achieving goals associated with health policy and community health is to formally dedicate staff to the effort. As such, a Community Health Coordinator position, housed at the health department will be shared by both the Tacoma/Pierce County Health Department and Metro Parks Tacoma (75 / 25 percent, respectively). It is anticipated that the district will contribute \$25,000 per year for a contract for service to assist with review of MPT policies, sharing health department data on underserved populations, and aligning each agency's work on antiracism policies and procedures via the TPCHD Antiracism Incident Command Center established this summer to address racial inequities.

FINANCIAL IMPACT: Although this \$25,000 contract for service is within the Executive Director's signing authority, the services are being requested to leverage existing work and aligning work plans to avoid duplication is with another governmental agency and requires an inter-local agreement. The agreement has been approved by the Pierce County Board of Health and is valid through December 31st, 2021.

ADDITIONAL INFORMATION: If you have any questions, please contact Joe Brady at 253-305-1014.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. R41-20

FUNDING A JOINT STAFF POSITION AT THE TACOMA/PIERCE COUNTY HEALTH DEPARTMENT, FOCUSED ON JOINT MATTERS RELATED TO PUBLIC HEALTH AND PUBLIC PARKS AND RECREATION

WHEREAS, pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), two or more public entities may contract with one another to perform government services with each is by law authorized to perform; and

WHEREAS, Metro Parks Tacoma and the Tacoma/Pierce County Health Department find it mutually beneficial and in the public interest to pursue a cross-jurisdictional sharing arrangement for public health and administrative services; and

WHEREAS, Metro Parks Tacoma and the Tacoma/Pierce County Health Department desire to work towards an integrated public health policy model that enables alignment of similar public health and parks and recreation initiatives through the leveraging of shared subject matter expertise; and

WHEREAS, Metro Parks Tacoma and the Tacoma/Pierce County Health Department find it mutually beneficial and in the public interest to enter into a shared services agreement;

NOW THEREFORE BE IT RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that they hereby authorize the Executive Director to enter into such an agreement with the Tacoma/Pierce County Health Department.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Metropolitan Park District of Tacoma held on _____, 2020.

ATTEST:

President

Secretary

Clerk

FAMILIES FIRST CORONAVIRUS RESPONSE ACT POLICY

Policy No.:	Resolution No.:	Date Approved:		Supersedes the following Resolutions & Policies:
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: This policy provides temporary protected leave and paid leave benefits for certain absences arising from the COVID-19 outbreak in accordance with the federal Families First Coronavirus Response Act (FFCRA). The benefits available under this policy are available beginning on April 1, 2020. This policy will be administered in accordance with the FFCRA statute, regulations, and federal guidance. The FFCRA provides for two categories of leave. The first expands existing FMLA coverage to provide up to 12 weeks of partially-paid Public Health Emergency Leave (“PHEL/FMLA”) for eligible employees forced to miss work due to closure of their child’s school or the unavailability of the child’s childcare provider for reasons related to COVID-19. The second provides up to 10 days of Emergency Paid Sick Leave (“EPSL”) for various reasons related to the COVID-19 outbreak. Details regarding each category of leave are provided in the sections below.

Policy Requirements:
Section I.

Public Health Emergency Leave (PHEL/FMLA)

- A. **Eligibility.** Employees who have worked for Metro Parks Tacoma for at least 30 calendar days are eligible for PHEL/FMLA leave. An employee need not meet the eligibility requirements for regular FMLA (12 months of employment and 1250 hours worked in the prior year) to be eligible for PHEL/FMLA.
- B. **Leave Entitlement.** An eligible employee may take up to 12 weeks of protected leave if the employee is unable to work, or telework, based on a need to care for the employee’s child under age 18 because the child’s school or place of care has been closed, or the child’s child care provider is unavailable due to a public health emergency. A public health emergency means an emergency with respect to COVID-19 declared by a federal, state, or local authority. Per federal regulations, this leave is not available if another suitable individual is available to provide care. PHEL/FMLA may be taken intermittently only if approved by Metro Parks Tacoma. PHEL/FMLA is part of an employee’s regular FMLA leave entitlement. Accordingly, if an employee has already used FMLA for other purposes during the FMLA leave year, the amount of available PHEL/FMLA will be reduced by the amount of FMLA leave already taken. PHEL/FMLA leave will be available through December 31, 2020.
- C. **Partial Pay Entitlement.** The first 10 days of PHEL/FMLA will be unpaid, although employees may elect to use accrued leave or Emergency Sick Leave during this period. For leave beyond the first 10 days, Metro Parks Tacoma will pay two-thirds of the employee’s regular pay. Pay is calculated based on the number of hours an employee would otherwise have been scheduled to work. For employees with variable hours, hours will be determined based on the average number of hours scheduled over the six-month period preceding the leave (including paid leave hours) or on a reasonable expectation at the time of hire as to the hours per day the employee would normally be scheduled to work. Employees may elect to supplement the PHEL/FMLA paid benefit with their accrued leave.
- D. **Notification and Verification.**
 - 1. Employees who need to take PHEL/FMLA leave should notify Human Resources as soon as practicable after the need for leave arises. Under the law, an employee seeking PHEL/FMLA leave must provide the following:
 - a) the employee’s name;
 - b) the date(s) for which leave is requested;

- c) qualifying reasons for the leave;
 - d) the name of the child(ren) being cared for and ages; (if over age 14, a statement that special circumstances exist to require the employee to provide care)
 - e) the name of the school(s) or childcare provider(s) that has/have closed or become unavailable; and
 - f) a representation that no other suitable person will be caring for the child while PHEL-FMLA leave is being used.
- E. This policy will be administered consistent with Metro Parks Tacoma's existing Family and Medical Leave (FMLA) policy, except as modified by the FFCRA.

Section II

Emergency Paid Sick Leave

- A. **Eligibility.** All employees of Metro Parks Tacoma are eligible for up to 80 hours of Emergency Paid Sick Leave (EPSL). EPSL may be fully paid or partially paid, depending on the reason for taking leave (as follows).
- B. **Covered Reasons for Using EPSL:** Employees are entitled to use EPSL when they are unable to work, or telework, for any of the following reasons:
1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19. This includes a shelter-in-place or stay-at-home order issued by federal, state or local government if the order precludes the employee from working; an employee who is able to telework or who is not covered by the order (e.g., those performing essential services as defined by the applicable order) would not be eligible to take leave for this reason.
 2. The employee has been advised by a health care provider or Metro Parks Tacoma to self-quarantine due to concerns related to COVID-19.
 3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.
 4. To care for an individual who is self-isolating for one of the reasons described in (1) or (2) above. The individual needing care must be the employee's immediate family member, a person who regularly resides in the employee's home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she were quarantined or self-quarantined.
 5. To care for the employee's child under age 18 due to closure of the child's school or unavailability of the child's childcare provider due to COVID-19 precautions. A "child" is defined the same as under the FMLA; *i.e.*, a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time leave is to commence.
 6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.
- C. **Paid Leave Entitlement.** Full-time employees are entitled to up to 80 hours of EPSL Leave. Part-time employees are entitled to EPSL equal to number of hours they typically work over a two-week period. For employees with variable hours, hours will be determined based on the average number of hours scheduled over the six-month period preceding the leave (including paid leave hours) or on a reasonable expectation at the time of hire as to the hours per day the employee would normally be scheduled to work. Any EPSL Leave available under this policy is in addition to accrued leave to which an employee was already entitled under existing Metro Parks Tacoma policies or labor agreements.
- D. **Reduced Benefit for Certain Leaves; Cap on Sick Leave Amount.** Where EPSL is taken for reasons (1), (2), or (3) above (which cover leave due to the employee's own health or quarantine), the paid sick leave benefit is equal to the employee's regular rate of pay for the missed work time, provided that EPSL is capped at \$511 per day and \$5,110 in the aggregate when leave is taken for these reasons. Where leave is taken for reasons (4), (5), or (6) above (to care for another, to care for a child due to a school closure or unavailability of childcare, or where the employee is experiencing a substantially similar condition), the paid sick leave benefit is two-thirds of the employee's regular rate of pay, provided that EPSL is capped at \$200 per day and \$2,000 in the aggregate when leave is taken for one of these reasons. When utilizing the leave for reasons (4), (5), or (6) employees may elect to supplement the EPSL paid benefit with their accrued leave.

- E. **Use of Paid Sick Leave; Sequencing with Other Leave; Intermittent Use.** Employees may access EPSL for a covered reason before exhausting other accrued leaves. If an absence is covered by this Emergency Paid Sick Leave policy and the PHEL/FMLA policy above, the employee may elect to use EPSL during the first 10 days of PHEL/FMLA in order to remain in paid status. If an employee is using EPSL intermittently due to a closure of a child's school or unavailability of the childcare provider, the employee may take leave intermittently only with the Metro Parks Tacoma's approval. An employee may also use EPSL intermittently with Metro Parks Tacoma's approval if unable to telework his/her normal schedule of hours due to a qualifying reason (for example, if an employee can telework in the morning, but needs to care for a child in the afternoon due to a school closure). Per federal regulations, where an employee is not teleworking, intermittent use of EPSL is not permitted when leave is taken for reasons (1), (2), (3), (4), or (6) above. In such cases, Emergency Sick Leave must be taken in full-day increments and once leave is initiated for one of these reasons, the employee must continue to use EPSL until either (i) the full amount of EPSL has been used; or (ii) the employee no longer has a qualifying reason for taking EPSL. The Department of Labor has explained that this requirement is imposed because if an employee is actually or possibly sick with COVID-19, or is caring for someone who is sick or possibly sick with COVID-19, the intent of the law is to provide paid leave to prevent the spread of the virus.
- F. **Carryover; Termination of Benefit.** The EPSL benefit expires on December 31, 2020; any unused EPSL will not be carried over to the next calendar year or merged into other leave banks. Additionally, the entitlement to EPSL ceases beginning with the employee's next scheduled work shift immediately following the termination of the need for paid sick leave. However, to the extent an employee subsequently needed additional time off for another covered reason prior to December 31, 2020, the employee could use any remaining EPSL.
- G. **Notification.** An employee who needs to take EPSL should notify their supervisor as soon as practicable. After the first workday (or portion thereof) that an employee takes EPSL, the employee must follow the notice requirements required for use of regular sick leave.
- H. **Verification.** An employee requesting EPSL must: specify the qualifying reason for requesting leave; state that the employee is unable to work or telework, for that specified reason; and provide the date(s) for which leave is requested. Depending on the type of leave taken, the employee must provide the following additional information to substantiate the leave request:
1. Where leave is taken due to the recommendation of a health care provider to self-quarantine, the name of the health care provider making the recommendation; or
 2. Where leave is taken due to a school closure or unavailability of a childcare provider: (1) the name of the child(ren) being cared for; (2) the name of the school(s) or childcare provider(s) that has/have closed or become unavailable; and (3) a representation that no other suitable person will be caring for the child while EPSL is being used.