

MONROE CITY COUNCIL

Regular Business Meeting
May 10, 2016, 7:00 P.M.

Council Chambers, City Hall
806 W Main Street, Monroe, WA 98272

AGENDA

Call To Order

Roll Call

Pledge Of Allegiance

1. Councilmember Gamble

Public Hearing

1. AB16-058: Resolution No. 006/2016, Declaring Certain Property as Surplus and Authorizing Its Disposition

Documents: [AB16-058_PH_RES 006 2016_Surplus Equipment.pdf](#)

Announcements And Presentations

1. Presentation: Snohomish County Tourism Bureau (A. Spain)

Documents: [20160510 AP1 2015 SCTB Annual Report - Monroe.pdf](#)

Comments From Citizens

[This time is set aside for members of the audience to speak to the City Council on any issue related to the City of Monroe; except any quasi-judicial matter subject to a public hearing. **Please sign in prior to the meeting; testimony is limited to 5 minutes per speaker.**]

Consent Agenda

1. Approval of the Minutes; May 3, 2016, Regular Business Meeting

Documents: [20160510 CA1 MCC Minutes 20160503.pdf](#)

2. Approval of Payroll Warrants and ACH Payments

Documents: [20160510 CA2 AAA FORM PAYROLL WARR APPROVAL.pdf](#)

Unfinished Business

1. AB16-059: Discussion: Strategic Financial Planning - Continued

Documents: [AB16-059_Discussion_StrategicFinancialPlanning.pdf](#)

New Business

1. AB16-060: Ordinance No. 004/2016, 2016 Budget Amendment; First Reading

Documents: [AB16-060_ORD 004 2016_2016 Budget Amendment_First.pdf](#)

Final Action

1. AB16-061: Resolution No. 007/2016, Authorizing a Pilot Program for the

Deployment of Body-Worn Cameras by the Monroe Police Department

Documents: [AB16-061_RES 007 2016_Body-WornCamerasPilotProgram.pdf](#)

Councilmember Reports

1. City Council Legislative Affairs Committee

Documents: [LAAgenda051016.pdf](#)

2. Community Transit Board of Directors Meeting (Councilmember Cudaback)

Documents: [20160510 CR2 CT BOD Agenda 050516.pdf](#)

3. Snohomish Health District Board of Directors (Councilmember Rasmussen)

<http://www.snohd.org/About-Us/Board-of-Health/Meeting-Agenda/ArtMID/4373/ArticleID/1251/Board-of-Health-Meeting-May-10-2016>

Staff/ Department Reports

Mayor/ Administrative Reports

1. Monroe This Week (May 6, 2016, Edition No. 18)

Documents: [20160510 MR1 Monroe This Week Edition 18.pdf](#)

2. Draft Agenda for May 17, 2016, Regular Business Meeting

Executive Session

If needed.

Adjournment

Majority vote to extend past 10:00 p.m.

THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA

Accommodations for people with disabilities will be provided upon request. Please call City Hall at 360-794-7400. Please allow 48 hours advance notice.



MONROE CITY COUNCIL

Agenda Bill No. 16-058

TITLE:	Public Hearing: Resolution No. 006/2016, Declaring Certain Property as Surplus and Authorizing Its Disposition
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
05/10/2016	Public Works Operations and Maintenance	Jakeh Roberts	Brad Feilberg	Public Hearing #1

Discussion: 05/10/2016

Public Hearing – Council: 05/10/2016

Attachments: 1. Resolution No. 006/2016; Exhibit A

REQUESTED ACTION:

- A. *(after public testimony, if any)* Move to close the public testimony portion of the public hearing.
- B. *(after Council discussion, if any)* Move to close the public hearing.
- C. Move to approve Resolution No. 006/2016, declaring certain real property as surplus and authorizing its disposition.

DESCRIPTION/BACKGROUND

The items proposed as surplus have met the City's replacement standard requirements or are being recommended for retirement due to obsolescence.

IMPACT – BUDGET

Items will be auctioned to the highest bidder or sold or traded in a manner that is to be to the best advantage to the City. Funds received from sales are to be returned to the listed department of ownership of the item.

TIME CONSTRAINTS

None.

ALTERNATIVES TO REQUESTED ACTION

Defer surplus action until a later date to be determined by Council.

**CITY OF MONROE
RESOLUTION NO. 006/2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS DISPOSITION

WHEREAS, the City owns that certain personal property listed on the attached Exhibit A; and

WHEREAS, the estimated value of said property is set forth herein; and

WHEREAS, the personal property on Exhibit A is surplus to the needs of the City; and

WHEREAS, per RCW 35.94.040, the Monroe City Council held a public hearing regarding this matter on May 10rd, 2016.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

1. The personal property described on the attached Exhibit A is declared surplus to the needs of the City. Exhibit A is incorporated by this reference as if set forth in full.
2. That the Mayor, or his designee, is hereby authorized and directed to dispose of the items listed in Exhibit A in a manner that will be to the best advantage to the City of Monroe and compliant with all applicable regulations.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this ____ day of _____, 2016.

Approved: May 10, 2016
Effective: May 10, 2016

CITY OF MONROE, WASHINGTON

(SEAL)

ATTEST:

Geoffrey Thomas, Mayor

Elizabeth M. Smoot, MMC, City Clerk

EXHIBIT A

Quantity	Unit Description	Estimated Value	Department of Ownership	City Asset No.
1	1999 Ford Expedition	\$1,500	Water	#2204
1	2001 Dodge 2500	\$500	Parks	#2367
1	2002 Sterling Vactor 2100	\$75,000	Sewer	#2415
1	1995 Chevrolet 3500	\$2,500	Parks	#1609
1	2002 International 7600	\$15,000	Streets	#2370
1	Woodward Skate Park Equipment	\$2,000	Parks	N/A
1	Minnkota Electric Trolling Motor	\$275	Stormwater	N/A
1	Ford F150 Hard Tonneau Cover	\$50	Water	N/A
1	2015 Ford F350 Rear Bumper	\$100	WWTP/Sewer	N/A
1	Warn Winch M8724-50 8K LB	\$400	WWTP/Sewer	N/A
1	Jet 14M Shop Drill Press	\$25	Water	N/A
1	Jet 14" Metal Band Saw	\$25	Water	N/A
1	Lincoln Idle Arc 250 Welder	\$50	Streets	N/A
1	Honda GX-150 Motor 5.5HP	\$150	Streets	N/A
1	Portable Water Pump Station Sled	\$300	Water	N/A
1	60" Rotary Mower Head	\$300	Streets	N/A
1	Hobbs 770-77100 floatable fountain & programmable controls	\$500	Gen. Fund	N/A
2	Polycom Sound Station 2 phones with plugs and 4 mics	\$150 each \$300 total	IT	N/A
1	Polycom SoundPoint Pro Phone	\$100	IT	N/A
8	Nortel M3902 Phones	\$10 each \$80 total	IT	N/A
86	Nortel M3903 Phones	\$20 each \$1,720 total	IT	N/A
26	Nortel M3904 Phones	\$20 each \$520 total	IT	N/A
12	22 Button Side Cars	\$10 each \$120 total	IT	N/A
17	Phone System Cards	\$15 each \$255 total	IT	N/A
2	Phone System Mounting Boxes	\$100 each \$200 total	IT	N/A
1	Ferrups FE Series UPS	\$50	IT	N/A
1	Box Misc phone stands	\$25	IT	N/A



Snohomish County Tourism Bureau 2015 Annual Report



Tourism IS Economic Development

Visitors to Washington State spent
\$20.7 billion in 2015;
accounting for **\$1.2 billion** in
local/state tax revenues; creating
170,500 jobs!

Impact of Tourism

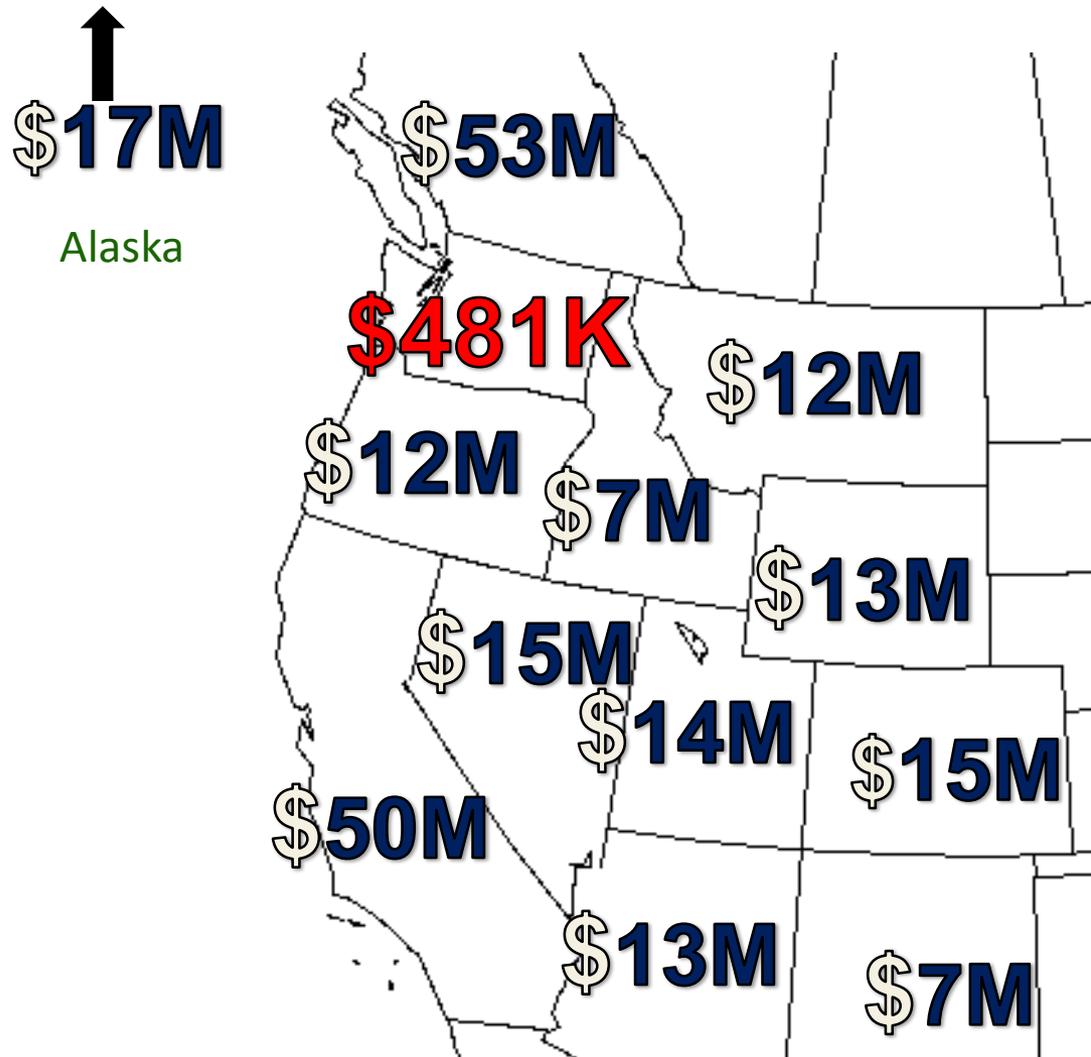


No State Tourism Office

Reality is....

- All other states have some form of State funding and/or involvement
- Washington Tourism Alliance is not a sustainable organization using a membership-funded model
- Legislation in 2015 to create a state tourism funding program – not passed
- 2016 request was for interim funding was not funded

Our Competitors' Budgets



*Washington State reflects the WTA 2013-2015 budget

Long Term Funding Components

- **Dedicated funds**
- **Industry sector balance**
 - ✓ Lodging
 - ✓ Restaurants
 - ✓ Retail
 - ✓ Attractions
 - ✓ Transportation
- **Sectors determine assessment method**

Impact of Travel to Local Economy

Overnight Travelers to Washington State (staying in commercial lodging)

- average 2.2 people per travel party
- stay 2.5 nights
- spend \$477 per travel party per day

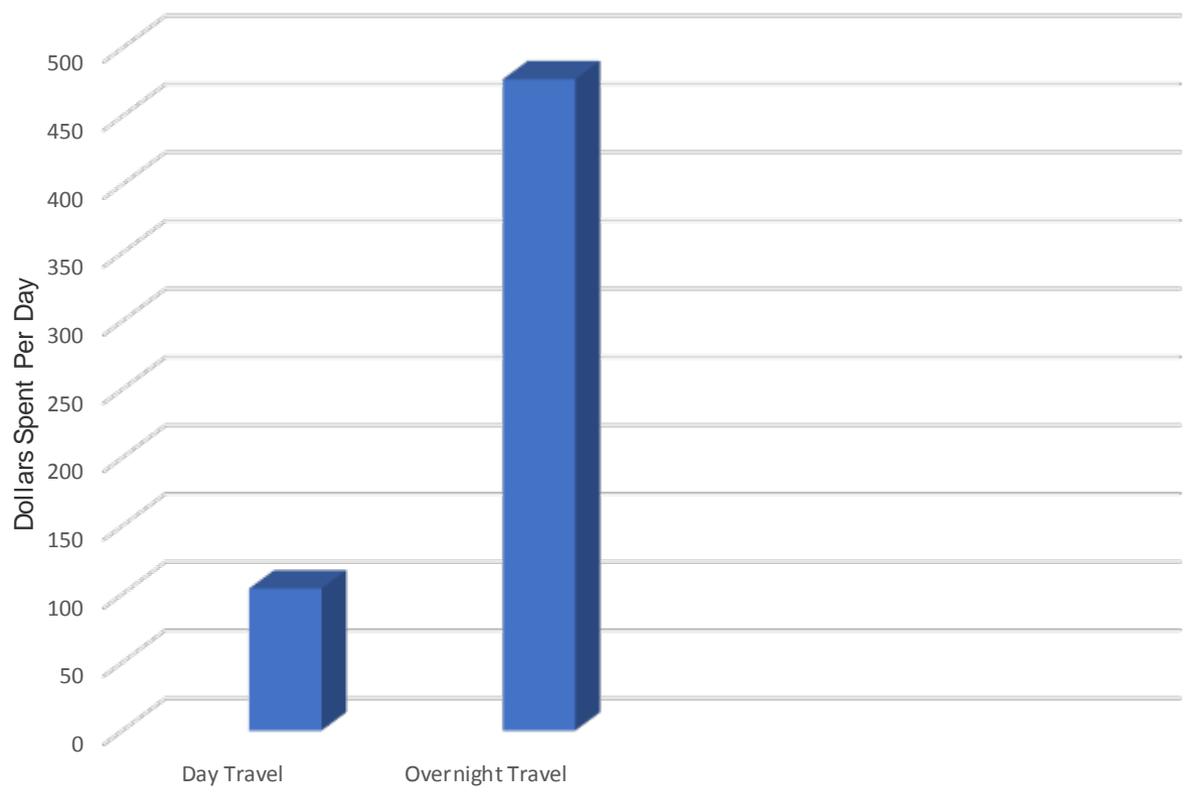
Impact of Travel to Local Economy

Overnight Travelers to Snohomish County (staying in commercial lodging)

- average 2.1 people per travel party
- stay 2.1 nights
- spend \$360 per travel party per day

Impact of Travel to Local Economy

Day Vs. Overnight Traveler Expenditures



**Data provided by Dean Runyan and Associates April 2016

Tourism Works for Snohomish County!

**Visitor spending in Snohomish County is
\$1 Billion per year;
Up 1.8% from previous year:**

Restaurants	\$ 308 million
Transportation and fuel	\$ 146 million
Accommodations	\$ 141 million
Retail stores	\$ 136 million
Recreation and entertainment	\$ 136 million
Grocery stores	\$ 63 million

Because Tourism Matters

Effect of Tourism in Snohomish County

<i>10,750</i>	<i>jobs</i>
<i>\$ 273.9 million</i>	<i>payroll</i>
<i>\$ 21.1 million</i>	<i>local taxes</i>
<i>\$ 50.9 million</i>	<i>state taxes</i>

**Data provided by Dean Runyan and Associates April 2016

Brief Overview of 2015

- Generated 4,577 requests for information from ads
- Website visitation was up 3% - over 228,000 unique visitors
- Achieved over \$296,000 of free media coverage – up 8%
- 22,091 definite and 9,406 tentative group and convention room nights were processed in 2015 representing \$44.3 million in economic impact
- Visitor centers served over 38,000 visitors. Countywide centers served 107,651 visitors
- Tourism spending and economic impact of tourism in Snohomish County was \$1 billion – up 1.8%
- Hotel occupancy levels were down 2% to 70.9%; ADR was up 4.3% leading to a increase in RevPar of 2.2 %
- Hotel motel tax collections were up 12.9%

OPEN UP

Convention, Sports and Group Tour Sales and Service

Ads generate leads,
support branding and
generate interest in
Snohomish County as
a meeting/event
destination



SNOHOMISH COUNTY
WASHINGTON

OPEN UP

EXPERIENCE THE ADVENTURE OF A LIFETIME
WITHOUT TAKING ONE TO GET HERE.

OPEN UP to Snohomish County. Just 30 minutes north of Seattle,
there's a treasure trove of adventure waiting for you to discover.

ORDER YOUR FREE GUIDE!

Snohomish.org | 888-338-0978



TO YOUR
BADGE OF HONOR.



SNOHOMISH COUNTY
WASHINGTON

Save on your bottom line when meeting
just 15 miles outside of Seattle



OPEN UP

Convention, Sports and Group Tour Sales and Service

22 trade shows

237 direct leads

199 groups assisted



OPEN UP

Convention, Sports and Group Tour Sales and Service

Distributed **3,886**
group tour, convention &
sports events collateral
materials at 22 trade
shows and 5 sales
missions.



Convention, Sports and Group Tour Sales and Service

Trade Shows Attended

Packaged Travel:

- Canadian Inbound Tour Association
- Go West Summit
- National Tour Association

Sports Marketing:

- Assoc. of Chief Executive of Sport
- National Assoc. of Sports Commissions
- Olympic SportsLink
- TEAMS
- Connect Sports Marketplace
- S.P.O.R.T.S. – The Relationship Conference

Consumer travel:

- Outdoor Adventure Travel

Meeting and Events:

- American Society of Association Executives
- ASAE Springtime
- ConFam (military reunion planners)
- Int'l Assoc. of Admin. Professionals
- Meeting Professionals International
- Northwest Event Show
- Overseas Brats
- Reunion Friendly Network
- Seattle Wedding Show
- WA Society of Association Executives

Convention, Sports and Group Tour Sales and Service

5 sales missions to Vancouver BC, Olympia, Seattle, Indianapolis and Colorado Springs along with:

- Lynnwood Convention Center
- Future of Flight Aviation Center
- Seattle Premium Outlets
- Angel of the Winds Casino
- City of Lynnwood
- County hotels

31 new leads for hotels and attractions.

Distribution of **76** guides.

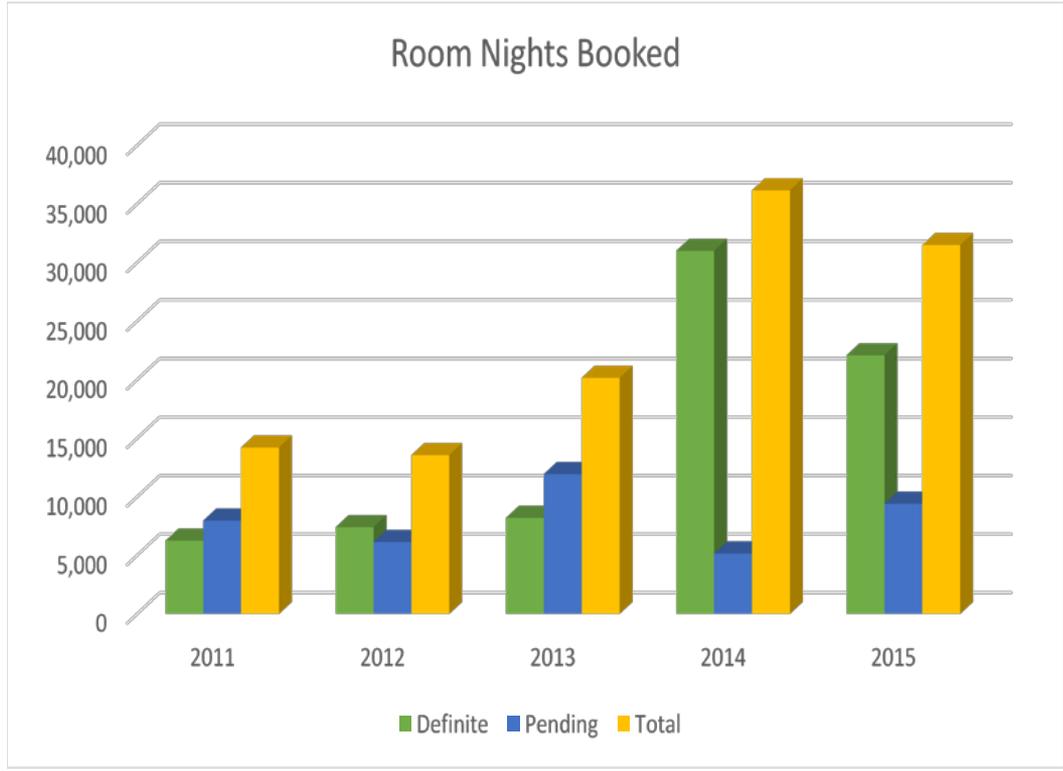
Convention, Sports and Group Tour Sales and Service

18 familiarization tours were conducted for meeting, group tour and international tour and travel planners and domestic and international media



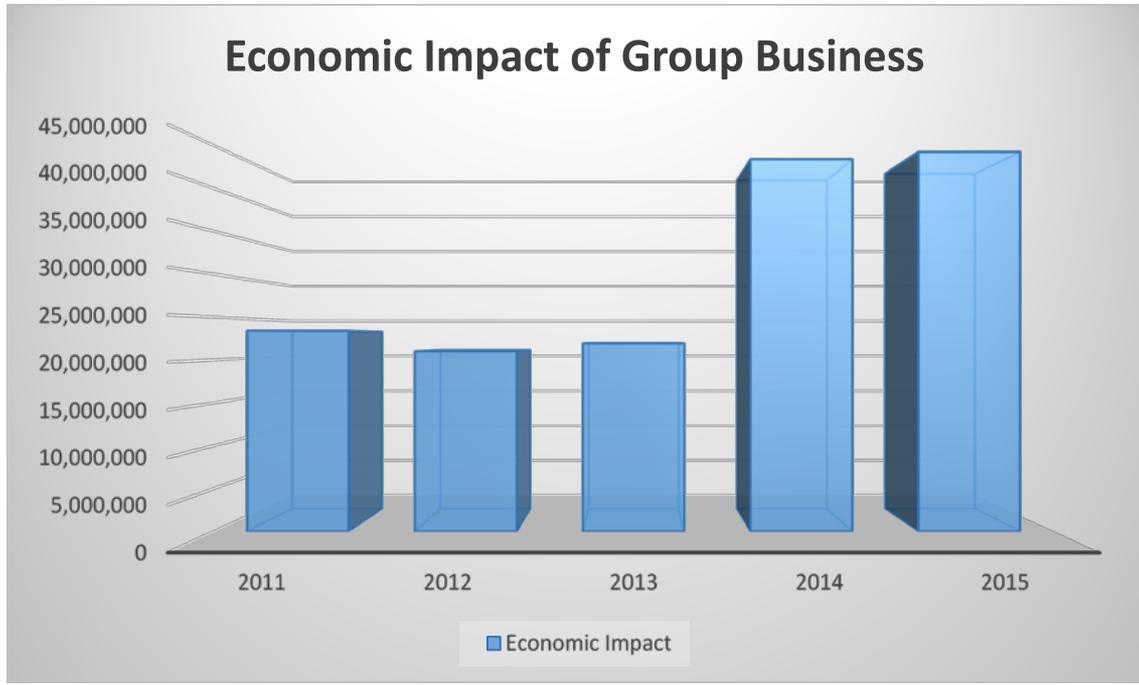
Convention, Sports and Group Tour Sales and Service

- Group tour, meeting and event planner bids were prepared which resulted in 22,091 total definite room nights
- Additional pending bookings at year end totaled 9,406 room nights
- Totaling 31,497 room nights



Convention, Sports and Group Tour Sales and Service

Economic Impact totals \$44,252,079



OPEN UP

Convention and Group Tour Sales and Service

\$35.6 Million

Economic impact derived from Sport

- NSA Western World Series
- TriMonroe Triathlon
- Legends Baseball Club Tournament
- Taste of Tye INT League Water ski and Wakeboard
- NWWA Wake Surf Open
- US Youth Soccer Presidents Cup, Region IV
- US Figure Skating NW Pacific Regional Championships
- 2016 NWAC Basketball Championship
- 2016 Pacific Rim Gymnastics
- WIAA Basketball Regionals



2016
NORTHWEST
PACIFIC
REGIONAL
CHAMPIONSHIPS

*Mountlake Terrace,
Washington*





The SCSC Board of Directors assists the sports marketing staff with resources, referrals, direction and oversight.

Jim Ballew, Marysville Parks Department
Jennifer Caveny, Holiday Inn Express- Marysville
Brian Davern, Mill Creek Business Association
Greg Erickson, Marysville School District
Beverly Meehan, Hilton Garden Inn Mukilteo
Mary Monroe, Lynnwood, Tourism Manager

Shannon O'Kelley, Integrated Rehabilitation Group
Robert Polk, Everett Public Schools
Tom Teigen, Snohomish County Parks
Larry Walker, Everett Community College
Kim Wilson, NW Interscholastic Activities Assoc. – Retired

Sports Marketing

Recognition and Awards:

- ✓ Sports Events Magazine Readers' Choice Award – 5 time winner!
- ✓ Mike Farrell - Sports Events Magazine – Park and Recreation Award winner!
- ✓ Champions of Economic Impact in Sports Tourism



Sports Marketing

Recognition and Awards:



- ✓ NASC Game Changer Award
- ✓ Women in Sports Tourism – inaugural recipient

OPEN UP

Tourism Development

4,577 requests
for information from ads

- 425 Magazine
- Cascade Loop
- Northwest Travel
- North Sound Living
- Outdoors NW
- National Geographic Traveler
- TravelHost Magazine
- Vancouver BC newspapers/online

The collage features three distinct advertisements for Snohomish County, Washington. The top ad is a vertical banner with a blue header 'SNOHOMISH COUNTY WASHINGTON' and a green section with the text 'STAY, SHOP & SAVE'. Below this, a man is shown kayaking on a lake. The middle ad is a horizontal banner with a blue header 'SNOHOMISH COUNTY WASHINGTON' and a large white title 'OPEN UP TO OUTDOOR ADVENTURE!'. It includes a red circular callout 'ORDER YOUR FREE GUIDE!' and a small image of a kayaker. The bottom ad is a horizontal banner with a red header 'SNOHOMISH COUNTY WASHINGTON' and a large white title 'OPEN UP'. Below the title, it reads 'WHERE THE LOCAL WINES ARE BEST PAIRED WITH ADVENTURE.' and 'OPEN UP to Snohomish County. Just 30 minutes north of Seattle, there's a treasure trove of adventure waiting for you to discover.' The bottom of this ad features a row of four small images: a woman with a backpack, a table of wine, a kayaker, and a hot air balloon. A red circular callout 'ORDER YOUR FREE GUIDE!' is on the left, and the website 'Snohomish.org' and phone number '888-338-0676' are on the right.

OPEN UP

Online Presence



SNOHOMISH COUNTY
WASHINGTON

OPEN UP to Snohomish County!
This is where opportunities take flight.

Snohomish.org | 888-338-0976

ORDER YOUR FREE GUIDE!



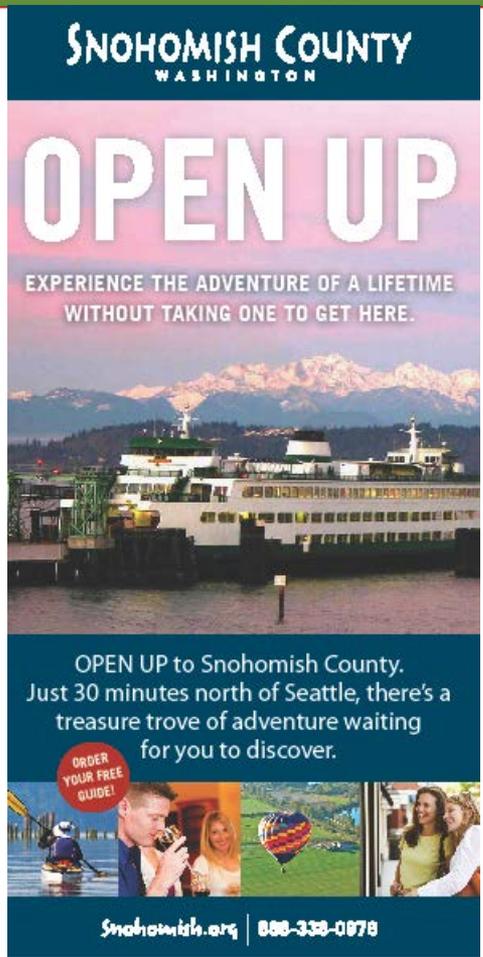
SNOHOMISH COUNTY
WASHINGTON

OPEN UP

Experience the adventure of a lifetime without taking one to get here!

Snohomish.org | 888-338-0976

ORDER YOUR FREE GUIDE!



SNOHOMISH COUNTY
WASHINGTON

OPEN UP

EXPERIENCE THE ADVENTURE OF A LIFETIME WITHOUT TAKING ONE TO GET HERE.

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ORDER YOUR FREE GUIDE!



OPEN UP TO OUTDOOR ADVENTURE!

SNOHOMISH COUNTY
WASHINGTON

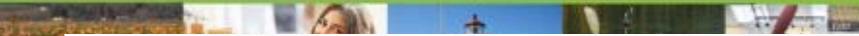
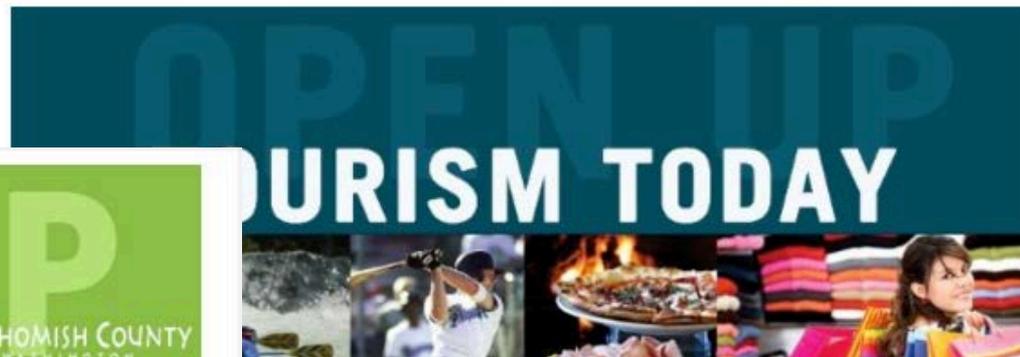
Experience the adventure of a lifetime without taking one to get here! Cross something off your bucket list!

ORDER YOUR FREE GUIDE!

OPEN UP

Tourism Development

New E-Newsletters



Open Up to Sports Unlimited in Snohomish County, Washington

The late fall and early winter season is lled with plenty of fast-paced action – indoors and outdoors – for recreational players, performance athletes, and families.



Snohomish County, Washington



OPEN UP

Tourism Development

- Website visitation was **up 3%**
- Over 6,400 visits to **RoomsAtPar** and **StayShopAndSave** websites

www.snohomish.org
www.RoomsAtPar.com
www.StayShopAndSave.com
www.SnohomishCountyWeddings.com

The screenshot shows the Snohomish County website. At the top, there is a navigation bar with 'SNOHOMISH COUNTY WASHINGTON', 'EXPLORE', and 'TRAVEL'. Below this is a large banner with the text 'OPEN UP' and 'STAY, SHOP & SAVE' in large, bold letters. Underneath the banner, it says 'YOU WON'T BELIEVE HOW FAR YOUR SHOPPING/DINING/LODGING/DOLLARS WILL GO!'. To the left of the banner, there is a small image of a woman carrying shopping bags. Below the banner is a navigation menu with links: HOME, WEDDING FACILITIES, ACCOMMODATIONS, RESOURCE GUIDE, EXPOS & OPEN HOUSES, SPECIAL OFFERS, CONTACT. Below the menu is a section for 'SNOHOMISH COUNTY WEDDINGS' with social media icons and the phone number 425-348-5802. The main content area features a large image of a bride in a white dress standing in a rustic wooden structure. Below this image are three buttons: 'FREE CONSULTATION GO', 'WEDDING FACILITIES GO', and 'RESOURCE GUIDE GO'. At the bottom, there are three small featured articles: 'Mukilteo Pole', 'Lake Goodwin Community Park', and 'Thai Bistro'.

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Everett

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Tourism Development

New collateral

- East County BackRoads
- Hiking Guide
- Golf in Snohomish



OPEN UP

Tourism Development

85,000

**copies of the official
visitor guide
distributed**



Public Relations and Media

6 issues of StoryLine were mailed to over 1,400 travel writers with each issue.



New Travel Guides Help Visitors Explore & Enjoy Snohomish County, Washington



Just minutes north of Seattle is Snohomish County where you'll find an open mountains- to-sea landscape filled with vibrant cities and rural family farms, outdoor adventures and culinary delights, unlimited shopping, and many more delightful surprises.

Public Relations and Media



- **6** media fam tours for travel writers

Public Relations and Media

34 *Press Releases Sent*

92 *Media Pitches*

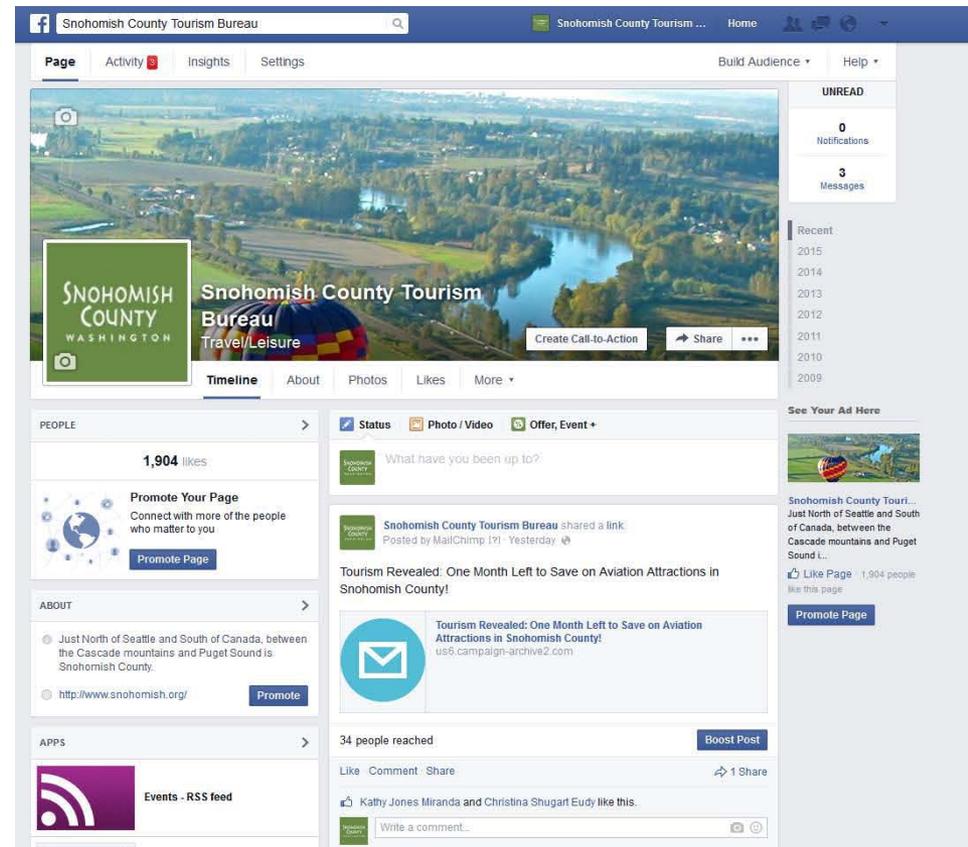
56 *Articles Published*

\$296,518 *Free Media Coverage*

OUTREACH

Social Media: Flickr, Twitter, Facebook, Instagram & Pinterest

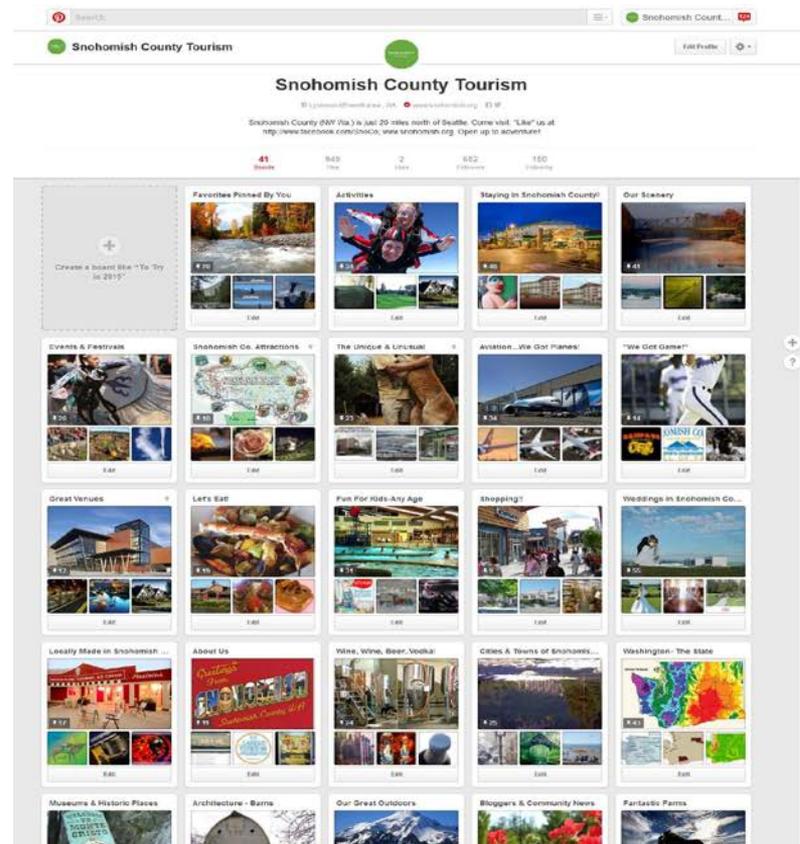
- **Twitter**
- **Facebook presence: Tourism, Sports, Weddings, Meetings and Conventions, and for VIC volunteer recruitment**



Social Media: Flickr, Twitter, Facebook, Instagram & Pinterest

Pinterest Boards:

- ✓ Activities
- ✓ Hotels
- ✓ Shopping
- ✓ Fun for families
- ✓ Great Outdoors
- ✓ Wildlife
- ✓ And much more!



Social Media:

YouTube

18 different videos

Visit Snohomish County Washington

Snohomish County Tourism Bureau · 17 videos · 89 views

Like · About · Share · Add to

SNOHOMISH COUNTY TOURISM BUREAU YOUTUBE VIDEOS



AVIATION IN SNOHOMISH COUNTY



CULTURE & HISTORY IN SNOHOMISH COUNTY



FARMERS MARKETS IN SNOHOMISH COUNTY



FARMS IN SNOHOMISH COUNTY



GAMING IN SNOHOMISH COUNTY



GOLF IN SNOHOMISH COUNTY



MILITARY REUNIONS IN SNOHOMISH COUNTY



SHOPPING IN SNOHOMISH COUNTY



SNOW SPORTS IN SNOHOMISH COUNTY



SPECTATOR SPORTS IN SNOHOMISH COUNTY



SNOHOMISH COUNTY'S EVERGREEN STATE FAIR



UNIQUE WAYS TO FLY IN SNOHOMISH COUNTY



VISIT SNOHOMISH COUNTY



VISUAL & PERFORMING ARTS IN SNOHOMISH COUNTY



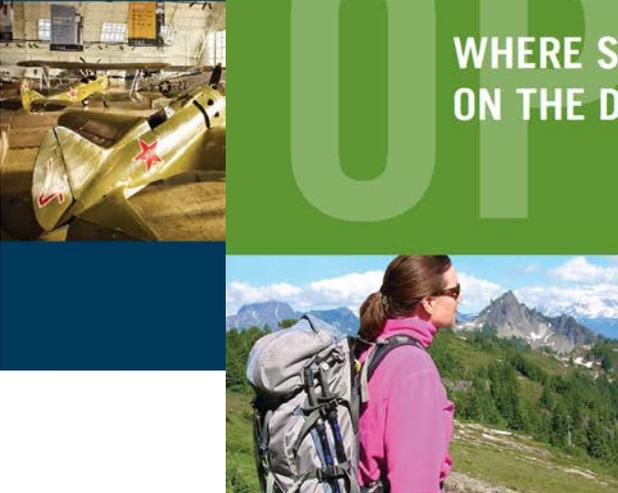
HIKING, WALKING, RUNNING & BIKING IN SNOHOMISH COUNTY

OPEN UP

Three Television Ads Aired

CONTAINED ONLY BY
THIS IS WHERE OPPOR

WHERE S
ON THE D



AROUND HERE, BROWSING ISN'T
SOMETHING DONE WITH A MOUSE.



Snohomish.org | 888-338-0976

Snohomish.org | 888-338-0976

OPEN UP

Visitor Services Implementing the Strategic Tourism Plan initiatives:

Traditional advertising in
Alderwood Mall

Ambient advertising at
Everett Mall



OPEN UP

Visitor Services Go Digital – Kiosks at Future of Flight, Lynnwood Convention Center and Tulalip Resort



Visitor Services

Mobile VICs operating at events and festivals

- Travel Tips Adventure & Bike Show
- Aviation Day at Paine Field
- Kla Ha Ya Days in Snohomish
- Mukilteo Lighthouse Festival
- Community Days at Everett Mall



Visitor Services

Visitor snapshot:

76% from more than 50 miles away

- 4% from other WA counties
- 32% from other states
- 40% from other countries

24% from local area
(including surrounding counties)

Served 107,651 visitors
countywide



Visitor Services

Supporting the Community Events with visitor information!

- ✓ ½ Ironman 70.3 Triathlon Expo
- ✓ Stillaguamish Health Expo
- ✓ Verdant Health Open House
- ✓ AAA Store Open House
- ✓ Marysville Rock and Gem Show
- ✓ Community Days at Everett Mall



Industry Education

3 countywide tourism related programs conducted including:

- **Getting Ink** – *How to Pitch Your Story to the Media*
- **Social Media** – *Is It Right For Your Business?*
- **Managing Employee Performance**

OPEN UP

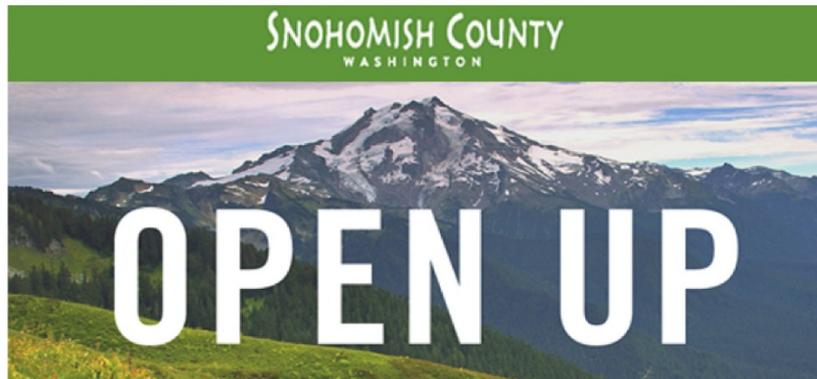
Industry Education

Continue Industry Training Tools:

- ✓ Monthly Hotel Hot Sheet
- ✓ Tourism Industry Month Tours

Get deals on aviation experiences in Snohomish County!

[View this email in your browser](#)



Just a reminder...

Don't forget to take advantage of the exclusive discounts throughout Snohomish County! These deals are open to ALL employees that have direct contact with visitors at any hospitality business! If you interact with tourists as part of your job, then you're eligible to receive these special industry education discounts. Keep reading for more information, or skip to the bottom to print the coupons.



What's Happening in Snohomish County This Month?

We know it can be hard to keep up with everything that's going on in Snohomish County each month, so we've created this monthly hot sheet as a way for you to be in the know to better assist your customers and/or guests find fun things to do in Snohomish County. We'll be sending these hot sheets each month, so please let us know if there are other members of your staff that would benefit from receiving these emails and we'll be happy to add them to the distribution list.

Brief Overview of 2015

- Generated 4,577 requests for information from ads
- Website visitation was up 3% - over 228,000 unique visitors
- Achieved over \$296,000 of free media coverage – up 8%
- 22,091 definite and 9,406 tentative group and convention room nights were processed in 2015 representing \$44.3 million in economic impact
- Visitor centers served over 38,000 visitors. Countywide centers served 107,651 visitors
- Tourism spending and economic impact of tourism in Snohomish County was \$1 billion – up 1.8%
- Hotel occupancy levels were down 2% to 70.9%; ADR was up 4.3% leading to a increase in RevPar of 2.2 %
- Hotel motel tax collections were up 12.9%

2016 Initiatives:

- **Rural Tourism Workshops**
- **Increased advertising in state visitors guide, meetings and conventions specific publications and sports publications.**
- **Increased website development to include storytelling feature.**
- **Adding new mobile tours**
- **Internet marketing:**
 - Adding online pop up ads via desktop and mobile applications
 - Increased presence on Washington State website
- **Added trade shows in group tour, religious, conventions and military reunion markets**

**Tourism Matters to
Snohomish County!**

10,750 jobs

\$273.9 million in payroll

\$ 21.1 million in local taxes

OPEN UP

**Thank you for
supporting tourism
in Snohomish County!**

SNOHOMISH COUNTY

WASHINGTON



OPEN UP

CALL TO ORDER, ROLL CALL AND PLEDGE

The May 3, 2016, Regular Business Meeting of the Monroe City Council was called to order by Mayor Thomas at 7:03 p.m.; Council Chambers, City Hall.

Councilmembers present: Cudaback, Davis, Gamble¹, Hanford, Kamp, Rasmussen, and Scarboro.

Staff members present: Brazel, Farrell, Feilberg, Karns, Kyle, Nelson, Osaki, Quenzer, and Smoot; City Attorney Lell.

The Pledge of Allegiance was led by Councilmember Scarboro.

ANNOUNCEMENTS/PRESENTATIONS

1. Proclamation: Building Safety Month

Mayor Thomas read the proclamation into the record, recognized May as Building Safety Month, and presented the proclamation to Mr. Rick Karns, Building Official.

2. Presentation: 2016 Legislative Session Report (Green Light Strategies)

Mr. Bryan Wahl, Green Light Strategies, presented information on the 2016 Legislative Session, including: legislative session overview, supplemental budget overview, AWC/City legislative issues, Monroe legislative priorities (SR522, Lake Tye Park athletic fields), and next steps. General discussion ensued regarding the body-cameras legislation, SR522, and potential hot issues for the 2017 legislative session.

EXECUTIVE SESSION

1. Agency Litigation [RCW 42.30.110(1)(i)] (10 minutes)
2. Pricing of Property [RCW 42.30.110(1)(c)] (10 minutes)

Mayor Thomas stated that there was no longer any need to hold an executive session on the Pricing of Property; and, without objection, the executive session on Agency Litigation would be moved to the end of the agenda, just following Final Action Item No. 1. No objections were noted.

COMMENTS FROM CITIZENS

There were no persons present wishing to address the City Council.

¹ CLERK'S NOTE: Councilmember Gamble arrived at approximately 7:15 p.m.

CONSENT AGENDA

1. Approval of the Minutes; April 26, 2016, Regular Business Meeting
2. Approval of AP Checks and ACH Payments (*Check Nos. 86830 through 86900, and ACH/EFT Payments, in a total amount of \$1,310,703.90*)
3. AB16-055: Award the Bid and Authorize Mayor to Sign Contract for the Rivmont Watermain Replacement Project

Councilmember Kamp moved to approve the Consent Agenda; the motion was seconded by Councilmember Cudaback. On vote,
Motion carried (7-0).

NEW BUSINESS

1. AB16-056: Authorize Mayor Pro Tem to Sign Grant Agreement with Snohomish County for Tourism Branded Event Fencing and Barricades

Mayor Thomas noted a conflict of interest and exited the Council Chambers for discussion and the vote on AB16-056.

Mr. Mike Farrell, Parks and Recreation Director, provided background information on AB16-056 and the grant agreement for Tourism Branded Event Fencing and Barricades.

Councilmember Kamp moved to authorize the Mayor Pro Tem to sign the grant agreement with Snohomish County for a Tourism Promotion Area reimbursable grant award in the amount of \$15,200 for Tourism Branded Event Fencing and Barricades; and expressly authorize further minor revisions to the extent deemed necessary or appropriate; the motion was seconded by Councilmember Gamble. On vote,

Motion carried (7-0).

FINAL ACTION

1. AB16-057: Resolution No. 005/2016, Approving Skyview Ridge Preliminary Plat and Planned Residential Development (PRD)

Ms. Kristi Kyle, Senior Planner, provided background information on AB16-057 and the Skyview Ridge Preliminary Plat and Preliminary Planned Residential Development (PRD).

Councilmember Gamble moved to approve Resolution No. 005/2016 adopting the Hearing Examiner's Findings of Fact, Conclusions of Law, Recommendations, and Conditions of Approval for Preliminary Plat/Preliminary Planned Residential Development (PRD) (15-PLPR-0002) – Skyview Ridge; the motion was seconded by Councilmember Rasmussen.

City Attorney J. Zachary Lell stated this is a quasi-judicial matter and reviewed the Appearance of Fairness Doctrine; Attorney Lell queried the Council in regards to any interests or ex parte communications related to the project. None were noted; and no objections were made from the public in attendance.

On vote,

Motion carried (7-0).

EXECUTIVE SESSION

1. Agency Litigation [RCW 42.30.110(1)(i)] (10 minutes)

Mayor Thomas stated the Council would recess into an executive session for approximately 10 minutes to discuss Agency Litigation [RCW 42.30.110(1)(i)]; and read the appropriate citation into the record.

The meeting recessed into executive session at 8:01 p.m., was extended for an additional 70 minutes, and reconvened at 9:22 p.m.

Mayor Thomas noted, without objection, the need for a 15 minute recess. No objections were noted.

The meeting recessed at 9:22 p.m., the recess was extended for an additional 17 minutes, and reconvened at 9:54 p.m.

Councilmember Cudaback moved to add an ordinance to the agenda, adopting an interim zoning ordinance pursuant to RCW 36.70A.390, RCW 36.70A.302 and RCW 35A.63.220; adopting and reaffirming the continued zoning designation of the East Monroe Area as Limited Open Space (LOS) during the compliance remand period in CPSGMHB Case No. 14-3-0006c; adopting supportive findings; providing for severability; declaring an emergency; and providing for an immediate effective date; the motion was seconded by Councilmember Hanford.

Attorney Lell clarified the intent of the ordinance, to reaffirm on an interim basis the Limited Open Space (LOS) zoning designation of the East Monroe Area; noted the emergency nature of the ordinance and immediate effective date; and stated a public hearing on this ordinance is to be held within 60 days of adoption. Discussion ensued regarding an amendment to waive Council Rules of Procedure.

Councilmember Kamp moved to amend the main motion to insert “waive Council Rules of Procedure and” prior to “add an ordinance...;” the motion was seconded by Councilmember Hanford. On vote,

Motion carried (7-0).

On vote,

Main Motion, as amended, carried (7-0).

Councilmember Kamp moved to extend the meeting past 10 p.m.; the motion was seconded by Councilmember Scarboro. On vote,

Motion carried (4-3);

Councilmembers Cudaback, Gamble, and Hanford opposed.

1. Ordinance Adopting and Reaffirming the Continued Zoning Designation of the East Monroe Area as Limited Open Space (LOS) during the Compliance Remand Period in CPSGMHB Case No. 14-3-0006c

Councilmember Cudaback moved to approve an ordinance adopting an interim zoning ordinance pursuant to RCW 36.70A.390, RCW 36.70A.302 and RCW 35A.63.220; adopting and reaffirming the continued zoning designation of the East Monroe Area as Limited Open Space (LOS) during the compliance remand period in CPSGMHB Case No. 14-3-0006c; adopting supportive findings; providing for severability; declaring an emergency; and providing for an immediate effective date; the motion was seconded by Councilmember Gamble. On vote,

Motion carried (7-0).

City Clerk Elizabeth Smoot noted this would be numbered as Ordinance No. 003/2016.

COUNCILMEMBER REPORTS

1. City Council Finance & Human Resources Committee

Councilmember Gamble reported on the items discussed at the May 3, 2016, City Council Finance and Human Resources Committee Meeting, including: the 2016 Committee Work Plan and Strategic Financial Planning.

2. Snohomish County Tomorrow Steering Committee (Councilmember Kamp)

Councilmember Kamp reported on items discussed at the Wednesday, April 27, 2016, Snohomish County Tomorrow Steering Committee Meeting.

3. Individual Reports

Councilmember Gamble commented on the Monroe Chamber of Commerce Community Awards, and recognized reporter Chris Hendrickson who was honored with an award.

Councilmember Hanford commented on the Monroe Chamber of Commerce Community Awards and requested increased marketing for the event in future years.

STAFF/DEPARTMENT REPORTS

Mr. Osaki reported on the Downtown Main Street Consultant Kick-Off Meeting, Tuesday, May 3, 2016, 3-4:30 p.m., Council Chambers, which was followed by a walking tour of Downtown Monroe.

MAYOR/ADMINISTRATIVE REPORTS

1. Monroe This Week (*April 29, 2016, Edition No. 17*)

Mayor Thomas reported on meetings held and events attended the previous week and forthcoming items; including: a ride-along with Police Officer Joe Stark, the Monroe Chamber of Commerce Community Awards, and receipt of a commemorative softball from the Monroe School District Board.

2. Draft Agenda for May 10, 2016, Regular Business Meeting

Mr. Brazel reviewed the draft agenda for the May 10, 2016, Monroe City Council Regular Business Meeting, the extended agenda, and additions/edits thereto. Councilmember Hanford noted he will be absent from the Tuesday, May 10, 2016, Council and Legislative Affairs Committee Meetings.

ADJOURNMENT

There being no further business, the motion was made by Councilmember Gamble and seconded by Councilmember Kamp to adjourn the meeting. On vote,
Motion carried (7-0).

MEETING ADJOURNED: 10:08 p.m.

Geoffrey Thomas, Mayor

Elizabeth M. Smoot, MMC, City Clerk

Minutes approved at the Regular Business Meeting of May 10, 2016.

PAYROLL WARRANT APPROVAL

MONTH OF PAYROLL: April-16

The following checks are approved for payment:

Date of Issue: 05/06/16

Voided

Check #'s From: 34696 **To:** 34737

Direct Deposit \$483,456.09

Total Monthly Payroll \$1,085,155.38

H S A Funding: \$0.00

WARRANT APPROVAL:

I, the undersigned, do hereby certify under the penalty of perjury, that the Payroll Checks are just, due and unpaid obligations against the City of Monroe, and that I am authorized to certify said claims

in the amount of \$1,085,155.38 *on* 5/6/2016

Signed: _____
Mayor or Designee

Dated: _____



MONROE CITY COUNCIL

Agenda Bill No. 16-059

SUBJECT:	<i>Discussion: Strategic Financial Planning - Continued</i>
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
05/10/2016	Finance	Dianne Nelson	Mayor Thomas	Unfinished Business #1

Discussion - Council 01/26/2016; 02/09/2016; 02/16/2016; 03/08/2016; 05/10/2016
Discussion - Committee: 04/05/2016; 05/03/2016

Attachments: 1. Worksheet on Priority Needs with Cost Analysis

REQUESTED ACTION: Discussion and direction regarding Council of priorities for spending/funding for the 2017 budget.

DESCRIPTION/BACKGROUND

At the January 26, 2016, and February 9, 2016, Regular Business Meetings, City Council discussed strategic financial planning by considering the City's finances for the next five years, specifically: operations, capital, and revenues.

At the February 16, 2016, Meeting, Council prioritized the operations and capital needs presented at the previous meetings into three categories: low, medium, and high (see attachment 1); and directed staff to gather additional information on the medium and high items for further discussion.

At the March 8, 2016, Council referred the matter to the City Council Finance and Human resources Committee, for review of prioritization, funding options, and to bring forth a recommendation regarding items to fund and a funding plan.

The City Council Finance and Human Resources Committee met on Tuesday, April 5, 2016, and Tuesday, May 3, 2016. The Committee discussed the recent history of not raising property taxes and the consequences of that action. Costs have increased and demands for service are now increasing with growth. The Committee recommends utilization of property tax banked capacity to try to catch up to a level of service desired by the community; and recommends funding for the following:

- Backlog of transportation infrastructure maintenance & improvements at \$485,000/year.
- Finance operations \$115,000.
- Parks operations \$96,420.
- Administration operations \$100,000.

This would increase the tax rate to \$1.60/thousand AV, which increases the annual property tax paid by the average home in Monroe by \$112.18, or \$9.35 per month. This will also include the authorization of four full-time employees.

IMPACT – BUDGET

TBD

TIME CONSTRAINTS

Prior to June 2016, when staff begins work on the 2017 budget.

interest		"Average" House Value	\$250,000								
rate	4.00%	"Average" Household Residents	3			\$2,840,889.95	Property Tax				
		City Population	17,620			\$798,546.95	Additional Tax from \$1.60 rate				
		Assessed Value 2016	\$1,775,556,218								
		Tax Rate 2016 /\$1,000 AV	\$1.15026								
		Maximum no-voter Levy Rate	\$1.60000								
		Property Tax 2016	\$2,042,343								
		Sales Tax 2015	\$4,064,056								
		Sales Tax Rate 2015	8.90%								
		Taxable Sales 2015	\$45,663,545								
		"Banked" Property Tax 2016	\$1,142,246								
			Now			Increase	Total	Monthly Increase			
		"Average" House Property Tax	\$287.56			\$112.18	\$399.74	\$9.35			
		"Average" House Sales Tax	\$691.95			\$0.00	\$691.95	\$0.00			
Property Tax	Sales Tax		Total Cost	Years	Annual Cost	Property tax Increase per year for "Average" House	Sale Tax Increase per year for "Average" Household	Council Priority	Mayor & Staff Priority		
1		Accountant	\$115,000		\$115,000	\$16.19	\$0.00	High	*		
1		Deputy City Clerk	\$100,000		\$100,000	\$14.08	\$0.00	High	*		
1		Parks Supervisor	\$96,420		\$96,420	\$13.58	\$0.00	High	*		
		<i>Total cost of Parks Supervisor is \$107,134; 10% paid from Parks CIP Fund</i>									
1		Backlog of Transportation Infrastructure Maintenance & Operations Improvements, including ADA Sidewalk Improvements, and Long Term Road Preservation & Rehabilitation	\$5,144,000	10.6	\$485,283	\$68.33	\$0.00	High			
		Backlog of Transportation - same as above, but at lower level	\$5,144,000		\$50,000	\$0.00	\$0.00		*		
		Police Officers (2)	\$165,000		\$165,000	\$0.00	\$0.00	High			
		<i>This is not total cost of police officers; remainder of costs to be paid from PD sales tax dedicated funds</i>									
		Parks Seasonal Workers	\$25,000		\$25,000	\$0.00	\$0.00	Medium			
		Downtown Parking Improvements						Medium			
		8 spaces	\$306,622	10	\$37,253	\$0.00	\$0.00	Medium			
		43 spaces	\$992,493	10	\$120,582	\$0.00	\$0.00	medium			
		14 spaces	\$696,872	10	\$84,666	\$0.00	\$0.00	Medium			
		14 spaces						Medium			
		8 spaces	\$589,497	10	\$71,620	\$0.00	\$0.00				
		8 spaces	\$316,872	10	\$38,498	\$0.00	\$0.00	Medium			
		Municipal Campus Project						Medium			
		Purchase adjacent building and remodel	\$3,750,000	20	\$272,691	\$0.00	\$0.00	Medium			
		Demo and rebuild City only	\$11,375,000	20	\$827,163	\$0.00	\$0.00	Medium			
		Demo and rebuild Joint facility	\$30,125,000	20	\$2,190,619	\$0.00	\$0.00	Medium			
		New facility N Kelsey City only	\$16,275,000	20	\$1,183,480	\$0.00	\$0.00	Medium			
								Medium			
		Code Enforcement/CD Position	\$100,000		\$100,000	\$0.00	\$0.00	low	*		
		Permit Technician	\$64,000		\$64,000	\$0.00	\$0.00	low			
		<i>Total cost of Permit Tech is \$80,000; 20% is paid from Street & Utility Funds</i>									
		Park Maintenance Works	\$93,139		\$93,139	\$0.00	\$0.00	low			
		Park Operations	\$37,000		\$37,000	\$0.00	\$0.00	low			
		Growth Related Transportation Improvements	\$644,000		\$644,000	\$0.00	\$0.00	low			
		Sidewalks Repairs	\$3,000,000	10	\$300,000	\$0.00	\$0.00	low			
		Fryelands Blvd Illumination	\$1,200,000	10	\$145,793	\$0.00	\$0.00	Low			
		Fryelands Blvd Sidewalks	\$375,000	5	\$82,874	\$0.00	\$0.00	Low			
		6-Year Park Plan CIP – Parks Improvements	\$200,000		\$200,000	\$0.00	\$0.00	Low			



MONROE CITY COUNCIL

Agenda Bill No. 16-060

SUBJECT:	Ordinance No. 004/2016, 2016 Budget Amendment; First Reading
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
05/10/2016	Finance	Dianne Nelson	Mayor Thomas	New Business #1

Discussion 05/10/2016

- Attachments:**
1. Ordinance No. 004/2016
 Exhibit A – Budget Amendment Detail Listing
 Exhibit B – Budget Amendment Summary
 Exhibit C – Beginning Fund Balance Analysis

REQUESTED ACTION: Move to accept as first reading Ordinance No. 004/2016, amending the budget for fiscal year 2016 to account for actual beginning fund balances and new revenues and expenditures; providing for severability; and establishing an effective date.

DESCRIPTION/BACKGROUND

When the 2016 Budget was adopted in December 2015 the beginning fund balances were estimates. It is now known what the beginning fund balances are, and this amendment adjusts them to the actual amounts. This is detailed in Exhibit C, which lists each fund’s estimated beginning fund balance, the actual beginning fund balance, and the difference, along with explanations of the differences.

There are some additional revenues and expenditures that have come to light subsequent to the budget adoption that need to be added to the budget. There are eleven items, and they are listed in Exhibit A, along with a description of what the items are, and why they are now being added to the budget.

IMPACT – BUDGET

Beginning Fund Balances increase \$3,793,352
 Revenues increase \$416,800
 Expenditures increase \$498,700
 Ending Fund Balances increase \$3,711,452

TIME CONSTRAINTS

N/A

CITY OF MONROE
ORDINANCE NO. 004/2016

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON, AMENDING THE BUDGET FOR FISCAL
YEAR 2016 TO ACCOUNT FOR ACTUAL BEGINNING
FUND BALANCES AND NEW REVENUES AND
EXPENDITURES; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council adopted the budget for fiscal year 2016 through Ordinance No. 019/2015 on December 8, 2015; and

WHEREAS, the beginning fund balances set forth in the 2016 budget were only estimates in 2015 and are now known amounts; and

WHEREAS, certain expenditures, the necessity and/or amount of which were largely unexpected by the City, have come to light; and

WHEREAS, new revenues and corresponding expenditures need to be realized in and reflected by the adopted budget through an amendment thereof; and

WHEREAS, per RCW 35A.33.120, the City Council finds that it is in the best interest of the City to decrease, revoke, or recall all or portions of the total appropriations provided for certain funds as set forth in the previously adopted budget, and to re-appropriate the same for another purpose or purposes, as provided herein.

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

Section 1. Findings. The above recitals and the content of Exhibit A, B, and C, attached hereto and incorporated herein by the reference as if set forth in full, are hereby adopted as finding in support of this ordinance. The City Council further adopts by reference the Agenda Item cover memorandum as findings.

Section 2. Budget Amendment. The budget for the fiscal year 2016 is hereby amended as follows:

Fund	Name	Amended Beginning Balance	Original Budgeted Revenues	Amended Revenues	Original Budgeted Expenditures	Amended Expenditures	Amended Restricted Fund Balance	Amended Undesignated Fund Balance
001	General Fund	\$ 2,943,177	\$ 11,766,949	\$ 11,791,749	\$ 11,967,398	\$ 12,101,098	\$ 2,221,153	\$ 412,675
002	Contingency Fund	327,604	3,000	3,000	40,000	40,000	290,604	-
008	Donation Fund	5,325	6,600	6,600	6,600	6,600	-	5,325
105	Street Fund	287,546	606,966	606,966	683,883	683,883	-	210,629
109	Tourism Fund	65,792	66,826	66,826	80,908	80,908	-	51,710
114	Narcotics Fund	28,561	10,000	10,000	50,000	30,000	-	8,561
117	Real Estate Excise Tax Fund	577,702	501,500	501,500	365,000	365,000	-	714,202
203	North Kelsey Debt Service	1,571	95,000	95,000	100,190	93,190	-	3,381
307	General Capital Projects	441,415	-	-	100,000	100,000	-	341,415
317	Parks CIP Fund	1,096,949	241,586	241,586	738,614	738,614	28,493	571,428
318	Street CIP Fund	1,142,596	5,901,030	5,901,030	6,618,545	6,618,545	-	425,081
319	North Kelsey Development	1,500,339	5,000	5,000	841,009	841,009	-	664,330
411	Water Fund	2,656,232	3,835,423	4,227,423	3,936,771	4,328,771	392,179	2,162,705
412	Water CIP Fund	5,873,194	340,000	340,000	4,396,842	4,396,842	24,214	1,792,138
421	Sewer Fund	2,147,478	7,398,759	7,398,759	7,322,656	7,322,656	406,207	1,817,374
422	Sewer CIP Fund	4,498,779	2,521,920	2,521,920	3,875,655	3,875,655	152,422	2,992,622
431	Stormwater Fund	270,572	1,587,743	1,587,743	1,508,889	1,508,889	166,729	182,697
432	Stormwater CIP Fund	1,287,962	3,283,987	3,283,987	313,411	313,411	4,567	4,253,971
441	Solid Waste Fund	1,153,754	3,394,125	3,394,125	3,443,533	3,443,533	-	1,104,346
450	Revenue Bond Reserve	1,983,629	8,000	8,000	60,000	60,000	1,924,271	7,358
510	Info Tech Services Fund	216,230	385,749	385,749	529,321	529,321	60,000	12,658
520	Equipment & Fleet Fund	2,797,523	1,729,197	1,729,197	1,042,359	1,042,359	3,398,065	86,296
530	Facilities Management Fund	88,967	1,249,843	1,249,843	1,210,564	1,210,564	126,000	2,246
	Totals	\$ 31,392,897	\$ 44,939,203	\$ 45,356,003	\$ 49,232,148	\$ 49,730,848	\$ 9,194,904	\$ 17,823,148

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this _____ day of _____, 2016.

First Reading: May 10, 2016
Adoption:
Published:
Effective:

CITY OF MONROE, WASHINGTON:

(SEAL)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

Elizabeth M. Smoot, MMC, City Clerk

J. Zachary Lell, City Attorney

**EXHIBIT A
2016 Budget Amendment #1 - Detail**

Item #	Amount	Funds	Description	Account Numbers
		GENERAL FUND		
		Police Department		
1	\$ 30,000	Expenditure	Increase LEOFF1 Medical Bills from \$20,000 to \$50,000 due to changes in health circumstances for retiree M. Wakefield	001.000.004.521.10.49.01
		Community Development Department		
2	\$ 75,000	Expenditure	The CD Department's Land Use Attorney allocation of \$15,000 was exceeded in January alone due to work on East Monroe. Through March, over \$51,000 in Land Use Attorney fees had been expended. Very little of this would have been for non-East Monroe items. This does not include work done on East Monroe since the 4/1/16 Hearing Board's order	001.000.110.558.60.41.10
3	\$ 2,500	Expenditure	Increase Building overtime from \$500 to \$3,000 to account for needs given increased development activity (permit technician & permit supervisor)	001.000.110.559.30.11.00
4	\$ 500	Expenditure	Increase Planning postage from \$2,500 to \$3,000 due to development activity related notice mailings	001.000.110.558.60.42.02
5	\$ 900	Expenditure	Increase Planning operating supplies from \$1,250 to \$2,150 in order to purchase 50 more public notice signs needed to address development activity (20 signs cost \$600 & 30 signs cost \$700)	001.000.110.558.60.41.09
		Parks Department		
6	\$ 9,600	Revenue & Expenditure	Snohomish County LTAC Grant for street banners	001.000.010.337.20.00.00 & 001.000.010.576.80.35.01
7	\$ 15,200	Revenue & Expenditure	Snohomish County TPA Grant for event fencing	001.000.010.337.21.00.00 & 001.000.010.576.80.35.02
		Fund Balance		
8	\$ 6,513	Fund Balance	Increase police restricted fund balance from sales tax revenue (revised estimates)	001.000.000.508.13.00.00
		NARCOTICS FUND		
9	\$ 20,000	Expenditure	Reduce estimated expenditures to align with reduced beginning fund balance	114.000.004.521.21.49.00
		NORTH KELSEY DEBT FUND		
10	\$ 7,000	Expenditure	Reduce debt interest payment from estimated amount to actual	203.000.000.592.73.83.00
		WATER FUND		
11	\$ 392,000	Revenue & Expenditure	Per direction from the state auditor's office, water utility tax must first be receipted into the Water Fund, and then paid to the General Fund. Past practice was to receipt it directly into the General Fund.	411.000.130.343.40.03.00 & 411.000.130.534.80.51.00

**EXHIBIT B
2015 Budget Amendment #1**

Fund	Name	Budgeted Beginning Balance	Actual Beginning Balance	Budgeted Revenues	Amended Revenues	Budgeted Expenditures	Amended Expenditures	Budgeted Restricted Fund Balance	Budgeted Undesignated Fund Balance	Amended Restricted Fund Balance	Amended Undesignated Fund Balance
001	General Fund	2,488,209	2,943,177	11,766,949	11,791,749	11,967,398	12,101,098	2,214,640	73,120	2,221,153	412,675
002	Contingency Fund	327,458	327,604	3,000	3,000	40,000	40,000	290,458	-	290,604	-
008	Donation Fund	7,232	5,325	6,600	6,600	6,600	6,600	-	7,232	-	5,325
105	Street Fund	171,076	287,546	606,966	606,966	683,883	683,883	-	94,159	-	210,629
109	Tourism Fund	48,777	65,792	66,826	66,826	80,908	80,908	-	34,695	-	51,710
114	Narcotics Fund	41,773	28,561	10,000	10,000	50,000	30,000	-	1,773	-	8,561
117	Real Estate Excise Tax Fund	336,542	577,702	501,500	501,500	365,000	365,000	-	473,042	-	714,202
203	North Kelsey Debt Service	8,590	1,571	95,000	95,000	100,190	93,190	-	3,400	-	3,381
307	General Capital Projects	438,935	441,415	-	-	100,000	100,000	-	338,935	-	341,415
317	Parks CIP Fund	1,103,786	1,096,949	241,586	241,586	738,614	738,614	28,493	578,265	28,493	571,428
318	Street CIP Fund	966,521	1,142,596	5,901,030	5,901,030	6,618,545	6,618,545	-	249,006	-	425,081
319	North Kelsey Development	1,114,824	1,500,339	5,000	5,000	841,009	841,009	-	278,815	-	664,330
411	Water Fund	1,802,617	2,656,232	3,835,423	4,227,423	3,936,771	4,328,771	392,179	1,309,090	392,179	2,162,705
412	Water CIP Fund	5,686,384	5,873,194	340,000	340,000	4,396,842	4,396,842	24,214	1,605,328	24,214	1,792,138
421	Sewer Fund	1,487,024	2,147,478	7,398,759	7,398,759	7,322,656	7,322,656	406,207	1,156,920	406,207	1,817,374
422	Sewer CIP Fund	5,090,205	4,498,779	2,521,920	2,521,920	3,875,655	3,875,655	152,422	3,584,048	152,422	2,992,622
431	Stormwater Fund	185,142	270,572	1,587,743	1,587,743	1,508,889	1,508,889	166,729	97,267	166,729	182,697
432	Stormwater CIP Fund	92,079	1,287,962	3,283,987	3,283,987	313,411	313,411	4,567	3,058,088	4,567	4,253,971
441	Solid Waste Fund	1,105,792	1,153,754	3,394,125	3,394,125	3,443,533	3,443,533	-	1,056,384	-	1,104,346
450	Revenue Bond Reserve	1,980,151	1,983,629	8,000	8,000	60,000	60,000	1,924,271	3,880	1,924,271	7,358
510	Info Tech Services Fund	203,581	216,230	385,749	385,749	529,321	529,321	60,000	9	60,000	12,658
520	Equipment & Fleet Fund	2,810,943	2,797,523	1,729,197	1,729,197	1,042,359	1,042,359	3,398,065	99,716	3,398,065	86,296
530	Facilities Management Fund	101,904	88,967	1,249,843	1,249,843	1,210,564	1,210,564	126,000	15,183	126,000	2,246
	Totals	27,599,545	31,392,897	44,939,203	45,356,003	49,232,148	49,730,848	9,188,245	14,118,355	9,194,904	17,823,148

Exhibit C
2016 Beginning Cash Balance vs. Budgeted Beginning Balances

Fund	Description	Budgeted Beginning Balance	Actual Cash Beginning Balance	Difference	Comments
001	General Fund	2,488,209	2,943,177	454,968	Revenues* came in \$214k more than estimated & Expenditures** came in \$267K less than estimated.
002	Contingency Fund	327,458	327,604	146	
008	Donation Fund	7,232	5,325	(1,907)	
105	Street Fund	171,076	287,546	116,470	Fuel tax \$86k more than estimated & fees/misc. revenue \$17k over; expenditures \$13k under
109	Tourism/Lodging Tax Fund	48,777	65,792	17,015	Lodging tax \$5k more than estimated & expenditures 12k under
114	Narcotic/Drug Buy Fund	41,773	28,561	(13,212)	
117	REET Fund	336,542	577,702	241,160	Real Estate Excise Tax revenues higher than estimated
203	North Kelsey Debt Fund	8,590	1,571	(7,019)	
307	General CIP Fund	438,935	441,415	2,480	
317	Parks CIP Fund	1,103,786	1,096,949	(6,837)	
318	Street CIP Fund	966,521	1,142,596	176,075	Revenues*** came in \$2,148,418 more than estimated & expenditures were \$1,971,965 (mostly construction projects) more than estimated
319	North Kelsey Development Fund	1,114,824	1,500,339	385,515	Capital construction expenditures less than estimated
411	Water Fund	1,802,617	2,656,232	853,615	Revenues \$615k more than estimated & expenses \$232k less than estimated (\$127k is water purchase)
412	Water CIP Fund	5,686,384	5,873,194	186,810	Capital fee revenue \$86k over estimate & Interest income \$32k over estimate; Construction project expenses \$67k under estimate
421	Sewer Fund	1,487,024	2,147,478	660,454	Revenues \$112k more than estimated & expenses \$546k less than estimated (\$500k is interfund transfer to Sewer CIP Fund)
422	Sewer CIP Fund	5,090,205	4,498,779	(591,426)	Revenues \$531k less than estimated (\$500k is transfer from sewer operations; \$55k is capital fees) & expenses \$61k more than estimated
431	Stormwater Fund	185,142	270,572	85,430	Revenues \$9k more than estimated & expenses \$76k less than estimated
432	Stormwater CIP Fund	92,079	1,287,962	1,195,883	Grant revenue \$767,188 more than estimated & construction project expenses \$428,479 less than estimated
441	Solid Waste Fund	1,105,792	1,153,754	47,962	Revenues \$15k more than estimated & expenses \$33k less than estimated
450	Revenue Bond Reserve Fund	1,980,151	1,983,629	3,478	
510	Info Technology Fund	203,581	216,230	12,649	Revenues \$2,000 less than estimated & expenses \$14,663 less than estimated
520	Fleet & Equipment Fund	2,810,943	2,797,523	(13,420)	Revenues \$19k more than estimated & expenses \$33k more than estimated
530	Facilities Management Fund	101,904	88,967	(12,937)	Revenues \$2,938 more than estimated & expenses \$15,875 more than estimated
		27,599,545	31,392,898	3,793,353	

<p>* General Fund Revenues: Property taxes \$25k more than estimates (collection of old delinquent taxes) Sales taxes \$93k more than estimated (includes PD levy & PD county taxes) Utility taxes \$81k more than estimated Liquor excise taxes \$11k more than estimated</p>
<p>** General Fund Expenditures: Professional Services (across the board) \$133k less than estimated Planning Comp Plan \$149k less than estimated</p>
<p>*** Street CIP Fund Revenues: PUD contribution of \$750k for Tjerne extension not in estimate GMA impact fees \$97k more than estimated Grants (TIB for Tjerne) \$1,214,000 more than estimated Transfer from Transportation Concurrency Fund \$85k more than estimated</p>



MONROE CITY COUNCIL

Agenda Bill No. 16-061

SUBJECT:	<i>Resolution No. 007/2016, Authorizing a Pilot Program for the Deployment of Body-Worn Cameras by the Monroe Police Department</i>
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
05/10/2016	Police Department	Debbie Willis	Tim Quenzer	Final Action #1

Discussion 05/10/2016

- Attachments:**
1. Resolution No. 007/2016
 2. House Bill Report EHB 2362
 3. EHB 2362 Full Text
 4. Media Release

REQUESTED ACTION: Move to approve Resolution No. 007/2016, authorizing a pilot program for the deployment of body-worn cameras by the Monroe Police Department, establishing a community involvement process to provide input regarding the development of operational policies governing the use of body-worn cameras, and requesting information regarding appropriate redaction policies and costs.

DESCRIPTION/BACKGROUND

Under the guidance of EHB 2362, the Monroe Police Department is proposing a pilot program to evaluate the use of body cameras for first responder patrol officers. The proposed resolution would authorize the use of body worn cameras by Monroe Police Department officers. It is the intent of the department to pilot two body cameras for a six month period and if successful, would deploy additional in the future as budget allows.

The Department believes the technology will promote transparency and accountability by permitting access to video and/or sound recordings of interactions with law enforcement. The policy surrounding the use of body cameras will be as outlined in EHB 2362.

Via media press release, the public was invited to provide comments to the City Council on this matter and proposed resolution at the May 3, 2016, and May 10, 2016, Council Meetings.

IMPACT – BUDGET

The pilot program total cost estimate is \$2500. The Department would use one-tenth of one percent (1/10 of 1%) sales tax money to pay for the pilot program.

TIME CONSTRAINTS –

Departments deploying body cameras under the provisions of EHD 2362 must have the resolution in place and body cameras deployed by June 9, 2016.

**CITY OF MONROE
RESOLUTION NO. 007/2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, AUTHORIZING A PILOT PROGRAM FOR THE DEPLOYMENT OF BODY-WORN CAMERAS BY THE MONROE POLICE DEPARTMENT, ESTABLISHING A COMMUNITY INVOLVEMENT PROCESS TO PROVIDE INPUT REGARDING THE DEVELOPMENT OF OPERATIONAL POLICIES GOVERNING THE USE OF BODY-WORN CAMERAS, AND REQUESTING INFORMATION REGARDING APPROPRIATE REDACTION POLICIES AND COSTS

WHEREAS, the Washington State Legislature enacted Chapter 163, Laws of 2016 to promote transparency and accountability by permitting access to video and/or sound recording of interactions with law enforcement officers utilizing body cameras, while preserving the public's reasonable expectations of privacy; and

WHEREAS, the law strongly encourages the adoption of an ordinance or resolution authorizing the use of body-worn cameras; and

WHEREAS, the legislature also encourages the development of a community involvement process for providing input into the development of operational policies governing the use of body-worn cameras.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONROE AS FOLLOWS:

Section 1. Pilot Program. The City Council hereby authorizes the use of body-worn cameras through approval of a pilot program. The pilot program will include the following components:

1.1 Utilization of two (2) body-worn cameras by officers for a period of six (6) months commencing June 10, 2016.

1.2 The establishment of policies by the police department which conform to the provisions of Section 5 of Chapter 163 Laws of 2016.

1.3 Utilization of a community involvement process to provide input regarding the development of and modification of operational policies governing the use of body-worn cameras by:

1.3.1 Public comment periods have been established on the May 3rd and May 10th council agenda for citizens regarding the development of existing operational policies regarding body cameras;

1.3.2 Encourage citizens to provide written input and email comments to the police department on the department's website;

1.3.3 Consider input from the Washington State Commission on African/American affairs; and the Washington State Commission on Asian/Pacific American affairs; and the Washington State Commission in Hispanic affairs in the continuing process established by statute.

1.4 The Mayor through the Police Chief is requested to research and report regarding appropriate methodologies for redaction through the alteration, restoration, pixilation, suppression, or otherwise obscuring of all or any portion of a body-worn camera recording in accordance with the provisions of RCW 42.56.240(14)(f)(ii) and report those costs to the City Council in order that it may establish a reasonable charge for the costs of redactions when permitted by the statute.

Section 2. The City Council acknowledges that body-worn camera policies of the department may trigger collective bargaining obligations and accordingly defers to the Mayor and Chief, the appropriate notification regarding and negotiation of such policies in accordance with state law.

Section 3. This pilot program will sunset December 10, 2016. The City Council's authorization for the use of body-worn cameras and the continuing development and modification of policies as necessary to conform to the provisions of state law and the input received through its community involvement process shall remain in full force and effect. The Mayor and the Chief of Police are authorized to modify, extend or limit the body camera program in accordance with the Mayor's statutory authority and future council budgetary appropriations.

Section 4. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this _____ day of _____, 2016.

Approved: May 10, 2016
Effective: May 10, 2016

CITY OF MONROE, WASHINGTON

(SEAL)

Geoffrey Thomas, Mayor

ATTEST:

Elizabeth M. Smoot, MMC, City Clerk

HOUSE BILL REPORT

EHB 2362

As Passed Legislature

Title: An act relating to video and/or sound recordings made by law enforcement or corrections officers.

Brief Description: Concerning video and/or sound recordings made by law enforcement or corrections officers.

Sponsors: Representatives Hansen, Pettigrew, Nealey and Kirby.

Brief History:

Committee Activity:

Judiciary: 1/14/16, 1/20/16 [DP].

Floor Activity:

Passed House: 2/22/16, 61-36.

Senate Amended.

Passed Senate: 3/4/16, 37-9.

House Concurred.

Passed House: 3/8/16, 57-39.

Passed Legislature.

Brief Summary of Engrossed Bill

- Establishes Public Records Act provisions governing requests for and disclosure of certain body worn camera recordings made by law enforcement and corrections officers while in the course of their official duties.
- Requires law enforcement and corrections agencies that deploy body worn cameras to adopt policies covering the use of body worn cameras.
- Establishes a task force to review and report on the use of body worn cameras by law enforcement and corrections agencies.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman, Haler, Hansen, Kirby, Klippert, Kuderer, Muri, Orwall and Stokesbary.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 1 member: Representative Shea, Assistant Ranking Minority Member.

Staff: Edie Adams (786-7180).

Background:

Body worn cameras are increasingly being deployed by law enforcement agencies to record interactions between law enforcement officers and community members in the course of the officers' official duties. Body worn camera recordings are public records subject to the Public Records Act.

Public Records Act.

The Public Records Act (PRA) requires state and local government agencies to make all public records available for public inspection and copying upon request, unless the records fall within certain statutory exemptions. The stated policy of the PRA favors disclosure and requires that listed exemptions be narrowly construed. If information falls under an exemption, an agency must determine whether the exempt information can be deleted so that the remaining portions of the record may be released. An agency must describe why each withheld record or redacted portion of a record is exempt from disclosure.

The PRA exempts a variety of records from public inspection and copying, including many types of personal records and personal information. Some information relating to investigations, law enforcement, and crime victims is also exempt. These exemptions include:

- specific intelligence information and investigative records compiled by investigative or law enforcement agencies, if nondisclosure is essential to effective law enforcement or for the protection of any person's right to privacy;
- information revealing the identity of persons who are witnesses to or victims of crime or who file complaints, if disclosure would endanger any person's life, physical safety, or property;
- information revealing the identity of child victims of sexual assault who are under the age of 18; and
- personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs.

The PRA does not contain a specific privacy exemption. However, some PRA exemptions incorporate privacy as one component of the exemption. Invasion of a person's right to privacy under the PRA is defined to mean disclosure of information that would be both highly offensive to a reasonable person and not of legitimate concern to the public.

An agency may not distinguish among persons requesting records, and may not require requestors to provide information about the purpose of the request except to determine whether disclosure is exempted or prohibited. An agency may not charge a fee for locating and making records available for inspection, but may charge for the actual cost of copying the records.

A party who prevails against an agency in a legal action seeking the right to inspect or copy public records must be awarded all costs and reasonable attorneys' fees incurred in the action. In addition, the court may award the person up to \$100 per day that the person was denied access to the public record. Agencies are immune from liability for damages based upon the release of a public record if the agency acted in good faith in attempting to comply with the PRA.

Privacy Act.

The Privacy Act prohibits the interception or recording of a private communication without first obtaining the consent of all parties to the communication unless a specific exemption applies. Consent may be obtained when one party announces to all other persons engaged in the communication that the communication is about to be recorded, and the announcement is itself recorded.

Certain recordings are exempt from the Privacy Act. Sound recordings that correspond to video images recorded by video cameras mounted in law enforcement vehicles are exempt, as are recordings of arrested persons before their first appearance in court. However, these recordings must follow a number of specific statutory requirements and limitations.

The Privacy Act applies only to audio recordings of private communications. In determining whether a conversation or communication is private, courts consider whether the parties manifested a subjective intention that the communication be private and whether that expectation of privacy was reasonable under the circumstances.

A 2014 Attorney General opinion analyzed whether body worn camera recordings fall under the requirements of the Privacy Act. The opinion determined that body worn camera recordings generally are not subject to the Privacy Act, noting that Washington courts have consistently held that conversations between members of the public and law enforcement officers, when the officers are known to be performing official duties, are not generally considered private for purposes of the Privacy Act.

Summary of Engrossed Bill:

Public disclosure and other requirements relating to body worn camera recordings are established under the PRA. Law enforcement and corrections agencies that deploy body worn cameras must develop policies on their use, and a task force is created to examine the use of body worn cameras by law enforcement and corrections agencies.

"Body worn camera recording" is defined as a video and/or sound recording that is made by a body worn camera attached to the uniform or eyewear of a law enforcement or corrections officer from a covered jurisdiction while in the course of his or her official duties, and that is made on or after the effective date of the act and prior to July 1, 2019. "Covered jurisdiction" means a jurisdiction that has deployed body worn cameras as of the effective date of the act, regardless of whether the cameras are being deployed on the effective date of the act, and including jurisdictions that have deployed the cameras on a pilot basis.

Public Records Act.

Body worn camera recordings are exempt from the PRA to the extent nondisclosure is essential for the protection of any person's right to privacy under the PRA. A law enforcement or corrections agency may not disclose a body worn camera recording to the extent the recording is exempt from disclosure. Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person to the extent it depicts:

- areas of a medical facility, counseling, or therapeutic program office where:
 - a patient is registered to receive treatment, receiving or waiting for treatment, or being transported in the course of treatment; or
 - health care information is shared with patients, their families, or among the care team;
- health care information protected under federal or state health care privacy laws;
- the interior of a residence where a person has a reasonable expectation of privacy;
- an "intimate image" as defined in criminal laws governing disclosure of intimate images;
- a minor;
- the body of a deceased person;
- the identity of or communications from a victim or witness of an incident involving domestic violence or sexual assault. A victim's wishes regarding disclosure or nondisclosure govern if expressed at the time of recording; or
- the identifiable location information of a community-based domestic violence program or emergency shelter.

A request for body worn camera recordings must: specifically identify a name of a person or persons involved in the incident; provide the incident or case number; provide the date, time, and location of the incident or incidents; or identify a law enforcement or corrections officer involved in the incident or incidents.

Except for certain specified persons, a law enforcement agency may require any person who requests body worn camera recordings to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording as necessary to comply with applicable exemptions. These costs may not be charged to the following requestors:

- a person directly involved in an incident recorded by the requested body worn camera recording, or that person's attorney;
- a person who requests a body worn camera recording relevant to a criminal case involving that person, or that person's attorney;
- an attorney who is representing a person regarding a potential or existing cause of action involving denial of civil rights under the federal or state constitution, or involving a violation of a United States Department of Justice settlement agreement, if the recording is relevant to the cause of action; and
- the executive directors of the Washington state commissions on African American Affairs, Asian Pacific American Affairs, and Hispanic Affairs.

In a court action seeking the right to inspect or copy a body worn camera recording, a person who prevails against a law enforcement or corrections agency that withholds or discloses all or part of a body worn camera recording is not entitled to fees, costs, or awards unless the law enforcement or corrections agency acted in bad faith or with gross negligence.

An agency that charges for redaction of body worn camera recordings must use redaction technology that provides for the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable. The time an agency spends on redaction of body worn camera recordings for which the agency charges redaction costs may not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests, as established pursuant to local ordinance, policy, procedure, or state law.

The body worn camera recording exemption is not to be construed to restrict access to body worn camera recordings as otherwise permitted by law for official or recognized civilian and accountability bodies or pursuant to a court order, nor is it intended to modify the obligations of law enforcement or prosecutors under *Brady v. Maryland*, *Kyles v. Whitley*, or relevant statutes or court rules.

A law enforcement or corrections agency must retain body worn camera recordings for at least 60 days and then may destroy the recordings.

Body Worn Camera Policies.

A law enforcement or corrections agency that deploys body worn cameras must establish policies regarding the use of the cameras. The policies must, at a minimum, address:

- when a body worn camera must be activated and deactivated, and officer discretion to activate and deactivate the body worn camera;
- how an officer is to respond when a person may be unwilling or less willing to communicate with an officer who is recording the communication with a body worn camera;
- how an officer will document when and why a body worn camera was deactivated prior to the conclusion of an interaction with a member of the public;
- how, and under what circumstances, a law enforcement or corrections officer is to inform a member of the public that he or she is being recorded, including in situations where the person is a non-English speaker or has limited English proficiency, or where the person is deaf or hard of hearing;
- how officers are to be trained on body worn camera usage and how frequently the training is to be reviewed or renewed; and
- security rules to protect data collected and stored from body worn cameras.

An agency that deploys body worn cameras by the effective date of the act must establish the policies within 120 days of the effective date of the act. An agency that deploys body worn cameras on or after the effective date of the act must establish the policies before deploying body worn cameras. The requirement that an agency adopt body worn camera policies expires July 1, 2019.

Cities or towns that are not deploying body worn cameras on the effective date of the act are strongly encouraged to adopt an ordinance or resolution authorizing the use of body worn cameras before their use within the jurisdiction, and to identify a community involvement process for providing input into development of body worn camera policies.

Body worn cameras may be used only by officers employed by general authority Washington law enforcement agencies, officers employed by the Department of Corrections, and personnel for local jails and detention facilities.

Body Worn Camera Task Force.

A task force is created to examine the use of body worn cameras by law enforcement and corrections agencies. The task force consists of legislative members and representatives of: the Governor's office; law enforcement agencies and officers; local governments; prosecutors and defenders; the American Civil Liberties Union; the Washington Coalition for Open Government; the news media; the Washington state commissions on African American Affairs, Asian Pacific American Affairs, and Hispanic Affairs; immigrant or refugee communities; victim advocates; tribal communities; the public; and a person with expertise in retaining and redacting recordings.

The task force must hold public meetings in locations that include rural and urban communities and communities in the eastern and western parts of the state.

The task force must report, by December 1, 2017, its findings and recommendations regarding: costs assessed to requesters; policies adopted by agencies; retention and retrieval of data; model body worn camera policies; the use of body worn cameras in health care facilities subject to federal and state health care privacy laws; and the use of body worn cameras for gathering evidence, surveillance, and police accountability.

The task force must allow a minority report to be included with the task force report if requested by a member of the task force.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill is the result of a year of work involving a wide variety of stakeholders to develop a workable statewide framework around body cameras. This is a difficult subject because of competing interests. The framework of the bill addresses public disclosure and privacy concerns, development of policies around use of body worn cameras, and a task force to evaluate the use and impact of body worn cameras. Law enforcement agencies and local communities want to use body worn cameras. The cameras promote respectful interactions between law enforcement and citizens, increase transparency and accountability, and promote truth-finding, and public safety.

Privacy issues are a main concern because the PRA has weak privacy protections. The purpose of the PRA is to keep an eye on government and that is appropriate, but a person's right to privacy supersedes that public right. The bill protects victims from the most egregious privacy invasions, but it needs to go further. An agency's best option is to release a

record even though it may be offensive because the agency has immunity for release of records but can be penalized for redacting information it thinks is highly offensive.

A second issue that is a major impediment to the use of body worn cameras is the cost of complying with PRA requests, especially spam requests. Agencies using body worn cameras are receiving requests for every single recording. These agencies have massive amounts of content, and they don't have the technology or budget capacity to meet the demands of the requests and the redaction costs. Using body worn cameras is just not an option for small agencies. The current PRA framework is not workable in the body camera setting. We should explore ways to resolve disclosure disputes through alternative dispute resolution rather than resorting to court.

Body worn camera companies have worked hard to bring best technology possible to the officers using them. Great strides have been made in developing retention and redaction technology to ease the burden on officers and agencies, but there is still a long way to go. These videos are going to come out so it is far better that they come out within a framework. It is not appropriate to try to change the privacy standard any more than what is currently in the bill. The bill should make clear that any exculpatory evidence has to be turned over to the defense as required under *Brady v. Maryland*.

The bill requires agencies to develop body worn camera policies addressing certain issues, while leaving the details to be determined at the local level. There are diverse opinions around the state and the bill respects that diversity by letting each community make its own policies. The bill just provides a framework that applies if a community decides to use body worn cameras. Local agencies should not have the discretion on when the cameras are recording; they should stay on the entire time. The bill should include state oversight to hold locals accountable.

The task force includes a wide variety of stakeholders which will provide a forum for evaluating what is happening on the ground in jurisdictions that use the cameras. The question that needs to be asked is whether body worn cameras will improve public safety for officers and citizens. We are concerned about the anti-law enforcement tenor reflected in the discussions around the bill.

(Opposed) We need a strong framework for accountability around body worn cameras and this bill does not do that. It does not solve the privacy issue or really reduce costs to local jurisdictions. The way to protect privacy is to delete the footage that does not have accountability value. There should be minimum floors around specific policies, and the bill needs to address the issue of incidental footage being used in prosecutions. The bill should be revised so that we just go forward with the task force.

Not all communities of color are in support of this approach. The absolute discretionary power that this bill gives to law enforcement is not appropriate. What we need is police reform and restorative change in police departments. The focus should be on internal reform of law enforcement agencies, otherwise you are just throwing money away.

It is inappropriate to use the privacy issue to undermine the PRA. The PRA does not need to be fixed. Unreasonable requestors will not be entitled to penalties. This bill ushers in an era

of government surveillance, and if government is watching people we need to be able to monitor that and hold government accountable.

(Other) This bill is a good tool in the search for the truth, but there are concerns over the inadequate privacy protections. The privacy provisions need to be as strong as possible so persons with disabilities or mental illness, or domestic violence victims, do not have their videos disclosed. There should be more explicit exemptions for footage at crime scenes relating to domestic violence. The bill needs to include presumptions around what is not a legitimate public interest in order to effectively deal with the privacy issues.

Prosecutors have been back and forth on this complicated issue that has implications for victim privacy, accountability, and costs. They will increase accountability and public safety, and will also be beneficial beyond the courthouse. We need to move forward even though we do not know where it will take us.

The issue is complicated and needs diverse involvement, including representatives of immigrant and refugee communities. Many issues relating to law enforcement and the community come from the way we talk to each other. Body cameras capture what happens, and they should not be used if part of the footage is deleted. If body cameras are used, they should be available as evidence in criminal proceedings for both the prosecution and the defense. The legislation should, at a minimum, provide a state standard on when cameras should be turned on or off. Although body worn cameras can be an effective tool for police accountability, on balance they contribute to disproportionate surveillance of communities. These recordings should not be disclosed for national security purposes.

Persons Testifying: (In support) Representative Hansen, prime sponsor; Rebecca Johnson and Mary Perry, City of Seattle, City Attorney's Office; Annaliese Harksen, City of Olympia; James Erb, City of Bellingham; Candice Bock, Association of Washington Cities; Bob Cooper, Washington Association of Criminal Defense Lawyers and Washington Defender Association; Sayce Falk, Taser/Axon; Derek Young, Pierce County Council; Jennifer Ziegler, Washington State Association of Counties; Joyce Ostling; William Ostling; Jim Henry, Poulsbo City Council; Kelly Busey, Gig Harbor Police Department; James McMahan, Washington Association of Sheriffs and Police Chiefs; Chris Tracy, Washington Council of Police and Sheriffs; Richmond Johnson, Mount Zion Missionary Baptist Church; Nathaniel Jones, Olympia City Council; Rowland Thompson, Allied Daily Newspapers of Washington; Durell Green, Tazsjah Green, Diane West, and Asia Renee, Partnering for Youth Achievement; and Jamiriquan Graham-Harvey, Program of Assertive Community Treatment.

(Opposed) Shankar Narayan, American Civil Liberties Union of Washington; Michael Moynihan and Afam Ayika, Blackout Washington; and Arthur West.

(Other) Seth Dawson, National Alliance on Mental Illness; Anita Khandelwal, Public Defender Association; Ilene Stohl, Washington State Coalition Against Domestic Violence; Fe Lopez, Seattle Community Police Commission; Reverend Harriet Walden, Mothers for Police Accountability; Tom McBride, Washington Association of Prosecuting Attorneys; Henry Shepherd, Emmanuel Apostolic Church; and Lisa Daugaard, Public Defenders Association.

Persons Signed In To Testify But Not Testifying: None.

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2362

Chapter 163, Laws of 2016

64th Legislature
2016 Regular Session

LAW ENFORCEMENT AND CORRECTIONS OFFICERS--VIDEO AND SOUND
RECORDINGS--DISCLOSURE

EFFECTIVE DATE: 6/9/2016

Passed by the House March 8, 2016
Yeas 57 Nays 39

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 4, 2016
Yeas 37 Nays 9

BRAD OWEN

President of the Senate

Approved April 1, 2016 3:12 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2362** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 4, 2016

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2362

AS AMENDED BY THE SENATE

Passed Legislature - 2016 Regular Session

State of Washington 64th Legislature 2016 Regular Session

By Representatives Hansen, Pettigrew, Nealey, and Kirby

Read first time 01/11/16. Referred to Committee on Judiciary.

1 AN ACT Relating to video and/or sound recordings made by law
2 enforcement or corrections officers; amending RCW 42.56.120;
3 reenacting and amending RCW 42.56.240 and 42.56.080; adding a new
4 chapter to Title 10 RCW; creating new sections; and providing
5 expiration dates.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that technological
8 developments present opportunities for additional truth-finding,
9 transparency, and accountability in interactions between law
10 enforcement or corrections officers and the public. The legislature
11 intends to promote transparency and accountability by permitting
12 access to video and/or sound recordings of interactions with law
13 enforcement or corrections officers, while preserving the public's
14 reasonable expectation that the recordings of these interactions will
15 not be publicly disclosed to enable voyeurism or exploitation.

16 **Sec. 2.** RCW 42.56.240 and 2015 c 224 s 3 and 2015 c 91 s 1 are
17 each reenacted and amended to read as follows:

18 The following investigative, law enforcement, and crime victim
19 information is exempt from public inspection and copying under this
20 chapter:

1 (1) Specific intelligence information and specific investigative
2 records compiled by investigative, law enforcement, and penology
3 agencies, and state agencies vested with the responsibility to
4 discipline members of any profession, the nondisclosure of which is
5 essential to effective law enforcement or for the protection of any
6 person's right to privacy;

7 (2) Information revealing the identity of persons who are
8 witnesses to or victims of crime or who file complaints with
9 investigative, law enforcement, or penology agencies, other than the
10 commission, if disclosure would endanger any person's life, physical
11 safety, or property. If at the time a complaint is filed the
12 complainant, victim, or witness indicates a desire for disclosure or
13 nondisclosure, such desire shall govern. However, all complaints
14 filed with the commission about any elected official or candidate for
15 public office must be made in writing and signed by the complainant
16 under oath;

17 (3) Any records of investigative reports prepared by any state,
18 county, municipal, or other law enforcement agency pertaining to sex
19 offenses contained in chapter 9A.44 RCW or sexually violent offenses
20 as defined in RCW 71.09.020, which have been transferred to the
21 Washington association of sheriffs and police chiefs for permanent
22 electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

23 (4) License applications under RCW 9.41.070; copies of license
24 applications or information on the applications may be released to
25 law enforcement or corrections agencies;

26 (5) Information revealing the identity of child victims of sexual
27 assault who are under age eighteen. Identifying information means the
28 child victim's name, address, location, photograph, and in cases in
29 which the child victim is a relative or stepchild of the alleged
30 perpetrator, identification of the relationship between the child and
31 the alleged perpetrator;

32 (6) Information contained in a local or regionally maintained
33 gang database as well as the statewide gang database referenced in
34 RCW 43.43.762;

35 (7) Data from the electronic sales tracking system established in
36 RCW 69.43.165;

37 (8) Information submitted to the statewide unified sex offender
38 notification and registration program under RCW 36.28A.040(6) by a
39 person for the purpose of receiving notification regarding a

1 registered sex offender, including the person's name, residential
2 address, and email address;

3 (9) Personally identifying information collected by law
4 enforcement agencies pursuant to local security alarm system programs
5 and vacation crime watch programs. Nothing in this subsection shall
6 be interpreted so as to prohibit the legal owner of a residence or
7 business from accessing information regarding his or her residence or
8 business;

9 (10) The felony firearm offense conviction database of felony
10 firearm offenders established in RCW 43.43.822;

11 (11) The identity of a state employee or officer who has in good
12 faith filed a complaint with an ethics board, as provided in RCW
13 42.52.410, or who has in good faith reported improper governmental
14 action, as defined in RCW 42.40.020, to the auditor or other public
15 official, as defined in RCW 42.40.020;

16 (12) The following security threat group information collected
17 and maintained by the department of corrections pursuant to RCW
18 72.09.745: (a) Information that could lead to the identification of a
19 person's security threat group status, affiliation, or activities;
20 (b) information that reveals specific security threats associated
21 with the operation and activities of security threat groups; and (c)
22 information that identifies the number of security threat group
23 members, affiliates, or associates; (~~and~~)

24 (13) The global positioning system data that would indicate the
25 location of the residence of an employee or worker of a criminal
26 justice agency as defined in RCW 10.97.030; and

27 (14) Body worn camera recordings to the extent nondisclosure is
28 essential for the protection of any person's right to privacy as
29 described in RCW 42.56.050, including, but not limited to, the
30 circumstances enumerated in (a) of this subsection. A law enforcement
31 or corrections agency shall not disclose a body worn camera recording
32 to the extent the recording is exempt under this subsection.

33 (a) Disclosure of a body worn camera recording is presumed to be
34 highly offensive to a reasonable person under RCW 42.56.050 to the
35 extent it depicts:

36 (i)(A) Any areas of a medical facility, counseling, or
37 therapeutic program office where:

38 (I) A patient is registered to receive treatment, receiving
39 treatment, waiting for treatment, or being transported in the course
40 of treatment; or

1 (II) Health care information is shared with patients, their
2 families, or among the care team; or

3 (B) Information that meets the definition of protected health
4 information for purposes of the health insurance portability and
5 accountability act of 1996 or health care information for purposes of
6 chapter 70.02 RCW;

7 (ii) The interior of a place of residence where a person has a
8 reasonable expectation of privacy;

9 (iii) An intimate image as defined in RCW 9A.86.010;

10 (iv) A minor;

11 (v) The body of a deceased person;

12 (vi) The identity of or communications from a victim or witness
13 of an incident involving domestic violence as defined in RCW
14 10.99.020 or sexual assault as defined in RCW 70.125.030, or
15 disclosure of intimate images as defined in RCW 9A.86.010. If at the
16 time of recording the victim or witness indicates a desire for
17 disclosure or nondisclosure of the recorded identity or
18 communications, such desire shall govern; or

19 (vii) The identifiable location information of a community-based
20 domestic violence program as defined in RCW 70.123.020, or emergency
21 shelter as defined in RCW 70.123.020.

22 (b) The presumptions set out in (a) of this subsection may be
23 rebutted by specific evidence in individual cases.

24 (c) In a court action seeking the right to inspect or copy a body
25 worn camera recording, a person who prevails against a law
26 enforcement or corrections agency that withholds or discloses all or
27 part of a body worn camera recording pursuant to (a) of this
28 subsection is not entitled to fees, costs, or awards pursuant to RCW
29 42.56.550 unless it is shown that the law enforcement or corrections
30 agency acted in bad faith or with gross negligence.

31 (d) A request for body worn camera recordings must:

32 (i) Specifically identify a name of a person or persons involved
33 in the incident;

34 (ii) Provide the incident or case number;

35 (iii) Provide the date, time, and location of the incident or
36 incidents; or

37 (iv) Identify a law enforcement or corrections officer involved
38 in the incident or incidents.

39 (e)(i) A person directly involved in an incident recorded by the
40 requested body worn camera recording, an attorney representing a

1 person directly involved in an incident recorded by the requested
2 body worn camera recording, a person or his or her attorney who
3 requests a body worn camera recording relevant to a criminal case
4 involving that person, or the executive director from either the
5 Washington state commission on African-American affairs, Asian
6 Pacific American affairs, or Hispanic affairs, has the right to
7 obtain the body worn camera recording, subject to any exemption under
8 this chapter or any applicable law. In addition, an attorney who
9 represents a person regarding a potential or existing civil cause of
10 action involving the denial of civil rights under the federal or
11 state Constitution, or a violation of a United States department of
12 justice settlement agreement, has the right to obtain the body worn
13 camera recording if relevant to the cause of action, subject to any
14 exemption under this chapter or any applicable law. The attorney must
15 explain the relevancy of the requested body worn camera recording to
16 the cause of action and specify that he or she is seeking relief from
17 redaction costs under this subsection (14)(e).

18 (ii) A law enforcement or corrections agency responding to
19 requests under this subsection (14)(e) may not require the requesting
20 individual to pay costs of any redacting, altering, distorting,
21 pixelating, suppressing, or otherwise obscuring any portion of a body
22 worn camera recording.

23 (iii) A law enforcement or corrections agency may require any
24 person requesting a body worn camera recording pursuant to this
25 subsection (14)(e) to identify himself or herself to ensure he or she
26 is a person entitled to obtain the body worn camera recording under
27 this subsection (14)(e).

28 (f)(i) A law enforcement or corrections agency responding to a
29 request to disclose body worn camera recordings may require any
30 requester not listed in (e) of this subsection to pay the reasonable
31 costs of redacting, altering, distorting, pixelating, suppressing, or
32 otherwise obscuring any portion of the body worn camera recording
33 prior to disclosure only to the extent necessary to comply with the
34 exemptions in this chapter or any applicable law.

35 (ii) An agency that charges redaction costs under this subsection
36 (14)(f) must use redaction technology that provides the least costly
37 commercially available method of redacting body worn camera
38 recordings, to the extent possible and reasonable.

39 (iii) In any case where an agency charges a requestor for the
40 costs of redacting a body worn camera recording under this subsection

1 (14)(f), the time spent on redaction of the recording shall not count
2 towards the agency's allocation of, or limitation on, time or costs
3 spent responding to public records requests under this chapter, as
4 established pursuant to local ordinance, policy, procedure, or state
5 law.

6 (g) For purposes of this subsection (14):

7 (i) "Body worn camera recording" means a video and/or sound
8 recording that is made by a body worn camera attached to the uniform
9 or eyewear of a law enforcement or corrections officer from a covered
10 jurisdiction while in the course of his or her official duties and
11 that is made on or after the effective date of this section and prior
12 to July 1, 2019; and

13 (ii) "Covered jurisdiction" means any jurisdiction that has
14 deployed body worn cameras as of the effective date of this section,
15 regardless of whether or not body worn cameras are being deployed in
16 the jurisdiction on the effective date of this section, including,
17 but not limited to, jurisdictions that have deployed body worn
18 cameras on a pilot basis.

19 (h) Nothing in this subsection shall be construed to restrict
20 access to body worn camera recordings as otherwise permitted by law
21 for official or recognized civilian and accountability bodies or
22 pursuant to any court order.

23 (i) Nothing in this section is intended to modify the obligations
24 of prosecuting attorneys and law enforcement under *Brady v. Maryland,*
25 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963), *Kyles v.*
26 *Whitley,* 541 U.S. 419, 115 S. Ct. 1555, 131 L. Ed.2d 490 (1995), and
27 the relevant Washington court criminal rules and statutes.

28 (j) A law enforcement or corrections agency must retain body worn
29 camera recordings for at least sixty days and thereafter may destroy
30 the records.

31 **Sec. 3.** RCW 42.56.080 and 2005 c 483 s 1 and 2005 c 274 s 285
32 are each reenacted and amended to read as follows:

33 Public records shall be available for inspection and copying, and
34 agencies shall, upon request for identifiable public records, make
35 them promptly available to any person including, if applicable, on a
36 partial or installment basis as records that are part of a larger set
37 of requested records are assembled or made ready for inspection or
38 disclosure. Agencies shall not deny a request for identifiable public
39 records solely on the basis that the request is overbroad. Agencies

1 shall not distinguish among persons requesting records, and such
2 persons shall not be required to provide information as to the
3 purpose for the request except to establish whether inspection and
4 copying would violate RCW 42.56.070(9) or 42.56.240(14), or other
5 statute which exempts or prohibits disclosure of specific information
6 or records to certain persons. Agency facilities shall be made
7 available to any person for the copying of public records except when
8 and to the extent that this would unreasonably disrupt the operations
9 of the agency. Agencies shall honor requests received by mail for
10 identifiable public records unless exempted by provisions of this
11 chapter.

12 **Sec. 4.** RCW 42.56.120 and 2005 c 483 s 2 are each amended to
13 read as follows:

14 No fee shall be charged for the inspection of public records(~~(-~~
15 ~~No fee shall be charged for~~) or locating public documents and making
16 them available for copying, except as provided in RCW 42.56.240(14).
17 A reasonable charge may be imposed for providing copies of public
18 records and for the use by any person of agency equipment or
19 equipment of the office of the secretary of the senate or the office
20 of the chief clerk of the house of representatives to copy public
21 records, which charges shall not exceed the amount necessary to
22 reimburse the agency, the office of the secretary of the senate, or
23 the office of the chief clerk of the house of representatives for its
24 actual costs directly incident to such copying. Agency charges for
25 photocopies shall be imposed in accordance with the actual per page
26 cost or other costs established and published by the agency. In no
27 event may an agency charge a per page cost greater than the actual
28 per page cost as established and published by the agency. To the
29 extent the agency has not determined the actual per page cost for
30 photocopies of public records, the agency may not charge in excess of
31 fifteen cents per page. An agency may require a deposit in an amount
32 not to exceed ten percent of the estimated cost of providing copies
33 for a request. If an agency makes a request available on a partial or
34 installment basis, the agency may charge for each part of the request
35 as it is provided. If an installment of a records request is not
36 claimed or reviewed, the agency is not obligated to fulfill the
37 balance of the request.

1 NEW SECTION. **Sec. 5.** (1) A law enforcement or corrections
2 agency that deploys body worn cameras must establish policies
3 regarding the use of the cameras. The policies must, at a minimum,
4 address:

5 (a) When a body worn camera must be activated and deactivated,
6 and when a law enforcement or corrections officer has the discretion
7 to activate and deactivate the body worn camera;

8 (b) How a law enforcement or corrections officer is to respond to
9 circumstances when it would be reasonably anticipated that a person
10 may be unwilling or less willing to communicate with an officer who
11 is recording the communication with a body worn camera;

12 (c) How a law enforcement or corrections officer will document
13 when and why a body worn camera was deactivated prior to the
14 conclusion of an interaction with a member of the public while
15 conducting official law enforcement or corrections business;

16 (d) How, and under what circumstances, a law enforcement or
17 corrections officer is to inform a member of the public that he or
18 she is being recorded, including in situations where the person is a
19 non-English speaker or has limited English proficiency, or where the
20 person is deaf or hard of hearing;

21 (e) How officers are to be trained on body worn camera usage and
22 how frequently the training is to be reviewed or renewed; and

23 (f) Security rules to protect data collected and stored from body
24 worn cameras.

25 (2) A law enforcement or corrections agency that deploys body
26 worn cameras before the effective date of this section must establish
27 the policies within one hundred twenty days of the effective date of
28 this section. A law enforcement or corrections agency that deploys
29 body worn cameras on or after the effective date of this section must
30 establish the policies before deploying body worn cameras.

31 (3) This section expires July 1, 2019.

32 NEW SECTION. **Sec. 6.** For a city or town that is not deploying
33 body worn cameras on the effective date of this section, a
34 legislative authority of a city or town is strongly encouraged to
35 adopt an ordinance or resolution authorizing the use of body worn
36 cameras prior to their use by law enforcement or a corrections
37 agency. Any ordinance or resolution authorizing the use of body worn
38 cameras should identify a community involvement process for providing

1 input into the development of operational policies governing the use
2 of body worn cameras.

3 NEW SECTION. **Sec. 7.** (1) The legislature shall convene a task
4 force with the following voting members to examine the use of body
5 worn cameras by law enforcement and corrections agencies:

6 (a) One member from each of the two largest caucuses of the
7 senate, appointed by the president of the senate;

8 (b) One member from each of the two largest caucuses in the house
9 of representatives, appointed by the speaker of the house of
10 representatives;

11 (c) A representative from the governor's office;

12 (d) Two representatives from the Washington association of
13 prosecuting attorneys;

14 (e) A representative from the Washington defender association;

15 (f) A representative of the Washington association of criminal
16 defense lawyers;

17 (g) A representative from the American civil liberties union of
18 Washington;

19 (h) A representative from the Washington association of sheriffs
20 and police chiefs;

21 (i) Four chief local law enforcement officers, at least two of
22 whom must be from local law enforcement agencies that have deployed
23 body worn cameras, appointed jointly by the president of the senate
24 and the speaker of the house of representatives;

25 (j) Three law enforcement officers, one representing the council
26 of metropolitan police and sheriffs and two representing the
27 Washington council of police and sheriffs;

28 (k) Two representatives of local governments responsible for
29 oversight of law enforcement, appointed jointly by the president of
30 the senate and the speaker of the house of representatives;

31 (l) A representative from the Washington coalition for open
32 government;

33 (m) A representative of the news media, appointed jointly by the
34 president of the senate and the speaker of the house of
35 representatives;

36 (n) A representative of victims advocacy groups, appointed
37 jointly by the president of the senate and the speaker of the house
38 of representatives;

1 (o) Two representatives with experience in interactions between
2 law enforcement and the public, appointed by the Washington state
3 commission on African-American affairs;

4 (p) Two representatives with experience in interactions between
5 law enforcement and the public, appointed by the Washington state
6 commission on Asian Pacific American affairs;

7 (q) Two representatives with experience in interactions between
8 law enforcement and the public, appointed by the Washington state
9 commission on Hispanic affairs;

10 (r) One representative of immigrant or refugee communities,
11 appointed jointly by the president of the senate and the speaker of
12 the house of representatives;

13 (s) One person with expertise in the technology of retaining and
14 redacting body worn camera recordings, appointed jointly by the
15 president of the senate and the speaker of the house of
16 representatives;

17 (t) Two representatives of the tribal communities with experience
18 in interactions between law enforcement and the public, appointed
19 jointly by the president of the senate and the speaker of the house
20 of representatives;

21 (u) A public member, appointed jointly by the president of the
22 senate and the speaker of the house of representatives; and

23 (v) A representative of the Washington state fraternal order of
24 police.

25 (2) The task force shall choose two cochairs from among its
26 legislative members.

27 (3) The task force may request such information, recordings, and
28 other records from agencies as the task force deems appropriate for
29 it to effectuate this section. A participating agency must provide
30 such information, recordings, or records upon request subject to
31 exemptions under chapter 42.56 RCW or any applicable law.

32 (4) Staff support for the task force shall be provided by the
33 senate committee services and the house of representatives office of
34 program research.

35 (5) Legislative members of the task force may be reimbursed for
36 travel expenses in accordance with RCW 44.04.120. Nonlegislative
37 members, except those representing an employer, governmental entity,
38 or other organization, are entitled to be reimbursed for travel
39 expenses as provided in RCW 43.03.050 and 43.03.060.

1 (6) The expenses of the task force shall be paid jointly by the
2 senate and the house of representatives. Task force expenditures are
3 subject to approval by the senate facilities and operations committee
4 and the house executive rules committee, or their successor
5 committees.

6 (7) The task force shall hold public meetings in locations that
7 include rural and urban communities and communities in the eastern
8 and western parts of the state.

9 (8) The task force shall specifically consider and report on the
10 use of body worn cameras in health care facilities subject to the
11 health insurance portability and accountability act of 1996, P.L.
12 104-191, and the uniform health care information act, chapter 70.02
13 RCW. The task force shall consult with subject matter experts,
14 including, but not limited to, the Washington state hospital
15 association and the Washington state medical association, and any
16 findings or recommendations must be consistent with the obligations
17 of health care facilities under both federal and state law.

18 (9) The task force shall report its findings and recommendations
19 to the governor and the appropriate committees of the legislature by
20 December 1, 2017. The report must include, but is not limited to,
21 findings and recommendations regarding costs assessed to requesters,
22 policies adopted by agencies, retention and retrieval of data, model
23 policies regarding body worn cameras that at a minimum address the
24 issues identified in section 5 of this act, and the use of body worn
25 cameras for gathering evidence, surveillance, and police
26 accountability. The task force must allow a minority report to be
27 included with the task force report if requested by a member of the
28 task force.

29 (10) This section expires June 1, 2019.

30 NEW SECTION. **Sec. 8.** (1) For state and local agencies, a body
31 worn camera may only be used by officers employed by a general
32 authority Washington law enforcement agency as defined in RCW
33 10.93.020, any officer employed by the department of corrections, and
34 personnel for jails as defined in RCW 70.48.020 and detention
35 facilities as defined in RCW 13.40.020.

36 (2) This section expires July 1, 2019.

37 NEW SECTION. **Sec. 9.** Sections 5, 6, and 8 of this act
38 constitute a new chapter in Title 10 RCW.

Passed by the House March 8, 2016.
Passed by the Senate March 4, 2016.
Approved by the Governor April 1, 2016.
Filed in Office of Secretary of State April 4, 2016.

--- END ---



CITY OF MONROE – MEDIA RELEASE

FOR IMMEDIATE RELEASE

April 28, 2016

CONTACT

Debbie Willis

Police Department Administrative Director
360-794-6300; pdrecords@ci.monroe.wa.us

SEEKING PUBLIC INPUT ON POLICE OFFICER BODY-WORN CAMERAS PILOT PROGRAM

MONROE, WA – The City of Monroe is currently seeking public input on a pilot program for the deployment of body-worn cameras by the Monroe Police Department.

DESCRIPTION:

The Monroe City Council will be considering a resolution authorizing a pilot program for the deployment of body-worn cameras by the Monroe Police Department, establishing a community involvement process to provide input regarding the development of operational policies governing the use of body-worn cameras, and requesting information regarding appropriate redaction policies and costs, at their regular business meeting of Tuesday, May 10, 2016; 7 p.m.; Monroe City Hall Council Chambers, 806 W Main Street, Monroe, Washington 98272.

PUBLIC COMMENT:

Interested person(s) are encouraged to provide public testimony regarding this pilot program during the COMMENTS FROM CITIZENS portion of the agenda at the following City Council regular business meetings:

- Tuesday, May 3, 2016; 7 p.m., Monroe City Hall, Council Chambers.
- Tuesday, May 10, 2016; 7 p.m., Monroe City Hall, Council Chambers.

NOTE: testimony is limited to 5 minutes per speaker.

Written comments may be submitted prior to the meetings.

For additional information please contact 360-794-6300; pdrecords@ci.monroe.wa.us.

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**CITY OF MONROE
RESOLUTION NO. XXX/2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, AUTHORIZING A PILOT PROGRAM FOR THE DEPLOYMENT OF BODY-WORN CAMERAS BY THE MONROE POLICE DEPARTMENT, ESTABLISHING A COMMUNITY INVOLVEMENT PROCESS TO PROVIDE INPUT REGARDING THE DEVELOPMENT OF OPERATIONAL POLICIES GOVERNING THE USE OF BODY-WORN CAMERAS, AND REQUESTING INFORMATION REGARDING APPROPRIATE REDACTION POLICIES AND COSTS

WHEREAS, the Washington State Legislature enacted Chapter 163, Laws of 2016 to promote transparency and accountability by permitting access to video and/or sound recording of interactions with law enforcement officers utilizing body cameras, while preserving the public's reasonable expectations of privacy; and

WHEREAS, the law strongly encourages the adoption of an ordinance or resolution authorizing the use of body-worn cameras; and

WHEREAS, the legislature also encourages the development of a community involvement process for providing input into the development of operational policies governing the use of body-worn cameras.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONROE AS FOLLOWS:

Section 1. Pilot Program. The City Council hereby authorizes the use of body-worn cameras through approval of a pilot program. The pilot program will include the following components:

1.1 Utilization of two (2) body-worn cameras by officers for a period of six (6) months commencing June 10, 2016.

1.2 The establishment of policies by the police department which conform to the provisions of Section 5 of Chapter 163 Laws of 2016.

1.3 Utilization of a community involvement process to provide input regarding the development of and modification of operational policies governing the use of body-worn cameras by:

1.3.1 Public comment periods have been established on the May 3rd and May 10th council agenda for citizens regarding the development of existing operational policies regarding body cameras;

1.3.2 Encourage citizens to provide written input and email comments to the police department on the department's website;

1.3.3 Consider input from the Washington State Commission on African/American affairs; and the Washington State Commission on Asian/Pacific American affairs; and the Washington State Commission in Hispanic affairs in the continuing process established by statute.

1.4 The Mayor through the Police Chief is requested to research and report regarding appropriate methodologies for redaction through the alteration, restoration, pixilation, suppression, or otherwise obscuring of all or any portion of a body-worn camera recording in accordance with the provisions of RCW 42.56.240(14)(f)(ii) and report those costs to the City Council in order that it may establish a reasonable charge for the costs of redactions when permitted by the statute.

Section 2. The City Council acknowledges that body-worn camera policies of the department may trigger collective bargaining obligations and accordingly defers to the Mayor and Chief, the appropriate notification regarding and negotiation of such policies in accordance with state law.

Section 3. This pilot program will sunset December 10, 2016. The City Council's authorization for the use of body-worn cameras and the continuing development and modification of policies as necessary to conform to the provisions of state law and the input received through its community involvement process shall remain in full force and effect. The Mayor and the Chief of Police are authorized to modify, extend or limit the body camera program in accordance with the Mayor's statutory authority and future council budgetary appropriations.

Section 4. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this ____ day of _____, 2016.

Approved:
Effective:

CITY OF MONROE, WASHINGTON

(SEAL)

Geoffrey Thomas, Mayor

ATTEST:

Elizabeth M. Smoot, MMC, City Clerk



MONROE CITY COUNCIL
Legislative Affairs Committee Meeting
Tuesday, May 10, 2016, 6 P.M.
Council Conference Room, City Hall

AGENDA

- I. Call to Order**
- II. Approval Minutes** (Meeting of Tuesday, April 12, 2016)
- III. Unfinished Business**
 - A. Council Rules of Procedure - Proposed Amendments
- IV. New Business**
 - A. MMC 2.26, Term Limits for Elected Officials
(Ordinance No. 001/2012)
- V. Other**
- VI. Next Committee Meeting** (June 14, 2016)
- VII. Adjournment**

BOARD OF DIRECTORS' MEETING NOTICE

*Goals: Improve ridership. Demonstrate good stewardship of public funds.
Be a positive force in our communities.*

The regular Board meeting of the Snohomish County Public Transportation Benefit Area Corporation has been scheduled for:

Date: Thursday, May 5, 2016
3:00 PM

Location: Community Transit Board Room
7100 Hardeson Road
Everett, WA 98203

PUBLIC HEARING FOR 2016-2019 TITLE VI PROGRAM UPDATE

- I. OPEN PUBLIC HEARING**
- II. ROLL CALL**
- III. PUBLIC COMMENT**
- IV. CLOSE HEARING**

AGENDA

- I. CALL TO ORDER**
- II. PUBLIC COMMENT**
- III. PRESENTATIONS**
- A. Service Awards – Emmett Heath
- IV. COMMITTEE REPORTS**
- A. Executive Committee – Chair Jon Nehring
- B. Finance & Administration Committee – Councilmember Tom Hamilton
- C. Marketing, Operations, & Maintenance Committee* – Mayor Dave Earling
- D. Planning & Capital Projects Committee – Councilmember Stephanie Wright
- V. CONSENT CALENDAR***
- A. Approval of minutes of the April 7, 2016, Board of Directors Meeting.
- B. Approval of ITB #09-16, MCOB Administration, Fuel and Bus Wash Building Re-Roof Project.
- C. Approval of September 2016 and March 2017 service change proposal.
- D. Approval to purchase industrial supplies and equipment under Washington State Contract No. 01711
- E. Award of RFP #18-16, PeopleSoft HCM v.9.2 Upgrade.
- F. Approval to purchase IT equipment and services utilizing inter-governmental cooperative purchasing contracts.
- G. Approval of vouchers dated March 2, 2016, in the amount of \$343,273.77.
- H. Approval of vouchers dated March 4, 2016, in the amount of \$449,502.54.
- I. Approval of vouchers dated March 10, 2016, in the amount of \$168,215.38.
- J. Approval of vouchers dated March 15, 2016, in the amount of \$1,387,282.15.
- K. Approval of vouchers dated March 17, 2016, in the amount of \$5,354,357.35.
- L. Approval of vouchers dated March 18, 2016, in the amount of \$55,590.05.
- M. Approval of vouchers dated March 25, 2016, in the amount of \$4,080,524.54.
- N. Approval of vouchers dated March 28, 2016, in the amount of \$534,993.82.
- O. Approval of vouchers dated March 30, 2016, in the amount of \$130,145.94.

* indicates attachments

P. Approval of March 2016 Payroll:

1. Direct Deposits Issued, #s 210308 – 211514, in the amount of \$2,299,675.13.
2. Paychecks Issued, #s 47139 – 47204, in the amount of \$83,585.49.
3. Employer Payroll Tax Deposits, in the amount of \$267,042.88.

VI. ACTION ITEMS

- A. Approval of Resolution No. 3-16, Adopting the 2016-2021 Transit Development Plan.
- B. Approval of Resolution No. 02-16, Amending the 2016 Budget.

VII. CHAIRMAN'S REPORT

VIII. CHIEF EXECUTIVE OFFICER'S REPORT

IX. BOARD COMMUNICATION

X. EXECUTIVE SESSION

XI. OTHER BUSINESS RELATED TO THE CORPORATION

XII. ADJOURN



Mayor Jon Nehring, Chair



MONROE THIS WEEK

May 6, 2016 Edition No. 18

Mayor

Geoffrey Thomas
gthomas@monroewa.gov

Councilmembers

Patsy Cudaback
Kevin Hanford
Ed Davis
Jason Gamble
Jim Kamp
Jeff Rasmussen
Kirk Scarboro
councilmembers@monroewa.gov

City Hall

806 West Main Street
Monroe, WA 98272
Phone: 360.794.7400
Open 8AM – 5PM, M-F

Appointment Openings

No Openings At This Time

Job Openings

Construction Inspector
Senior Engineer – Development Review
Senior Planner
Seasonal Parks

Events this Week

- 05/07** *Miracle League Games, Rotary Field, 8AM-2PM*
- 05/10** *City Council Legislative Affairs Committee Meeting, Permit Center, 6PM*
- City Council Meeting, City Hall, Council Chambers, 7PM*
- 05/14** *Annual Spring Clean-Up, Monroe High School, 8AM-2PM*

From the Office of Mayor Thomas

To highlight some of the things going on in our community, I am writing this weekly city update, "Monroe This Week. If you have any suggestions or questions regarding "Monroe This Week" or the stories below, please contact me at GThomas@MonroeWa.gov.

Yours in Service,

Mayor Geoffrey Thomas

Be In The Know!

Police Body Cameras Under Consideration

The Monroe City Council will be considering a resolution authorizing a pilot program for the deployment of body-worn cameras by the Monroe Police Department. The City Council will be discussing this resolution at their regular business meeting on Tuesday, May 10, 2016; 7 p.m.; Monroe City Hall Council Chambers. Persons interested are encouraged to come to the City Council Meeting on Tuesday, May 10, 2016, at 7 p.m. to comment on the pilot program during COMMENTS FROM CITIZENS. Comments will be limited to 5 minutes per speaker. For more information, please see the May 10, 2016, City Council Agenda – [Click here!](#)

National Day of Prayer

On May 5, 2016, I attended the 2016 Sky Valley National Day of Prayer at First Baptist Church in Monroe. In addition to a number of local and state elected officials, many people attended from Monroe and other areas up and down the Sky Valley. I thank First Baptist Church for organizing and hosting this annual day of prayer and reflection for our community and our country. Thank you! To view Monroe's proclamation for National Day of Prayer issued April 26, 2016, [click here!](#)

**City of Monroe
Year-to-Date Comparisons**

The following are year-to-date comparisons

Sales Tax Revenues

'15 to 4/30/15: \$1,273,332

'16 to 4/30/16: \$1,418,456

UP \$145,124 or 11.40%

Real Estate Excise Tax

'15 to 4/30/15: \$188,998

'16 to 4/30/16: \$297,317

UP \$108,315 or 57.31%

Lodging Tax Revenues

'15 to 4/30/15: \$14,384

'16 to 4/30/16: \$18,403

UP \$4,019 or 27.94%

Business License Fees

'15 to 4/30/15: \$16,948

'16 to 4/30/16: \$17,913

UP \$964 or 5.69%

Building Permit Revenues

'15 to 4/30/15: \$105,764

'16 to 4/30/16: \$132,110

UP \$26,346 or 24.91%

Planning Fee Revenues

'15 to 4/30/15: \$34,000

'16 to 4/30/16: \$12,766

DOWN \$21,235 or -62.45%

New House Permits

'15 to 4/30/15: 25

'16 to 4/30/16: 33

UP 8 units or 32%

Multi-Family Permits (# units)

'15 to 4/30/15: 13

'16 to 4/30/16: 4

DOWN 9 units or -69.2%

Building Division Inspections

'15 to 4/30/15: 570

'16 to 4/30/16: 584

UP 14 or 2.5%

May is Building Safety Month!!

On May 3, 2016, at the City Council Meeting, I proclaimed the month of May as Building Safety Month. The City of Monroe has a number of employees who work with people from a number of professions and trades that ensure the buildings we live, work, shop, and recreate in are safe and sound. Thank you for all you do!! The proclamation can be viewed online – [click here!](#)

Downtown Stakeholder Meeting

On Tuesday, May 3, 2016, the City of Monroe held a kick off meeting to introduce and initiate a strategic planning effort related to the formation of a downtown Main Street organization. A consultant has been hired to facilitate this project. The meeting was informative and we are excited to move forward with this planning effort. Stay tuned for updates.

Downtown Art Update

I am excited to report that Monroe received five responses to our request for artwork proposals for downtown. On May 4, 2016, an art selection committee met to review the responses. The committee is made up of representatives from the Monroe Art Council, Monroe Chamber of Commerce, Downtown Monroe Association, Monroe Planning Commission, Monroe Park Board, Monroe City Council, and City of Monroe staff. The committee will be meeting again to deliberate on a recommendation that will be forwarded to Council for consideration. The committee's next meeting is scheduled for May 11, 2016. I thank the artists, the committee, Council, and staff for their work and consideration in bringing artwork to downtown!!