

City of Tukwila *Finance Committee*

- ♦ Verna Seal, Chair
- **♦ Kathy Hougardy**
- ♦ Zak Idan

Distribution:
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C. Delostrinos Johnson

AGENDA

MONDAY, SEPTEMBER 28, 2020 – 5:30 PM

HAZELNUT CONFERENCE ROOM

(At east entrance of City Hall)

THIS MEETING WILL NOT BE CONDUCTED AT CITY FACILITIES BASED ON THE GOVERNOR'S PROCLAMATION 20-28.

THE PHONE NUMBER FOR THE PUBLIC TO LISTEN TO THIS MEETING IS: 1-253-292-9750, Access Code 682223302#

	Item	Recommended Action	Page
1.	BUSINESS AGENDA		
	a. Report from the Public Safety Bond Financial Oversight Committee. Andy Reiswig, Chair of the Public Safety Bond Financial Oversight Committee. Laurel Humphrey, Legislative Analyst	a. Discussion only.	Pg.1
	b. An ordinance and a resolution to adjust false alarm fees. Vicky Carlsen, Finance Director	b. Forward to 9/28 C.O.W. and 10/5 Regular Mtg.	Pg.5
	c. COVID-19 Community Assistance: City utility payments. City of Tukwila Water and Sewer Utility Policy in response to COVID-19 to temporarily suspend the imposition of past-due and late penalties on delinquent water and sewer accounts and to temporarily discontinue the water shut-off on delinquent accounts subsequent to Governor Inslee's February 29, 2020 Proclamation of Emergency No. 20-05 and subsequent orders. The policy will be effective on April 1, 2020 and will expire on December 31, 2020. Vicky Carlsen, Finance Director	c. Forward to 9/28 C.O.W. and 10/5 Regular Mtg.	Pg.15
2.	MISCELLANEOUS		

Next Scheduled Meeting: Monday, October 12, 2020



CITY OF TUKWILA PUBLIC SAFETY BOND FINANCIAL OVERSIGHT COMMITTEE

Report to the City Council August 2020

On behalf of my fellow members, I am pleased to present you with the first 2020 Report of the Public Safety Bond Financial Oversight Committee. Per the Charter adopted in Resolution 1892, our role is to review the allocation of bond proceeds and progress on achieving the purposes of the Public Safety Bond and to report to the City Council semi-annually.

The Committee met on August 11, 2020. Pursuant to Ordinance 2509 and Resolution 1892, during this meeting the Committee reviewed status and expenditure reports relating to the Public Safety Bond as approved by Tukwila voters at the November 8, 2016 General Election. City staff also provided an overview of the Public Safety Plan overall budget, schedule and status.

The Oversight Committee has to date reviewed bond expenditures through July 31, 2020 and and finds that these expenditures are in compliance with the purposes of the Public Safety Bond. Draft minutes of the meeting is attached to this report.

The Committee appreciates this opportunity and we look forward to our continued relationship with the City Council.

Attachments:

Draft August 11, 2020 Committee Meeting Minutes

City of Tukwila



Public Safety Bond Financial Oversight Committee April 11, 2020

Virtual Meeting due to COVID-19 Emergency 4:00 p.m.

MINUTES

I. Call to Order

II. Roll Call

Committee members: Sean Goode, Jessica Jerwa, Andy Reiswig, Jovita McConnell Absent: Randy Coplen

Staff present: David Cline, Laurel Humphrey, Vicky Carlsen, Aaron Williams

III. Approval of Agenda

The agenda was approved by unanimous consent.

IV. Approval of Minutes

The November 5, 2019 meeting minutes were approved by unanimous consent.

V. New Business

a. Election of Chair and Vice-Chair

Mr. Reiswig was elected to serve as Chair and Ms. McConnell was elected to serve as Vice-Chair.

b. Public Safety Plan Project Update

Staff presented an overview of the Public Safety Plan status and projects. The Justice Center and Station 51 are nearing completion with final inspections scheduled. Station 52 is on schedule with driveway grading and paving scheduled in August. All projects are within approved budget.

c. Public Safety Plan Financial Overview

The Committee reviewed the original and revised revenue and expenditure budgets for the Public Safety Plan. The total for actual and projected revenues is \$147,948,100.

d. Expenditure Report

The Committee reviewed actual Public Safety Plan expenditures through July 31, 2020. Actual expenditures through July 31 are \$91,554,309.

e. Report to Council

The Committee reviewed a draft Report to Council and agreed that expenditures met the purposes outlined in the bond measure. Mr. Reiswig will work with staff to coordinate presenting the report to the Finance Committee.

f. Meeting Schedule
The Committee agreed to meet again in November, tentatively November 17, 2020

VI. Miscellaneous

VII. Adjournment

The meeting was adjourned at 4:32 by unanimous consent.

Minutes by LH





Allan Ekberg, Mayor

INFORMATIONAL MEMORANDUM

TO: Finance Committee

FROM: Vicky Carlsen, Finance Director

CC: Mayor Ekberg

DATE: **August 17, 2020**

SUBJECT: Update Police and Fire false alarm fees

Updated September 22, 2020

ISSUE

Update fee schedule for false alarms

BACKGROUND

Fees for false alarms were last adjusted in 2014. As City resources are expended to respond to, and bill for false alarms, a restructure and an increase in false alarm fees is being proposed to deter the occurrence of false alarms and to help recoup City costs.

Responding to an Alarm

When an alarm monitoring company receives an alert that an alarm has been triggered, they call 911 to report the alarm. Valley Com procedures stipulates that the alarm company calls two phone numbers before calling 911 to dispatch. This is their verification process and is an attempt to reduce the number of false alarm. If there is no response from either phone call, or if someone does answer and requests help, then officers are dispatched.

The standard response for police is a minimum of two officers. When they arrive at the scene, they will walk the perimeter and check doors and windows for any signs of a break-in. If nothing suspicious is located and there are no signs of a break-in, they mark the incident report as a false alarm. The average length of a response to a police false alarm is 10-20 minutes, depending on the size of the business or residence.

Fire personnel are dispatched to an alarm in a similar manner. The average length of a response to a fire false alarm is 30-45 minutes, depending on the type of the business or residence. Most often more time is needed to re-set the alarm panel for a fire alarm as compared to the police response.

Costs to the City for responding to a false alarm include apparatus usage and personnel time spent responding to the alarm, as well as administrative time to bill and collect payment for the false alarm.

Current False Alarm Fees

The current structure for false alarm fees is as follows:

First two alarms: Free Third alarm: \$150

Fourth and subsequent: \$200

The schedule resets each year which means every alarm owner is not charged for the first two false alarm responses each year. The current fee structure requires significant staff time each month to review all false alarms to determine if it is the 1st, 2nd, 3rd, etc. alarm of the year.

DISCUSSION

False Alarm Statistics for the City

The table below represents the number of false alarms for both police and fire for the last three complete calendar years. A large percentage of false alarms are not billable because they are either the first or second false alarm in a calendar year. False alarm data from 2010-2012 has been included to demonstrate that the substantial fee increase in 2014 did not reduce the number of false alarms.

Year	Police # of False Alarms	Fire # of False Alarms
2019	1,030	611
2018	1,089	606
2017	1,037	713
2012	872	552
2011	810	632
2010	837	666

As a side note for fire false alarms, the total number of false alarms listed above includes false alarms outside of the City of Tukwila and are not billable. The average number of false alarms per year that would qualify as billable averages between 425 and 475.

Comparison of Surrounding Jurisdiction False Alarm Fees

The table below lists several surrounding jurisdictions and the fees they charge for false alarms. The table does not include information on alarm registration fees, alarm renewal fees, or other action that may be taken by the jurisdiction responding to a false alarm. Additionally, many of the cities that charge for false alarms have outsourced the billing function. Outsourcing the billing function would result in either additional fees to the alarm owner or reduced cost recovery to the City.

False Alarm Fees											
City	Alarm Type		1st		2nd		3rd	4th	5th	(6th+
Auburn	Burglary	\$	100	\$	100	\$	100	\$ 100	\$ 100	\$	100
Federal Way	Burglary	\$	-	\$	-	\$	50	\$ 100	\$ 150	\$	200
Seattle	Burglary	\$	115	\$	115	\$	115	\$ 115	\$ 115	\$	115
Burien	General	\$	150	\$	150	\$	150	\$ 150	\$ 150	\$	150
Des Moines	General	\$	-	\$	-	\$	100	\$ 200	\$ 200	\$	200
Kent	General	\$	-	\$	-	\$	-	\$ -	\$ -	\$	-
Renton	General	\$	-	\$	100	\$	250	\$ 250	\$ 250	\$	250
SeaTac	General	\$	-	\$	100	\$	100	\$ 100	\$ 100	\$	100
Tukwila											
(Current Fee)	General	\$	-	\$	-	\$	150	\$ 200	\$ 200	\$	200

Source: City Codes, websites

Staff is recommending the following fee structure. The intent of the new fee structure is twofold. The new fee structure will streamline the review and billing process. A reduction in time spent reviewing and billing false alarms could be redirected to other responsibilities. An updated fee schedule could encourage alarm owners to take steps to reduce the number of false alarms. Decreasing the number of false alarm responses for both Police and Fire personnel will redirect time to responding to actual alarms.

The proposed and current fee schedule for false alarms follows:

False Alarm	Proposed Fee	Current Fee
First (lifetime for alarm owner)	\$0	\$0
Second	\$250	\$0
Third	\$250	\$150
Fourth and Subsequent	\$250	\$200

The recommended fee structure will keep the rates comparable with surrounding jurisdictions. Fees incurred in the new schedule will help to offset costs of responding to recurring false alarms.

New Information as of September 22, 2020

At the August 24, 2020 Finance Committee meeting, two questions were asked and responses are provided below.

1. How many free false alarms do other cities allow and does the free alarm(s) reset each year? The following chart outlines each city's policy for free false alarms. As mentioned earlier in this memo, the proposed fee structure changes the current policy of 2 free false alarm every year to 1 per alarm owner (lifetime, no annual reset).

City	# of Free False Alarms	Reset Period			
<u>Auburn</u>	<u>None</u>	Not applicable			
<u>Burien</u>	<u>None</u>	Billing function is outsourced			
<u>Des Moines</u>	<u>2</u>	Every year			
Federal Way	<u>2</u>	Every year			
Kent	Unsure. Research indicates	that police respond to false			
	alarms as a low priority and ma	ay not respond at all.			
<u>Renton</u>	1	Every year			
<u>SeaTac</u>	1	Every 6 months			

2. What efficiencies are expected to be gained by restructuring the fee schedule? Per Police staff that currently process the false alarms, the billing process has already been streamlined to a degree but still can average 16-20 hours a month to process the false alarm billings. The amount of time varies, depending on how many businesses/residential properties require research to determine mailing address and to determine if the business is still active or not. Staff sends out notices for all false alarms, including the first 2 that are free. Alarm owners tend to call when they receive the 3rd invoice that includes a charge and it takes time to research and respond to the alarm owner's concerns. By eliminating the free false alarms every year and increasing the fee to \$250 for each alarm after the first free false alarm, staff is hoping that this will encourage alarm owners to

address the reasons for the false alarms occurring, thereby reducing the total number of false alarms.

In order to give alarm owners the ability to formally appeal the false alarm charge, staff is recommending the following process be established.

The proposed False Alarm Appeals Program will borrow heavily from programs already in place by other Valley Cities.

The person/organization against whom the false alarm fee is levied shall, within thirty days of receiving notification that a false alarm fee has been levied, submit an appeals request either online (via a site dedicated to that purpose but not yet built) or via an email sent to an email address that will be monitored by representatives of the Tukwila Police and Fire Departments. If the appeal is submitted via the webpage, all required fields must be completed.

If submitted via email, the notice of appeals must contain the following information:

- 1. Name of person submitting the appeals
- 2. Email address of above listed person (if applicable)
- 3. Physical address where alarm occurred
- 4. Date of false alarm
- 5. Permit number of alarm, if applicable
- 6. Name of alarm monitoring company, if applicable
- 7. Reason(s) for the appeal
- 8. Any supporting evidence

For an appeal to be reviewed, the person/organization submitting the appeal must remit an appeal fee of \$25 that will be refunded if the appeal is upheld. If the appeal is not upheld, the Tukwila Police or Fire Department will deposit the fee into a revenue account and the fee will help to offset the cost of reviewing the appeal.

Upon receiving the appeal notice, complete with the information listed above and the appeals fee, a designated representative of either the Police or Fire Department shall review the appeal and submit a decision within thirty days.

A non-comprehensive list of actions that typically will result in a false alarm appeal being denied will be listed on the City of Tukwila's Alarm Information webpage and will include items such as the following:

- 1. Faulty, defective, or malfunctioning equipment supplied by an alarm business.
- 2. Improper installation or maintenance by an alarm business.
- 3. Improper monitoring by an alarm business.
- 4. Alarm activations that occur while alarm technicians are repairing or servicing the alarm system.
- 5. An occurrence where no evidence of criminal activity, fire, or medical need is present.
- 6. Mistakes made by private contractors, maids, cleaning crews, visitors, etc.
- 7. Item(s) within the home or business that move causing motion detectors to activate (i.e. curtains, signs, balloons, etc.).
- 8. Doors and/or windows that become loose and cause a break in the contacts that activate the alarm system.
- 9. Caretakers who watch homes or businesses when owners are away and who activate the alarm in error or are not familiar with required codes or passwords.
- 10. Pets, rodents or wildlife movement in or near the home or business.

11. Alarms caused by Apartment Management Employees.

RECOMMENDATION

The Council is being asked to approve the resolution and consider this item at the September 14, 2020 Committee of the Whole meeting and subsequent September 14, 2020 Regular Meeting. The Council is being asked to approve the resolution and ordinance and consider this item at the September 28, 2020 Committee of the Whole meeting and subsequent October 5, 2020 Regular Meeting.

ATTACHMENTS

Draft Resolution
Draft Ordinance

DRAFT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, REPEALING RESOLUTION NO. 1818, AND ADOPTING A FALSE ALARM FEE SCHEDULE.

WHEREAS, the City has reviewed the existing fee schedule for false alarms; and

WHEREAS, fees for false alarms have not been adjusted since 2014; and

WHEREAS, it has been determined that false alarm fees should be increased to encourage the reduction in number of false alarms and to recover some costs associated with responding to false alarms; and

WHEREAS, false alarm fees should be reviewed and updated on a regular basis;

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

Section 1. False alarm fees will be charged according to the following schedule, which shall supersede any previously adopted false alarm fees:

DESCRIPTION	FEE (effective 1/1/21)
First false alarm dispatch (one per alarm owner/user)*	\$0
Second and subsequent false alarm dispatch per alarm owner/user*	\$250
*The first false alarm per alarm owner/user is a warning only. The fa	lse alarm fee will be

Section 2. Repealer. Resolution No. 1818 is hereby repealed.

imposed on the second and subsequent false alarms.

Section 3. Effective Date. This contained herein shall be effective as of .	resolution and the false alarm fee schedule January 1, 2021.
PASSED BY THE CITY COUNCIL O a Special Meeting thereof this d	F THE CITY OF TUKWILA, WASHINGTON, at ay of, 2020.
ATTEST/AUTHENTICATED:	
Christy O'Flaherty, MMC, City Clerk	De'Sean Quinn, Council President
APPROVED AS TO FORM BY:	Filed with the City Clerk: Passed by the City Council: Resolution Number:
Office of the City Attorney	

DRAFT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AMENDING ORDINANCE NO. 1363 (PART), AS CODIFIED AT TUKWILA MUNICIPAL CODE SECTION 8.08.040, "FALSE ALARM - FINES," TO REVISE LANGUAGE REGULATING FALSE ALARM FEES; REPEALING ORDINANCE NO. 2434; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2434 amended Tukwila Municipal Code Section 8.08.040, which regulates fines for false alarms; and

WHEREAS, the fines for police and fire false alarms have not been adjusted since 2014; and

WHEREAS, it has been determined that false alarm fines should be increased to encourage the reduction in number of false alarms and to recover some costs associated with responding to false alarms; and

WHEREAS, false alarm fines should be reviewed and updated on a regular basis;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. TMC Section 8.08.040 Amended. Ordinance No. 1363 (part), as codified at Tukwila Municipal Code Section 8.08.040, "False Alarm – Fines," is hereby amended to read as follows:

8.08.040 False Alarm - Fines

In the event that any department of the City receives or responds to a total of more than one false alarm of fire, intrusion, crime or other safety-related emergency at any single place of business, home, vehicle or other premises or place, the owner of said premises or place shall, within 10 days of receipt of written bill therefor, pay to the City the fee charged in accordance with the fee schedule to be adopted by resolution of the Tukwila City Council.

Section 2. Repealer. Ordinance No. 2434 is hereby repealed.

- **Section 3.** Corrections by City Clerk or Code Reviser Authorized. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.
- **Section 4. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 5. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force January 1, 2021.

PASSED BY THE CITY COUNCIL OF T a Special Meeting thereof this day	HE CITY OF TUKWILA, WASHINGTON, at of, 2020.
ATTEST/AUTHENTICATED:	
Christy O'Flaherty, MMC, City Clerk	Allan Ekberg, Mayor
APPROVED AS TO FORM BY:	Filed with the City Clerk: Passed by the City Council: Published: Effective Date:
Office of the City Attorney	Ordinance Number:





Allan Ekberg, Mayor

INFORMATIONAL MEMORANDUM

TO: Finance Committee

FROM: Vicky Carlsen, Finance Director

CC: Mayor Ekberg

DATE: September 21, 2020

SUBJECT: COVID-19

Community Assistance, City Utility Payments

ISSUE

Extend interim emergency policies regarding City water and sewer accounts in response to COVID-19 through December 31, 2020.

BACKGROUND

On February 29, 2020 Governor Jay Inslee declared a state of emergency regarding the COVID-19 Pandemic, directing state agencies to use resources necessary to prepare for and respond to the outbreak. The Mayor issued a Proclamation declaring an emergency on March 9, 2020. The City Council affirmed the emergency declaration at its April 20 meeting.

As result of the Pandemic, the City has closed all City buildings to the public and moved most City functions to a virtual city hall model. At this time, city buildings are closed through the end of 2020.

Due to the economic disruptions in the community and the disruptions in City operations, the Finance Department has adopted the following interim policy for all City water and/or sewer accounts, both commercial and residential. These temporary policies are consistent with policies adopted by other utility providers in the region, such Water District 125, Seattle City Light, and Puget Sound Energy.

- 1. No late fees or penalties for non-payment would be incurred, effective with the April billing.
- Effective March 16, water shutoff for non-payment is suspended for occupied premises. Due to concerns with potential squatting and protection of the City's utility system, water shutoffs for vacant properties will still occur. Water Shut Off fees incurred prior to March 16, 2020 would still be due if there is a request to restore service.
- 3. Customers can establish payment plans by calling the City's Finance Department.

DISCUSSION

TMC 2.57.040 (3) requires the City Council to affirm any rules or regulations related to the protection of life, environment, and property that are affected by the emergency. The policy is one avenue that the City can do to help Tukwila community members during the COVID-19 Pandemic. As a reminder, the policy only applies to ratepayers

within the City's water and sewer service area. The policy is set to expire on September 30, 2020 and staff is requesting that this policy be extended through December 31, 2020.

FINANCIAL IMPACT

The City typically collects \$2,000 in late fees per month from late payments, though it is reasonable to assume there will be additional late fees incurred by utility customers during the Pandemic due to employment and revenue disruption. This revenue would be lost. Allowing delayed payments could also result in a cash flow issue for each of the utilities.

RECOMMENDATION

Reaffirm the emergency policy provided by City Administration. Staff is requesting that this item be placed on the September 28, 2020 committee of the Whole and subsequent October 5, 2020 Regular Meeting.

ATTACHMENTS

• Interim emergency policy regarding City water and sewer accounts

City of Tukwila

Water and Sewer Utility Policies in Response to COVID-19

SUBJECT: Temporary Policy to Discontinue Water Shut-off for Non-Payment of Water and

Sewer Service Fees and to Discontinue the Imposition of Late Fees on Delinquent

Water and Sewer Accounts

PURPOSE: The purpose of this policy is to temporarily suspend the imposition of past-due

and late penalties on delinquent water and sewer accounts and to temporarily discontinue the water shut-off on delinquent accounts subsequent to Governor Inslee's February 29, 2020 Proclamation of Emergency No. 20 05 and subsequent orders. This policy will be effective on April 1, 2020 and will expire on September

30, 2020 December 31, 2020 unless otherwise terminated or extended.

SCOPE: This policy applies to all City of Tukwila water and sewer customers.

DEFINITIONS:

- 1. "Public Health Emergency" shall mean any such emergency declared by the Governor of the State of Washington pursuant to his or her powers under 38.08, 38.52 and 43.06 RCW, any such emergency declared by the King County Executive pursuant to RCW 38.52, or the Mayor of the City of Tukwila pursuant to RCW 38.52.
- 2. "Water Shut-off" shall mean any notice of water shut-off, the act of shutting-off water, and any fees, charges, or monetary penalties associated with water shut-off and turn-on set forth in TMC 14.04.125 and TMC 14.04.130.
- 3. "Late fees" shall mean any penalty, fee, or charge associated with a delinquent account as set forth in TMC 14.04.270.

POLICY:

During a Public Health Emergency, the City of Tukwila shall discontinue the issuance of Shut-off Notices for delinquent water and sewer accounts for the duration of the Public Health Emergency. In addition, the City shall not apply Late Fees incurred after April 1on delinquent accounts during the Public Health Emergency.

This policy does not suspend regular monthly utility charges for water and sewer service. Customers are encouraged to continue making regular payments. In addition, late fee or water shut off fees incurred before March 15 are required to be paid.

PROCEDURE:

The following procedures are established to allow for community members to continue receiving water and sewer, utility service, without penalty, during a declared Public Health Emergency.

Notification

A. The Utility Billing Division shall provide written notice of the policy herein to customers with delinquent accounts. Such notice shall state that all past due amounts are still owed

but that a penalties incurred after March 15, 2020 will be suspended, and disconnections will be postponed for the duration of the Public Health Emergency. In order to prevent spoilage and to protect the City's utility system, the City shall still disconnect water of properties the City determines are vacant.

- B. Within thirty (30) days of termination of the Public Health Emergency, the Finance Director will review delinquent accounts and will work with customers to enter into repayment plans as in the Director's discretion is appropriate as to each account.
- C. Late fees and shutoff shall resume 30-days after discontinue of this temporary policy in response to COVID-19

EFFECTIVE DATE: April 1, 2020	
APPROVAL:	
Mayor Allan Ekberg	De'Sean Quinn, Council President
Vicky Carlsen, Finance Director	Kari Sand, City Attorney (initials)