



## **Minutes of the City of Mount Rainier Maryland City Council Meeting**

**Date: 5-5-2015**

**Place: One Municipal Place, Mount Rainier**

**Presiding officer: Mayor Miles**

**Councilmember's present: Brent Bolin, Jesse Christopherson, Brian Knedler, Jacqueline Reposo**

**City Hall Staff: City Manager Jeannelle Wallace, Assistant City Manager Veronica Owens, Samantha Olatunji Economic Development Director**

### **Agenda**

**3200 Block Rhode Island Avenue Development Update**

**Board of Elections**

**Public Comment**

### ***Old Business***

**Maryland-National Capital Park and Planning Commission Use Agreement for the 31<sup>st</sup> Street Park  
Ordinance 1-2015 FY2016 Budget**

### ***New Business***

***Anacostia Hours Grant Application Support Letter***

**Ordinance 2-2015 Police Body Cameras**

**City Manager's Retirement**

### **3200 Block Rhode Island Avenue Development Update**

Jeannelle Wallace, City Manager of The City of Mount Rainier

Adrian Washington, Neighborhood Development Company

Improvements to the Land Development Agreement allowing for the city to sell its parcels to the developers so that they can move forward with the project

- LEED Gold Certification
- No additional Story to the building
- Developers will post a \$250,000 Performance Bond with at least 5% of that amount remaining in the bank at all times.
- Arrangement of payments from The Neighborhood Development Company and Street Sense to the City
- Default Clauses
- MUTC approval of design changes
- Site Control of the Thrifty Arrow Property

Agreement Summary - Ms. London Perlman (City Attorney)

The agreement provides that the city will sell the property consisting of approximately 33,000 sq./ft. (The Old Bass Property and the Funeral Home) to a partnership between Street Sense Development Partners and Neighborhood Development Company, who plan to build approximately 191 apartments, approximately a little under 20,000 Sq./Ft

of retail space, and a parking garage to serve both the apartment and the retail. The property is being sold as is with no warranties. Additionally, Street Sense/ Neighborhood Development Company can assign the rights to develop before settlement, but only with the city's consent. However, any development plan must go through the MUTC committee first. Final approval will be made by the City Council and the County. They propose to pay the City \$1.75 Million for the property. That will be more than sufficient to pay off the City's debt incurred to buy these properties. They put down a good faith deposit of \$10,000 when they first submitted their proposal and it was accepted. Upon signing the land use agreement, they will increase the deposit to 5% of the purchase price. Deposits will be held in escrow until the settlement on the purchase actually takes place. Within one week, the developer will have to show that they have control of the Thrifty parcel through some contract or binding letter of intent. If they do not provide that proof to the City, the City can get out of the agreement. There is a 90 day period for a Phase I Environmental Site Assessment. If a recognized environmental condition is found on the Phase I, they will proceed to a Phase II Environmental Site Assessment and have 120 days. They will develop the property in accordance with the plan they have submitted and will formally submit. They have agreed to construct the building on the property in such a manner that it will qualify for LEED Gold Certification. They have a preliminary checklist and have agreed to submit any changes to the checklist to the City at least quarterly until completion. This is qualifying for LEED Gold Certification. They do not actually have to get LEED Gold Certification. However, they have agreed to, at their expense, retain a mutually agreeable third party to verify that it does qualify for LEED Gold certification and failure to qualify for LEED Gold is a default. Currently, the developers have 60 days to send a revised plan to the MUTC committee. Upon approval by the MUTC, they will have to get City Council approval. If they do not get approval from the MUTC committee, they could choose to bypass the committee and go to the council.

#### Additional Requests the City has made of the developers

- Additional Green Building strategies in the project, including the garage, such as a green roof, additional vegetation and plantings.
- Public artwork that is created by local artists be incorporated into the development
- A mixture of unit styles and floor plans and universal design features in individual apartments
- An anchor tenant
- A solar access analysis of the site for noon at the winter solstice. This is to limit the shading of the properties for the residents on the 3100 and 3200 blocks of Perry Street on the south side as much as possible.
- Minimize the dell massing as much as possible on the properties.
- The main alley from Rhode Island Avenue and 33<sup>rd</sup> Street should not be used as the main entrance or exit for the parking garage.
- Resurface the main alley after construction with a permeable surface and attempt to minimize traffic in the main alley.

#### Project TIFF/ Gap Financing

Attorney Perlman: They are anticipating that Prince George's County will provide them with at least \$3.5 Million with this gap financing and the City will participate between \$1-\$1.5Million. That will be through either tax increment financing (TIFF) or some other financing arrangement that we expect Prince George's County to take the lead on. Settlement on the purchase of the property will take place on the earlier of July 31<sup>st</sup> in 2016 or 30 days after all of the required approvals and permits to construct the property have been granted. The City's obligation is to develop good and marketable title to the property. Transfer and recordation taxes will be shared equally. All of the settlement charges will be paid by the developer. In regards to the project schedule, they have 15 days after signing the agreement to update it. Then the city has 10 business days to approve or reject that project schedule. If the city rejects a portion of the project schedule, then the developers must use their best efforts to appropriate the city's suggestions and keep on submitting the project schedule to the city until the city approves it. If the developers cannot meet one of their deadlines, then they must notify the City in writing at least 15 days before the deadline for that task and reasonable request will be approved by the city but not if the reason of not meeting the deadline is in the developer's control. Within 30days after the close of the purchase of the property, they are supposed to start construction. Before settlement, the City would need to vacate the alley. The developers agreed to the performance bond request of the city for up to \$250,000. This bond will be obtained once they start construction. If the developer fails to complete a material task, the city can either give them more time or forfeit a portion of the bond. Default can happen with failure to pay the deposit, submit the development plan within time set forth in the agreement, update

the development schedule, settle on the property, meet any of the project deadlines, files bankruptcy, construct for LEED Gold qualifications, full settlement acquisition of the Thrifty parcel (90days, after which the City can forfeit the deposit and get out of agreement), furnish a performance bond. The City will be in default if it cannot provide good title, files bankruptcy, or fails to go to settlement. Developer can end agreement and receive deposit back. Notice must be given to the developer of each of these defaults. As far as remedies, if the developers default before settlement, and it hasn't been timely cured, then the city can elect to terminate the agreement, except for the proof of site control and thrifty parcel, any other types of defaults the City can essentially keep the developers deposit as liquidated damages.

### **The Funeral Home**

The developer is responsible for tearing down the Funeral Home. According to City Manager Wallace, there is grant money for the Funeral Home demolition. This will be discussed with the developers further along in the process. The City does not have any recent estimates of demolition costs and the property will have to be examined for asbestos.

### **Council Discussion**

Councilman Knedler: When does the TIFF bond obligation begin for the City in relation to the settlement on the property?

The City Attorney believes it is the first tax year following the settlement but is not sure.

Councilman Knedler: If we have already raised the bonds, we have an obligation to pay that off and then if there is a default, what is our remedy? Are we stuck with the bond?

City Attorney: Essentially the bonds are going to be timed to be issued about the time of settlement.

Councilman Knedler: There could be a default after settlement, so we would have to still pay the bond for 30 years?

Before moving forward with the TIFF Bond, the council is seeking more information about the obligations in case of default.

Councilman Knedler: The failure to qualify for the LEED Gold Certification would be a default. At that point, the building is built, what is our remedy then?

City Attorney: We still have that performance bond.

The TIFF bond is tied to the project, not the owner. TIFF money can only be used for parts of the project that serve a public purpose like the parking garage or street improvements.

The massing for the proposed building changed so a new design plan must be submitted to the MUTC committee.

### **Motion to approve the Land Development Agreement between the City of Mount Rainier, Street Sense Development Partners LLC and the Neighborhood Development Company LLC**

**Councilman Knedler**

**2<sup>nd</sup> Councilwoman Reposo**

**4-0**

### **Mr. Fred Sissine thanks the City, developers, and county leaders for their efforts on the project**

Mr. Washington, President of The Neighborhood Development Company states that the agreement is acceptable.

**Deni Tavares, County Councilmember, District 2:** I want to take the opportunity to thank all of you for your dedication to this project, your endeavor to do your due diligence, and I hope that now we can really work together with the County Exec's office to push this project forward and see it to fruition in an expeditious way. I am just really thankful that this is over and we can now take care of this project and the many more projects that are

available here in the City of Mount Rainier. I can't say enough about how hopeful I am about what's to come. So thank you.

Sharnette Robinson (3500 Block Perry Street): My hope is that they put condominiums in here that would really help us with the tax base in Mount Rainier in lieu of apartments.

### **Board of Elections** (Unofficial Count)

The Board of Elections presented the unofficial count of the election ballots to the council. They will count them one more time and then submit the numbers to the county for review.

### **Public Comment**

**Ms. Ingrid Park (4400 29<sup>th</sup> Street)** mentions that the City Council approved May would be dedicated to be the month of peace. She and her husband Jerry will be putting the sign up at 30<sup>th</sup> and Arundel Road to invite all to just focus their inner selves on peace beginning within and that the more that we have peace from within, the more we have peace within our families, peace within the city, the state, the country and the world. She will be putting this information on the listserv and other communications from City Hall. Little Friends for Peace, the organization that Ms. Park and her husband are cofounders and directors of, will sponsor a Peace Circle. The date is still to be determined.

**Mr. Mark Brecklard** asks for support for the Southside music and skateboarding series, which he has held for the past two years at the Mount Rainier skate park. It has been sponsored by a grant from Art Lives Here for the last two years. And last year P.G. County Parks and Recreation contributed as well. This year some funding is coming from the Brentwood Arts Exchange for the music side of the series. He is seeking support from the City of Mount Rainier for the prize money for the children, judges, and MCs and has provided a proposal sheet of what is needed in order of importance. Funding is needed especially since there are not entry fees so that all children can participate.

**Ms. Julia** urges the council to consider a pilot version of the Neighborhood Novelist Project Community Survey on the Renter Community.

**Ms. Sharnette Robinson** notifies the council that the previous day brought light to how Perry Street looks like a freeway from 6:00am to 9:00am. She would like the council to consider making the street a one-way street during that time frame.

### **Old Business**

#### **Maryland-National Capital Park and Planning Commission Use Agreement for the 31<sup>st</sup> Street Park**

Mayor Miles and Councilman Christopherson met with MNCPPC the previous week and walked the entire length of the park and river bend. The Mayor states that MNCPPC is amenable to the city taking over the park and for the land to become a natural habitat, park, and garden. MNCPPC has requested that the city has one more meeting at City Hall for the residents of the block to provide input on what the city intends to do with the park. Mary Abe was asked to come up with a best-use design.

Updates to the agreement include a new copy of the map, removal of the reference to Cottage City, and noting that MNCPPC will do the first plowing of the garden.

Councilwoman Reposo met with a few people that are interested in the design and development of the garden (representatives from the Tree Commission, Green Team, and Community Garden). She mentions a few ideas such as stream daylighting and creating a path from the 31<sup>st</sup> property through the DWPT Easement to Rainier Avenue. Also Mary Lee would like to organize a Charrette in a few months to get some ideas from the communities.

### **Ordinance 1-2015 FY2016 Budget**

Councilman Christopherson supports the 3% COLA increase, which amounts to \$62,000 from the Reserves. The Police Department has a union contract where their raises are specified while Public Works does not. He believes

that Public Works is not overpaid and that a 3% adjustment is appropriate given inflation and the economy. He also suggests that Assistant City Manager Veronica Owens and Economic Development Director Samantha Olatunji go to the MML Conference, in addition to City Manager Jeannelle Wallace. He believes increasing the staff on the Economic Development staff will pay off. He supports the Pilot Project Survey as well.

Mayor Miles: Certain staff is limited to one conference per year.

Councilwoman Reposo is in favor of a COLA but not a 3% COLA increase. That is a higher COLA than many other government employees get at federal, state, and local levels. If there are to be raises, she would like the raises to be based on performance evaluations and the cost of living adjustment. Regarding the Pilot Project Survey, she is uncomfortable because it includes payment of services for the people doing the survey. The City does not do that for other volunteer organizations.

Mayor Miles states that the lowest wages are in Public Works. They are barely comparable with departments in other jurisdictions.

Mayor Miles: Do we want to do an across the board COLA?

Councilman Christopherson: If we are going to do it (Different COLA percentages for different employees), I would like to see a salary list so that we can do it equitably.

City Manager Wallace: You can decide a salary adjustment for Public Works employees and then decide on COLA or no COLA.

Mayor Miles: In 2008 thereabout, we did a salary adjustment for public works because when we came on board back then, I think they were making less than \$19,000 a year at many a fifteen to twenty years. We made a salary adjustment to get them caught up to some equitable salary base. And then we started doing the 3% COLA cost of living to try to get them to a fair wage. So we have done that. I think the question is maintaining it in addition to the fact that the cost of living hasn't gone up at the rate it used to. Cause back then it was going up 6% or 7%. It was almost at 9% at one point in time. We never did that. So I would need to look at where we are to determine where I think would be fair to go. Because I think I am with Ms. Reposo, I am not willing to go that with the entire staff and I am not prepared to say no to public works.

Councilman Knedler: I don't like this budget but I will vote to put the COLA money in there and freeze it for the new council to deal with.

Councilman Christopherson agrees with Councilman Knedler.

Councilwoman Reposo: I guess I like the suggestion of having a 3% COLA for public works, 2% for City Hall, and whatever the contract is for the Police Department.

**Motion to leave the 3% COLA in the budget and freeze to allow the new council to make the decision as to how it should be distributed and if it should be distributed.**

**Councilman Knedler**  
**2<sup>nd</sup> Councilman Bolin**  
**2-3 (Motion is defeated)**

**Motion to give a 3% COLA to Public Works and Code Enforcement, 2% to City Hall, and maintain what the Police Department receives.**

**Councilwoman Reposo**  
**2<sup>nd</sup> Councilman Christopherson**  
**The motion is withdrawn by the first and the second.**

Councilman Bolin: I still do not understand why you want to give management a lower raise. What is the rationale?

Councilwoman Reposo: Well we just talked about how the compounding salary with 3% raise, year after year, really adds up over time. And if it is not the management salaries that need to be adjusted, but it is the non-management salaries that need to be adjusted, then why do we give 3% automatically to management every year without any sort of performance evaluations. It seems kind of silly to just give a 3% raise automatically every year when the cost of living is not keeping up with 3%.

**Motion to give a 3% COLA raise across the board to Public Works and others with a 2% increase to management, with the union contract remaining where it is.**

**Councilwoman Reposo**

**2<sup>nd</sup> Councilman Christopherson**

**3-1**

Mayor Miles wants the tax rate to remain the same. Councilman Bolin believes that raising the tax rate to put money in the reserves does not make sense. Mayor Miles comments that the reserve balance is currently \$0. Councilman Christopherson is for raising the tax rate to compensate for when the council did not raise the tax rate a couple of years ago to match the constant yield. He believes that that was detrimental to the budget.

Councilman Bolin is for a balanced budget. He indicates that the 7% tax rate that was applied of the last few years, instead of the 15%, really put the city in a bad position. For years the City was bankrupt and was required to borrow. Then it received money from the speed cameras that went into the contingency fund. While the money can only be spent for safety purposes, money in the bank looks good and allows the city to get better rates on needed services and items, including equipment.

Councilman Knedler: I agree with everything Councilmember Bolin said. I think the time to have done this was two years ago when the assessment was made. But I am actually not willing to raise the rate now because, as he also stated, we are about to end the cycle and we have never lowered the tax rate... I think it would be wiser probably to see what happens with the assessments because if we raise the rate, the assessments are probably going to go up, peoples' tax bills are going to go up because of that. So I am willing to wait now since we are right on the cusp of it anyway. And I also agree that putting \$30,000 is going to reduce the amount that we are spending but not a significant amount when you are talking about \$400,000.

Councilman Christopherson: [According to the 2013 Constant Yield Tax- Rate Certification] If we raised taxes appropriately, the constant yield tax rate would have been 92.7 cents. Also, if we look at revenues and expenditures over the past four years, even though with each budget, we have included withdrawals from the reserves, by the end of the year, we have actually not used that money. We have been in the black 2011, 2012, 2013, 2014. We have not actually drawn down on the reserves even though the budget we pass each year says that we might.

Councilwoman Reposo: I guess I don't feel like we have done everything we can to balance the budget to justify giving a tax raise. You know we are giving a raise basically to all of the staff and you know we bought ipads for everyone this year. I don't think that raising any taxes is going to please any residents if they don't see that we are making the sacrifices that we need to make in order to balance the budget. I mean positions were added last year so I do not think we are operating like we are in any trouble or that our books aren't balanced. I think it is really lucky that we haven't actually drawn from the reserves even though that is what we budgeted. And so I hope that if we pass it, and if we pass this budget and have to draw from the reserves, next year we don't end up needing to do that. Just my general thoughts...

Mayor Miles: Even though we have used the contingency fund to balance the budget, to get to where we wanted to be budget-wise by adding things in, we have not for the past two maybe three years actually drawn out of contingency a dime. Because the state increased the amount of money that we thought we were not going to get for State Highway User funds. We got more last year than previous years in addition to that, the state police fund increased, which also gives additional funds that we went after. But we got those funds because we worked with Maryland Municipal League and other municipalities around the state to lobby for those funds to come back in. The reason for the big drop in city funds occurred because of the HURs more than the city taxes themselves. The City received in 2010, I believe, roughly \$210,000 from HURs. The very next year, we got \$19,000. We also lost an equal amount of money in State Police Aid. So with the idea that the Highway User Revenue funds will go back up, State Police Aid has gone up some, with the new tax assessment I believe will increase in property value and will

increase our taxes, that is also going to help us. But my sincere fear has nothing to do with that, it is that the county is proposing not a 15% tax increase, which is going to hit all of our residents, it is going to hit municipalities more than it is going to people in the unincorporated areas. In addition, Maryland National Capital Park and Planning Commission has asked for a special tax increase of 3%. So it is not 3% your taxes are going to go up if that budget goes through, it is actually going to be 18%. So any tax the city has is going to be part of what our residents are going to be paying. For that reason, I cannot see a total tax increase of a percentage, but I can see a penny.

Councilman Bolin states that every year the City budgets a structural deficit and every year the City gets lucky and does not draw down the reserves. According to him, that is not good budgeting or good management by the staff and the council. He believes the council is shortchanging the city in a long-term capacity by the budget decisions it makes. For example, there are \$100 rubber speed bumps because the City cannot afford a few hundred dollars to do the good asphalt kind. The residents expect quality services to develop the City.

Councilman Christopherson: Regarding the County Tax Rate, the proposed \$0.15 increase, it wouldn't apply to everybody. The latest I heard was that if you make \$70,000 or less you were exempted. If you are on a fixed income you are exempted. Regarding what our residents pay, we have, MML gave me a list of fifty different tax credits municipalities are allowed to offer residents. I think we might do one or two. So we have a lot available to us. We have to mitigate the expense to lower income residents if we were to raise the tax rate. The last point I want to make is that raising the rate \$0.01 is \$30,000. That's not going to fix all our problems. If we raise it \$0.03 that would be \$90,000 and that would be a police officer. Not that I think we should hire another police officer. . . . So I think a tax rate in that range would be sustainable. I think we can mitigate the impact against our most vulnerable residents with tax credits and I think it would be the relatively responsible thing for us to do at this juncture.

Councilwoman Reposo: If we are going to raise taxes at all, I would like to see other sacrifices be made on behalf of the City. Residents do want their roads to be fixed and they do want their services, but they also see how much they are spending on their taxes. I think people want better services but I think people do not understand why their tax money is not being used in a different way than it already is. So I think that the residents would like to see if the taxes are raised, that the city is also making some sacrifices.

Councilwoman Reposo does not want to raise the tax rate.

Councilman Christopherson: What are our options as far as increasing the tax rate for some properties and not others.

City Manager Wallace: I don't know the full answer to that other than you can create what some people call a tax incentive. You can create tax districts. But there are some restrictions because you can't create it for the sole purpose of, for particular properties, ways to tax at a certain rate and then don't do it for other properties. It has got to be equal.

Ms. Sharnette Robinson : I would really hope that you wait until after the assessments come in before you do any kind of increase on taxes. I am ready to retire. I know how people feel on a fixed income. I have talked to a lot of people who have said okay I am getting ready to get hit with this 15% because I make \$72,000 a year instead of \$70,000 or I am now at \$75,000 a year. . . I would also like to see in that funding, what is going to come to Mount Rainier. 15% is a lot of money and I don't care if we say we are going to raise it \$0.01, or \$0.02, or \$0.07. You are adding that on to the 15%. That is a lot of money for some people and quite frankly it is going to make a lot of people move out of this area. It is not worth it.

Mayor Miles: Just to give you a quick answer on people moving out, from my understanding, that is actually the idea, to bring in people who make a whole lot more money so that they can take away the 70% property tax, where the money kind of comes from, and the 30% business to flip it so that the 70% comes from business and the 30% comes from property tax. I heard that from the County Exec myself.

Councilman Christopherson: From what I understand, our part-time A/V is limited on the number of hours he can work by policy. . . Samantha has been spearheading an audio visual project, which has a lot more work to do, which is profiling local businesses and putting those profiles on MRTV, YouTube, etc. So I would like to offer that employee full-time employment or to work as many hours as we can use for that project or related projects.

Mayor Miles would like to see more money go into staffing MRTV, instead of equipment, and requests to have a full-time director.

Samantha Olatunji I would actually agree with the Mayor that in addition to the need to support the project, or the business videos, I think it would be very important that we utilize MRTV to support additional events and services in the community because all of those things contribute to marketing the City and what we have to offer. So I support both of your recommendations that we need to invest additional investments into MRTV and making sure the staff there is being able to record as many things as possible to market the City. In terms of answering your question, Jesse, when we did the business interviews, the three business interviews that we did, we allotted one hour just for the recording. And that did not include time for editing, which not only took Jerome's time, but my time as well. To edit, if you combine it, I would say about three hours over a certain amount of days to edit each video...It definitely takes a long time.

Mr. Robert Page: One of things that has been a talk for thirty something years is that most of the time those funds have found their way into other areas. Also, there has been a lot of agreement on how the department has actually been promoted. It has not been promoted and usually the squeakiest wheel gets the grease in any of things. If it is a broken gutter, a truck, or police needs more bullets...whatever the case may be, it depends on how much excitement they drill into this stuff. And for thirty something years, there has been insufficient energy put in this department. And also the way it is structured is a problem. Some other municipalities have created a secondary financial environment to raise money outside so that they can pull in the funding to take care of these things. A lot of hours were put and there is a little bit of shyness of our previous director's ability to get in front of a mic and explain what was going on. So thirty years went by and she just wanted to keep the peace. So a lot of things did not get done. Once you structure things a certain way, the money is usually stipend off... I have worked for \$1.29 an hour for at least thirty years. And I did it for various personal reasons to keep the department going. But you can't have your cake and eat it too... But you also have to have the ability to create something. Even for the City, there has to be some other animal that will feed the City. We talk about balancing the budget. It can't happen because it is continuing to be self-employing and witted down by general cost of living, outrageous increases, and this affects, of course, the production area. The production area can actually increase the energy and people come with money so a lot of those things would happen. But if it doesn't happen, it is kind of a day late and a dollar short. A few people are on my dresser or box, and a lot of that comes from the lack of excitement that you have to bring to something like this for public relations. So it is a question of money, it is nothing personal.

**Motion to allow the studio technician to work up thirty hours per week as needed by the projects the City has underway.**

**Councilman Christopherson**

**2<sup>nd</sup> Councilman Bolin**

**3-2**

**Motion to move \$10,000 from the Equipment line item to the Salary line item.**

**Councilman Knedler**

**2<sup>nd</sup> Councilman Christopherson**

**4-0**

**Motion to adopt Ordinance 1-2015 to establish a tax rate and adopt an annual budget and appropriate funds for Fiscal Year 2016, beginning July 1, 2015 and ending June 30, 2016 as amended. The tax rate remains the same for business and personal property taxes.**

**The amendments include:**

- **Giving a 2% COLA to management and 3% COLA to Public Works and other administrative employees, while keeping the union contract as is.**
- **The Studio technician and MRTV department hours are to be increased to up to thirty hours, but will be 25 hours.**
- **Money is to be taken from the equipment line item and placed into the salary line item in MRTV.**
- **Under Section IV General Fund Revenues, the funds in the undesignated balance were decreased from \$218, 500 to \$194, 750, which decreased the total General Fund Revenue from \$5, 045, 250 to \$5,069, 000.**

- **Economic Development increased from \$109,500 to \$116, 500**
- **Highways and streets expenditures decreased from \$73,000 to \$68,000.**
- **Community programs decreased from \$18, 500 to \$16, 500.00**

**Councilman Knedler**

**2<sup>nd</sup> Councilman Bolin**

**4-0**

### **New Business**

**Motion to approve a letter of support for the Anacostia Hours application for a mini-grant to update the Anacostia Hours Website**

**Councilman Christopherson**

**2<sup>nd</sup> Councilman Bolin**

**4-0**

### **Ordinance 2-2015 Police Body Cameras (Introduction)**

Councilman Christopherson: Given the increased social consciousness, and the social climate that has developed as a result of some deaths in police custody and other incidents over the past couple of years, there is a new onus on legislative bodies to make sure there are policies that affect the relationship between the police and the citizens, protect civil liberties, protect the privacy of the police officers, and the privacy of the people who are recorded on their body cameras as much as possible.

### **Ordinance Summary**

This is an ordinance requiring that Mount Rainier City Police create and implement a general order governing the care and operation of wearable body cameras that complies with the provisions of this ordinance for the purpose of protecting the civil rights, civil liberties, and privacy of Mount Rainier's residents, police officers, and visitors.

- To enhance police services to the Mount Rainier community by accurately documenting, by video and audio recording events, actions, conditions, and statements made during citizen contacts, traffic stops, arrests, searches, and other calls for police service.
- To capture crimes in progress perpetrated against the officer of a community. And to maintain this capture as evidence for court presentation, to accurately document crime scenes and the discovery of evidentiary terms, items, and to accurately represent the actions of the police pursuant to investigation.
- To aid in the documentation of statements of victims, witnesses, suspects, or the accused during an on scene response, and/ or to document the advice of rights if applicable.
- To act as a deterrent for purposes of officer safety when a potential suspect or accused should simply know his or her actions or statements would be recorded.
- To reduce false complaints made against officers in the course of their police duties.
- To serve as a training mechanism to ensure that the courtesy and professionalism of all Mount Rainier police officers. To require a written policy specifying administrative sanctions for wearable body camera policies and to provide the changes to a general order or police department police governing care and use of wearable body cameras.

### **City Manager's Retirement**

The City Manager has mentioned her intention of retiring July 1<sup>st</sup> but has not submitted a formal statement in writing yet.

Councilman Christopherson mentions the issues of creating a job description, possibly choosing a professional service to help collect resumes, and creating a review board among many other items. He believes that even if Ms. Wallace chooses to stay, these policies should be put in place for when and if she does.

The council is putting a transition plan for the City Manager's Retirement on the work session agenda.

**No vote to adjourn**