

RESOLUTION NO. 590

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

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

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

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

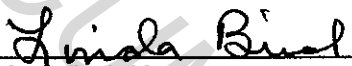
WHEREAS, the City wishes to clarify the language of its Limited Public Forum policy to distinguish the criteria, so that it does not overlap with the grant policy.

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

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


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

ADOPTED BY THE CITY COUNCIL JULY 14, 2008.



Linda Bird, Mayor

ATTEST:



Emelita Genetia, City Clerk

EXHIBIT A

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

1. PURPOSE

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

2. DEFINITIONS

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

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

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

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

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

City Partners: Organized groups working in University Place that are specifically recognized by the City Council as a city partner. To be recognized as a city partner, a group must meet one or more of the following criteria: ~~(1) to whom the City provides financial contributions or in-kind services; (2) a group with whom the City has a formal contract to provide public services in the City; (23) a group's role in fulfilling a Council recognized special community need; (34) and groups that volunteer to maintain or improve public facilities. The City Council will recognize the following groups of City Partners by separate resolution. — the University Place Chamber of Commerce, Audubon Society, University Place Festival Association, Curran Core Orchard Resource Enthusiasts, Adrianna Hess Wetland Trust, Friends of Homestead Park/Rhododendron Society, TACID, and UP for Art.~~

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

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

City: City of University Place, Washington.

3. POLICIES

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

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

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

~~(1) Groups to which the City of University Place contributes money or in-kind services are easily definable. They include groups like the Tacoma Art Museum, TACID, the Daffodil Festival, the Duck Parade, and the University Place Festival Association. The City contributes financially to these groups because they help fulfill a City Council goal. Presumptively these groups help fulfill an appropriate public function, e.g., community promotion, encouraging the arts and assisting persons with disabilities, such that an ongoing City group relationship is warranted.~~

~~(12) The second category is g~~**Groups that have a written contract with the City to provide public services in the City.** Two examples of these are the UP Festival Association and the Audubon Society. ~~Again, p~~Presumptively there is a legitimate public interest in the services provided by these groups. This interest is personified in the written contracts. That should be sufficient to justify a partnership arrangement at least on the contract issues.

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

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

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

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

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

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