UNIVERSITY PLACE CITY COUNCIL

Note: Times are approximate and subject to change.

Special Council Meeting Agenda
Monday, March 10, 2014, 6:30 p.m.

Town Hall Meeting Room
3715 Bridgeport Way West

6:30 pm **1. CALL SPECIAL MEETING TO ORDER - MAYOR**

2. ROLL CALL

COUNCIL CONSIDERATION – (The following item will require Council action.)

6:31 pm **3. PUBLIC SAFETY RESOLUTION**
- **Staff Report**
- **Public Comment**
- **Council Consideration**

COUNCIL RETREAT

7:00 pm **4. PARK AND RECREATION COMMISSION REPORT**

8:00 pm **5. EVENTS**

9:30 pm **6. ADJOURNMENT**

*PRELIMINARY CITY COUNCIL AGENDA

March 17, 2014
Regular Council Meeting

April 7, 2014
Regular Council Meeting

April 21, 2014
Regular Council Meeting

May 5, 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

DRAFT

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY IN THE GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, A PROPOSITION AUTHORIZING THE CITY TO LEVY AN ADDITIONAL 3.5% TAX ON THE PRIVILEGE OF CONDUCTING UTILITY BUSINESS WITHIN THE CITY FOR THE SOLE PURPOSE OF MAINTAINING AND ENHANCING PUBLIC SAFETY IN THE CITY; SETTING FORTH THE BALLOT PROPOSITION AND EXPLANATORY STATEMENT; AND PROVIDING FOR THE TRANSMISSION OF A CERTIFIED COPY OF THIS RESOLUTION TO THE PIERCE COUNTY AUDITOR

WHEREAS, maintaining and enhancing police services within the City is essential in keeping the City of University Place a safe and livable community; and

WHEREAS, efficient and effective police services that support community safety are a prerequisite to a vibrant local economy; and

WHEREAS, the City cannot maintain existing police staffing levels without additional revenue; and

WHEREAS, Washington State law permits the City to levy a tax on the privilege of conducting utility businesses within the City; and

WHEREAS the City's current utility tax revenue is needed to meet existing debt service obligations and for the continuation of existing city services; and

WHEREAS, State law authorizes an additional utility tax increase when approved by the City's voters; and

WHEREAS, the City Council finds it is in the best interest of the residents and businesses of the City to ask the City's voters to consider approving an additional 3.5% tax on utility providers, to the extent allowed by law, to generate revenue for the sole purpose of maintaining and enhancing police services in the City.

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

Section 1. That the Pierce County Auditor, as *ex officio* supervisor of elections in Pierce County, Washington, is hereby requested to submit to the qualified electors of the City of University Place, for their approval or rejection at the next General Election to be held on November 4, 2014, a proposition authorizing an additional 3.5% tax, for a total rate of 9.5%, on the privilege of providing utility services within University Place, for the sole purpose of maintaining and enhancing police services in the City of University Place.

Section 2. The City shall submit the proposition to the electorate of the City of University Place in substantially in the form set forth in Exhibit A, with an explanatory statement substantially in the form set forth in Exhibit B.

Section 3. The City Clerk will provide to the Pierce County Auditor, as *ex officio* supervisor of elections, a certified copy of this resolution together with a ballot proposition and explanatory statement in substantially the forms attached hereto, for inclusion in the November 4, 2014 General Election.

4. Effective Date. This Resolution shall be effective immediately upon adoption by the City Council.

ADOPTED BY THE CITY COUNCIL MARCH 3, 2014.

_____
Denise McClusky, Mayor

ATTEST:

_____
Emelita Genetia, City Clerk

APPROVED AS TO FORM:

_____
Steve Victor, City Attorney

EXHIBIT A

City of University Place
Proposition No. 1

Additional 3.5% Tax on Utility Company Earnings for Police Services

The City of University Place adopted Resolution No. _____, asking voters to consider approving additional revenue to be dedicated for police services in the City. If approved by voters, Proposition No. 1 would authorize the City to levy an additional 3.5% tax on utility companies, to the extent allowed by law, for the sole purpose of maintaining and enhancing of police services in University Place.

Should Proposition No. 1 be enacted into law?

EXHIBIT B

Election Date: November 4, 2014
Name of Jurisdiction Submitting Measure: City of University Place
Contact Name: Eric Faison
Daytime Contact Phone Number: 253.460.5443

EXPLANATORY STATEMENT - PROPOSITION NO. 1

The City currently dedicates all of the City's property tax revenue to its Public Safety Fund. However, the City only receives a small portion of the total property taxes paid by its residents – approximately $354 a year for the average household. 92% of property taxes paid by residents are paid to other jurisdictions, such as the School District, the Fire District, the County and the State. Based on current revenue trends, the City cannot maintain existing police staffing levels without additional revenue. The City is seeking to create a more sustainable Public Safety Fund through voter approval of an additional 3.5% tax on utility companies who provide services in University Place. If approved by voters, like the property tax, the new revenue will be restricted for the sole purpose of maintaining and enhancing police services. The City estimates that this additional tax would cost a household with $400 a month in utility expenses an additional than $14 per month.

BACK TO AGENDA

Draft Public Safety Q&A

Why is the City seeking to raise taxes for Public Safety?

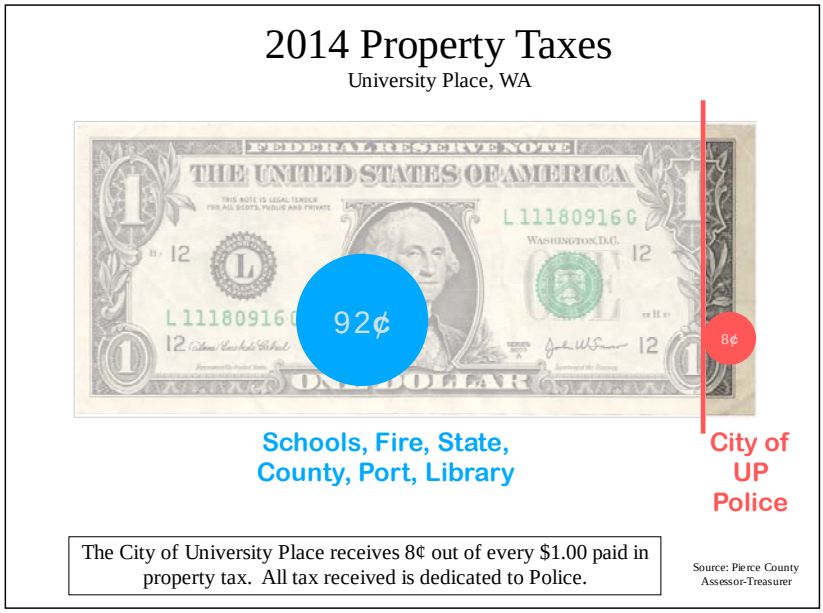
While University Place has a relatively stable crime rate, the City cannot afford to maintain existing police staffing or service levels with existing revenue. Based on current trends, beginning in 2016, the City's Public Safety fund will bring in less revenue than is needed. After completing a comprehensive study on police service levels, the City Council has decided to ask residents for additional revenue to support a sustainable level of service.

How much do I currently pay for police services in University Place?

The primary revenue source for City public safety expenditures is the property tax. For an average-valued home in UP ($246,905 as determined by the Pierce County Assessor-Treasurer), a homeowner will pay the City $354 in property tax. ALL property taxes paid to the City of University Place are dedicated to pay for public safety expenses. The average annual cost per resident for public safety in University Place is $109.

I pay thousands of dollars every year in property tax. Why does so little go to the City for Public Safety expenses?

The $354 paid by the average homeowner to the City in property taxes might seem low. But the City only receives approximately $0.08 for every $1 a homeowner pays. 92% of property taxes paid by residents are distributed to other jurisdictions, such as the School District, the Fire District, the County and the State.



Why isn't the amount I pay in property taxes to the City enough?

The amount the City receives in property tax is limited by state law. The law limits the amount the City can receive to no more than 1% more than the City received in the prior year. For example, in 2014, the City will receive $72,029 more in property tax than it received in 2013.

In contrast, the City's public safety expenses increase by $142,605 due to ordinary inflationary expenses.

Why is the City Council recommending an increase in the utility tax rather than property tax?

State law limits the total rate that our City can charge in property taxes to $1.60 per $1,000 in assessed value. The City's current rate is $1.43 per $1,000. Increasing the property tax to its statutory maximum would not generate enough money to develop a sustainable Public Safety Fund.

On what utilities would an increased utility tax apply and how much would I have to pay?

The City currently has a 6% utility tax on garbage, gas, telephone, cell phone, cable television and surface water management services. This revenue, along with sales tax, fees and charges support the general operation of the City. The proposed Public Safety Fund Utility Tax would be an additional 3.5% dedicated solely to Public Safety expenses. It would add $3.50 a month to each $100 in utility bills. Everyone's utility bills differ, but for a household with $400 a month in utility bills, a resident would pay an additional $14 a month for police services.

How much is the City's budget for police service and how do we compare to other cities in Pierce County?

The average budget for police service for Pierce County cities is $7,400,000. University Place's budget is well below the average at $3,400,000. The average total number of commissioned and non-commissioned officers for the County is 2.26 per 1,000 citizens. University Place has .54 officers per 1,000. The average cost per resident for police services in the County is $291. University Place's cost per resident is a little over one-third of that amount at $109 per resident.

City	Population (2013)	Total Commissioned & Non-commissioned Officers (FTE's) per 1,000 Residents (2012)	2012 LE Budget with AC and Jail removed	2012 Cost per resident of police services
Fife	9,235	5.85	$ 6,087,151.00	$ 659.14
Ruston	755	5.3	$ 394,300.00	$ 522.25
Gig Harbor	7,344	2.45	$ 2,773,370.00	$ 377.64
Sumner	9,470	2.32	$ 3,542,126.00	$ 374.04
Puyallup	37,625	1.97	$ 14,035,559.00	$ 373.04
Tacoma	199,600	1.97	$ 69,327,108.00	$ 356.44
Lakewood	58,260	1.97	$ 18,530,710.45	$ 318.00
Bonney Lake	17,730	2.14	$ 5,250,930.72	$ 296.16
Milton	7,163	1.81	$ 1,889,548.00	$ 263.79
Steilacoom	6,015	1.16	$ 1,350,837.00	$ 224.58
*Eatonville	2,785	1.8	$ 616,089.00	$ 221.22
Roy	805	2.48	$ 172,828.00	$ 214.69
Fircrest	6,525	1.53	$ 1,373,560.00	$ 211.00
Buckley	5,460	4.03	$ 1,114,645.99	$ 204.15
Orting	6,790	1.47	$ 1,383,502.00	$ 203.76
Dupont	8,640	1.27	$ 1,575,594.00	$ 182.36
Edgewood	9,425	0.64	$ 1,165,108.00	$ 123.62
University Place	31,270	0.54	$ 3,408,595.00	$ 109.01

What happens if I vote no?

The University Place Police Department currently has a minimum of two-officers on duty at any given time to cover the City's 32,000 residents. Despite this limited staffing, the Police Department attempts to respond to all calls for service (see attached dispatch policy comparison). This policy, called "No Call Too Small", will be revisited in 2015 because Public Safety Fund expenses will exceed Fund revenues beginning in 2016, forcing a reduction in staffing levels.

The chart below shows the anticipated staffing level reductions required if voters reject the proposed utility tax levy.

	University Place Police Department Staffing Levels			If the Tax Fails		
Position	**Founding Level**	**2001 levels (Peak)**	**2014 Level**	**2015**	**2016**	**2017**
Police Chief	1	1	1	1	1	1
Sergeant	1	2	1	1	1	1
Detectives	1	2	0	0	0	0
Crime Prevention Detective	1	0	0	0	0	0
Investigator	0	0	1	1	1	0
Patrol Deputies	15	15	12	12	10	10
School Resource Officer	1	2	1	1	1	1
Proactive Deputy	0	1	0	0	0	0
Traffic Officer	1	1	0	0	0	0
CSO	0	0	1	0	0	0
Office Assistant	-	1	1	1	1	1
Total	**21**	**25**	**18**	**17**	**15**	**14**

Why can't the City just fund Public Safety and then cover the other City functions with whatever is left?

In 2009, following the start of the recession, the City Council dramatically cut staffing and service levels. The City's current budget places a priority on meeting legal obligations and the provision of essential services. For example, the budget reflects the City's statutory obligation to process permits, adopt and enforce zoning regulations, maintain public records, account for its finances and repay its debts. The budget also meets minimal needs to maintain public facilities, including basic maintenance for streets and parks. These activities, along with police services, represent most of the City's expenses. Given these obligations, it simply is not possible to continue funding existing levels of public safety staffing and service without new revenue.

What does a 3.5% Utility tax increase get me if I vote yes?

The 3.5% increase in the utility tax would allow the City to maintain existing staffing levels and add three commissioned officers and a patrol sergeant. The chart below shows the anticipated staffing levels if voters approve the proposed utility tax levy.

	University Place Police Department Staffing Levels			If the Tax Passes
Position	**Founding Level**	**2001 levels (Peak)**	**2014 Level**	**2015 (with 3.5% utility tax)**
Police Chief	1	1	1	1
Sergeant	1	2	1	2
Detectives	1	2	0	-
Crime Prevention Detective	1	0	0	-
Investigator	0	0	1	1
Patrol Deputies	15	15	12	15
School Resource Officer	1	2	1	1
Proactive Deputy	0	1	0	-
Traffic Officer	1	1	0	-
CSO	0	0	1	1
Office Assistant	-	1	1	1
Total	**21**	**25**	**18**	**22**

BACK TO AGENDA

South Sound 911 Dispatching Policies

Crime/Call Type	University Place Police*	Tacoma Police	Pierce County Sheriff	Lakewood Police
Major Crimes				
Assault	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Residential/Commercial Burglary	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Robbery	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Auto Theft	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Arson	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Rape/Sex Crime	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Thefts				
General over $1,500	Police Dispatch	Telephone Report	Police Dispatch	Police Dispatch
General under $1,500	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Vehicle Prowl	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Gas Runout	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Firearm	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
License Plate	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
License Tab	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Bicycle	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Mail	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Theft of Services	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Shoplift (in custody by store)	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Shoplift (not in custody)	Police Dispatch	Retail Theft Program/TR	Retail Theft Program/TR	Retail Theft Program/TR
Till Tap	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Coin-operated Machine	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Checks/Credit Cards	Police Dispatch	Police Dispatch	Telephone Report	Telephone Report
Vandalism				
Property Damage	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Graffiti (major)	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Graffiti (minor)	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Lost Property				
General	Police Dispatch	Citizen Online Report	Citizen Online Report	Citizen Online Report
Firearm/Passport/Military ID	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Person Crimes				
Harassment	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Verbal Threats	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Obscene Phone Calls	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
Domestic Violence	Police Dispatch	Police Dispatch	Police Dispatch	Police Dispatch
Suspicious Persons/Vehicles	Police Dispatch	Telephone Report	Telephone Report	Telephone Report
		(When no longer there & enough information for a report is sufficient.)		

* Also applies to Edgewood PD, Fircrest PD, Gig Harbor PD, Steilacoom DPS, Ruston PD, Dupont PD, Roy PD (unless no RPD on duty)

BACK TO AGENDA

City of University Place

Long Range Public Safety Planning

An in-depth study of police service history and future decisions in University Place

University Place Public Safety Commission
12/01/2013

Public Safety Commission
Executive Summary & Recommendation

The University Place City Council set "Increased Public Safety" as one of its 2013-2014 goals. On February 4th, 2013, the City Council, via Resolution 711, directed the Public Safety Commission to examine long-range Public Safety needs for the City of University Place. During the Commission's study session with Council leading up to the Resolution, the City Council, among many things, asked for a better understanding of the reasons behind contracting for police services as opposed to having an in-house City police department.

In 1995, Pierce County asked University Place officials what they wanted their police department to look like. The vision was left to reflect the values of the City. "No call too small" was an ideology that was adopted and adhered to. With cuts to staff and rising calls for service, this paradigm has eroded. Knowing the City is facing a projected 25% population growth, a Town Center development that is creating an urban downtown, and a financial forecast that projects the City's current police staffing to be unsustainable, staff and the Public Safety Commission seek Council directive to begin public outreach.

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.

Last year, the Council increased the staffing level to add an investigator. This year Council added a Community Support Officer (CSO). With these changes and inflation, the City's projected 2014 Public Safety costs have risen by $900,000, 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 to be nearly $2 million.

While this report outlines several measurements of public safety, including calls for service, staffing levels, and response times, the data regarding "patrol checks" was the most informative to the Commission. A patrol check occurs when a citizen calls 911 to request assistance and due to several factors including staffing an officer never responds to the call. In 2003 the amount of patrol checks was approximately 200. In 2009 the number had grown to approximately 675. In 2010, after the cuts to the department were fully realized the number of patrol checks jumped to nearly 900. The number has stayed above 800 in each year since. If no action is taken to address the deficit the number of patrol checks is sure to rise and in turn more calls to 911 by University Place residents will go unanswered.

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 have to be combined with another revenue source to create a sustainable Fund.

2. Utility Tax: A three and a half percentage increase would generate approximately $1,500,000 a year and would add $1.75 to a $50 utility bill (garbage, electric, gas, telephone, cell phone and cable 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 is recommending a 3.5% Utility tax increase proposal to go on the November 2014 ballot. The addition of the 3.5% would allow the City to hire three commissioned officers to the University Place Police Department. While a lower utility tax proposal would keep the department at its current core level that level was never meant to be a permanent solution. As the data in this report shows the addition of just (3) officers would have a real tangible effect on the ability of our police department to respond to calls in University Place.

The Public Safety Commission needs clarification from Council regarding if and how to proceed with the recommendation.

- Who should we talk to?
- What should we ask?
- What are we asking for?

Introduction and Background

The University Place City Council has identified "Increased Public Safety" as one of its 2013-2014 goals. On February 4th, 2013, the City Council, via Resolution 711, directed the Public Safety Commission to examine long-range public safety needs for the City of University Place. During the Commission's study session with Council leading up to the Resolution, the City Council, among other things, asked for a better understanding of the reasons behind contracting for police services as opposed to having an in-house City police department. This report provides information in response to Council's request.

This report will:

- Outline factors making this review timely and critical
- Present the current status of police services in University Place
- Detail the differences between providing police services as a contract City versus a stand-alone City police force
- Provide a forecast for police service levels in the future in University Place
- Provide possible next steps to continue the review of police services in University Place

Methodology

In researching this topic, City staff recovered the 2003 City Police Services comparison report and updated the information to determine if the 2003 conclusions are the same ten years later or would support a different conclusion. Updated demographics and crime statistics were used, and police service reports from surrounding jurisdictions were also studied.

A Timely Topic

University Place is a vibrant, growing community. The stability of the population, as reflected by educational levels and household incomes, suggests an enviable quality of life. All of this makes University Place a desirable location. However, the profile of a community changes over time. University Place is facing several factors that make a review of police services and costs not only prudent but crucial:

Population

The Growth Management Act, County-Wide Planning Policies and VISION 2040 require the City to accommodate population and employment growth. Pierce County Ordinance 2011-36S, projects the population in University Place in 2030 to be 39,540 residents, an increase of 8,100 people. The Ordinance also forecasts an additional 3,000 jobs added to the economy in University Place by 2030. As a result, the City is facing a projected 25% increase in population over the next 17 years. More residents translates into increased calls for service.

TOWN CENTER

The Town Center project is coming on-line, with new commercial venues that will attract additional visitors to the City. For example, the recently-announced Whole Foods Market, scheduled to open in March 2015, will be a regional draw, directly impacting the number of out-of-town visitors in University Place. Town Center will also be the focus of some of our increased population, as this development includes multi-family housing options.

FINANCES

Over the course of several months the Commission heard presentations and reviewed information from several sources. Under current conditions, a financial forecast projects that the City's current police staffing level is unsustainable. Based on current trends, the City's General Fund ending fund balances will be depleted in 2017 and the Public Safety fund balances will be depleted in 2016. The need to examine how to fund current reduced levels of police services triggered a comprehensive study on police service levels.

Much of the discussion surrounded the different funding options. The options included:

- 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 have to be combined with another revenue source to create a sustainable Fund.

- 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.

- Utility Tax: A 3.5 percentage increase would generate approximately $1,500,000 a year and would add $1.75 to a $50 utility bill (garbage, electric, gas, telephone, cell phone and cable bill).

It became clear to the Commission that in order to adequately address the funding issues facing public safety, increasing the utility tax was the best option as it did not require another revenue source. This utility tax funding measure is necessary in addition to the existing dedication of the property tax to fund public safety. In the end the choices moving forward to address the upcoming deficit were as follows:

1. Do nothing, thereby requiring further cuts to police services.
2. 2% utility tax ballot measure which if approved would maintain current police service levels until 2024.
3. A larger utility tax Ballot measure which if approved would provide additional staffing to meet the needs of the citizens.

Current Status of UP Police Force

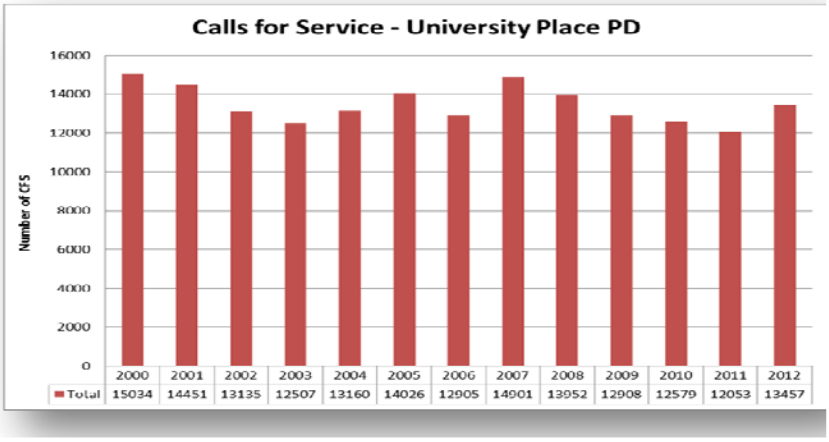
The original UP police paradigm of "no call too small" has eroded under the pressures of rising calls for service and recent cuts to staffing levels. A review of call types and responses shows that some calls now are "too small". "Patrol check" calls indicate citizens' calls to police that cannot be responded to because of a lack of time or ability to respond.

The top ten types of calls that have been handled as patrol check calls are:

unknown trouble	fireworks
noise complaints	911 hang-ups
burglar alarms	welfare checks
reckless vehicles	suspicious vehicles
suspicious person	drunk drivers

These are the types of calls that can adversely affect the quality of life for citizens. A non-response may damage the perception of safety to a citizen if a police officer does not respond to something a citizen deemed important enough to call for 911 services. The total number of calls handled as patrol checks has increased in the past 10 years. In 2003, only about 200 calls a year were cleared from the dispatch system in this way. In 2012, the number was over 900.

Exhibit 1



University Place is structured as a "contract city" meaning that, instead of operating its own dedicated police force, it contracts with another entity (in this case, Pierce County) to provide police services. The University Place Police service model was built on a "no call too small" philosophy. This mission has driven the police - community partnership. While the University Place Police Department was not exempt from the staffing reductions that the City suffered across the board several years ago, the calls for service have remained fairly consistent (see Exhibit 1).

At incorporation in 1995, it was determined that a team of 21 was an appropriate staffing level for the University Place Police Department (see Exhibit 2). The make-up of this team is presented in Exhibit 2, along with the department's current staffing configuration.

University Place Police Department Staffing Levels		Exhibit 2
Position	**Founding level**	**2013 Level**
Police Chief	1	1
Sergeant	1	1
Detectives	2	-
Investigator	-	1
Patrol Deputies	15	12
School Resource Officer	1	1
Traffic Officer	1	-
Office Assistant	-	1
Total	**21**	**17**

The Benefits of Contracting

Cost is just one of the factors that may be weighed when considering the issue of contracting versus self provision of police services. At a minimum, many jurisdictions also weigh issues around local control, administration, personnel, and community preferences when they have tackled this issue.

Many of the reasons that a community may feel a need to house their own police department are centered on the public's perception of the quality of service they are getting from their police team (contracted or not), and are not necessarily tied to fiscal considerations. The City's contract model allows the Chief to work directly with City Council, city staff and, most importantly, the community to set the mission and objectives for policing in University Place. This model fosters community ties, executive accountability, and the atmosphere of community oriented policing. In the most recent community survey, residents expressed a high level of satisfaction with police services provided.

If the City were to set up an in-house police department, various functions such as human resources, legal, finance, information services, investigations, patrol supervision, and fleet functions would need to be funded, in addition to all other start-up and capital costs. A command staff with overlapping redundancies would also need to be created to fill any gaps in a non-contract police department.

Advantages to the contract city model:

1. Contracted officer rates can be described as a "fully supported officer," meaning the training, equipment (vehicle, radio, uniform, etc), liability, command, administration, and human resources, etc are all included in the officer rate. In addition to being included in the rate, these support functions are solely the responsibility of the contracting agency. [1]

[1] Puget Sound Police Services Comparison, City of University Place, December, 2003.

2. Contract cities spend less per capita than their non-contract counterparts. Contract cities do not need as many officers assigned exclusively to their cities. There is also an economy of scale which can be an advantage for contract cities. When agencies share the cost of police services, the relative cost to each agency is diminished, because there is less duplication and more sharing of command and support functions. These functions include administration, supervision, personnel, investigations, public relations, hiring and training, motor pool, forensics, evidence room, crime analysis, SWAT, Canine, Hazardous Device team, Lab Team, pro-active patrol support, and equipment. The smaller customer entity can also take advantage of specializations, equipment, and a larger staff pool that are usually only available to larger departments. This allows the contract city to avoid incurring all of the overhead costs normally associated with these functions.

3. Another advantage to a contract agency revolves around the human resource elements of dealing with a unionized workforce. The contract customer has the ability to transfer officers according to the City's mission, strategies, and needs. The contracting entity has a large pool to choose from with approximately 210 patrol deputies. This is one of the most under recognized benefits to a contract model.

4. In addition to the human resource advantages, contract customers also incur zero liability in potential lawsuits. Law enforcement, in general, is very litigious. A contract city does not have to carry additional insurance or hire special legal authority to address lawsuits that may come as a result of policing a community. These liability issues are mitigated through the city's contract provider. The current Pierce County contract includes a legal advisor and civil representation through the County Prosecuting Attorney.

IT Technician	$58,233.44
HR Specialist	$69,574.50
Legal Advisor	$95,376.41
Paralegal	$78,655.01
Finance Specialist	$69,574.05
Fleet Manager	$91,519.00
	$462,932.41

If the City were to pursue a stand-alone University Place Police Department, it would require anywhere from $3-5 million in start up costs related to new fleet, training and personnel resources. In addition to these start up costs, the City could conservatively project estimated yearly staffing costs totaling $462,932.41.

A University Place Increased Staffing Experiment

***Challenge**:*
High crime rate around Cirque and Orchard

- *multi-jurisdictional geography*
- *released offenders living in area*
- *blood bank location which paid $50 cash to donors*

The average law abiding citizen was overwhelmed by the magnitude of crime.

***Initiative**:*
Orchard Corridor Task Force
Mission: to recognize the area's unique characteristics and work together to address crime
Partners:

- *University Place Police Department,*
- *the Tacoma Police Department,*
- *Pierce Transit Police,*
- *the Washington State Liquor Control board,*
- *the Washington State Department of Corrections.*

Funding: Federal grants totaling over $34,000
Efforts:

- *liquor compliance checks*
- *gang emphasis,*
- *warrant sweeps,*
- *apartment resident checks*
- *increased officer presence in the apartment complex with the highest crime rate.*

***Results**:*
Reported crime has gone down. Conversely, the proactive law enforcement numbers increased for drug possession arrests, warrant arrests, and criminal traffic arrests.

	2011	2012
Violent Crimes	26	19
Property Crimes	120	98
Drug Possession	16	23
Warrant Arrests	27	69
Criminal Traffic Arrests	74	151

The success of the Orchard Corridor task force hinged on the efforts by the University Place Police Department including intelligence gathering, surveillance, partnerships with businesses and residents, monthly meetings and the above described enforcement. These efforts were the foundation for the adoption of the Orchard Corridor as a Stay Out of Drug Area (SODA Order) by the University Place City Council in the fall of 2012.

This is the result of a great team working to make the Orchard Corridor safer for the law abiding citizens who live and work there.

Police Service Levels: A Forecast

As mentioned above, the combined effects of projected increases in population, the attraction of Town Center venues as they come on-line, and the pressures of fiscal constraints compel a careful review of the structure within which police services are provided, as well as the level of services that will be funded.

When considering how to staff the police department the City needs to ask the following questions:[2]

1. Is the City achieving the results desired in the community?
2. Is the City using resources efficiently?
3. How much closer to the community goal can the City move towards with a given amount of added resources?

In 2008 UPPD obtained $34,000 in various grant funding to conduct staffing experiment in the Orchard Corridor. The funding was used to deploy highly visible pro-active patrol. This emphasis applied additional uniformed staff. The outcome was a reduction in crime, an increased quality of life and a safer and more livable community. The details of this experiment are highlighted in the sidebar text on this page.

Since incorporation the City's staffing paradigm has shifted in both directions (see exhibit 3). There is no easy formula to determine police staffing. The police department's "no call too small" ideology is the result desired in the community. We can achieve this goal by adding commissioned police officers to the streets.

It is anticipated that, as population and commercial activity increase in the City, calls for service will increase as well. This increase will require a larger police force to maintain the level of service the City currently enjoys. An estimate of what an adequate police force for University Place should look like is reflected in the 2014 Proposed Staffing Level presented in Exhibit 3.

[2] Officer-Per-Thousand Formulas and Other Policy Myths, John Campbell, Joseph Brann and David Williams, March 2004

Exhibit 3

	University Place Police Department Staffing Levels			
Position	**Founding Level**	**2001 levels (Peak)**	**2013 Level**	**2014 Proposed**
Police Chief	1	1	1	1
Sergeant	1	2	1	2
Detectives	1	2	-	-
Crime Prevention Detective	1	-	-	-
Investigator	-	-	1	1
Patrol Deputies	15	15	12	15
School Resource Officer	1	2	1	1
Community Support Officer	-	-	end of 2013	1
Proactive Deputy	-	1	-	-
Traffic Officer	1	1	-	-
Office Assistant		1	1	1
Total	**21**	**25**	**17**	**22**

Next Steps

The findings in this study indicate the need for a plan to help predict future public safety needs, understanding that University Place is changing. The City must be proactive in order to maintain the "quality of life" benchmarks it has set with premier Fire, School and Library services. With future commercial developments on the horizon, the City is becoming less of a pass-through area and more of a destination. With these imminent changes, the need for a plan is more and more evident. The increase in call volume, projected growth increase throughout the City and workload examination all factor into determining an appropriate level that may be incrementally staggered and added over time.

Exhibit 4 presents a proposal to add 5 commissioned officers to the University Place Police Force. The cost for each position is shown as well.

Exhibit 4

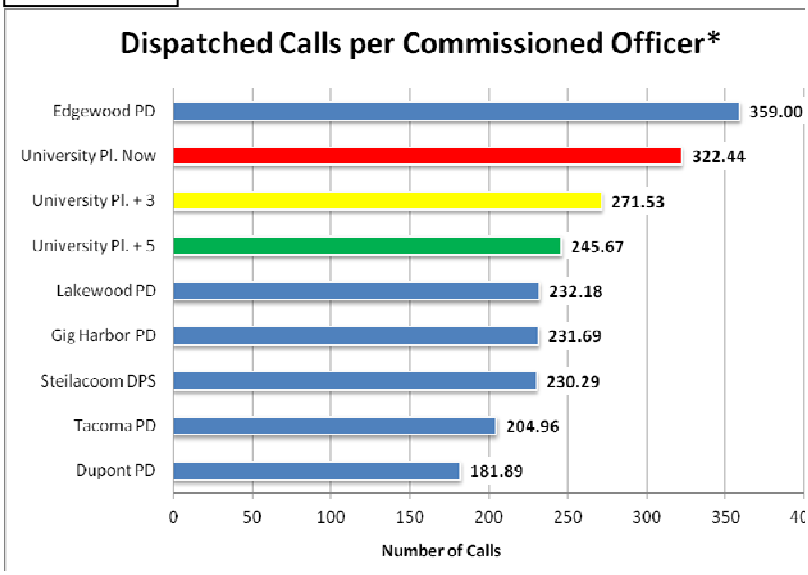
Function	**Number**	**Type**	**Unit Cost**	**Annual Cost**
Basic Patrol	3	Deputy	$148,365	$445,368
Supervision	1	Sergeant	$162,070	$162,070
In-House Investigations	1	Detective	$164,012	$164,012

Total	5			$ 771,177

Adding three deputies, one to each shift, will allow our police department to be more responsive to nuisance issues, traffic complaints, and those calls which are patrol checked. Consistently running at a minimum staffing level on patrol prohibits basic problem-oriented policing actions and responsiveness to citizen concerns. Staffing studies indicate that University Place officers carry a high workload in comparison to officers in other jurisdictions and an increase in patrol checks for nuisance-related calls for service is evident. Added staffing to each shift will allow greater problem solving at the patrol level and increased responsiveness to our community.

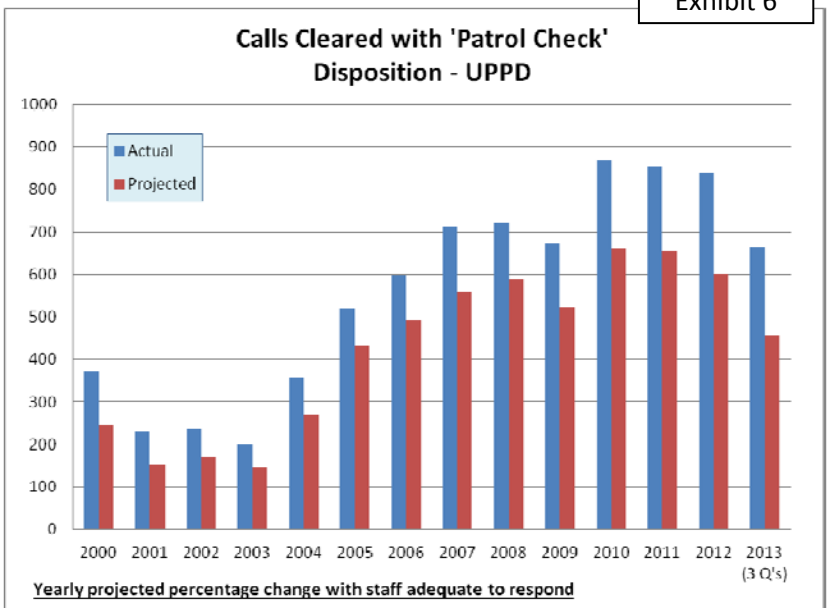
Adding the proposed commissioned officers will ease workload. Using the 2012 numbers, we can estimate that adding 5 additional commissioned officers will decrease workload per officer by 24%. If we were to add 3 additional commissioned officers we would see a workload decrease, per officer, of 15.8%. This call-for-service workload decrease will, in turn, create a proactive workload increase. The workload chart (Exhibit 5) reveals how our workload numbers stack up to other cities in our County.

Exhibit 5



Additionally, the added staff will affect the "patrol check" disposition referenced in the Finance section of this report. Adding additional uniformed staff will allow officers to more consistently respond to suspicious vehicles, suspicious persons, traffic (speeding) complaints, and noise complaints. Exhibit 6 illustrates how added staff will affect the patrol check disposition.

Exhibit 6



Yearly projected percentage change with staff adequate to respond

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013 (3 Q's)
-33%	-35%	-28%	-27%	-25%	-17%	-17%	-21%	-18%	-23%	-24%	-23%	-28%	-32%

Exhibit 7

Population (2013)	City	2012 police cost per resident
199,600	Tacoma	$ 356.44
61,360	Marysville	$ 181.88
58,260	Lakewood	$ 318.00
47,730	*Burien	$ 202.14
47,420	*Sammamish	$ 91.23
43,602	Lacey	$ 203.50
39,800	Edmonds	$ 202.67
39,650	Bremerton	$ 234.87
37,625	Puyallup	$ 373.04
35,900	Lynwood	$ 346.64
34,000	Bothell	$ 308.83
31,270	*University Place	$ 109.01
31,270	University Place +5	$ 128.49
31,270	University Place +3	$ 118.06
31,270	University Peak levels	$ 137.53
29,700	Des Moines	$ 249.63
27,210	*SeaTac	$ 324.17
23,090	Bainbridge Island	$ 153.15
22,690	Mercer Island	$ 251.11
20,090	Mountlake Terrace	$ 261.35
6,525	Fircrest	$ 211.00

The chart on this page (Exhibit 7) illustrates the "cost per resident" impacts of the current staffing levels and added staff levels. The average cost per resident for all the similar sized cities surveyed is $243.26. Even when University Place was at its "peak" level, it was still far beneath the surveyed City average.

Currently, the University Place Police Department employs one patrol sergeant to supervise three patrol shifts that work our twenty four hour police operation. This supervision model creates a span of control ratio that is unfavorable. The addition of a patrol sergeant greatly improves this ratio and will allow our community policing model of "no call too small" to continue to be developed and nurtured through supervisor accountability.

A full time detective assigned to University Place will increase the effectiveness of our investigations model. While we currently employ a highly competent investigator, the assignment is on a rotation basis every three years. Employing a career exempt detective will allow newly assigned investigators to mentor under an experienced detective and speed up the learning curve faced by newly

assigned investigators. An in house Detective will become familiar with local career criminals and more effectively support the problem-oriented policing efforts deployed on the street. This will provide a consistent community-oriented approach from top to bottom of the organization.

Conclusion

The University Place City Council has set "Increased Public Safety" as one of its 2013-2014 goals. Under current conditions, a financial forecast projects that the City's current police staffing level is unsustainable. Based on current trends, the City's General Fund ending fund balances will be depleted in 2017 and the Public Safety fund balances will be depleted in 2016. The City is faced with both a fiscal and a service level crisis.

The findings in this study indicate the need for a plan to help predict future public safety needs, understanding that University Place is changing. The City must be proactive in order to maintain the "quality of life" benchmarks it has set with premier Fire, School and Library services. The original UP police paradigm of "no call too small" has eroded under the pressures of rising calls for service and cuts, over time, to staffing levels. With future commercial developments on the horizon, the City is becoming less of a pass-through area and more of a destination. With these imminent changes, the need for a plan is more and more evident.

There is no easy formula to determine police staffing. The police department's "no call too small" ideology is the response desired in the community. We can achieve this goal by adding commissioned police officers to the streets. Adding the proposed commissioned officers will ease workload, preserve the "no call too small" ideology, and address population and density growth.

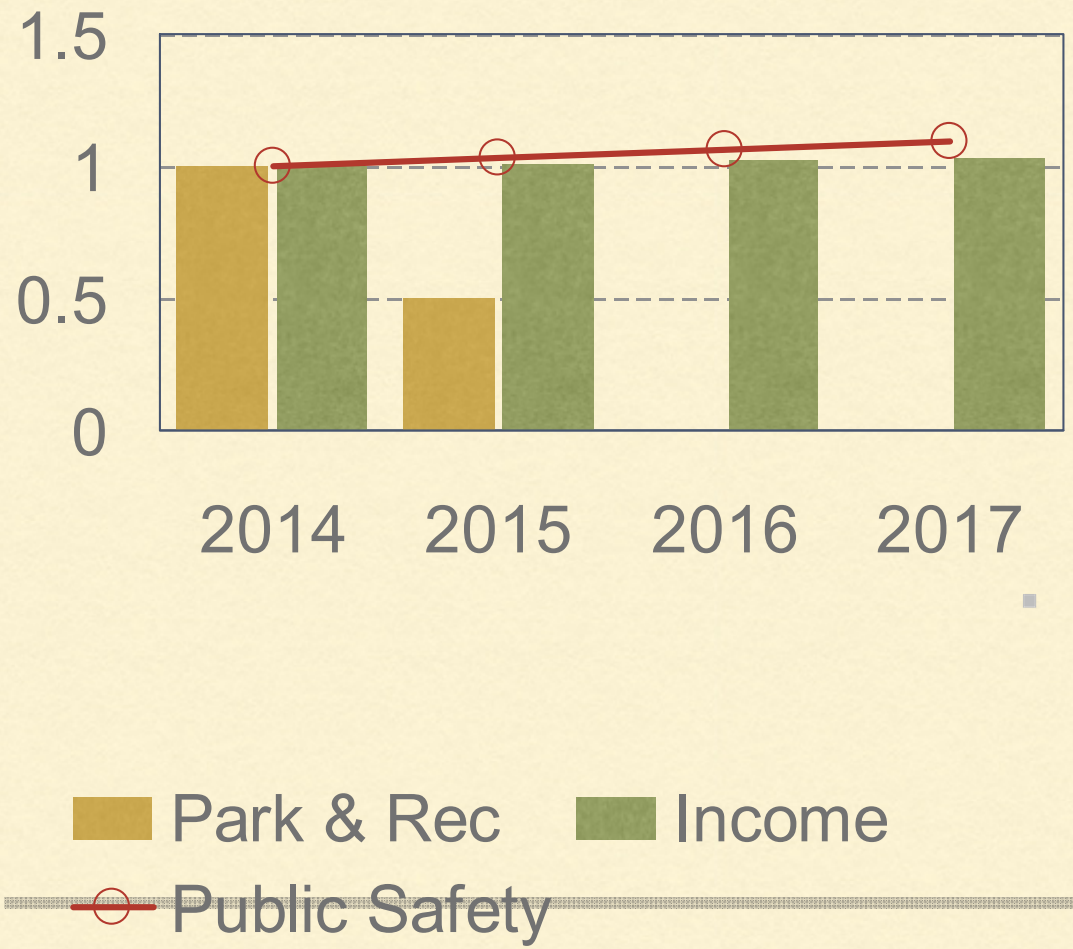
After much discussion, the Public Safety Commission is recommending a 3.5% Utility tax increase proposal to go on the November 2014 ballot. The 3.5% utility tax would allow the City to hire three commissioned officers to the University Place Police Department. While a lower utility tax proposal would keep the department at its current core level that level was never meant to be a permanent solution. As the data in this report shows the addition of just three (3) officers would have a real tangible effect on the ability of our police department to respond to calls in University Place.

BACK TO AGENDA

FUNDING & SERVICE LEVEL OPTIONS FOR PARKS, RECREATION, AND SENIOR SERVICES

A response to
City of University Place Resolution 740
By the 2014 Parks and Recreation Commission

WHY ARE WE HERE?



- General fund income is not keeping up with increasing expenses.

  In 2016 the city will not be able to fund it's portion of Park and Recreation Operating expenses unless something changes.

- Enterprise adjustments and staff cuts are already in use so new ideas are needed.

RECOMMENDATIONS

PURSUE A UNIVERSITY PLACE METRO PARK DISTRICT.

This will provide a dedicated funding source for Parks & Recreation

TO MEET EXISTING AND FUTURE NEEDED SERVICE LEVELS:

4 FTE in park maintenance

5.5 in recreation programs

SERVICE LEVELS CONSIDERED

NO SERVICE

Below the urban standard.

CURRENT SERVICE LEVEL

Capacity limited without ability to meet needs of an increasing, aging, and densifying population.

FULLY STAFFED SERVICE LEVEL

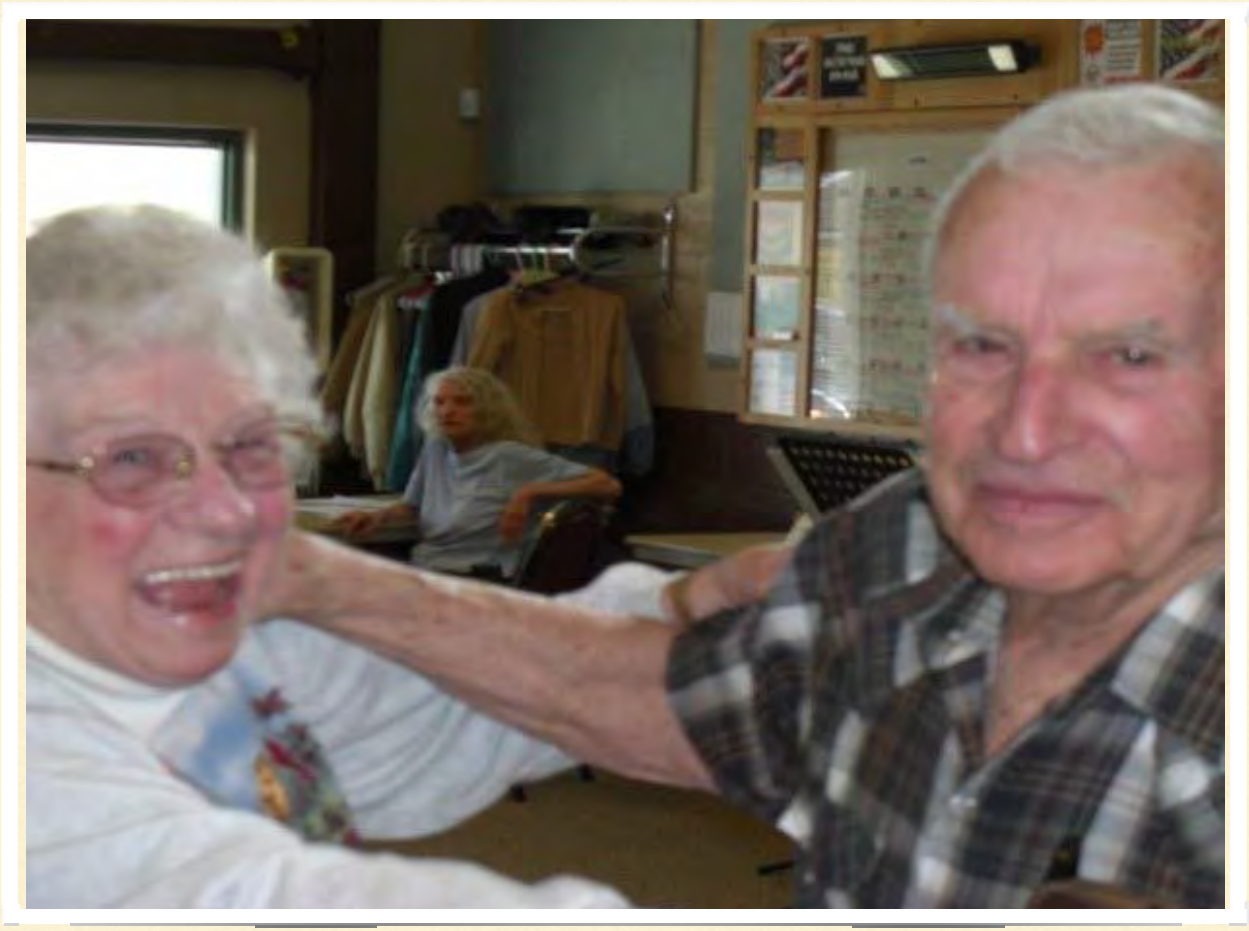
Able to meet demand as measured by park parcels under maintenance and recreation programs that meet the enterprise benchmarks.

FUNDING OPTIONS CONSIDERED

All funding options assumed user fees continue at the enterprise level.

- **Levy lid for Property Tax**
- **Business & Occupations Tax**
- **Junior Tax District**
- **Metro Parks District**

HOW DID WE GET HERE?



- At incorporation of the City citizens desired parks & recreation services.

  Added parks

  20 + pages of recreation programs for Spring and Summer 2014

  Senior programs every weekday

- In 2010, staff was cut 40%, wages frozen, and furloughs imposed.

- Running with no backup.

METHODOLOGY

- Comprehensive Plan
- Parks, Recreation, and Open Space Plan (PROS)
- Citizen survey
- Finance Staff projections
- Parks Director projections
- Recreation Director projections
- Economical Development Commission Report on sports & recreation destination feasibility

WHAT THE RESEARCH SHOWED

PARKS & RECREATION ARE PART OF THE URBAN FABRIC

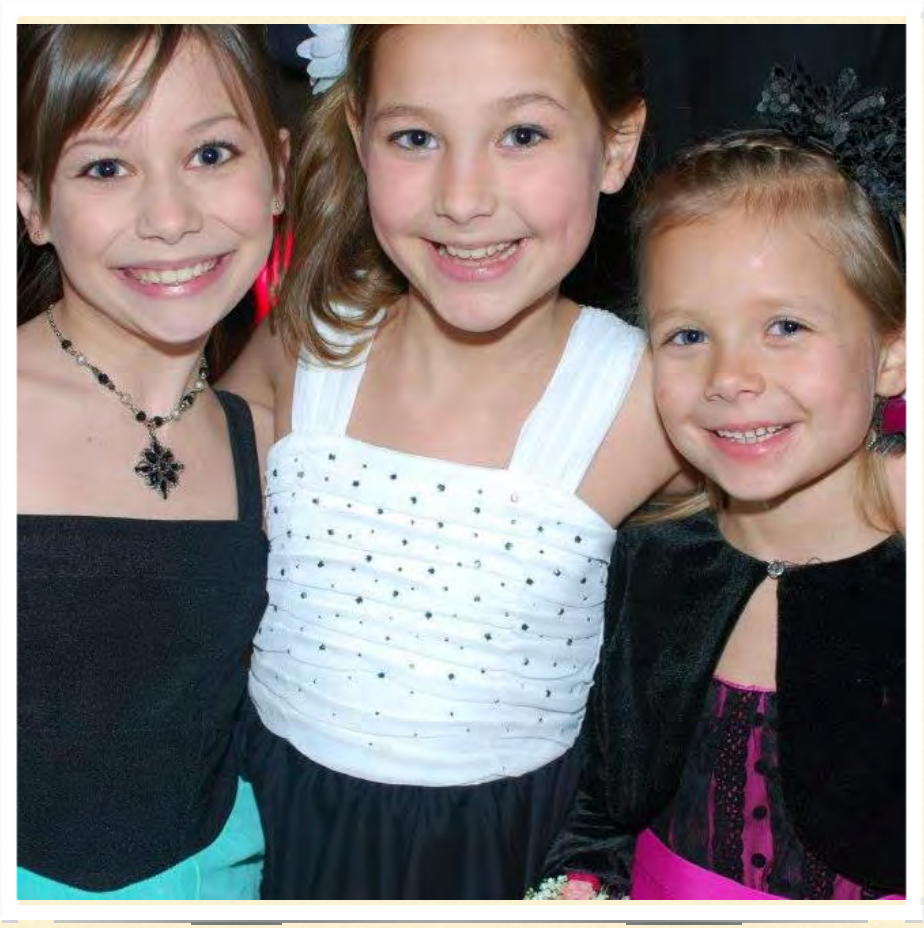
- Parks are places to connect.
- Recreation programs are sought.
- Civic connectedness is increased.
- Public safety enhanced.
- Recognized as part of urban life from antiquity to Growth Management Act.
- Part of University Place culture.

HEALTHIER COMMUNITY

- Physical health.
- Mental health.
- Emotional health.
- Across all age groups.
- Recreation programs especially important to seniors and we are becoming an older population.

MORE ATTRACTIVE COMMUNITY

- Recreation programs help establish our cultural boundaries.
- Parks reinforce our civic story.
- Urban revitalization typically starts with improved parks and new recreation options.
- As a non-industrial, quality-of-life community, amenities are more vital to our ability to thrive.



PROTECT OUR INVESTMENT

- UP has Parks & Programs that add value to the city.
- Retaining Established Programs is less expensive than reconstituting.

PURSUE A METRO PARKS DISTRICT. MEET NEEDED SERVICE LEVELS.

Let's keep moving!

Questions?

BACK TO AGENDA

University Place
WASHINGTON

Memo

DATE: **January 31, 2014**

TO: City Council
City Manager

FROM: City Attorney

SUBJECT: Legal Requirements Associated with City "Special" Events

I. Introduction

The purpose of this Memo is to provide a summary of the long-established Washington State legal requirements for the conduct of City "special" events on City property as they pertain to the Council's consideration of what events are to be designated as "City events" in the 2014 events. In the broadest sense, all events occurring on City property fall into one of two categories. Such events as a matter of law are either a City event or a private event.

A private event on City property means an event organized, managed and funded to completion by a private party, individual or entity, in compliance with all applicable provisions of the applicable City and other regulations. Private events on City property are already well-governed by Section 5.10 of the University Place Municipal Code, the Special Events Code. My understanding is that the decision before the Council at this time does not involve truly private events, but rather concerns for what purposes, and to what extent may the City lawfully fund special events, in whole or in part, with U.P. taxpayer funds. Those legal questions will be the focus of this memo.

II. Background Legal Rules and Requirements

Before embarking on a discussion on the law as it applies to special events, I think it is necessary to refresh the Council on certain peripheral rules which will be implicated in the main subject. These peripheral rules, and those directly pertaining to taxpayer funded or subsidized City special events are not new. They long pre-date the incorporation of University Place, and regardless of whether City's past practices have always fully conformed to these legal rules, these rules apply.

A. Criteria For City Events – Public Purpose

It will likely not surprise that the expenditure by government of taxpayer funds on events has been subjected to a great deal of legal scrutiny in Washington since statehood. As a consequence the criteria which will support a city's expenditure of taxpayer funds on events and celebrations are not infinite.

As an RCW 35A "Code City," University Place, like "home rule" charter cities, has quite broad authority to legislatively determine whether there is a public purpose in a special event justifying the expenditure of taxpayer funds, but to be reasonably secure from legal or audit challenges, the City Council must identify in the legislation designating the City event, some reasonably logical and objective grounds for finding that a public purpose is served by the expenditure of taxpayer funds directly or indirectly on a City event. In addition, there must be a reasonable relationship between the amount expended on the event and the identified public benefit. The following examples gleaned from reported cases, Washington Attorney General opinion letters, and State Auditor standards, give examples of criteria that are supportable.

1. Tourism Promotion (but not Promotional Hosting or other Gifting of Public Funds). RCW 35.21.700 provides "Any city or town in this state acting through its council or other legislative body shall have power to expend moneys and conduct promotion of resources and facilities in the city or town, or general area, by advertising, publicizing, or otherwise distributing information for the purpose of attracting visitors and encouraging tourist expansion." However, in relying on this statute as a public purpose for a taxpayer-funded city event, cities bear the burden of proving that the expenditure is directly related to tourism promotion, and is not prohibited promotional hosting, or otherwise a gift of public funds.

Promotional hosting is prohibited by Article VIII, Section 7 of the Washington State Constitution (prohibiting gifts of public funds) as interpreted by State ex rel. O'Connell v. Port of Seattle, 65 Wn.2d 801 (1965). Essentially, promotional hosting is spending taxpayer dollars to fund events which provide food, entertainment etc., to persons in the hope that they invest in, contract with, etc., any city. This activity is flatly prohibited to cities and constitutes a violation of State Constitution.

2. Economic Development (but not Promotional Hosting or other Gifting of Public Funds). RCW 35.21.703 provides "It shall be in the public purpose for all cities to engage in economic development programs. In addition, cities may contract with nonprofit corporations in furtherance of this and other acts relating to economic development." As above, in relying on this statute as a public purpose for a taxpayer-funded city event, cities bear the burden of proving that the expenditure is directly related to tourism promotion, and is not prohibited promotional hosting, or otherwise a gift of public funds.

Beyond promotional hosting discussed above, a prohibited gift of public funds in the economic development context would include using taxpayer funds to participate in a fundraiser for a civic or community organization regardless of whether such an organization has a good and beneficial mission in the city, and regardless of whether it has been designated as a City "friend" or "partner" in the University Place context.

3. To Raise Funds or Procure Items for a City Facility, Program or Service (with the City receiving the funds or items immediately or through an enforceable contract with a third party entity or individual). In relying on this public purpose, the City must be clearly able to demonstrate that funds raised or items procured actually go to the City facility, program, or service, and that the funds raised or items procured have a greater value than the taxpayer funds expended on the event.

Specifically, the funds raised or items procured through the event must come immediately into City control, or must be required to be expended on a City facility, program, or service, by a legally binding enforceable contract with the City. In the absence of a contract, it is not sufficient for an organization or individual to have an intent, purpose or mission to support a City facility, program, or service.

4. For the Benefit of the Poor and/or Infirm. This is a reference to the long-standing exception to the prohibition on the gift of public funds in the State Constitution. A discussion of who may be considered poor or infirm is beyond the scope of this memo, and is certainly more art than science. I note it simply because it exists as a theoretical available public purpose for a City event.

5. A City Event that Advances or Fulfills an Adopted City Council Goal (and complies with all the other more specific legal requirements herein). This is the (dangerous) catch-all. By definition, all adopted Council goals should serve a public purpose, and therefore, if a goal or goals can be advanced or fulfilled by a City event, then the event would serve a public purpose. However, all the foregoing rules and requirements apply with full force.

B. The Role of Councilmembers in City Special Events.

The principal role of City Councilmembers in relation to City special events is to designate City special events and determine their overall scope and scale through budget appropriations, and to consider and adopt legislation that provides appropriate and defensible legislative findings supporting the expenditure of taxpayer funds, directly or indirectly, on the events. The City Council may also consider and approve contracts with third party entities or individuals for the organization and/or presentation of all or a portion of a City event.

However, it is also extremely important to be aware that while City Councilmembers can volunteer at City events, they cannot be the contractor to the City for the organization and/or presentation of all or a portion of a City event. Under RCW 42.23.030 (the Code of Ethics for Public Officers), a city council member cannot be the contractor because that would create a prohibited beneficial interest in a contract with the City. What is meant by a beneficial interest is not necessarily that a councilmember is making a profit under the contract, but simply that taxpayer funds are directly or indirectly (in kind support) involved in the contract.

Additionally, councilmembers acting individually cannot create obligations for a City event such as ordering supplies or other items, making commitments to third parties such as vendors, or otherwise acting in a way that represents to third parties that they individually speak for the city and can make commitments on behalf of the city. This is extremely dangerous, because the sole legal authority of councilmembers is to act legislatively as a body through legislation. When a councilmember attempts to individually speak for or create obligations for the city, they act outside their legal authority, outside their indemnity and insurance, and subject both themselves personally, and the city to liability for which there may be no insurance coverage.

III. Possible City Event Structures

Bearing the foregoing rules in mind, the City may provide for the direct or indirect expenditure of taxpayer funds on City events in either of two ways, or in some combination of both.

A. City Organized and Managed Event. A City organized and managed event is an event that is actively managed by City administration. These events occur by Council legislative determination, through an adopted resolution, and budgetary ordinance if necessary, that the event merits funding with University Place taxpayer ("City") funds. Smaller events also may occur as a result of an administrative determination by the City Manager within his or her expenditure authority. Individual Councilmembers can volunteer at such an event, but cannot participate in the overall management of the event, and cannot speak for, contract for, or otherwise incur third party obligations for the City. Such an event can include work by volunteers and outside vendors participating in a manner authorized by the administration through a permit or service agreement.

2. City Contracted Event. The City can contract with a third party for the management and control of an event. Such an event would occur pursuant to a formal services contract outlining the full scope of services to be provided. The contractor can be a legal entity (corporation, LLC or partnership) or a competent individual that will undertake responsibility for presenting the event and fulfilling the scope of services. The City would require the contractor to provide insurance that takes precedence over the City's WCIA policy. The contractor can provide this insurance either through the contractor's existing commercial general liability policy or through a single event TULIP policy. The City's consideration for the contractor's services can take many forms, including in kind support, or even subsidizing the cost of the TULIP insurance policy. Individual Councilmembers can volunteer at such an event, but cannot participate in the overall management of the event, and cannot speak for, contract for, or otherwise incur third party obligations for the City. Under RCW 42.23.030 (the Code of Ethics for Public Officers), a U.P. Councilmember cannot be the contractor because that would create a beneficial interest in a contract with the City.

IV. Conclusion. I hope this memo sufficiently clarifies the Council's legal discretion on the issue of City events. As noted above, these are not new rules, and they are the same rules that are adhered to by every city in the State of Washington. I will be happy to respond to any additional questions.

BACK TO AGENDA

DRAFT

RESOLUTION NO.

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DESIGNATING CITY EVENTS FOR 2014

WHEREAS, the City Council recognizes that public events which take place on City property and/or in City rights of way are valuable in promoting the City's identity as a distinct community within the South Puget Sound area, support a high quality of life for residents, and promote economic development and tourism; and

WHEREAS, the City Council acknowledges that the benefits to the City from certain public events which take place on City property and/or in City rights of way result in sufficient consideration to the City to justify the City's funding the organization and presentation of certain events, directly or by contract with a qualified third party; and

WHEREAS, the City Council desires to list the events that the City will organize and present directly or by contract with a qualified third party in 2014, and the City funds are available for the organization and presentation of those listed events; and

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

1. City Events. The following events are hereby designated as City Events in 2014:

A. Duck Parade
B. Concerts in the Park
C. National Night Out
D. University Place Festival
E. Tree Lighting
F. Community Connector Events

2. Definitions of City Events Presented by the City and City Events presented by Contract.

A. City Events Presented by the City ("City Events") are events for which City staff will have direct 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 apply to participate through, and meet the requirements of, the City's Special Events Code ("Code").

B. City Events Presented by Contract with a Third Party ("City Events by Contract") are City events for which a formal contract is entered into between the City and a qualified non-City party, such as a legal entity (for profit, or non-profit corporation, LLC, etc.) or a responsible individual on behalf of her or himself, or an individual on behalf of a group of individuals, with demonstrated experience in the presentation of safe and successful public events. The contract in a form prepared by the City Attorney 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, and will address any other necessary matters. City Events by Contract may include substantial volunteer participation, as well as sub-participants such as vendors and community service organizations, that apply to participate through, and meet the requirements of, the City's Special Events Code ("Code").

3. 2014 City Events Presented by the City. The following will be presented by the City in 2014.

A. Duck Parade. The parade itself will 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

Special Event Permit 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 requirements 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 Special Event Permit 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 requirements of the Code, including an event plan.

C. National Night Out. To be organized as in previous years.

4. 2014 City Events Presented by Contract with a Third Party. The following are anticipated to be presented by contract with a third party (entity or individual) in 2014. If the anticipated contracting party is unavailable or a mutually acceptable contract cannot be concluded, these events will transition to the City Events Presented by the City category, within the available funding.

A. University Place Festival – Anticipated to be contracted for presentation by the Tacoma Events Commission, a non-profit corporation.

B. Community Connector Events - Anticipated to be contracted for presentation by the Association of the US Army (AUSA), a non-profit corporation.

C. Concerts in the Park – Anticipated to be contracted with an individual on behalf of Curran Orchard Resource Enthusiasts (CORE), a non-organized volunteer coalition.

5. City Event Funding. In the City's 2013-2014 biennial budget, the City Council has budgeted an amount for City events. Within the available budget, the City Manager or designee, in consultation with City staff for City Events Presented by the City, or the contracted event organizers for City Events Presented by Contract with a Third Party will determine the level of funding to be allocated to each City Event.

6. Legislative Findings. The City Council finds that public events which take place on City property and/or in City rights of way in University Place are valuable in promoting and the City's identity as a distinct community within the South Puget Sound area, supporting a high quality of life for residents, and promoting economic development and tourism. The City Council finds that the benefits to the City from the listed events result in sufficient consideration to the City to justify the City's funding the organization and presentation of certain events, directly or by contract with a qualified third party, resulting in appropriate consideration to the City to justify affording in-kind City support to those events. Specifically, by advertising, publicizing, or otherwise distributing information for the purpose of attracting visitors and encouraging tourist expansion and assisting the City's economic development activities.

7. Effective Date. This Resolution shall be effective immediately upon adoption by the City Council.

ADOPTED BY THE CITY COUNCIL, MARCH _____, 2014.

_____

Denise McCluskey, Mayor

ATTEST:

_____
Emelita Genetia, City Clerk

APPROVED AS TO FORM:

_____
Steve Victor, City Attorney

BACK TO AGENDA