

**UNIVERSITY PLACE CITY COUNCIL
Regular Council Meeting
Tuesday, September 8, 2020, 6:30 p.m.**



Note: Times are approximate and subject to change.

PUBLIC NOTICE

The University Place City Council will REMOTELY hold its scheduled meetings to ensure essential city functions continue. However, pursuant to Governor Inslee's Proclamation 20-25.5 Safe Start – Stay Healthy issued on May 31, 2020 and Proclamation 20-28.8 – Open Public Meetings Act, there will be no in-person attendance by members of the public.

Members of the public can virtually attend City Council meetings by watching them live on University Place Television, Click! Channel 12 or Comcast Channel 21, by watching digitally on the City's YouTube channel www.YouTube.com/UniversityPlaceTV or by dialing in to listen audibly-only at +1 509-342-7253 United States, Spokane (Toll), Conference ID: 944 703 238#.

Participation in Public Comments and public testimony on Public Hearings will be accepted by the following methods. Written comments/testimony will be accepted via email. Comments should be sent to Emy Genetia, City Clerk at Egenetia@cityofup.com. Comments received up to one hour (i.e., 5:30 p.m.) before the meeting will be provided to the City Council electronically. Subject to technological limitations, the Council will also accept telephonic comments/testimony by calling the number listed above.

The meeting invitation begins at 6:15 p.m. for technical setup. City Council members and the public may dial in and/or connect at this time. However, the meeting does not officially begin until 6:30 p.m.

In the event of technical difficulties or the absence of a quorum, all items on this agenda shall be carried over to the agenda for the September 21, 2020 Regular Meeting.

AGENDA

- 6:30 pm 1. **CALL REGULAR MEETING TO ORDER**
- 2. **ROLL CALL**
- 6:35 pm 3. **PLEDGE OF ALLEGIANCE – Mayor Pro Tem Worthington**
- 4. **APPROVAL OF AGENDA**
- 6:40 pm 5. **PRESENTATIONS**
 - [Childhood Cancer Awareness Month Proclamation](#)
 - **COVID-19 Update – Dr. Anthony Chen, Director of Health of Tacoma-Pierce County Health Department**
 - **25th Birthday Video**
- 7:10 pm 6. **PUBLIC COMMENTS**
- 7:15 pm 7A. – **CONSENT AGENDA**
7E. **Motion: Approve or Amend the Consent Agenda as Proposed**

The Consent Agenda consists of items considered routine or have been previously studied and discussed by Council and for which staff recommendation has been prepared. A Councilmember may request that an item be removed for the Consent Agenda so that the Council may consider the item separately. Items on the Consent Agenda are voted upon as one block and approved with one vote.

- A. [Approve the minutes of the August 17, 2020 Council meeting as submitted.](#)
- B. [Receive and File: Payroll for periods ending 08/18/20 and 08/31/20.](#)
- C. [Authorize the City Manager to execute a Local Agency Agreement with Universal Field Services, Inc., as required for construction of the 67th Avenue Phase 2 Improvement project, in the amount not to exceed Two Hundred Twenty-Three Thousand, Six Hundred and Sixty-Three Dollars \(\\$223,663.00\).](#)
- D. [Adopt a resolution casting the Council's vote for membership on the Board of Commissioners for Pierce Transit.](#)
- E. [Authorize the City Manager to approve the contract/statement of work with Marquam Group, Ltd. for \\$84,072.33 for Remote Collaboration Upgrades, scheduled for completion by November 30, 2020.](#)

- 7:20 pm **8. CITY MANAGER & COUNCIL COMMENTS/REPORTS** - (Report items/topics of interest from outside designated agencies represented by Council members, e.g., AWC, PRSC, Pierce Transit, RCC, etc., and follow-ups on items of interest to Council and the community.)
- STUDY SESSION** – (At this time, Council will have the opportunity to study and discuss business issues with staff prior to its consideration. Citizen comment is not taken at this time; however, citizens will have the opportunity to comment on the following item(s) at future Council meetings.)
- 7:25 pm **9. ALARM PERMIT PROGRAM**
- 8:00 pm **10. FLASHVOTE SURVEY RESULTS**
- 9:00 pm **11. ADJOURNMENT**

*PRELIMINARY CITY COUNCIL AGENDA

September 21, 2020
Regular Council Meeting

October 5, 2020
Regular Council Meeting

October 19, 2020
Regular Council Meeting

November 2, 2020
Regular Council Meeting

Preliminary City Council Agenda subject to change without notice*
Complete Agendas will be available 24 hours prior to scheduled meeting.
To obtain Council Agendas, please visit www.cityofup.com.

**American Disability Act (ADA) Accommodations Provided Upon Advance Request
Call the City Clerk at 253-566-5656**

**CITY OF UNIVERSITY PLACE
PROCLAMATION**

WHEREAS, childhood cancer is the leading cause of death by disease in children, and;

WHEREAS, 1 in 285 children in the United States will be diagnosed by their 20th birthday, and;

WHEREAS, 43 children per day or 15,780 children are diagnosed with cancer annually in the U.S., and;

WHEREAS, there are approximately 40,000 children on active treatment at any given time, and;

WHEREAS, the average age of diagnosis is 6 years old, compared to 66 years for adults' cancer diagnosis, and;

WHEREAS, 80% of childhood cancer patients are diagnosed late and with metastatic disease, and;

WHEREAS, on average there's been a 0.6 percent increase in incidence per year since the mid 1970's resulting in an overall incidence increase of 24 percent over the last 40 years, and;

WHEREAS, two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life-threatening, and;

WHEREAS, approximately one half of childhood cancer families rate the associated financial toxicity due to out-of-pocket expenses as considerable to severe, and;

WHEREAS, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer, and;

WHEREAS, the National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out;

WHEREAS, hundreds of non-profit organizations at the local and national level including the American Childhood Cancer Organization are helping children with cancer and their families cope through educational, emotional and financial support, and;

WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer, and;

WHEREAS, too many children are affected by this deadly disease and more must be done to raise awareness and find a cure.

NOW, THEREFORE, the City Council of the City of University Place does hereby proclaim September 2020 as **Childhood Cancer Awareness Month** in the City of University Place and encourage all Americans to observe Childhood Cancer Awareness Month and support this cause that so deeply impacts families in every community across our country.

**PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, ON SEPTEMBER 8, 2020.**

Caroline Belleci, Mayor

ATTEST:

Emelita Genetia, City Clerk

APPROVAL OF CONSENT AGENDA

**CITY OF UNIVERSITY PLACE
DRAFT MINUTES
Regular Meeting of the City Council
Monday, August 17, 2020
(Remote Participation)**

1. CALL REGULAR MEETING TO ORDER

Mayor Belleci called the Regular Meeting to order at 6:30 p.m.

2. ROLL CALL

Roll call was taken by the City Clerk as follows:

Councilmember Figueroa	Present
Councilmember Keel	Present
Councilmember Pro Tem Lee	Present
Councilmember McCluskey	Present
Councilmember Flemming	Present
Mayor Pro Tem Worthington	Present
Mayor Belleci	Present

Staff Present: City Manager Sugg, City Attorney Kaser, Executive Director/ACM Craig, Engineering and Capital Projects Director Ecklund, Finance Director Blaisdell, Police Chief Premo, Public Safety Administrator Hales and City Clerk Genetia.

3. PLEDGE OF ALLEGIANCE

Councilmember Keel led Council in the Pledge of Allegiance.

4. APPROVAL OF AGENDA

MOTION: By Mayor Pro Tem Worthington, seconded by Councilmember Keel to approve the agenda.

The motion carried unanimously.

5. PRESENTATION

Police Chief Premo recognized Hannali Takkunen for her courage and action in assisting the police with the apprehension and arrest of the person involved in a vehicle prowler.

6. PUBLIC COMMENTS – None.

7. CONSENT AGENDA

MOTION: By Mayor Pro Tem Worthington, seconded by Councilmember Keel, to approve the Consent Agenda as follows:

- A.** Approve the minutes of the August 3, 2020 Council meeting as submitted.
- B.** Receive and File: Payroll for period ending 07/31/20; and Claims dated 07/15/20 and 07/30/20.
- C.** Pass an ordinance of the City of University Place, Washington, amending portions of Titles 10,13, and 14 of the University Place Municipal Code; relating to insurance and indemnity requirements for certain permits. **(ORDINANCE NO. 733)**

- D. Authorize the City Manager to execute a Local Agency Agreement with Tierra Right of Way Services, Ltd., as required for construction of the 35th Street Improvement project, in the amount not to exceed Eighty-One Thousand Two Hundred Thirty-Nine Dollars (\$81,239.00).

The motion carried unanimously.

8. CITY MANAGER & COUNCIL COMMENTS/REPORTS

City Manager Sugg provided an update on the CARES Act funding and distribution process. He indicated that a total of 70 applications were received for the grant funding, two of which were from non-profits. A total of \$346,000 had been distributed to local businesses. The City has also entered into an agreement with Families Unlimited Network who will administer, on behalf of the City, the distribution of \$100,000 grant allocation for rental, child-care, and utilities assistance under the human services portion of the CARES Act. Distribution to qualified University Place residents will begin on August 24.

Members of the City Council individually expressed their gratitude to staff for their quick, efficient, and timely action in handling the distribution of the CARES Act relief to the community, noting that they have received positive comments from local businesses.

Mayor Pro Tem Worthington also recognized the Pierce County Executive and County Council for providing COVID-19 testing in University Place and making it available to its residents.

Councilmember Figueroa also commended the staff for a job well done on its "We are Open" campaign with local businesses.

Mayor Belleci reported that the Pierce Transit Board composition was recently changed and that under the new composition, the City of University Place will now share a seat with the City of Fircrest. Pierce Transit has requested a nomination for that position. She indicated that since Councilmember Keel is now currently serving on the Board, it seems appropriate that he continues to serve. With that, his name will be submitted as a nominee for the Pierce Transit Board position.

9. ADJOURNMENT

The meeting adjourned at 6:56 p.m. No other action was taken.

Submitted by,

Emy Genetia
City Clerk

City of University Place
Voucher Approval Document

Control No.: 5	Agenda of: 09/08/19	PREPAY
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Claim of: Payroll for Pay Period Ending 08/15/2020

Check #	Date	Amount	Check #	Date	Amount
318901	8/20/2020	636.39			
				8/20/2020	141,586.32
					DIRECT DEPOSIT
				EMPLOYEE NET	142,222.71

WIRE	8/20/2020	26,569.58	BANK OF AMERICA
WIRE	8/20/2020	23,904.79	- 106006, VANTAGEPOINT TRANSF
WIRE	8/20/2020	10,509.05	- 304197, VANTAGEPOINT TRANSF
WIRE	8/20/2020	5,488.51	- 800263, VANTAGEPOINT TRANSF
WIRE	8/20/2020	834.23	PACIFIC SOURCE ADMINISTRATORS
WIRE	8/20/2020	42,685.00	WA STATE DEPT OF RETIREMENT SY
WIRE	8/20/2020	260.86	- 705544, VANTAGEPOINT TRANSF
WIRE	8/20/2020	186.57	AFLAC INSURANCE
WIRE	8/20/2020	1,220.90	WA ST DEPT OF RETIREMENT SYS
WIRE	8/20/2020	210.19	- 304197 LOAN, VANTAGEPOINT TR
WIRE	8/20/2020	2,863.75	- 106006 LOAN, VANTAGEPOINT
WIRE	8/20/2020	10.00	PACIFIC SOURCE ADMINISTRATORS
WIRE	8/20/2020	250.00	NATIONWIDE RETIREMENT SOLUTION

BENEFIT/DEDUCTION AMOUNT 114,993.43
TOTAL AMOUNT 257,216.14

Preparer Certification:

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

Signed: (Signature on file.)

Date

City of University Place
Voucher Approval Document

Control No.: 5 Agenda of: 09/08/20	PREPAY
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Claim of: Payroll for Pay Period Ending 08/31/2020

Check #	Date	Amount	Check #	Date	Amount
318902	09/04/20	636.39			
				09/04/20	139,165.01
					Direct Deposit
					EMPLOYEE NET 139,801.40
318903	09/04/20	73,167.28	AWC EMPLOYEE BENEFIT TRUST		
WIRE	09/04/20	486.75	IUOE LOCAL 612		
WIRE	09/04/20	7,461.65	IUOE LOCALS 302/612 TRUST FUND		
WIRE	09/04/20	26,266.26	BANK OF AMERICA		
WIRE	09/04/20	23,446.18	- 106006, VANTAGEPOINT TRANSF		
WIRE	09/04/20	10,509.05	- 304197, VANTAGEPOINT TRANSF		
WIRE	09/04/20	5,377.92	- 800263, VANTAGEPOINT TRANSF		
WIRE	09/04/20	834.23	PACIFIC SOURCE ADMINISTRATORS		
WIRE	09/04/20	42,686.47	WA STATE DEPT OF RETIREMENT SY		
WIRE	09/04/20	260.86	- 705544, VANTAGEPOINT TRANSF		
WIRE	09/04/20	186.57	AFLAC INSURANCE		
WIRE	09/04/20	1,220.90	WA ST DEPT OF RETIREMENT SYS		
WIRE	09/04/20	210.19	- 304197 LOAN, VANTAGEPOINT TR		
WIRE	09/04/20	2,327.42	- 106006 LOAN, VANTAGEPOINT		
WIRE	09/04/20	250.00	NATIONWIDE RETIREMENT SOLUTION		

BENEFIT/DEDUCTION AMOUNT 194,691.73

TOTAL AMOUNT 334,493.13

Preparer Certification:
I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the above-named governmental unit, and that I am authorized to authenticate and certify to said claim.

Signed: (Signature on file.) Date
Steve Sugg, City Manager

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Authorize the City Manager to execute a Local Agency Agreement with Universal Field Services Inc., as required for construction of the 67th Avenue Phase 2 Improvements project, in an amount not to exceed Two Hundred Twenty-Three Thousand, Six Hundred and Sixty-Three Dollars (\$223,663).

Agenda No: 7C
Dept. Origin: Engineering
For Agenda of: September 8, 2020

Exhibits:

Concurred by Mayor: _____
Approved by City Manager: _____
Approved as to Form by City Atty.: _____
Approved by Finance Director: _____
Approved by Dept. Head: _____

Expenditure Required: \$223,663	Amount Budgeted: \$230,000	Appropriation Required: \$0.00
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SUMMARY/POLICY ISSUES

It is necessary to begin the right of way negotiation and acquisition services associated with construction of the 67th Avenue Phase 2 Improvements project. On June 1, 2020 we placed a legal advertisement requesting qualifications from right of way firms. The City reviewed the qualification packages received, interviewed firms, and determined Universal Field Services, Inc. to be the most qualified firm for this work. They have submitted a proposal for \$223,663.00. The City has reviewed the proposal and found it to be acceptable. This work is 86.5% reimbursable from the FHWA grant acquired for the project, and the required matching funds are within the approved budget.

ALTERNATIVES CONSIDERED

None.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION/MOTION

MOVE TO: Authorize the City Manager to execute a Local Agency Agreement with Universal Field Services Inc., as required for construction of the 67th Avenue Phase 2 Improvements project, in an amount not to exceed Two Hundred Twenty-Three Thousand, Six Hundred and Sixty-Three Dollars (\$223,663).

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Adopt a resolution casting its vote for membership on the Board of Commissioners for Pierce Transit.

Agenda No: 7D
Dept. Origin: City Clerk
For Agenda of: September 8, 2020
Exhibits: Resolution

Concurred by Mayor: _____
Approved by City Manager: _____
Approved as to Form by City Atty.: _____
Approved by Finance Director: _____
Approved by Dept. Head: _____

Expenditure Required: \$0.00	Amount Budgeted: \$0.00	Appropriation Required: \$0.00
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SUMMARY/POLICY ISSUES

On August 12, 2020, the City received a letter from Pierce Transit stating that on July 22, 2020 at the Pierce Transit Board Composition Review meeting, the members present unanimously voted to change the composition of the Board.

Prior to the July 22, 2020 Board Composition Review meeting, the City of University Place was solely represented on the Pierce Transit Board by Councilmember Kent Keel. Under the new Board composition, the cities of University Place and Fircrest will now share a seat and will need to elect a representative to serve on the Pierce Transit Board to represent both cities.

At its August 17, 2020 meeting, the City Council expressed its desire to nominate Councilmember Keel to serve as a member of the Board of Commissioners for Pierce Transit. Pierce Transit is in the process of conducting elections with the jurisdictions that have shared representation and have requested that the cities of University Place and Fircrest return the ballot along with a certified copy of the related council resolution.

RECOMMENDATION/MOTION

MOVE TO: Adopt a resolution casting its vote for membership on the Board of Commissioners for Pierce Transit.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, CASTING ITS VOTE FOR MEMBERSHIP ON THE BOARD OF COMMISSIONERS FOR PIERCE TRANSIT

WHEREAS, on July 22, 2020 at the Pierce Transit Board Composition Review meeting, the members present unanimously voted to change the composition of the Board; and

WHEREAS, prior to the July 22, 2020 Board Composition Review meeting, the City of University Place was solely represented on the Pierce Transit Board by Councilmember Kent Keel; and

WHEREAS, under the new Board composition, the cities of University Place and Fircrest will now share a seat and will need to elect a representative to serve on the Pierce Transit Board to represent both cities; and

WHEREAS, Pierce Transit has invited nominations for this position from the city councils of the two cities who will be represented by this position; and

WHEREAS, the cities of University Place and Fircrest received a ballot listing the nominees for the position for appointment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNVIERSITY PLACE AS FOLLOWS:

Section 1. The City of University Place casts its vote for Kent Keel to serve as Pierce Transit Board Representative for a three-year term, commencing October 12, 2020 and expiring on October 12, 2023, or until his successor is appointed.

Section 2. Instructions to the City Clerk. The City Clerk is instructed to forward a certified copy of this Resolution and the completed ballot to the Pierce Transit Clerk of the Board by no later than 5:00 p.m., Wednesday, September 9, 2020. The City Clerk is further authorized to take any and all necessary actions to implement this Resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 8, 2020.

Caroline Belleci, Mayor

ATTEST:

Emelita J. Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

**Business of the City Council
City of University Place, WA**

Proposed Council Action:

Authorize the City Manager to approve the contract/statement of work with Marquam Group, Ltd. for \$84,072.33 for Remote Collaboration Upgrades, scheduled for completion by November 30, 2020.

Agenda No: 7E

Dept. Origin: Communications/I.T.
For Agenda of: September 8, 2020

Exhibits: Contract/SOW

Concurred by Mayor: _____

Approved by City Manager: _____

Approved as to form by City Atty.: _____

Approved by Finance Director: _____

Approved by Department Head: _____

Expenditure Required: \$84,072.33	Amount Budgeted: \$84,072.33	Appropriation Required: \$0.00
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SUMMARY / POLICY ISSUES

The City seeks to enter into an agreement with Marquam Group, Ltd., a Microsoft Solutions Provider, to assist in Remote Collaboration Upgrades which will migrate certain core IT services to the Microsoft cloud to facilitate and enhance the efficiency of remote work. The contract amount is \$64,670.00 plus tax, for a total of \$71,072.33. We have included \$13,000.00 as a contingency, for a total of \$84,072.33.

The project would be fully funded by previously approved CARES grant funds and is scheduled for completion by November 30, 2020, in compliance with grant guidelines.

ALTERNATIVE CONSIDERED

N/A

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

MOVE TO: Authorize the City Manager to approve the contract/statement of work with Marquam Group, Ltd. for \$84,072.33, for Remote Collaboration Upgrades, scheduled for completion by November 30, 2020.



STATEMENT OF WORK
for City of University Place

Remote Collaboration Upgrades

September 3, 2020

OUR UNDERSTANDING OF THE SITUATION

The City of University Place ("The City") is seeking to improve the ability of city employees to collaborate with each others and third parties while working from home. The City of UP has approximately 50 knowledge workers, but these employees work with many documents and interact frequently with each other and external third parties, so much content and interaction happens on a daily basis. The City's library of documents is fairly large (over a terabyte).

PROJECT OVERVIEW

The primary goal of this project is to make working from home as effective as working from the office by taking full advantage of modern collaboration tools enabled by Office 365. Marquam will assume responsibility for driving the project forward and will provide formal status reports to The City every two weeks. This project will be scheduled to complete on or by 11/30/2020. At a high level, the project includes:

- Create a simple intranet site to support navigation, a city-wide calendar and search.
- Migrate existing on-premise departmental file shares to Office 365, while helping users understand how to archive or delete irrelevant content either before or after the migration.
- Migrate existing on-premise personal file storage to cloud storage in Office 365, while helping users understand how to archive or delete irrelevant content either before or after the migration.
- Extended support during the migration to ensure all employees stay productive.
- Before, during and after the migration, provide SharePoint, Teams, and OneDrive training to help users be proficient with remote work tools
- Migrate four existing lists on a WSS site to SharePoint Online sites.
- Create an externally-accessible form for Customer Service Tracking that feeds a SharePoint Online list.
- Provide project management, communications and analysis for all of the above

SCOPE

Departmental File Share Migration, Personal File Share Migration, Collaboration Training and Extended Support

There are four very large departmental file shares and 10 medium to small file shares that will be migrated to MS Teams or SharePoint sites. There are about 700,000 files consuming 1.2 terabytes of storage space. This content will be moved in six waves. Content will move either during weekends or weekday evenings, although larger migrations may intrude on working

hours. This effort will include instruction for employees on how to archive or delete content either before or after the migration.

There are about 200,000 personal files consuming 320 MB. 30 personal file shares represent the vast majority of this content. These personal file shares will be migrated along with the departments that they are associated with.

Training will occur around the time of the migration, so that users immediately understand key concepts – how to access their documents, how to create or edit documents, and how to use the most important new collaboration features in Office 365.

Four hours of extended support (during working hours) will be provided following each migration wave to ensure that any issues that arise are addressed quickly.

Migrating content requires substantial planning and coordination of resources across an organization. Also, migrating content requires communications to employees to minimize disruptions by keeping them as informed as they care to be. Marquam will author and schedule communications, which may be delivered either by city employees or by Marquam.

WSS Migration

The City utilizes a single Windows SharePoint Server farm that contains a few documents and lists. Marquam will migrate list data contained in three specific lists to Office 365 (either as list accessible in SharePoint, MS Teams, or both). Marquam may recommend that some of these lists be converted to Document Libraries.

- Contract Library
- Service Requests
- Policies and Procedures

Marquam will not migrate “Agenda” or “Meeting Minutes”. Those items will go to another system.

Marquam will not migrate the “Calendar” content on the home page. The new intranet will contain a similar calendar, and recurring events can be re-created by hand in that location.

Customer Service Tracking Form

The City has a process by which information is gathered from external parties and tracked in a list. Marquam will build a request form, using MS Forms, that submits data to a SharePoint list. Marquam will reserve up to 20 developer hours for this effort. Minor modifications to the form are included in this 20 hours estimate. If The City requests changes to the form that require an effort that exceeds the 20 hours total, Marquam will request a Change Order to account for the extra effort.

Intranet

City employees will need a way to navigate to content stored in MS Teams, OneDrive, or SharePoint. Office 365 has built-in intranet capabilities that can quickly be configured with navigation and robust search capabilities to support these essential needs. Also, the city-wide calendar will be hosted on the home page of the intranet. Marquam will build this intranet at the start of the project, prior to the migration activities starting.

Project Management

Marquam will assign a project manager for the duration of this project. The Marquam project manager will be responsible for coordinating all activities between Marquam resources and City of University Place resources.

DELIVERABLES

The following table highlights the deliverables of the project as described in this Statement of Work.

DELIVERABLE	DESCRIPTION
Project Management with Status Report Every Two Weeks	Overall project management with status reports to be delivered every other Monday, including a budget burndown by week in Marquam's standard format, recent accomplishments, and upcoming tasks.
Migrated Departmental Files	All content will either be migrated, archived, deleted or left in-place on the file shares.
Migrated Personal Files	All personal files will either be migrated, archived, or deleted. Leaving personal files on-premise will not be an option.
Intranet Site	A home page for Office 365 that centers users on navigation tools, search capabilities, and a city-wide calendar.

DELIVERABLE	DESCRIPTION
Training	Tip sheets, webinar recordings, and other resources to help employees get started with Office 365 collaboration tools.
Customer Service Tracking Form	Move the customer service tracking form to Office 365. Make it available to external users but track data in a SharePoint list.
User Support	Extended user support to respond to issues that occur after migration.

ASSUMPTIONS

The following assumptions were made for this estimate:

1. City of University Place will license ShareGate for a period of 1 year.
2. At any point during this project, Marquam may utilize subcontractors as long as those resources are not required to have direct access to client systems or data.
3. City of University Place will be responsible for general user support related to the new MyShare environment. City of University Place can escalate issues to Marquam as necessary. This contract includes 16 hours of escalated support.
4. City of University Place will assign a point of contact to organize City of University Place resources and will be the focal point for all questions, responsible for scheduling meetings, and performing other project coordination tasks.
5. City of University Place will provide remote access to their network and assign necessary permissions for Marquam to complete the work described in this Statement of Work.
6. Onsite visits might be necessary to complete this project. If needed, travel costs will be the responsibility of City of University Place and mutually agreed upon by both parties prior to making travel arrangements.
7. City of University Place stakeholders will review and provide feedback on deliverables in a timely manner. Unless noted in the Scope section, it is assumed that one review of deliverables will be sufficient, with a refinement and re-delivery of the deliverable included in scope.
8. Any software or licensing cost associated with this project will be the responsibility of the City of University Place.

ESTIMATED COSTS

The project will be billed on a Time & Materials basis. Invoices will be generated once every two weeks. The cost of project will be billed at the time the project starts. The total cost of the project is estimated at \$64,670.

The following table includes the estimated costs for the project described in this Statement of Work. Marquam uses this duration to estimate the cost of the project. Marquam will not exceed the estimated budget for this project without a formal Change Order that is reviewed and mutually agreed upon by both parties

Role	Rate	Hours	Cost
Project Manager	\$185	76	\$14,060
SharePoint Architect	\$185	52	\$9,620
SharePoint Developer	\$165	69	\$11,385
SharePoint Migrator	\$155	105	\$16,275
SharePoint Migrator (Off Hours)	\$232.50	22	\$5,115
Adoption Specialist	\$165	53	\$8,215
Total			\$64,670

Standard rates apply to work performed during business hours from 7:00 a.m. to 6:00 p.m. PST Monday – Friday. After hours rates (equal to 1.5 times the standard rate) apply when work is required by client from 6:00 p.m. to 7:00 a.m. PST Monday through Friday, Saturday, Sunday and all Holidays, including: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day & the day after Thanksgiving, Christmas Eve, and Christmas Day. If required, after hours work will be approved in advance by City of University Place.

CHANGE MANAGEMENT

If changes in technical complexity, scope, or schedule arise during the course of the project, a Change Order will be initiated. A change to the project budget or anticipated timeline will require a mutually agreed upon and signed Change Order.

SIGNATURES

Accepted by the authorized representatives of:

Marquam Group, Ltd.

City of University Place

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

NAME (PRINTED)

NAME (PRINTED)

TITLE

TITLE

DATE

DATE

STUDY SESSION

UNIVERSITY PLACE ALARM PERMIT PROGRAM

From Jan 1, 2019 to July 24, 2020

<u>Alarm Type</u>	<u># of Calls</u>	<u>Reports</u>
Burglary – Commercial	173	4
Burglary – Residential	390	2
Robbery – Commercial	18	0
Robbery - Residential	4	0
Panic – Commercial	5	0
Panic – Residential	<u>34</u>	<u>0</u>
Total	624	6

- Estimated 3,000 – 3,500 Residential and Commercial Alarm Permits
- Average 400 False Alarm Responses per Year



99.1% of alarm calls are false

ALARM PERMIT FEES - CURRENT

\$23 One-time
Fee

Cost is the same
for residential and
business permits

Permit Fees last
updated in 2010

ALARM PERMIT FEES – PROPOSED CHANGES

\$40 Annual
Fee

Ensures updated
information on each
alarm system in the
City

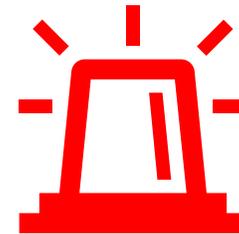
Provides ongoing
resources to offset
cost of response and
program

Annual fees are
common for larger
agencies with 1,000's of
permits and 100's of
false alarms

The number of alarm
systems is increasing

FALSE ALARM RESPONSE FEE - CURRENT

- First false alarm is Free
 - 2nd \$57.02
 - 3rd \$86.25
 - 4+ \$115
- This tiered fee schedule starts over every 6 months

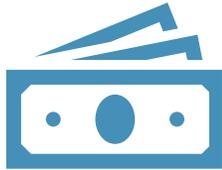


FALSE ALARM RESPONSE FEE - PROPOSED

<u>Jurisdiction</u>	<u>False Alarm Cost</u>
Tacoma	\$100/incident
Lakewood	\$100/incident (\$200 for robbery/panic alarms)
Pierce County	\$100/incident (\$150 for robbery/panic alarms)

- \$100 per false alarm
 - No free response
 - No tiered fee schedule
 - Matches neighboring jurisdictions
 - Incentive to maintain and use alarm system effectively (including training employees)
- \$150 per false robbery/panic alarm
 - Higher priority call requiring more response from the PD
 - Not a common alarm for U.P.

RECOMMENDATIONS



\$40 Annual Permit Fee

3,000-3,500 permits = \$120,000-\$140,000 annually



\$100 False Alarm Fee

Estimated 400 False Alarms = \$40,000
Our goal is to reduce this number as much as possible



Income will go to the Public Safety Fund

Supports cost of alarm permit program, officer response, and additional public safety initiatives

ORDINANCE NO. _____

AN ORDINANCE OF THE UNIVERSITY PLACE CITY COUNCIL AMENDING CHAPTER 9.10 OF THE UNIVERSITY PLACE MUNICIPAL CODE AND THE CITY'S FEE SCHEDULE; RELATING TO ALARMS

WHEREAS, after review of the Alarm permit program and subsequent purchase of a new permitting software program, the Police Department has proposed some adjustments to the current related Municipal Code and the City's Fee Schedule relating to alarms; and

WHEREAS, the City of University Place has an estimated 3,000 to 3,500 active alarm permits, and the current fees were last updated in 2006; and

WHEREAS, in the City of University Place, 99.1% of alarm calls are false; and

WHEREAS, responding to false alarms consumes a considerable amount of time to surveil the business or home and eventually make contact to confirm the false activation; and

WHEREAS, it is determined to be beneficial to the residents of the City of University Place to update the Municipal Code and Fee Schedule as they relate to Alarm Permits and accompanying Fee Schedule in order to preserve the resources of the Police Department;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 9.10 of the UPMC is hereby amended as set forth herein in Exhibit A.

Section 2. That portion of the City's Fee Schedule addressing alarm fees as most recently amended via Resolution 633, as amended as set forth on Exhibit B. Subsequent amendments to this portion of the Fee Schedule may be made by ordinance, resolution or other appropriate legislation.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall be effective five (5) days after passage and publication of an approved summary of this ordinance.

PASSED BY THE CITY COUNCIL ON _____, 2020.

Caroline Belleci, Mayor

ATTEST:

Emelita J. Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

Publication Date: xx/xx/xx

Effective Date: xx/xx/xx

DRAFT

ALARMS*

Sections:

- 9.10.010 Purpose.
- 9.10.020 Definitions.
- 9.10.030 Alarm system permit requirements.

9.10.035 Alarm Fees

- 9.10.040 Alarm system permit revocation and discontinuance of response.
- 9.10.050 Alarm system permit reinstatement.
- 9.10.060 Service charges for false alarms.
- 9.10.070 Declaring continuous audible alarms to be a public nuisance.
- 9.10.080 Alarm business registration requirements.
- 9.10.090 Alarm business registration duration and renewal.
- 9.10.100 Duties of the alarm businesses.
- 9.10.110 Alarm business registration revocation.
- 9.10.120 Government immunity.
- 9.10.130 Penalties and enforcement.

9.10.140 Appeals

* Prior legislation: Ord. 67.

9.10.010 Purpose.

The purpose of this chapter is to provide for and promote the health, safety and welfare of the general public, not to protect individuals or create or otherwise establish or designate any particular class or group of persons who will or should be especially benefited by the terms of this chapter. This chapter does not impose or create duties on the part of the city or any of its departments, and the obligation of complying with the requirements of this chapter, and any liability for failing to do so, is placed solely upon the parties responsible for owning, operating, monitoring, installing or maintaining security alarm systems.

The intent of this chapter is to encourage alarm businesses and alarm users to maintain the operational viability of security alarm systems and to significantly reduce or eliminate false alarm dispatch requests made to the police department.

The city regulates security alarm businesses to assure that responses to false alarms do not diminish the availability of police services to the general public and to assure that citizens who cannot afford or do not choose to operate security alarm systems are not penalized for their condition or choice.

9.10.020 Definitions.

“Alarm Administrator” means the person or persons designated by the City Manager to hear appeals of matters arising under this chapter.

“Alarm business” means persons, partnerships, corporations, or associations who conduct the business of monitoring any alarm system within the city of University Place. “Alarm business” also includes persons, partnerships, corporations, or associations who conduct the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an alarm system at a premises for compensation, and includes individuals or firms that install and service alarm systems used in a private business or proprietary facility.

“Alarm system” means any system, device, or mechanism which, when activated, transmits a telephone message to a private monitoring company or some other number, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the premises in some other fashion, except any system, device, or mechanism primarily protecting a motor vehicle.

“Alarm user” means any person or entity who has contracted for monitoring, repair, installation or maintenance service from an alarm business for an alarm system, or who owns or operates an alarm system which is not monitored, maintained or repaired under contract.

“Burglary alarm system” means an alarm system designed or used for detecting and reporting an unauthorized entry or attempted unauthorized entry upon real property protected by the system.

“Department” means the city of University Place ~~community services~~ Development Services department, its agent, the University Place Police Department, or other agent authorized by the city manager.

“False alarm” means the activation of any burglary, panic and/or robbery alarm system when no crime is being committed or attempted on the premises. An alarm shall be presumed to be false if the police officers responding do not locate any evidence of an intrusion or commission of an unlawful act or emergency on the premises which might have caused the alarm to sound. Alarms caused by earthquakes, hurricanes, tornadoes, or other violent acts of nature shall not be deemed to be false alarms.

“False alarm service charge” means a charge for ~~the second and~~ each subsequent false alarm response. ~~False alarm service charges shall be set by the city council by separate resolution.~~

“Permittee” means the person(s), corporation, or other business entity to whom a permit has been issued under this chapter.

“Premises” means ~~any area and any portion of any area protected by an alarm system, a location served by one or more alarm systems. In a multi-unit building or complex, each unit shall be considered a separate alarm site if served by a separate alarm system. In a single unit building~~

that houses two or more separate businesses with separate alarm systems, each business will be considered a separate alarm site.

“Robbery alarm system” means an alarm system designed or used for alerting others of a robbery or other crime in progress which involves potential serious bodily injury or death.

9.10.030 Alarm system permit requirements.

A. Permit Required. No person or entity shall operate or use an alarm system on any premises within the city of University Place under that person’s or entity’s control without first having obtained from the Department a separate permit for each premises protected by an alarm system and having paid any applicable fees. The Department need not respond to any alarm system for which a permit has not first been obtained. For the purposes of this section, a person shall be deemed to be an operator or user of an alarm system if:

1. The person controls both the alarm system and the premises upon which it is installed; or
2. The person controls the premises and is the subscriber, client, or tenant of the alarm user; or
3. The person is the alarm user.

B. Application. All persons or entities required to obtain a permit must complete a permit application form and pay the applicable fee. Information required to be provided on the permit application form includes, but is not necessarily limited to:

1. Subscriber’s Alarm User’s name, address, and telephone number(s);
2. Names and telephone numbers of three additional persons who will respond ~~in the event of alarm activation in the absence of the~~ in the absence of the subscriber Alarm User in the event of alarm activation;
3. Name of the alarm company responsible for regular maintenance ~~and that company’s electrical contractor’s license number~~; and
4. ~~The electrical inspection permit number for the premises, if available.~~Any other information that the Department deems appropriate.

~~C. Permit Fee. Each permit shall be given a unique number which shall not be transferable. The department shall charge an application fee for new applicants and also a reinstatement fee for the reinstatement of any permit that has been revoked. The permit fee and reinstatement fee shall be set by the city council by resolution. Permit fees and reinstatement fees shall be deposited into the alarm systems permits account in the general fund, to be used exclusively for the administration of this chapter.~~

C. Expiration & Renewal. A permit shall expire one year from the date of registration and must be renewed annually by submitting an updated application and renewal fee. Permits issued prior to November 1, 2020, unless renewed by submitting an updated application and renewal fee, shall expire on the anniversary date of their original issuance. Failure to renew will result in alarm dispatch requests from the alarm business not being accepted for dispatch.

D. No permit shall be issued to any person, corporation or other business entity whose alarm permit has been revoked within the preceding six months by the city.

E. If an alarm permit is not obtained prior to installation, an alarm permit shall be sought no later than twenty (20) days after installation.

EF. Duties of Alarm Users. An alarm user shall:

1. Display the street address of the alarm site at or near the front of the premises and at other places where access is available, such as from an alley or parking lot. The street address shall be clearly visible and readable from the exterior of the premises;

2. Maintain the alarm site and utilize the alarm system in a manner that will minimize or eliminate false alarms;

3. Make every reasonable effort to have a responder to the alarm system's location within 45 minutes, when requested by the law enforcement agency, in order to:

a. Deactivate an alarm system; or

b. Provide access to the alarm site; or

c. Provide alternative security for the alarm site;

4. Not activate an alarm system for any reason other than an occurrence of an event that the alarm system is intended to report.

5. Pay all fees as required by this chapter.

EG. Any person who owns, operates, or possesses any alarm system within the city of University Place which does not conform to the requirements of this chapter shall disconnect that alarm system and render it inoperable.

9.10.035 Alarm Fees

A. Alarm Businesses and Alarm Users are subject to all fees (including service fees), suspensions, penalties or other requirements that are applicable.

B. All fees related to alarm permits, including new initial alarm permits and alarm permit renewals shall be collected by the Department and shall be as set forth in the City's fee schedule.

C. Refunds. No refund of a permit or permit renewal fee will be made.

D. Existing Alarm Systems.

1. An alarm business shall, within 30 days after being notified in writing from the Department, provide a list of existing alarm users in the City of University Place to the Department to include name, address, billing address, and telephone number in a manner decided upon by the Department.

2. Failure to comply and provide customer lists to the Department as required will result in a fine per working day (after the initial 30-day notice expires, i.e., day 31) until the alarm business complies with the requirement. Failure to comply will also result in automatic suspension of alarm permits which are traceable to the alarm business.

E. New Alarm Systems.

Any alarm business that installs an alarm system on premises within the city of University Place must notify the Department within 10 days after the date of installation, or such longer time as the Department deems appropriate, and provide the name, address, billing address, and telephone number of the alarm user and a copy of the customer false alarm prevention. The failure to notify in accordance with terms of this subsection shall constitute a violation of this chapter.

F. Upon receipt of a completed alarm permit application form and the alarm permit fee, the Department shall authorize response to the applicant unless:

1. The applicant has failed to pay a false alarm fee, fine or other charge assessed under this chapter.

2. An alarm permit for the alarm site has been suspended and the violation causing the suspension has not been corrected.

G. Government entities, including but not necessarily limited to the City of University Place and the University Place School District, must obtain permits for all alarm systems on their property under their control within the City of University Place, but are exempt from payment of permit and renewal fees.

H. Moneys generated by fees and charges assessed pursuant to this chapter shall be deposited into the appropriate Public Safety revenue accounts.

I. In addition to any other remedy available under state law or the UPMC, the Department may collect charges and fees owing under this chapter which are delinquent for more than 30 days by assigning them to a collection agency.

9.10.040 Alarm system permit revocation and discontinuance of response.

A. Grounds. The Department may revoke a permit and/or discontinue responding to alarm system calls at the location of any permittee:

1. Whose alarm system has resulted in more than five false alarm responses by the Department within a six-month period; or

2. Who has failed to pay a service charge or fee, as authorized by this chapter, within 60 days of billing.

B. Notice of Revocation and Nonresponse. The Department shall notify the permittee and the alarm business, if applicable, in writing either by first class mail sent to the last known address or by personal service of the notice of revocation and nonresponse and the grounds therefor. Proof of service by mail or by personal service shall be retained by the city. The notice of revocation and nonresponse shall specify the specific date of revocation, which shall be no sooner than 21 days after either the notice is deposited in the mail or personally served, and that the Department may discontinue responding to alarms which occur at the premises described in the revoked permit after the date of revocation. The notice shall also set forth the filing fee for an appeal.

~~C. Appeal. The permittee may appeal the notice of revocation and nonresponse to the hearings examiner in accordance with Chapter 2.20 UPMC, Hearings Examiner. A notice of appeal,~~

~~together with the applicable fee, must be filed with the city clerk no later than 14 days after the date that the notice of revocation and nonresponse is either mailed to or personally served on the permittee.~~

~~D. Appeal Fee. The fee for filing an appeal of a notice of revocation and nonresponse shall be set by the city council by resolution. The appeal fee shall include all past due false alarm service charges imposed on a permittee. Failure to pay the appeal fee, including all past due false alarm service charges, waives any obligation of the city to process the appeal.~~

9.10.050 Alarm system permit reinstatement.

A. Reinstatement of the permit may be made upon receipt by the Ddepartment of the following:

1. Payment of any outstanding service charges, ~~and~~ a reinstatement fee and any other fees owed to the City; and

2. a. A letter from a licensed alarm company that the alarm system is operating properly ~~and~~/or the permittee's agents are properly trained in the alarm system operation; or

b. Similar documentation from an owner/tenant who has personally installed the alarm system.

B. The city shall not be responsible for any costs incurred by the permittee to qualify for reinstatement.

C. Reinstated permittees will be billed for any false alarm responses after reinstatement, and will be subject to further revocation after three more false alarm responses during the remainder of the six-month period.

D. Permits will not be reinstated if there are any outstanding fees or service charges due.

9.10.060 Service charges for false alarms.

A. False alarm service charges shall be billed to and paid by the ~~permittee~~ Alarm User for a ~~second or subsequent~~ false alarm response ~~during a six-month period~~.

~~B. False alarm service charges shall be deposited into the false alarm service charges account in the general fund, to be used for the administration and enforcement activities associated with this chapter.~~

CB. A permittee shall be notified of all false alarm service charges assessed by the Ddepartment by a written notification sent via U.S. Mail to the last known address of the permittee. A declaration of service by mail shall be retained by the city. The written notification shall require that the service charge be paid no later than 30 days after the date the notification is mailed by the Ddepartment.

~~D. A false alarm service charge may be appealed by filing a written notice of appeal with the city clerk setting forth the reasons in writing why the false alarm service charge should not be applied. The appeal must be filed with the city clerk no later than 21 days after the date on the city's notification of the false alarm service charge.~~

~~E. The city manager shall designate an official who shall decide the appeals of false alarm service charges that occur prior to the issuance of a notice of revocation and nonresponse. Appeals shall be considered without a hearing and be based solely on the records of the city and the written notice of appeal filed by the applicant. A written decision either granting the appeal or denying the appeal shall be mailed to the appellant not later than 14 days after the appeal is filed.~~

~~F. In addition to any other remedy available under state law or the UPMC, the department may collect false alarm service charges delinquent for more than 30 days by assigning them to a collection agency.~~

9.10.070 Declaring continuous audible alarms to be a public nuisance.

An alarm system that emits an audible signal for more than 15 minutes and disturbs the peace and tranquility of the public is hereby declared to be a public nuisance and subject to abatement as provided by this Code. ~~Such an alarm system may be abated by the police department.~~

9.10.080 Alarm business registration requirements.

A. Registration Required. From and after July 1, 2006, all person(s) who conduct the business of monitoring alarm systems in any building, structure, site, or other property within the city of University Place are required to register with the Department and obtain a City of University Place business license.

B. Registration Application. All alarm businesses are required to complete a registration application form and pay the applicable registration fee. Information required to be provided on the registration application form includes, but is not limited to:

1. Alarm business name, physical address, mailing address, business telephone number;
2. Contractor and/or state business license number;
3. Principals of the alarm business;
4. A 24-hour telephone number to the monitoring center; and
5. A list of alarm systems being monitored within the city of University Place.

~~C. Registration Fee. The department shall charge a registration fee which shall be set by the city council by resolution. Registration fees shall be deposited in the alarm system permits account in the general fund to be used exclusively for the administration of this chapter.~~

CD. Alarm Business Registration Restrictions.

1. Any false statement of material fact made by an applicant for the purpose of obtaining an alarm business registration to monitor alarm systems shall be sufficient cause for refusal to issue, or ~~revocation of~~ to revoke a registration;.
2. An alarm business registration cannot be transferred to another person or business;.
3. An alarm business shall inform the Department of any change that alters any of the information in subsection (B) of this section within five business days of such change.

9.10.090 Alarm business registration duration and renewal.

An alarm business's registration shall expire one year from the date of registration and must be renewed annually by submitting an updated application and renewal fee to the Ddepartment. It is the responsibility of the alarm business to submit an application prior to the registration expiration date. Failure to renew will result in alarm dispatch requests from the alarm business not being accepted for dispatch.

9.10.100 Duties of the alarm businesses.

Alarm businesses shall:

- A. Work cooperatively with the Ddepartment to reduce **false** dispatches to false alarms;
- B. Provide the Ddepartment with information regarding alarm systems installed, operated, monitored and cancelled within the city of University Place in the format (paper or electronic) requested by the Ddepartment at least quarterly or as otherwise requested by the Ddepartment;
- C. Inform the Ddepartment of any alarm site that is ineligible for an alarm dispatch **request by law enforcement**;
- D. Inform the Ddepartment of alarm sites that protect weapons, ammunition, explosives, or certain types of hazardous materials which require a third party capable of responding to secure the alarm site;
- E. Make all requests for alarm dispatches to a telephone number and in the form designated by the Ddepartment;
- F. Not make requests for alarm dispatches for alarm systems that are on the Ddepartment's nonresponse list for a revoked permit;
- G. Program arming station control panels to send cancel codes to abort dispatches;
- H. Upon takeover of any alarm system, the alarm business shall upgrade or modify the alarm system to bring the system into compliance with this chapter;
- I. Alarm businesses must maintain for a period of at least one year records relating to alarm dispatch requests. Records must include the name, address, and phone number of the alarm user, the alarm system zone(s) and sensors activated, use of third-party responders, the time of alarm dispatch request and, if applicable, reasons which led to alarm cancellations. The Ddepartment may request copies of such records for individually named alarm users; and
- J. Alarm businesses that perform monitoring services for a fee whose registration is suspended or revoked are required to notify all alarm user customers within five days of the suspension or revocation. The alarm user shall be notified that the Ddepartment shall not accept alarm dispatch requests from the suspended or revoked business, and will not respond to their alarm during the alarm business's suspension or revocation.

9.10.110 Alarm business registration revocation.

A. Grounds for Revocation. The Department may revoke an alarm business registration for failure to comply with the provisions of this chapter, or for the failure to comply with requests for information from the Department as provided for in this chapter.

B. Notice of Revocation. The Department shall notify such registrant in writing by first class mail or personal service of the revocation of the alarm business registration and the grounds thereof. The notice shall specify the specific date of revocation, which shall be no sooner than 21 days after the notice is deposited in the mail or personally served, and that the Department shall discontinue responding to alarm dispatch requests from the alarm business for their customers. The alarm business will be required to notify their alarm system monitoring customers that the Department will not respond to alarms at their alarm site beginning 21 days after the Department mails notice to the alarm business.

~~C. Appeal. The alarm business may appeal the notice of revocation to the hearings examiner in accordance with Chapter 2.20 UPMC. A notice of appeal, together with the applicable fee, must be filed with the city clerk no later than 14 days after the date the notice of revocation is either mailed to or personally served on the alarm business.~~

~~CD. Reinstatement. Alarm business registration may be reinstated upon receipt and approval by the Department of a plan to correct the conditions that led to the revocation and payment of all fees and penalties due from the alarm business. The City shall not be responsible for any costs incurred by the alarm business to qualify for reinstatement.~~

9.10.120 Government immunity.

A. Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm permit, the alarm user or permittee acknowledges that law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history.

B. The Department recognizes that some alarm sites may pose a greater public safety risk due to their business and/or contents of the alarmed site. In the event that a potential risk to the public is perceived due to an unsecured alarm site, the Department may elect to provide security measures to secure the site until the responsible parties can arrive. However, the Department shall not be responsible for securing any alarm site or for the loss or damage to any property.

C. The Department shall not be responsible for any acts or failure to act by the alarm user or permittee. In certain situations, the Department may not respond to requests for alarm responses due to permit revocation, or the failure to obtain a permit.

D. The Department shall not be responsible for investigating alarm sites that are inaccessible due to fences, terrain obstructions, other physical obstructions, or potentially dangerous animals.

9.10.130 Penalties and enforcement.

~~A. Criminal Penalties. Any person violating any of the terms of this chapter shall be guilty of a misdemeanor and upon conviction thereof be penalized as provided in Chapter 1.15 UPMC.~~

~~B.A. Civil Penalties. In addition to any criminal penalties, any person who fails to comply with the provisions of this chapter shall be subject to a civil penalty in accordance with Chapter 1.15 UPMC.~~

~~Penalties. In addition to the charges provided herein, any person who violates any provision of this chapter shall be deemed to have committed a civil infraction. The penalty for such a violation shall be a fine in the amount of \$250, together with fees, costs and assessments. Each day that any person violates any provision of this chapter shall constitute a separate offense.~~

~~C.B. Other Legal Remedies. Nothing in this chapter limits the right of the City to pursue other lawful, criminal, civil or equitable remedies to abate, discontinue, correct or discourage unlawful acts under or in violation of this chapter.~~

~~D. Enforcement action by the City shall be in accordance with Chapter 1.20 and/or 1.30 UPMC at the City's discretion.~~

9.10.140 Appeals

A. Except for those enforcement matters governed by Section 9.10.130 UPMC, if the Department assesses a fee, suspends an alarm permit or denies the issuance, renewal or reinstatement of an alarm permit, the Department shall send written notice of the action and a statement of the right to appeal to the affected applicant or alarm user and the alarm business.

B. The alarm user or alarm business may appeal any action described in subsection A of this section to the Alarm Administrator by setting forth in writing the reasons for the appeal and delivering the appeal within 20 business days after receipt of notice of the action. Failure to deliver the appeal within that time period is a waiver of the right to appeal.

C. The procedure for an appeal to the Alarm Administrator is as follows:

1. The applicant, alarm user, alarm business, monitoring company or other aggrieved entity may file a written request for appeal to the City of University Place and setting forth the reasons for the appeal.

2. The Alarm Administrator, within 30 days after receipt of the request for review, shall either grant the relief requested, conduct a hearing or take other appropriate action. At a hearing under this section, the Alarm Administrator shall consider the evidence submitted by the appealing party and the Department. The Alarm Administrator must base his/her decision on the preponderance of evidence presented at the hearing and must render a decision within 15 days after the date of the hearing. The decision shall affirm or reverse the decision or action taken by the Department.

3. Filing of an appeal stays any action by the Department to suspend an alarm permit or require the payment of a fee or penalty until the appeal process has been exhausted. This provision applies only to the action of the Department that is the subject of the appeal. The provision does not operate as a bar to enforcement action or violations of this chapter that occur thereafter.

D. The Department or the Alarm Administrator or their respective designees may adjust the count of false alarms, or reduce or waive false alarm fees in whole or in part, based on:

1. Evidence that false alarm was caused by action of a communications services provider (i.e., telephone, cellular, cable company);

2. Evidence that a false alarm was caused by a power outage;

3. Evidence that an alarm dispatch request was not a false alarm;

4. The occurrence of multiple alarms within a 24-hour period, which may be considered as one false alarm to allow the alarm user time to take corrective action, unless the false alarms are directly caused by the alarm user;

5. Other extenuating circumstances or a waiver or reduction is appropriate to encourage corrective action;

E. On review of fees or penalties assessed to an alarm business, the Department or Alarm Administrator may consider whether the alarm business had engaged in a consistent pattern of violations.

F. The decision of all matters decided hereunder shall be final and conclusive unless, within twenty-one (21) days of the date of the final decision, an aggrieved party makes an application to a court of competent jurisdiction for review.

DRAFT

FEES AND CHARGES RELATING TO REGULATION OF AUTOMATIC POLICE ALARM SYSTEMS

ALARM PERMIT APPLICATION AND RENEWAL FEE **\$23.0040.00 annually**

SERVICE CHARGES

For the only false alarm at a licensed premise within a six month period	No Charge
For a second false alarm at the same premises within a six month period	\$ 57.50
For a third false alarm at the same premises within a six month period.	\$ 86.25
For a fourth and all subsequent false alarms at the same premises within a six month period.	\$115.00
Alarm Permit Reinstatement Fee	\$ 23.00
Alarm Business Registration Fee	\$ 23.00
Alarm Business Annual Renewal Fee	\$ 23.00
False Alarm Fee	\$100 per violation
False Robbery/Panic Alarms	\$150 per violation

APPEAL

Appeal of a Service Charge imposed prior to issuance Of a Notice of Revocation and Non-Response	No Charge
Appeal of a Permittee Notice of Revocation and Non-Response	\$230.00 plus all unpaid service charges
Alarm Business Appeal of Service Charge imposed prior to Issuance of Notice of Revocation and Non-Response	No Charge
Alarm Business Appeal Notice of Revocation	\$230.00 plus all unpaid service charges
Appeals of fees, suspensions or denials of alarm permits or renewals, except for those enforcement matters governed by Section 9.10.130 UPMC	No charge