

UNIVERSITY PLACE CITY COUNCIL

Note: Times are approximate and subject to change.

**Special Council Meeting Agenda
Saturday, February 8, 2014, 8:30 a.m.**

**Town Hall Meeting Room
3715 Bridgeport Way West**

- 8:30 am 1. **CALL SPECIAL MEETING TO ORDER - MAYOR**
2. **STRATEGIC PLANNING SESSION – Facilitated by Dr. Lowell “Duke” Kuehn**
- Background
- Police Funding
- Recreation Funding
- Pavement Management
- 12:00 pm 3. **LUNCH BREAK**
- 12:45 pm **STRATEGIC PLANNING SESSION (Cont.)**
- 1:30 pm 4. **2014 SPECIAL EVENTS STRUCTURE**
- 4:00 pm 5. **ADJOURNMENT**

*PRELIMINARY CITY COUNCIL AGENDA

February 18, 2014
Regular Council Meeting

March 3, 2014
Regular Council Meeting

March 10, 2014
Special Council Meeting

March 17, 2014
Regular Council Meeting

Preliminary City Council Agenda subject to change without notice*
Complete Agendas will be available 24 hours prior to scheduled meeting.
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**American Disability Act (ADA) Accommodations Provided Upon Advance Request
Call the City Clerk at 253-566-5656**

Memo

DATE: February 6, 2014
TO: City Council
FROM: Eric A. Faison, Assistant City Manager
SUBJECT: Council Discussion on Funding for Police, Recreation and Pavement Maintenance

Background

On multiple occasions over the last few years, Council has had a number of discussions focused on how to maintain, restore or enhance service levels in three areas: Police, Parks & Recreation and Pavement Maintenance. Based on our long-range financial projections, the City will be able to meet all of its legal and contractual obligations, but it will not be able to maintain existing service levels over time with existing revenues. As shown in the attached financial forecast, the City will need to reduce police staffing levels beginning in 2016, and will need to eliminate the Recreation program beginning in 2016. The City also will need to reduce basic street maintenance in 2020, when, by Council ordinance, the University Place Transportation Benefit District's authorization sunsets.

Consistent with Council's 2013-14 goals, last year, Council passed resolutions directing the Public Safety Commission and Parks & Recreation Commission to review the City's public safety and parks/recreation operations and finances. The Commissions were asked to provide recommendations on how to sustain the programs over the long-term in an environment of reduced City revenue and limited services. The Public Safety Commission provided its report to Council in December, recommending a 3.5% increase in the utility tax rate to sustain existing service levels and to increase staffing by 3-4 deputies. The Parks & Recreation Commission is schedule to present its recommendation in March.

For this retreat, Council will be reviewing the updated financial forecast and determining whether (and, if so, when) to ask voters to support long-term funding for the Public Safety and Parks/Recreation programs. Because Council also has asked to discuss long-term funding for pavement maintenance, I have included information on that topic in this memo as well.

Financial Forecast

As a brief reminder, the updated forecast maintains very conservative revenue and expenditure assumptions. These assumptions generally include anticipated inflationary increases (by line item) in expenditures, a 1% annual increase in property tax revenue and 1-2% increases in other revenue

sources. The forecast also assumes that the City will maintain minimum General Fund and Strategic Reserve ending fund balances consistent with Council policy.

The forecast shows that, based on current trends, both our Public Safety Fund and Parks and Recreation Fund ending balances will become negative in 2016, and our street maintenance budget will see a deficit in 2020. To maintain extending services levels for a reasonable period of time, the City must receive approximately \$900,000 a year in new revenue in each fund. This may be achieved through a variety of options, most of which require voter approval. General economic development alone will be insufficient to solve this problem.

Revenue Options

There are several revenue options that are available to Council as it explores how to address the City's projected deficit. Four of the options (property tax, utility tax, B&O/excise tax and franchise fees) are general revenues that can be used to address any of the City's financial issues. Two of the options (TBD & Metropolitan Park District) are statutorily restricted to a particular use.

1. *Property tax:* An increase in the City's property tax rate will require voter approval. An increase in the tax rate from our 2014 rate of \$1.43 per \$1,000 in assessed value to the statutory limit of \$1.60 would raise \$472,000 a year. For a UP home with an assessed value of \$300,000, this would result in an increase of approximately \$51 per year.
2. *Utility Tax:* An increase in the City's existing 6% utility tax rate will require voter approval. Each percentage increase would generate approximately \$400,000 a year and would add \$1.00 to a \$100 utility bill (garbage, gas, telephone, cell phone, surface water and cable).
3. *Business & Occupations (B&O) or Excise Tax:* A B&O tax or excise tax can be instituted by Council vote. There are statutory limitations on the rates that can be imposed with a B&O tax, but these taxes can apply broadly or be tailored to very specific business activities. It is difficult to calculate the exact amount that such a tax would generate because, presumably, the tax would include businesses that do not currently pay sales tax (e.g., dentist, doctors and lawyers). Our preliminary estimate is approximately \$250,000 a year.
4. *Transportation Benefit District:* Last year, Council established a Transportation Benefit District ("TBD") and imposed a \$20 annual vehicle fee, with a five year sunset. Council has the authority by Council vote to continue the annual vehicle fee beyond the five year sunset, which would eliminate the projected 2020 deficit in the City's Street Fund. The TBD statute also authorizes various other voter approved revenue options, most importantly a 0.2% local sales tax, which would generate approximately \$450,000 a year.
5. *Metropolitan Park District:* The establishment of a Metropolitan Park District ("MPD") requires voter approval. A MPD has the authority to levy a property tax of up to \$0.75 per

\$1,000 in assessed value. A levy of \$0.10 cents per \$1,000 would generate approximately \$275,000 a year and would result in a property tax increase of \$30 per year for a UP home with an assessed value of \$300,000. A MPD is an independent legal entity that may be administered by a separately elected board or by the City Council sitting “ex officio” as the board of the district. A MPD can provide services independently or contract with a city or another entity for services, facilities and equipment.

6. TPU Franchise Fee: The City currently has a franchise fee with Tacoma Public Utilities for its electric and water services. The franchise fee is roughly equivalent to a 6% utility tax. The fee generates approximately \$1.5 million a year. Council could seek to renegotiate this fee (the franchise is due for renegotiation in 2017). Each 1% increase in the fee generates approximately \$250,000.

Public Safety Fund

The City contracts for most of its public safety needs – including police/jail services with Pierce County and court services with the City of Lakewood. In 2009, the City’s budget included 23 officers and total public safety costs of \$4.5 million. By comparison, the City’s total property tax revenue for 2009 (which the Council has officially dedicated to public safety) was \$3.7 million. The 2010 budget reduced the number of officers to 15, and reduced costs to \$3.4 million. This reduction includes the loss of a patrol sergeant, two detectives and five officers.

In 2012, the Council increased the staffing level to add a detective. In 2013, Council added a Community Support Officer (CSO). With these changes and inflation, the City’s projected 2014 Public Safety costs have risen by to \$4.6 million. But property tax revenue has grown more slowly, creating a \$600,000 annual deficit between Public Safety revenues and expenditures. By 2024, we project the annual deficit will be well over \$1 million.

Funding Options:

1. Property tax: An increase in the City’s property tax rate from \$1.43 per \$1,000 in assessed value to the statutory limit of \$1.60 would raise \$472,000 a year. For a UP home with an assessed value of \$300,000, this would result in an increase of approximately \$51 per year. However, this increase would be insufficient and would have to be combined with another revenue source to create a sustainable Fund.
2. Utility Tax: A 2.25% increase would generate approximately \$900,000 a year and would add \$2.25 to a \$100 utility bill.
3. B&O or Excise Tax: A B&O tax or excise tax generating approximately \$250,000 a year would have to be combined with another revenue source generating approximately \$650,000 a year to create a sustainable Fund.

The Public Safety Commission recommended submitting to voters a 3.5% utility tax increase. Approximately 2.25% of the increase would be sufficient to maintain existing staffing levels, and 1.25% would provide funding for three new deputies and (depending on actual revenues) a patrol sergeant.

Parks and Recreation

The 2010 budget dramatically altered our recreation program. Staff reductions, increased program fees, one-time funding of \$120,000, and a volunteer group's one-time pledge to raise \$75,000, preserved youth and senior programs for 2010. The current budget replaces the volunteer group's funding with an ongoing General Fund contribution. While the program remains limited (yet successful), over the long run and as projected in 2009, the program is not sustainable without new revenues.

The discussion of a new, on-going, dedicated funding source for Parks & Recreation have largely centered on the establishment of a Metropolitan Park District. Maintaining existing parks & recreation services through a Metropolitan Park District would require a combination of continued countywide parks sales tax funding of \$230,000 a year, plus additional voter approved revenues of approximately \$950,000 a year.

Funding Options:

1. *Metropolitan Park District:* A Metropolitan Park District property tax levy of \$0.35 cents per \$1,000 would generate approximately \$973,000 a year and would result in a property tax increase of \$105 per year for a UP home with an assessed value of \$300,000.
2. *Utility Tax:* A 2.5% utility tax increase would generate approximately \$1 million a year and would add \$2.50 to a \$100 utility bill.

Pavement Maintenance

University Place has over 200 miles of paved streets. The Public Works Streets budget is approximately \$1.1 million, of which \$94,500 is dedicated to pavement maintenance. Because of deferred maintenance, an optimal annual pavement maintenance budget for the City would be an additional \$950,000 a year.

Funding Options:

1. *Transportation Benefit District:* To help resolve the City's deferred pavement maintenance, Council could submit to voters a vehicle fee of an additional \$80 (\$100 total maximum). This additional \$80 would generate approximately \$1.2 million a year. Alternatively, Council could request voter approval of a 0.2% local sales tax, which would generate approximately \$450,000 a year.

2. *Utility Tax:* A 2.50% utility tax increase would generate approximately \$1 million a year and would add \$2.50 to a \$100 utility bill.

Elections

The election dates for 2014 are:

Election	Election Date	Resolution Deadline	Voter’s Pamphlet Statement/Rebuttal	Ballot Mailed
Primary	August 5 th	May 9 th	May 13 th /15 th	July 18 th
General	November 4 th	August 5 th	August 8 th /12 th	October 17 th

The election dates for 2015 are:

Election	Election Date	Resolution Deadline	Voter’s Pamphlet Statement	Ballot Mailed
Special	February 10 th	December 26 th	December 29 th /30 th	January 23 rd
Special	April 28 th	March 13 th	March 9 th /10 th	April 10 th
Primary	August 4 th	May 8 th	May 12 th /14 th	July 17 th
General	November 3 rd	August 4 th	August 7 th /11 th	October 16 th

Next steps

Staff is seeking Council direction on whether the Council is interested in submitting a ballot measure to voters to fund any of these projected deficits, and if so, in what amount and at what election date.

**CITY OF UNIVERSITY PLACE
FINANCIAL FORECAST
2013 THROUGH 2024**

	ENDING FUND BALANCE											
	12/31/2013	12/31/2014	12/31/2015	12/31/2016	12/31/2017	12/31/2018	12/31/2019	12/31/2020	12/31/2021	12/31/2022	12/31/2023	12/31/2024
General Fund	\$ 1,349,988	\$ 1,136,907	\$ 1,104,441	\$ 1,178,210	\$ 1,250,222	\$ 1,366,653	\$ 1,430,956	\$ 1,471,649	\$ 1,536,236	\$ 1,454,514	\$ 1,308,049	\$ 1,127,915
Police/Public Safety Fund	292,714	246,099	132,974	(68,039)	(366,312)	(765,695)	(1,270,163)	(1,883,822)	(2,610,907)	(3,455,797)	(4,423,010)	(5,517,212)
Parks and Recreation	0	0	(0)	(685,930)	(1,401,453)	(2,165,520)	(2,960,259)	(3,787,953)	(4,649,719)	(5,548,397)	(6,450,633)	(7,389,986)
Street Fund	-	-	-	-	-	-	-	(168,507)	(472,866)	(801,026)	(1,153,888)	(1,532,384)
Development Services Fund	72,888	24,890	-	-	-	-	-	-	-	-	-	-
Replacement Reserves	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686
Strategic Reserves	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934
Sub Total	\$ 2,575,211	\$ 2,267,517	\$ 2,097,035	\$ 1,283,862	\$ 342,077	\$ (704,942)	\$ (1,939,847)	\$ (3,509,013)	\$ (5,337,636)	\$ (7,491,086)	\$ (9,859,862)	\$ (12,452,047)
Other Restricted Funds	3,483,229	3,475,168	3,496,536	4,037,902	5,196,345	6,388,572	7,447,278	8,508,225	9,760,556	11,014,991	12,270,687	13,526,760
Grand Total	\$ 6,058,440	\$ 5,742,684	\$ 5,593,571	\$ 5,321,763	\$ 5,538,423	\$ 5,683,630	\$ 5,507,430	\$ 4,999,212	\$ 4,422,920	\$ 3,523,905	\$ 2,410,826	\$ 1,074,713

Replacement Reserves: IT Fund, Fleet Fund, Risk Management Fund

Restricted Funds: Arterial Street Fund, Real Estate Excise Tax Fund, Traffic Impact Fee Fund, LRF Fund, Transportation Benefit District, SWM Fund, Debt Service Fund, Paths & Trails Fund, CIP Funds, Donations Fund

General Fund Transfers/Subsidy:												
Street Fund	556,817	612,183	491,568	369,266	396,348	349,394	388,221	395,985	403,905	411,983	420,223	428,627
Recreation	324,007	333,233	376,174	-	-	-	-	-	-	-	-	-
Parks Maintenance	415,250	416,384	326,694	-	-	-	-	-	-	-	-	-
Development Services	678,976	678,976	620,792	605,792	659,865	628,686	662,258	697,117	728,802	761,729	795,947	831,503
	1,975,050	2,040,776	1,815,228	975,058	1,056,213	978,080	1,050,479	1,093,102	1,132,707	1,173,712	1,216,170	1,260,130

**CITY OF UNIVERSITY PLACE
FINANCIAL FORECAST - with funding options
2013 THROUGH 2024**

	ENDING FUND BALANCE											
	12/31/2013	12/31/2014	12/31/2015	12/31/2016	12/31/2017	12/31/2018	12/31/2019	12/31/2020	12/31/2021	12/31/2022	12/31/2023	12/31/2024
General Fund	\$ 1,349,988	\$ 1,136,907	\$ 1,104,441	\$ 1,178,210	\$ 1,250,222	\$ 1,366,653	\$ 1,430,956	\$ 1,471,649	\$ 1,536,236	\$ 1,454,514	\$ 1,308,049	\$ 1,127,915
Police/Public Safety Fund	292,714	246,099	898,974	1,444,941	1,874,058	2,181,886	2,363,845	2,415,207	2,331,092	2,106,462	1,736,116	1,214,689
Parks and Recreation	0	0	(0)	287,070	544,547	753,480	931,741	1,077,047	1,188,281	1,262,603	1,333,367	1,367,014
Street Fund	-	-	-	-	-	-	-	(168,507)	(472,866)	(801,026)	(1,153,888)	(1,532,384)
Development Services Fund	72,888	24,890	-	-	-	-	-	-	-	-	-	-
Replacement Reserves	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686	2,686
Strategic Reserves	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934	856,934
Sub Total	\$ 2,575,211	\$ 2,267,517	\$ 2,863,035	\$ 3,769,842	\$ 4,528,447	\$ 5,161,639	\$ 5,586,161	\$ 5,655,015	\$ 5,442,363	\$ 4,882,173	\$ 4,083,265	\$ 3,036,853
Other Restricted Funds	3,483,229	3,475,168	3,496,536	4,037,902	5,196,345	6,388,572	7,447,278	8,508,225	9,760,556	11,014,991	12,270,687	13,526,760
Grand Total	\$ 6,058,440	\$ 5,742,684	\$ 6,359,571	\$ 7,807,743	\$ 9,724,792	\$ 11,550,211	\$ 13,033,438	\$ 14,163,240	\$ 15,202,919	\$ 15,897,164	\$ 16,353,952	\$ 16,563,614

Replacement Reserves: IT Fund, Fleet Fund, Risk Management Fund

Restricted Funds: Arterial Street Fund, Real Estate Excise Tax Fund, Traffic Impact Fee Fund, LRF Fund, Transportation Benefit District, SWM Fund, Debt Service Fund, Paths & Trails Fund, CIP Funds, Donations Fund

General Fund Transfers/Subsidy:												
Street Fund	556,817	612,183	491,568	369,266	396,348	349,394	388,221	395,985	403,905	411,983	420,223	428,627
Recreation	324,007	333,233	376,174	-	-	-	-	-	-	-	-	-
Parks Maintenance	415,250	416,384	326,694	-	-	-	-	-	-	-	-	-
Development Services	678,976	678,976	620,792	605,792	659,865	628,686	662,258	697,117	728,802	761,729	795,947	831,503
	1,975,050	2,040,776	1,815,228	975,058	1,056,213	978,080	1,050,479	1,093,102	1,132,707	1,173,712	1,216,170	1,260,130

Assumes:

Police: 3 1/2% Utility Tax increase in 2015 (400,000 per 1%), Addition of 3 deputies and 1 Sergeant in 2015

Parks and Recreation: MPD at .35 in 2016

Streets: 5 year sunset of TBD mid 2019 - GF contribution remains at same rate as during TBD

Updated October 2013

Updated 2/4/2014

**Historical Utility Tax Collections
2004 to 2013**

	2004 Actuals	2005 Actuals	2006 Actuals	2007 Actuals	2008 Actuals	2009 Actuals	2010 Actuals	2011 Actuals	2012 Actuals	2013 Actuals
Gas	\$ 324,500	\$ 398,953	\$ 462,490	\$ 518,789	\$ 511,476	\$ 531,198	\$ 433,671	\$ 495,586	\$ 452,575	\$ 415,580
Solid Waste	229,755	253,664	269,235	291,703	292,830	296,820	291,836	308,940	328,598	332,074
Cable	389,780	400,174	429,187	466,564	517,283	505,883	556,096	580,652	600,951	630,205
Phone	333,269	295,388	283,033	284,171	331,579	299,209	267,069	231,803	219,881	209,736
Cellular	493,858	584,436	632,731	392,027	708,399	728,674	725,166	704,530	690,519	653,767
SWM	122,648	123,328	124,371	148,997	126,306	169,004	169,825	171,668	176,228	177,689
	\$ 1,893,810	\$ 2,055,943	\$ 2,201,048	\$ 2,102,252	\$ 2,487,872	\$ 2,530,788	\$ 2,443,663	\$ 2,493,179	\$ 2,468,753	\$ 2,419,051

1% Equals: 315,635 342,657 366,841 350,375 414,645 421,798 407,277 415,530 411,459 403,175

	2004 Actuals	2005 Actuals	2006 Actuals	2007 Actuals	2008 Actuals	2009 Actuals	2010 Actuals	2011 Actuals	2012 Actuals	2013 Actuals
Electric Fee	\$ 852,137	\$ 908,854	\$ 938,781	\$ 971,875	\$ 990,503	\$ 1,010,536	\$ 1,012,462	\$ 967,804	\$ 1,027,905	\$ 1,069,815
Water Fee	\$ 294,703	\$ 303,622	\$ 315,865	\$ 356,390	\$ 374,847	\$ 406,489	\$ 434,971	\$ 426,537	\$ 451,139	\$ 485,277

2014 SPECIAL EVENTS STRUCTURE

The following outline is a suggested approach for special events on City property in 2014. It is proposed for 2014 only, to create the opportunity to assess the efficacy of this approach before committing to the same approach for 2015 and beyond. The events addressed are those that are generally recurring events in the City. This does not preclude new events on City property which may always apply for permits under the City's existing Special Event Permit Code.

1. 2014 City Events Presented by the City

2014 City Events are events for which City Staff will have final responsibility and authority for development of the event plan, and for ensuring that all aspects of the event plan are executed as planned. City Events may include substantial volunteer participation, as well as sub-participants such as vendors and community service organizations, that meet the requirements of the City's Special Events Code ("Code").

A. Duck Parade

The parade itself would be the City Event, and other related activities which typically occur in conjunction with the Duck Parade would be subject to the requirements of the City's Code. This means that organizers, whether a legal entity (for profit, or non-profit corporation, LLC, etc.) or an individual on behalf of her or himself, or an individual on behalf of a group of individuals, desiring to hold an event on City property in conjunction with the Duck Parade would apply for a permit and meet the minimum requirement of the Code, including an event plan.

B. Tree Lighting

The Tree Lighting itself would be the City Event, and other related activities which typically occur in conjunction with the Tree Lighting would be subject to the requirements of the City's Code. This means that organizers, whether a legal entity (for profit, or non-profit corporation, LLC, etc.) or an individual on behalf of her or himself, or an individual on behalf of a group of individuals, desiring to hold an event on City property in conjunction with the Tree Lighting would apply for a permit and meet the minimum requirement of the Code, including an event plan.

2. City Events Presented by Contract with a Third Party

2014 City Events by Contract with a Third Party are City events for which a contract is entered into between the City and a non-City party, such as a legal entity (for profit, or non-profit corporation, LLC, etc.) or an individual on behalf of her or himself, or an individual on behalf of a group of individuals. The contract will include a mandatory scope of services to be provided by the non-City contractor, and may include an event description including the public purpose for the event, and a description of any City in-kind support, if any, to be provided to the event including an event insurance policy, if necessary.

A. 2014 City Events Contracted for Presentation by a Legal Entity (Each of the following listed potential contractors is a non-profit corporation)

- i. University Place Festival – Tacoma Events Commission
- ii. Get Local (concurrent with Duck Parade) – UP Community Supported Parks and Recreation
- iii. Various – Association of the US Army (AUSA)
- iv. Pups in the Park and Santa Paws (concurrent with the Tree Lighting) – Sundogs
- v. Various – University Place Historical Society
- vi. Atrium Art and Concert Series – UP for Arts

B. City Events Contracted for Presentation by an Individual or an individual representing an informal group of volunteers (Each of the following potential contractors is an individual representing an informal group of volunteers).

- i. Flower and Plant Show and Treasures in the Park (concurrent with Duck Parade) – an individual on behalf of Friends of Homestead Park.
- ii. Cider Squeeze and Concerts in the Park – an individual on behalf of Curran Orchard Resource Enthusiasts (CORE).
- iii. Car Show (concurrent with Duck Parade) – an individual.

3. Potential City In-Kind Support/Benefits/Subsidies to be Afforded to 2014 events.

As a preliminary matter, it is important to note that many of the legal entities and all of the informal volunteer groups referenced above are either a Council-designated “partner” or “friend.” There has been a great deal of discussion regarding what rights or benefits are associated with the “partner” or “friend” designation. To clarify the issue, attached is the City’s most recent (2010) matrix of benefits associated with the “partner” or “friend” designations. Specifically the designations are part of the City’s public forum policy.

The benefits afforded relate entirely to access to the City’s Business Directory, Newsletter, Web page and links, Web events calendar, bulletin board, UPTV, and public display areas. The designation of “partner” or “friend” does not include any waiver of normal City fees or requirements for events, nor does it provide a basis for provision of City subsidies, in any form, to “partner” or “friend” events.

The Council can, in its 2014 events legislation, provide special benefits and subsidies to the contractors of City events by contract with a third party for City contracted events, but absent that new Council legislation, a “partner” or “friend” designation does not provide any legal basis for waiver of City fees or requirements for events, or for the provision of City subsidies, in any form, to events.

2014 Potential Subsidies

A. In-Kind Services/Facilities (Repeat of 2013)

i. Flower Show/Plant Sale	\$200.00 All Parks/PW Support
ii. Duck Daze	\$1,192.00 Handwash Stations/Restrooms
iii. Duck Parade	\$8,302.00 (\$7,400 Parks/PW Support, \$902 Police)
iv. Treasures In the Park	\$400.00 All Parks/PW Support
v. Car Show	\$100.00 All Parks/PW Support
vi. Art Fair in Market Square	\$100.00 All Parks/PW Support
viii. Concerts in the Park	\$950.00 (\$125 Restroom, \$600 Parks/PW, \$225 Police)
ix. UP Fest	\$1,531.00 (\$1,331 Restrooms/Handwash, \$200 Parks/PW)
x. Pups in the Park	\$1,042.00 (\$842 Restrooms/Handwash, \$200 Parks/PW)
xi. Cider Squeeze	\$300.00 All Parks/PW Support

B. Fee/Deposit/Cost Waivers

- i. Permit filing and processing fees
- ii. Facility Rental Fees
- iii. Security/cleaning deposits
- iv. Staff costs associated with City facility use

C. Provision of Event Insurance

As a condition of their corporate existence and nonprofit status, the legal entities listed above as potential contractors each have insurance and are able to provide a certificate of insurance covering their events. For the events listed above, organized by informal groups of individuals, however, the only option is an event policy (known in the insurance industry as TULIP).

If an individual or an individual representing an informal group of volunteers is to be the contractor for presentation of a City event, it would be possible, with appropriate legislation by the Council, for the City to purchase such an event policy as part of the contract. Costs of single event policies for the type of events which may be presented through contracts with individuals or individuals representing informal groups vary based on the number of attendees and the activities that will occur. Generally, the cost for a single event policy is in a range from

approximately \$150.00 for a local summer car show, to a high of \$1,700.00 for an event with multiple vendors and a large number of attendees like Treasures in the Park. Single event policies for most of the events listed above will most likely fall within a \$200.00 to \$800.00 range.

RESOLUTION NO. 590

**A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING
THE LIMITED PUBLIC FORUM POLICY TO AMEND CRITERIA FOR CITY PARTNERS**

WHEREAS, the City's Limited Public Forums policy allows for limited use of the City's limited public forums (webpage, UPTV, newsletter, etc) to those groups designated by the City Council as a City Partner; and

WHEREAS, in the policy, City Partners have previously been defined, partially, as a group to whom the City provides financial contributions or in-kind services; and

WHEREAS, the City Council has separately adopted a grants policy to set forth a fair and equitable process to determine how future financial contributions will be allocated that takes into consideration whether the group is a City Partner; and

WHEREAS, the City wishes to clarify the language of its Limited Public Forum policy to distinguish the criteria, so that it does not overlap with the grant policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:**

Section 1. Amend Limited Public Forum Policy. City Council hereby resolves to amend the Limited Public Policy substantially as attached hereto as Exhibit A and incorporated by this reference and direct the City Manager to do all things necessary to make the amendment effective.

Section 2. Effective Date. This resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL JULY 14, 2008.

Linda Bird, Mayor

ATTEST:

Emelita Genetia, City Clerk

EXHIBIT A

City of University Place Policies & Procedures Section: 05.06 Limited Public Forums

1. PURPOSE

This document establishes policies and procedures for use of public media and facilities that may include, but is not limited to the City Business Directory, City Newsletter, City Web Page, Web Page Links, Web Page Events Calendar, Adopt a Street/Park Program, City Hall Bulletin Board, UPTV (television), and Public Display Areas. It is the City's intent to use these types of media and public facilities to better inform the community on City issues and topics of interest to the community. It is also the City's intent to clarify the allowed levels of usage of these media and facilities for groups as the City deems necessary with categories such as: Official City and City Appointed Organizations, Other Governments Serving University Place, City Partners, General Community Groups, and For Profit-Business Associations. The City reserves the right to establish further guidelines, policies and procedures at its discretion and reserves the right to amend this policy at any time.

2. DEFINITIONS

Public Forum: In the Ninth Circuit, traditional public forums are described as those places "which by long tradition or by government fiat have been devoted to assembly and debate." In the Ninth Circuit this category includes public streets and parks.

Designated Public Forum: A designated Public Forum exists where "the government intentionally opens up a nontraditional forum for public discourse."

Limited Public Forum: Sub-category of a designated public forum that "refers to a type of non-public forum that the government has intentionally opened up to certain groups or to certain topics. It is permissible for governments to impose restrictions that are viewpoint neutral and reasonable in light of the purpose served by the forum.

Official City & City Appointed Organizations: City departments, City Commissions, City Committees, etc.

Other Governments or Intergovernmental Entities Serving University Place: Examples of such include the Rainier Communications Commission, other Cities and Counties, LESA, schools, the Fire District, and Metro Parks.

City Partners: Organized groups working in University Place that are specifically recognized by the City Council as a city partner. To be recognized as a city partner, a group must meet one or more of the following criteria: (1) a group with whom the City has a formal contract to provide public services in the City; (2) a group's role in fulfilling a Council recognized special community need; (3) and groups that volunteer to maintain or improve public facilities. The City Council will recognize groups of City Partners by separate resolution.

General Community Groups: Community groups that do not have a contractual relationship or formal agreement with the City but who serve the community in support of the City's vision and goals. Examples include Masons, Churches, Kiwanis, Rotary, Character Council, and Political Groups.

Business Association Groups: For-profit Businesses Organizations or Associations with members of twenty or more. Examples include the Chamber of Commerce.

City: City of University Place, Washington.

3. POLICIES

The City Manager and City Council have designated limited public forums and levels of allowed usage by certain groups as shown in Exhibit A.

City partners are those groups that are officially recognized by the City Council as being in a partnership relationship with the City on one or more projects. To become a City Partner a group must seek formal recognition from the City Council. Whether or not a group will continue to be identified as a City Partner shall be reviewed by the City Council at least once each calendar year.

To be recognized as a City partner, a group must meet at least one of the following criteria:

(1) **Groups that have a written contract with the City to provide public services in the City.** Two examples of these are the UP Festival Association and the Audubon Society. Presumptively there is a legitimate public interest in the services provided by these groups. This interest is personified in the written contracts. That should be sufficient to justify a partnership arrangement at least on the contract issues.

(2) **Groups that maintain or improve public facilities.** These include the Curran Core Orchard Resource Enthusiasts and the Friends of Homestead Park/Rhododendron Society. Preliminarily, a distinction must be made between groups that Adopt a Park and groups that improve public facilities. We permit political parties to Adopt a Street/Adopt a Park. It would be inappropriate under State Law to have a political party as a City Partner. Groups that work with the City over a protracted period of time to improve a public facility, however, can more appropriately be considered a partner. The terms of the partnership, however, are limited to the scope of the improvements made in the City's public facilities. The City is free to control the extent of these partnerships because we own the facilities that are being improved.

(3) **Groups that fulfill a special community need.** This is a much more loosely defined category. A direct City contribution is not always made. Two candidate groups for this category include the Historical Society and UP for Arts. The Historical Society serves a useful government purpose by reminding citizens and visitors of the history of the area. This can promote tourism and economic development. UP for Arts may contribute art to public facilities. UP for Arts may also enter into a contractual relationship with the City.

Web Page/Links/Community Calendar: The City of University Place assumes no responsibility for the accuracy of any information contained on any web site to which the City's web-site provides a link. Links to other web pages are provided for convenience only. A link from the City's web-site to another site does not constitute endorsement by the City. An appropriate disclaimer shall be posted on the City's web page.

LIMITED PUBLIC FORA POLICY – Exhibit A
(For use of public media and facilities)

Policy Issues – Support City Council Goals/Vision? Free Speech? Gift of Funds? Separation of Church & State? Ban of Political Activity? Resources/Time/ \$? Liability? Risk (Political)?

	Business Directory	Newsletter	Web Page & Links	Web Page Events Calendar	Adopt a Street/Par k	City Hall Bulletin Board	UPTV	Public Display Areas
I. Official City & City Appointed Organizations (i.e., City Departments, Commissions/Committees...)	X	X	X	X	X	X	X	X
II. Other Governments Serving University Place (e.g., RCC, Cities, County, State, LESA, Metro Parks...)	X	X	X	X (ie. Library Link)	X	Space Available	Time Available within a City Program	Space Available
III. City Partners (Defined as: Groups with whom the City has a formal contract; a group's role in fulfilling a Council recognized special community need; and groups that volunteer to maintain or improve public facilities.(e.g., Tacoma Art Museum, Historical Society, University Place Festival, Friends of Homestead Park/Rhododendron Society, TACID...)	X	Time/Space/\$ Available - Limited to Information about Partnership Activities	X	Time/Space Available - Limited to Information about Partnership Events	X	No (Unless Part of a City Event)	Time Available within a City Program	Limited to Information About Partnership
IV. General Community Groups (e.g., Masons, Churches, Kiwanis, Rotary, Character First, Political Groups...)	X	No	No	No	X	No	No	No
V. Business For –Profit Individual business and/or community business associations (i.e., Chamber ...)	X (Display Ads?)	No (Display Ads?)	Business Organization or Association, but not individual businesses	No	X	No	No	No for individual businesses, but ok for Business Org. or Association

	Event	City Event	Non-City Event	City Subsidy
1	Parks Appreciation Day			
2	Flower Show & Plant Show			
3	Duck Daze:			
4	- Duck Parade			
5	- Treasures in the Park			
6	- Car Show			
7	- Get Local Summer Businessfest			
8	- Art Fair in Market Square			
9	- Public Safety Fair			
10	Concerts in the Park			
11	Pups in the Park			
12	University Place Festival			
13	National Night Out			
14	Cider Squeeze			
15	Menorah Lighting			
16	Christmas Tree Lighting			
17	16th CAB Holiday Reception			
18	UP for Art Atrium Arts & Concert Series			
19	Historical Society Atrium Events			
20	Volunteer Appreciation Dinner			
21	Dance Theatre Northwest Atrium Events			