City Council Workshop Agenda
Monday, November 16, 2026, 4:30 PM
Council Chambers, 616 NE 4th AVE

NOTE: The City welcomes public meeting citizen participation. TTY Relay Service: 711. In compliance with the ADA, if you need special assistance to participate in a meeting, contact the City Clerk's office at (360) 834-6864, 72 hours prior to the meeting so reasonable accommodations can be made (28 CFR 35.102-35.104 ADA Title 1)

To observe the meeting (no public comment ability)
- go to https://vimeo.com/event/6352039

To participate in the meeting (able to public comment)
- go to https://cityofcamas-us.zoom.us/j/84310812974
(public comments may be submitted to publiccomments@cityofcamas.us)

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

WORKSHOP TOPICS

1. Parks Regional Funding Task Team Report
   Presenter: Chris Witkowski, Parks & Recreation Director and Ross Hoover, Clark County Parks & Nature
   Time Estimate: 30 minutes

2. Code of Conduct and Trespass from City Facilities
   Presenter: Tina Jones, Police Chief
   Time Estimate: 20 minutes

3. Staff Miscellaneous Updates
   Presenter: Doug Quinn, City Administrator
   Time Estimate: 10 minutes

PUBLIC COMMENTS

COUNCIL COMMENTS AND REPORTS

CLOSE OF MEETING

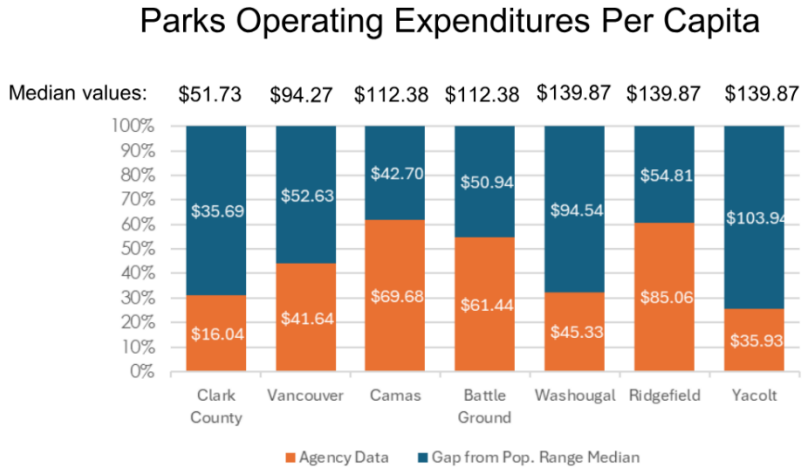
Staff Report

November 16, 2026 Council Workshop Meeting

Parks Regional Funding Task Team Report
Presenters: Chris Witkowski, Parks & Recreation Director; Ross Hoover, Clark County Parks & Nature
Time Estimate: 30 minutes

Phone	Email
360.817.7037	cwitkowski@cityofcamas.us

BACKGROUND: Between increasing population and rising costs, municipal park agencies are struggling to keep pace with funding requirements for maintenance, improved facilities, and overall park health. Regionally, all local agencies are funded below the national median and Clark County Parks & Nature has had to utilize reserve funds to cover basic services at their regional parks.



All park systems are below the national median for operating expenditures of similar populations.

SUMMARY: In Fall 2025 Clark County Parks & Nature initiated a study to explore options for a regional solution to budgeting shortfalls. This included the development of a regional funding task team that included staff and elected officials from most county municipalities. The City of Camas participated in the task team and was represented by Chris Witkowski (staff) and Tim Hein (city council). As part of the study, a benchmarking exercise was conducted and several funding models were explored, including a Municipal Parks District (MPD) and Regional Parks Levy. A final report was generated in May 2026 and presented to Clark County Council.

For next steps in the study, Clark County Council directed County staff to conduct market research on a regional MPD and discuss the establishment of Interlocal Agreements (ILA) with county municipalities on a shared revenue model resulting from a potential MPD. This presentation is to share the findings of the task team report and update Camas City Council on the progression of the MPD research.

BENEFITS TO THE COMMUNITY: Funds from an MPD would directly supplement the existing Parks Operating Budget and could only be used to enhance the parks system, including maintenance and asset management.

STRATEGIC PLAN: With funds from an MPD providing a revenue stream for increased maintenance and asset management, this topic covers the strategic priorities of Stewardship of City Assets, Vibrant Community Amenities, and Economic Prosperity.

POTENTIAL CHALLENGES: A potential challenge to implementing a regional MPD in Camas is that the city cannot implement its own MPD in the future, should that be deemed an appropriate measure. In a regional model, Camas would be bound to the decisions of the MPD board as well as terms outlined in the ILA. There is also a risk to not participating in the regional MPD and subsequent ILA in that Camas residents could end up paying into a regional fund without receiving any of the shared revenue. Further risks and challenges will be identified in the upcoming market research analysis.

BUDGET IMPACT: Budget impact is unknown at this time. Fees, revenue, and cost share will be explored during the market research analysis.

RECOMMENDATION: This is for Council's information only. No decision is required at this time. Further information will be provided to City Council once the market research analysis is complete and if/when Camas needs to decide on participating in a regional MPD.



Regional Parks Funding

Task Team Report

May 2026

Clark County Public Works - Parks & Nature Division
1300 Franklin Street, Vancouver, WA 98660
www.clark.wa.gov/public-works/clark-county-parks

Acknowledgements – Regional Funding Task Team

The preparation of this report was made possible through the support and direction of the elected officials and staff on the Regional Funding Task Team.

Clark County Councilors:
Glen Yung
Alt: Matt Little

Vancouver City Councilor:
Diana Perez

Camas City Councilor:
Tim Hein

Battle Ground City Councilors:
Jeanie Kuypers
Alt: Victoria Ferrer

Washougal City Councilors:
Michelle Wagner
Alt: David Fritz
Alt: Molly Coston

Ridgefield City Councilor:
Rian Davis

The department also recognizes the contributions of key staff members whose efforts were essential to completing this project, including:

Ross Hoover, Clark County
Evelyn Ives, Clark County
David Perlick, City of Vancouver
Katherine Stokke, City of Vancouver
Corey Crownhart, City of Ridgefield
Chris Witkowski, City of Camas
Joanna Martin, City of Battle Ground
Kris Swanson, City of Battle Ground
Joe Walsh, City of Washougal
Tracy Coleman, City of La Center

Introduction

Clark County Parks and Nature enriches communities by creating and stewarding parks that promote health and wellness, boost economic vitality, preserve natural areas, and ensure access to the outdoors for all. With over 100 parks in its system, Clark County Parks and Nature provides public access to special places, from beaches along the Columbia River, to home plates on little league fields. The parks system also protects public access to nature by acquiring, building, and maintaining trailheads and trails in forests and along rivers that connect people with the outdoors. The County's nine regional parks received an estimated 2 million visits in 2025. Clark County Parks and Nature Division has grown into a large, developed park system over decades. But, as the County population continues to grow, the funding sources for parks operations and maintenance budgets have not kept pace with rising costs and growing community needs. Without a new source for operations and maintenance, the County will not be able to develop new parks and eventually will have to make difficult decisions to close parks where safe and clean conditions cannot be maintained.

In 2025, Clark County Council directed the formation of a regional parks task team to tackle current and future challenges presented by lack of adequate park funding options. The regional task team is made up of city council representatives and staff from: Vancouver, Ridgefield, Battle Ground, Camas, Washougal and La Center as well as representatives from Clark County. The task team set out to understand the needs of each local park system and evaluate dedicated park funding options for the Clark County region based on a review of models in other regions throughout the country. The team convened a total of ten meetings between October 2025 to April 2026 and developed this report summarizing the information discussed during that time.

Clark County's Urgent Need

Clark County's Parks and Nature Division funds park operations and maintenance from three main sources: 1) The Greater Clark Parks District (GCPD); 2) park-generated revenue from paid parking, shelter reservations, and sport field rentals; and 3) the County's general fund. These funding sources have generally not kept pace with expenses. The costs of utilities, labor, materials and supplies are increasing rapidly. This is due to many factors including inflation and changes in the labor market. Additionally, because of constraints on funding sources, some of Clark County's park properties are getting more attention than others, which has caused an imbalance within the system.

Revenue Sources

The Greater Clark Park District (GCPD) is a voter-approved Metropolitan Park District (MPD) created in 2005. The district is not County-wide; rather, it encompasses just the unincorporated urban growth area of Vancouver, which at the time was growing rapidly in population, but had few developed park properties. Generally, funding generated within the park boundary can only be used for parks within the boundary. The formation of the GCPD along with its funding mechanisms enabled the County to build 30 new parks and operate and maintain those parks over the last 20 years. The levy is a stable and parks-dedicated funding source. The main challenge is that these funds cannot be used outside of the GCPD.

There are eight large, regional parks outside of the GCPD that rely only on general funds and park-generated revenue. These regional parks are: Lewisville, Daybreak, Lucia Falls, Moulton Falls, Lacamas, Whipple Creek, Vancouver Lake, and Frenchman's Bar. Not only are these the most heavily used parks in the County system, but they also are some of the oldest, largest, and most remote parks. They require more staff time for operations and maintenance to keep the parks safe and clean. Unfortunately, the funding sources for these parks have become limited over time.

Currently, park-generated revenue covers about 12% of total park operating expenses, and the general fund only covers about 23% (see Figure 1).

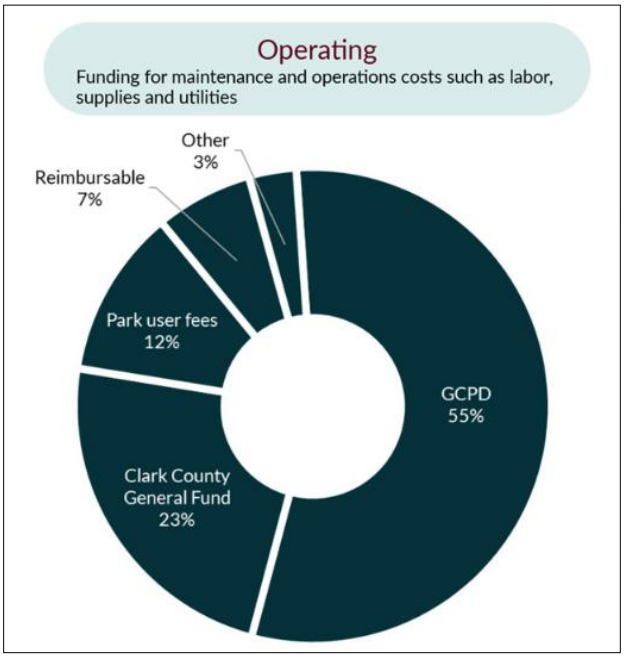


Figure 1: Clark County Parks Operations and Maintenance funding sources.

Expenses

Over the years, Clark County has taken many measures to reduce costs, including reducing staffing levels. Currently, the County employs 37 operations and maintenance staff to maintain 7,166 acres of park land. Compared to other parks agencies of similar size, this level of staffing is 80% less than the national median. Compared to other park agencies, regardless of size, the County's staffing level is 92% less than the national median (see Figure 2). Figure 2 shows the ratio of full-time employees (FTEs) per 10,000 residents based on data collected by the National Recreation and Park Association (NRPA) in 2024.

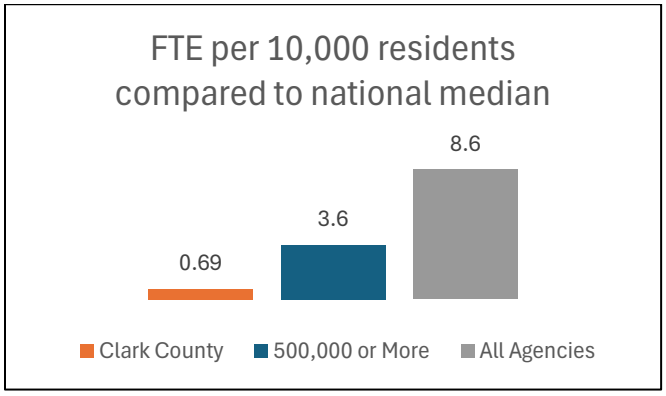


Figure 2: Comparison of staffing ratio to residents for park system reported in the 2024 NRPA Park Metrics database.

Staffing levels are lower, but the usage of County parks has increased with the rapidly expanding residential population. Increased usage means more garbage, more vandalism, and more wear and tear on facilities. Using task tracking software, the County has documented that 33% of daily tasks assigned to staff cannot be completed and only the most urgent maintenance and repairs are being done. Graffiti and vandalism can't be addressed as quickly, if at all. Bathrooms must be closed more frequently due to damage or disrepair. The list of deferred repairs continues to grow and over time becomes more costly to repair.

For the last seven years, the County has had to dip into reserve funds to cover the gap between regional parks' available funding and their actual operational costs (see Figure 3).

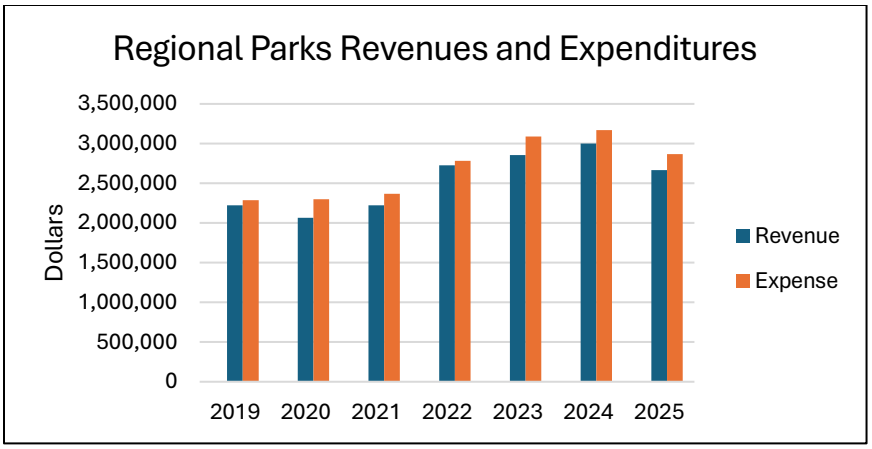


Figure 3: Regional parks revenues and expenditures between 2019 and 2025, without the Council-approved subsidies from reserve funds.

Expense Reductions and Revenue Enhancement Strategies

With an already lean staff, the County has had to turn to other measures to try to reduce the budget deficit. In 2025, County Council approved a resolution to increase park user fees, such as parking and picnic shelter reservations, which had not increased since 2010. Additionally, starting in July 2025, Park Management reduced irrigation of natural turf areas in Clark County-owned and operated parks. The effort reduced water usage by about 40% and saved approximately $116,000. Furthermore, in 2026, Council also approved the creation of a new partnerships position for the Parks and Nature Division. This position is solely focused on new contracts with park partner organizations to produce revenue and offset operating expenditures.

These measures have helped to reduce the budget deficit in the meantime, but aren't enough to close the level of service gaps and will not be enough to address future needs.

Cities and County Data Evaluation

To better understand the status quo of the other regional park providers in the county, the task team learned about each agency's unique park system. Together, the task team members compiled data from each of their park systems to benchmark against national metrics. Benchmarking metrics were pulled from the NRPA 2024 Annual Report based on data from member agencies across the country. Each park system compared their metrics to the national median for communities of their size.

One shared strength of our region is the amount of open spaces and natural resources. The amount of park-owned properties, including open spaces or natural areas, is high compared to national levels. Figure 4 shows little to no gap existing for the metric of total parkland per 1,000 residents. For Clark County and the City of Camas, their metrics are significantly above national median levels.

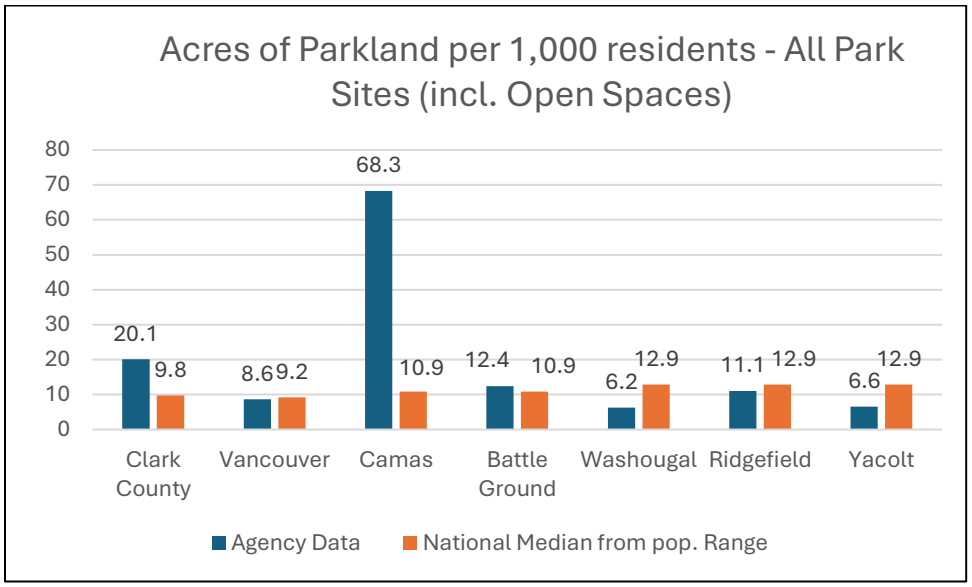


Figure 4: The comparison between agency data and national median data (based on population size) for acres of parkland per 1,000 residents.

Other metrics varied widely between agencies, depending on the size and number of parks each agency maintains and the level of development within the city. One commonality of all the park agencies in Clark County is that they are **funded and staffed below the National Median for agencies of their size.**

The figures prepared below are part of a gap analysis conducted using the national median benchmarking. Park system data are plotted in orange and the gap to meet the national median is plotted in blue. The vertical scale is zero to 100 percent, with 100 percent representing the national median value. For example, if the national median value is 100 parks facilities per agency and the City of Vancouver's count was 60 parks, then the chart would show the City of Vancouver at 60 percent and the gap at 40 percent.

As shown in Figure 5, all the task team's park systems are below national median levels for operating expenditures from regions with similar populations. Since some of the park system providers in Clark County don't provide recreation programming, the Figure 5 comparisons do not include recreational programming costs.

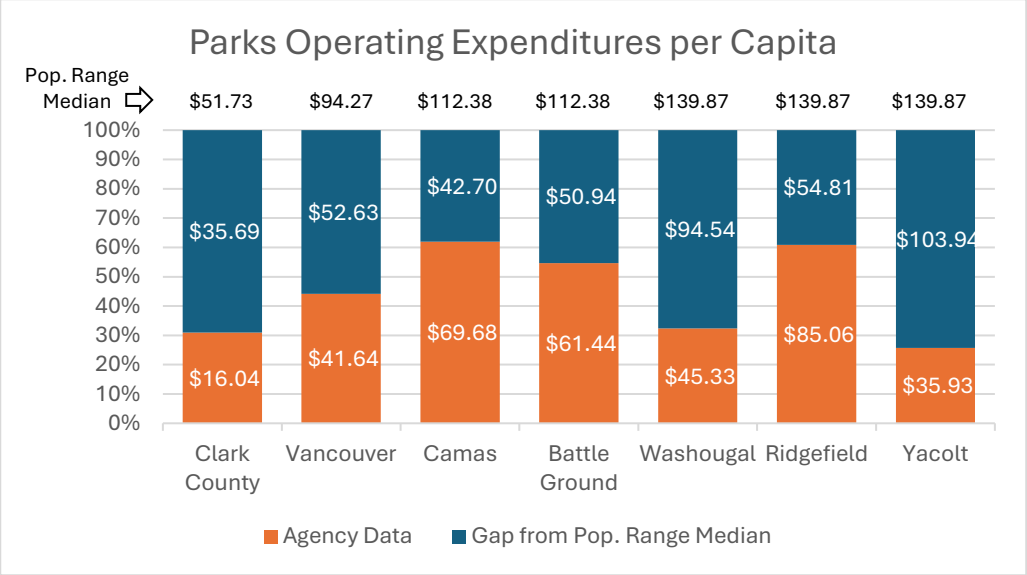


Figure 5: The percentage gap between agency data and the national median data (based on population size) for operating expenditures per capita for parks only (does not include recreation expenses)

In addition to operating expenditures, **staffing levels are also all below national median levels.** As shown in Figure 6, the ratio of full-time park employees (FTE) per 10,000 residents in each agency is below the national median for similar populations. Again, this comparison does not factor recreation programming staff into the comparison.

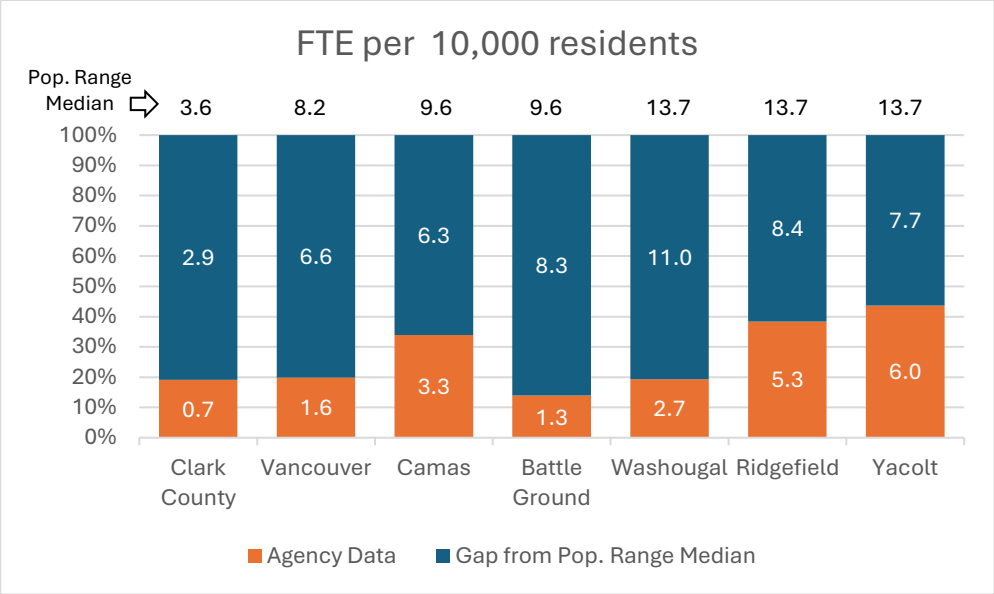


Figure 6: The percentage gap between agency data and the national median data (based on population size) for full-time employees (FTE) per 10,000 residents for parks only (does not include recreational programming staff)

The current data illustrates the realities of rapidly growing communities that will need park and recreation spaces and services. Based on State growth projections, the county will see a projected population growth of 34% over the next 20 years. That equates to about 154,854 more residents by 2045, which is similar to adding another city the size of Vancouver (current population of 202,600) to the County. This massive growth will require investment in park systems or drastic reductions in the level of service and numbers of parks in Clark County.

Given the demand for parks and open space access, each provider agrees that reduction is not a viable path forward. And while each agency has gaps in comparison to the national median, the task team members acknowledge that each system's needs and level of service goals look different. This report will not prescribe the funding needs to meet each agencies' needs or goals. While a shared revenue source for parks would be beneficial to cities that participate, it will likely not be a total solution to filling gaps at all agencies.

Models and Case Studies

The task team narrowed their focus to explore two types of viable funding models: a **Metropolitan Park District (MPD) and a Regional Levy.** Either of these models would allow for the County to share part of the tax revenue with cities. This section summarizes

each type of model and discusses the potential implications if either model were implemented for Clark County.

Metropolitan Parks District

An MPD is a special-purpose local government entity established by voter approval under Washington's statute RCW 35.61 to fund a defined district that can cross multiple governmental jurisdictions. The MPD funds can be used to acquire, develop, maintain, and operate parks, trails, recreational facilities and other related amenities or programming. Establishment of an MPD allows for a permanent property tax levy that does not require periodic renewal votes from the public. Once created, the MPD is governed by a board or legislative authority, who would control the property tax levy rate on an annual basis.

Currently, Clark County contains one MPD, the GCPD, which generally has a boundary limited to Vancouver's unincorporated urban growth area (as defined in 2005 when the MPD was formed). The GCPD was established with a property tax levy cap of 27 cents per $1,000 of assessed home value, and County Council was designated as the governing body. The rate of the levy has decreased over time because, even though housing prices have increased rapidly, Washington State limits the annual revenue growth of local governments to one percent annually (plus new construction). The levy rate is adjusted each year based on total revenue projections. As of 2026, the levy rate is approximately 13 cents.

One viable option would be an expansion of the GCPD boundary into a County-wide district. This would allow money generated by the MPD to be used throughout the county, including regional parks. The County could also share portions of the tax revenue with cities utilizing intergovernmental agreements. At approximately 13 cents per $1,000 of assessed value, a County-wide MPD would generate an estimated $15 million dollars annually.

To initiate a ballot measure for expansion of the GCPD, petitions within each jurisdiction must be signed first. In accordance with RCW 35.61.020, a petition for a new city to join an MPD must be signed by 20 percent of the registered voters residing within the territory proposed to be annexed into the MPD. If the petition effort is successful, then annexation requires a simple majority to be approved by voters.

Regional Parks Levy

A county-wide property tax dedicated to parks, if approved by voters, could be levied for a six-year period, per RCW 36.68.525. Washington's statute limits the levy amount to 60

cents or less per thousand dollars of assessed value of property and requires a voter approval rate of at least 60 percent. Levy revenues may be used to acquire, build, operate, maintain, or regulate parks, trails, recreational facilities and other related amenities or programming. The levy would be governed by County Council, who would be allowed to increase the rate up to one percent annually without voter approval.

The levy provides more flexibility to cities that might consider a city-wide MPD in the future. The levy's six-year term limit might be more palatable to tax-sensitive voters but would not provide a permanent solution for the problems facing parks systems. Additionally, levy renewals would likely require some level of investment in public education every six years. If a County-wide levy were established, it would not change the existing GCPD tax rate and boundary. Many task team members brought up an equity concern regarding overlaying a park-levy on top of the GCPD. The GCPD populus would be paying two property taxes dedicated to parks, while the rest of the County population would only be paying one. Without additional benefits within the GCPD, this approach may be seen as inequitable by some taxpayers within the GCPD. Some task team members have concerns about the County-wide levy option, as it would result in a layered park tax for some residents.

Conclusion

Based on the information presented herein, the task team developed the following facts and findings:

Park Systems Value:

1) The benefits of parks, trails, natural areas, and recreational facilities extend beyond the land, helping to strengthen the local economy, make our region more desirable for businesses, workers, families, individuals, and visitors, as well as supporting public health and wellness and creating spaces that reflect the needs of all residents.[i]

2) Community members across our region place high value on parks, trails, and recreation. Parks, natural areas and trails are consistently ranked among the most important public infrastructure in our region. [ii]

Challenges:

1) Every park system in our region is funded below the national median of peer agencies of similar population size. [iii]
2) Communities throughout our region are projected to see continued rapid population growth. [iv] Current funding sources are limited and insufficient to meet

present needs.[v] Due to the continued rapid population growth coupled with existing gaps, agencies across the region will not be able to meet future needs without a new approach and additional funding.

3) Clark County has valuable recreational trails, but lacks an interconnected regional trail system, which contributes to our area's health, wellness and future economic development goals. [vi]

Findings and Next Steps

City- and County- owned parks serve all community members, regardless of their residential location. The Regional Funding Task Team finds that it is important to consider a regional funding source to fund all park and recreation systems in our region. Similar regional funding models are utilized around the country. [vii] The Task Team acknowledges that ultimately this will be a voter decision, but believe it is important for the cities and county governments to work in concert with one another.

Recommended Actions

The task team reviewed models that might meet this future funding need and identified impacts and implications for proposing each model in Clark County. The task team recommends that County Council take the next steps to further explore these funding models and how revenue could be shared with interested cities, by:

1. **Conducting market research** to provide the data, feasibility evaluations, and **conducting public education** and other preparatory work needed for County Council to make a decision on a potential future ballot measure.
2. **Determining viability and process** for adopting either funding mechanism by conducting formal legal reviews.
3. **Developing a framework for revenue sharing** by directing county staff to continue to work with city representatives so that city park providers can also benefit from a potential revenue source dedicated to parks.

Process for Decision-Making

The potential next steps of this process are outlined below:

- County Council consideration of Recommended Actions
- Present public information on need and benefits of funding dedicated to parks
- Market research prior to potential ballot measure, with the following outcomes:

    - Ballot measure feasibility
    - Levy price sensitivity
    - Community values and motivations toward parks, trails, and recreation
    - Strategic timing of a ballot measure
    - Accountability benchmarking and baseline data for future evaluations of levy success
- Cities and County staff work to develop a framework for revenue sharing and draft the terms of interlocal agreements (ILAs), including:
    - Mechanics of revenue sharing
    - Calculation of revenue share
    - Clarification of intended use of funds
    - Articulation of autonomy within a shared purpose
        - Specific mutual investment (regional parks, regional trails)
        - Synchronization with City goals from County investment
        - County commitments to cities
- Draft interlocal agreements are presented to City Councils for consideration
- Possible ballot measure in Fall 2027

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[i] Washington State Parks Economic Impact Report: Economic Benefits of Parks | Washington State Parks
Earth Economics Report: Economic Analysis of Outdoor Recreation in Washington Stat
Trust for Public Land Report: The Power of Parks to Promote Health - Trust for Public Land
UW Report: https://rco.wa.gov/wp-content/uploads/2020/01/HealthBenefitsofNature.pdf
[ii] City of Camas:findingsreport_camaswa24120624.pdf
City of Battle Ground: 2025-Battle-Ground-Survey-Findings-Report
[iii] Regional Funding Task Team, Data Summary Infographic
[iv] Washington State Office of Financial Management, Growth Projections: gma_2022_5yr.xlsx
[v] Clark County Council Meeting, 3/26/25: 032625-sustainable-future-parks-and-nature_0.pdf
[vi] Clark County Bicycle and Pedestrian Master Plan: Clark Cover OCt
Regional Transportation Council, Active Transportation Plan: RAPT2021-Report.pdf
[vii] King County Parks Levy: Parks Levy - King County, Washington
Sonoma County Parks Levy: Measure M FAQ

Parks:
Regional Funding Task Team

Public Works – Parks and Nature Division

May 20, 2026

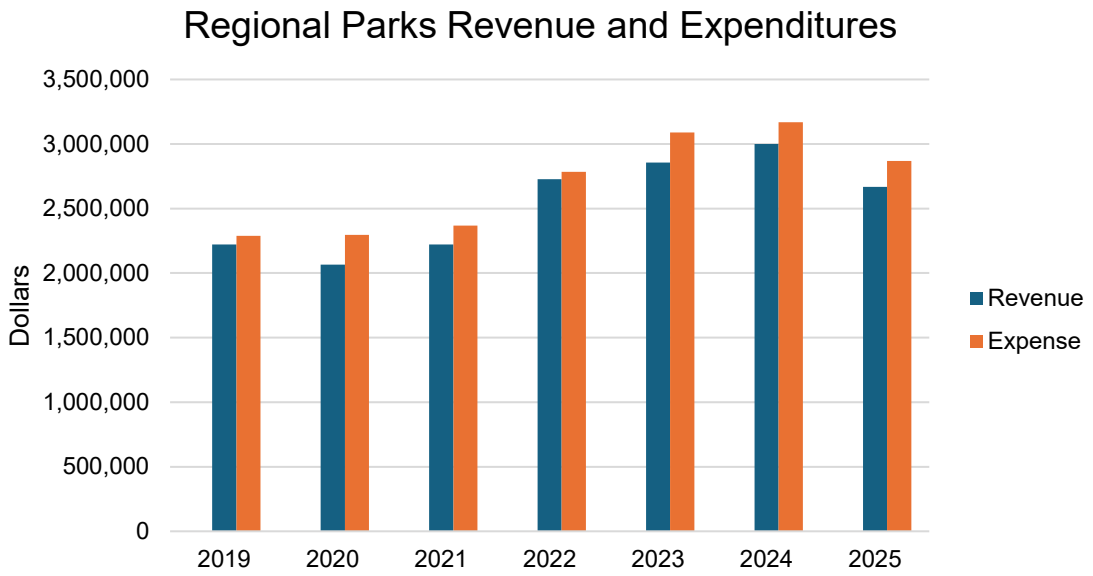
Agenda

- Summary of Needs
- National Benchmarking
- WA State Benchmarking
- Funding Models Comparison
- Recommended Next Steps



Summary of Needs – Clark County

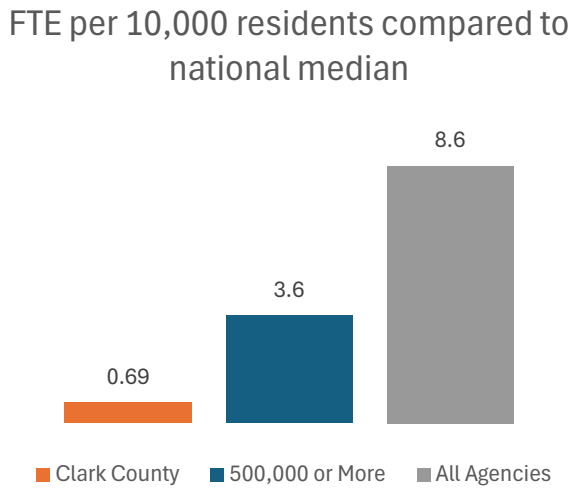
- Clark County parks system is not meeting its existing needs due to a lack of available funding, rising costs, and rapid population growth.
- For the past 5 years, the County has had to use reserve funds just to cover the basic services at our Regional Parks.



Summary of Needs – Clark County

- With an already lean staff, there are no longer ways to cut costs.
- Park up-keep has suffered.
- Maintenance has been deferred.

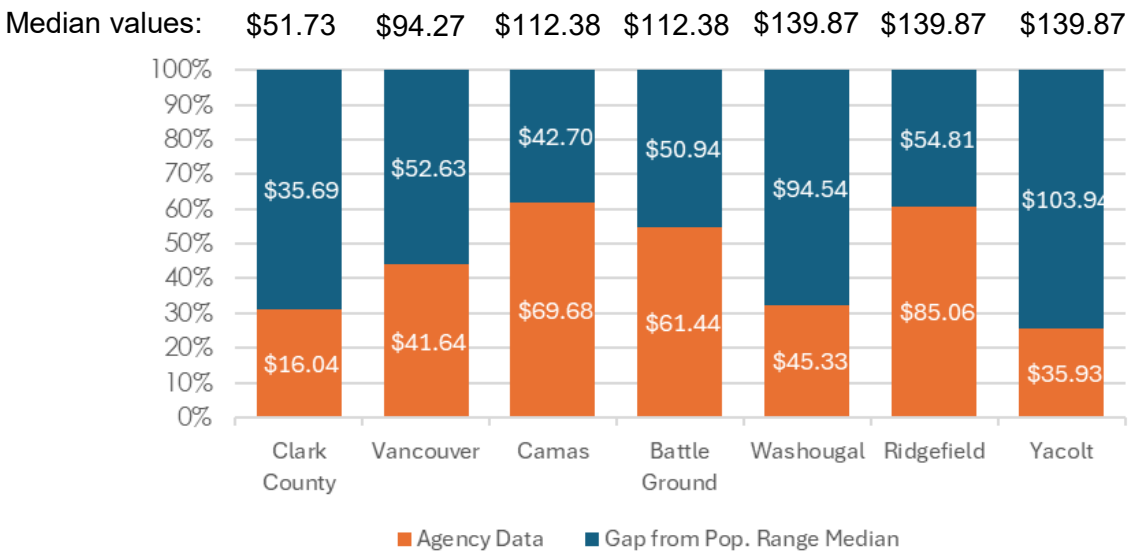




33% of daily tasks assigned are not being completed

National Benchmarking – All regional providers

Parks Operating Expenditures Per Capita

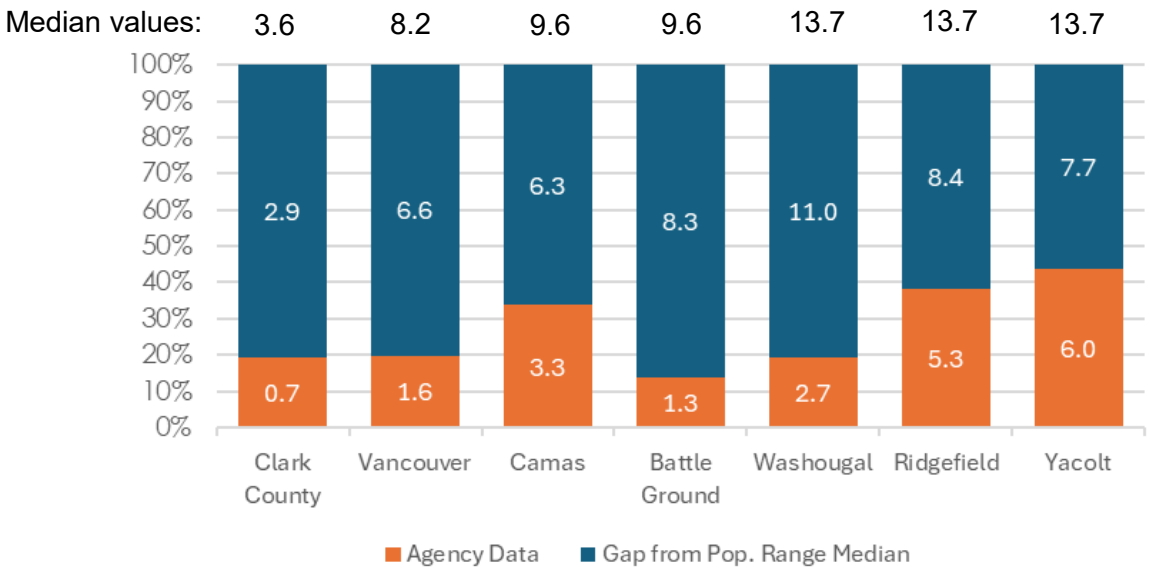


All park systems are below the national median for operating expenditures of similar populations.

Each park system compared their metrics to the national median for communities of their size. Park system data are plotted in orange and the gap to meet the national median is plotted in navy blue.

National Benchmarking – All regional providers

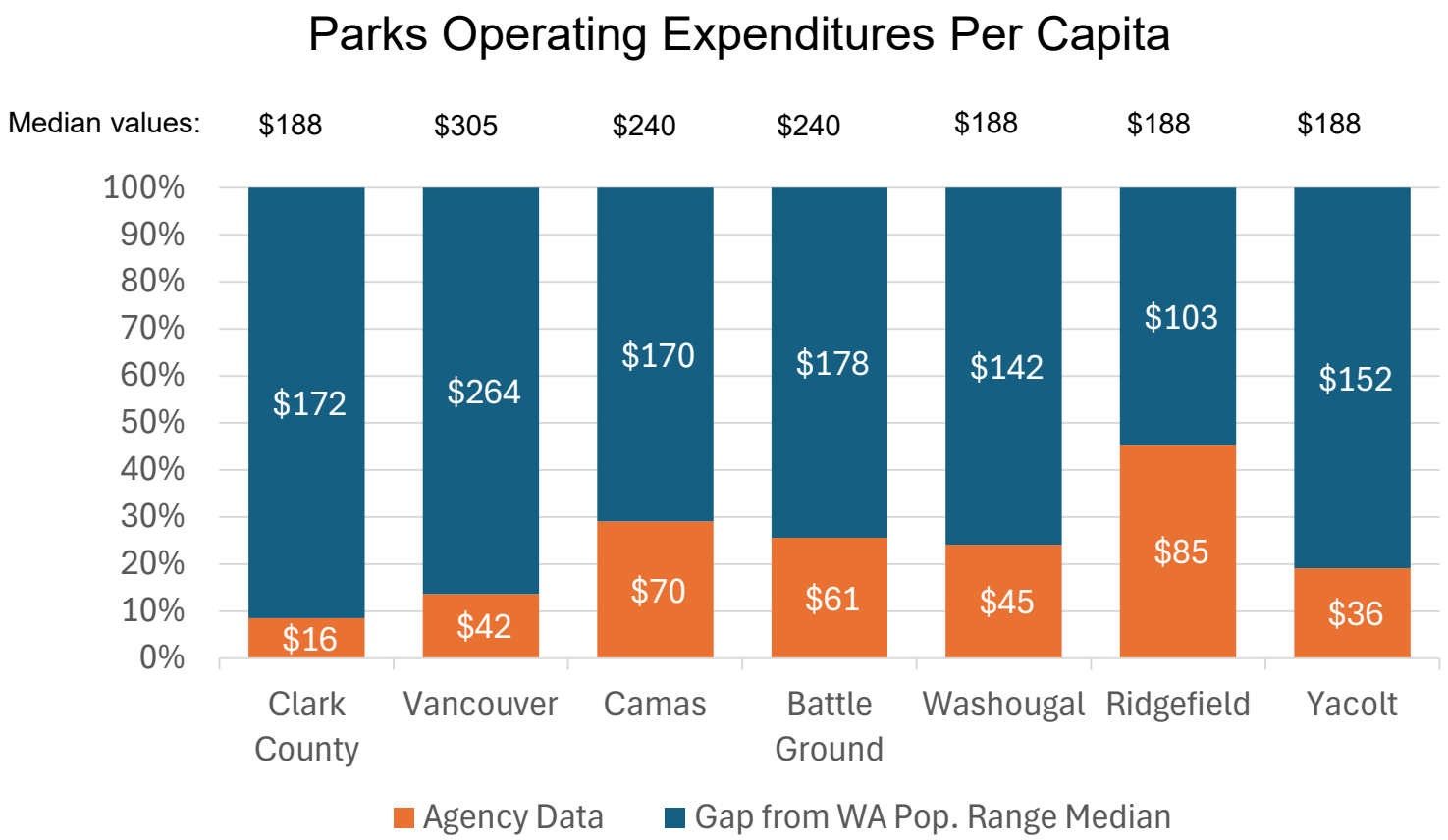
Full Time Employees per 10,000 residents



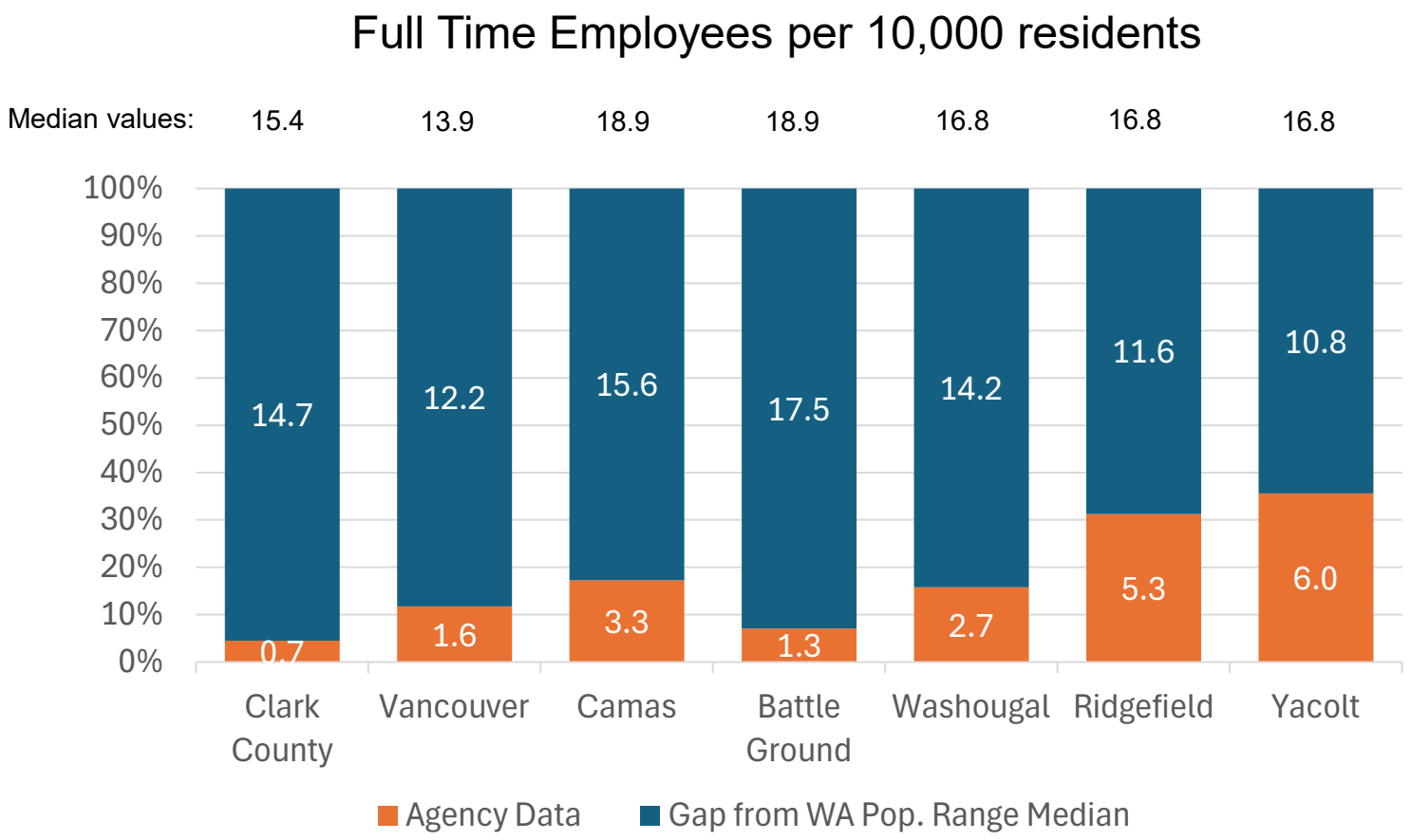
All park systems are below the national median for full time employees (FTE) per 10,000.

Each park system compared their metrics to the national median for communities of their size. Park system data are plotted in orange and the gap to meet the national median is plotted in navy blue.

WA State Benchmarking – All regional providers



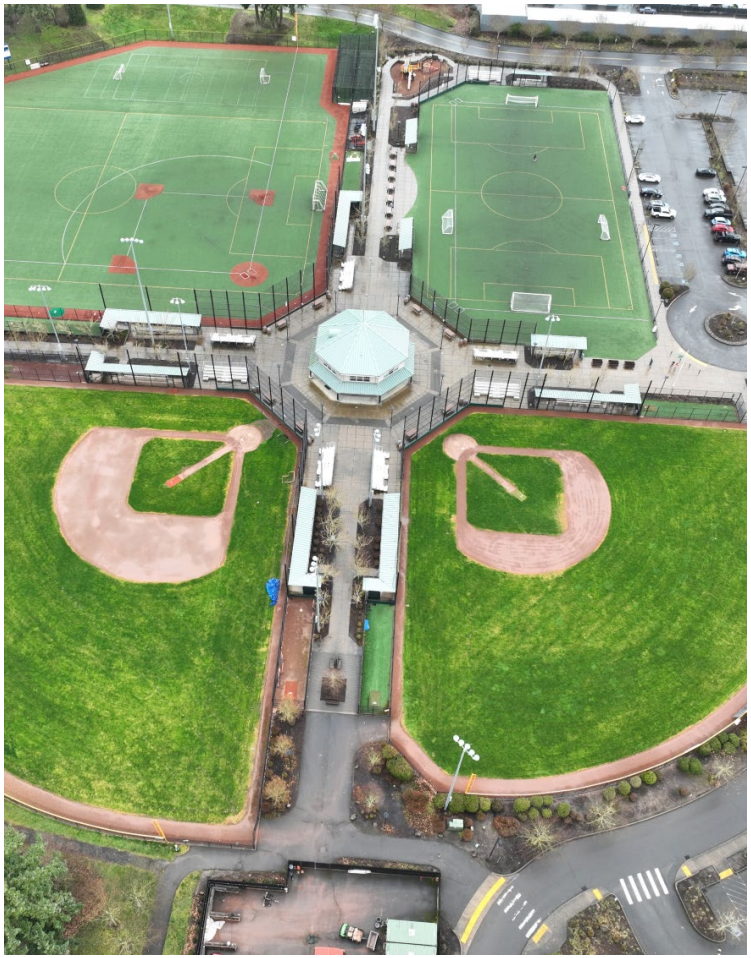
WA State Benchmarking – All regional providers



Future Needs

- County expected to grow 34% over the next 20 years
- Parks systems need to grow to match these needs

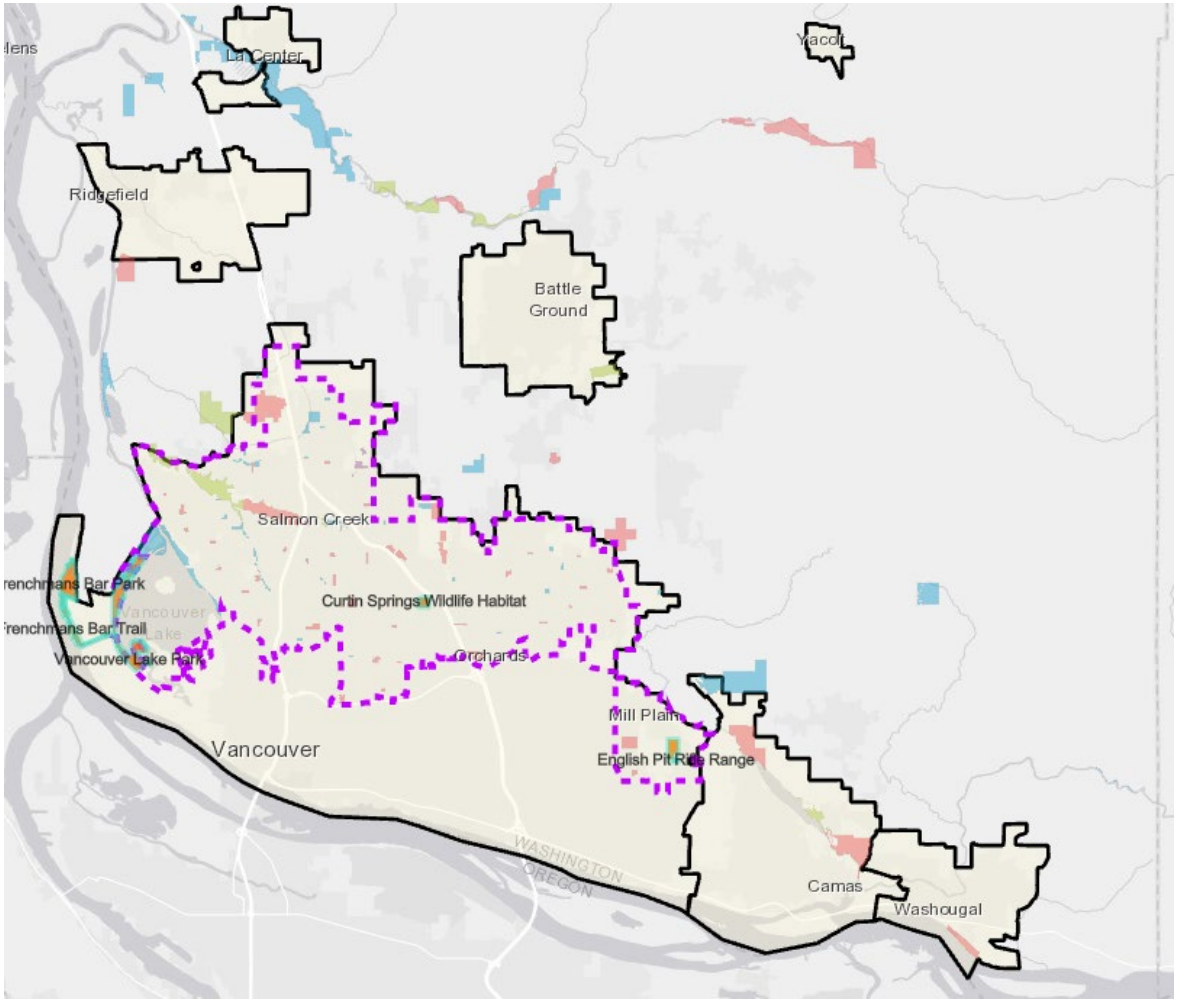




Funding Models Comparison

	Metropolitan Parks District - funding structure	Regional Levy (county-wide)
Requires voter-designated boundary	●	
Funds cannot leave district	●	
Permanent levy	●	Voter renewal required
Board/Council oversight	●	●
Potential for shared revenue	●	●
Potential for shared resources	●	●
Funds can be used for operations (both parks and recreational services) and capital	●	●

Existing MPD: Greater Clark Park District



RECOMMENDED ACTIONS

1. **Conducting market research** to provide the data, feasibility evaluations, and **conducting public education** and other preparatory work needed for County Council to make a decision on a potential future ballot measure.

2. **Determining viability and process** for adopting either funding mechanism by conducting formal legal reviews.

3. **Developing a framework for revenue sharing** by directing county staff to continue to work with city representatives so that city park providers can also benefit from a potential revenue source dedicated to parks.

Market Research

What is it?

- An external agency that provides polling information on potential ballot measures
- Collects statistically valid survey data from County-wide population

What will it provide?

- Feasibility
- Price sensitivity
- Community values and motivations
- Strategic timing
- Accountability benchmarking and baseline data for future evaluations of levy success
- Other preparatory work to establish a ballot measure

Interlocal Agreement (ILA) Development

Interlocal agreements with participating cities to share some of the revenue if a ballot measure is approved

Revenue sharing model development includes:

- Mechanics
- Calculation
- Clarification of intended use of funds
- Articulating autonomy within a shared purpose
- Specific mutual investment (regional parks, regional trails)
- Synchronization with City goals from County investment
- County commitments to cities

Public Education and Outreach

Public Education includes:

- Current under funding challenges
- Impacts of population growth on parks system
- Consequences if new funding is not secured
- Residents, businesses, cities, orgnizations, partners
- Social media, signage in parks, press releases

Next Steps

- Market Research
- Public Outreach Strategy
  - Assets include signage, flyers, social media costs, etc.
- Staff Costs
- Ballot Costs

Staff Report

November 16, 2026 Council Workshop Meeting

CODE OF CONDUCT AND TRESPASS FROM CITY FACILITIES
Presenter: Camas Police Chief Tina Jones
Time Estimate: 20 minutes

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BACKGROUND: Gaps in the current code related to code of conduct and trespassing on public property were identified. These gaps open the city up to potential liability. A new code was developed, in collaboration with the City Attorney's Office, to provide a more robust code for police to rely upon.

SUMMARY: Currently, there is not a standard across the city for code of conduct on city property, which has been problematic for enforcement. This article from MRSC highlights some of the challenges related to the use of public spaces and conduct: MRSC - Shared Spaces – Tips to Balance Use of Public Facilities

Chief Jones identified there was a gap in city policy and conducted research to determine what other cities have done. She worked with the City Attorney's Office to produce the proposed code and ordinance for Council consideration.

The new code provides consistent rules for conduct for city facilities and properties, provides guidance for officers on issuing trespass warnings or exclusions based upon conduct, and provides a process for an excluded individual to seek an exception to visit facilities or properties in certain circumstances with written approval. Significantly, the new code provides an appeal procedure, which does not exist currently. These changes provide clarity to the public, city departments, and the police who are tasked with enforcement. These changes reduce legal risk to the city.

STRATEGIC PLAN NEXUS: This ordinance is related to the Safe & Accessible priority of the Camas Strategic Plan. Having a clear code for conduct on city property provides police with a tool to enforce, as appropriate, conduct which is not appropriate.

BENEFITS TO THE COMMUNITY: The changes provide clear and equitable standards across public property and facilities, which benefits the community. Additionally, the code changes provide a process for requesting an exception or appeal if a trespass exclusion is given.

POTENTIAL CHALLENGES: This code change will require education across departments in the city. Department Heads have been included in the review of the code change and discussions have occurred about why the change is needed.

BUDGET IMPACT: This change will require trespass forms to be printed, which is within the Police Department budget. The change will reduce financial risk related to potential civil liability.

RECOMMENDATION: Staff recommends moving the ordinance forward to a future City Council Meeting for adoption consideration.

Chapter 9.34
CODE OF CONDUCT AND TRESPASS FROM CITY FACILITIES

Sections:

9.34.010 Purpose, authority, and applicability.

9.34.020 Definitions.

9.34.030 Authority to issue trespass warnings – Service.

9.34.040 Duration of exclusion.

9.34.050 Exceptions to exclusion.

9.34.060 Content of trespass warning.

9.34.070 Appeal procedure.

9.034.080 Violation – Penalty.

9.34.090 Education and deescalation.

9.34.100 Limitation.

9.34.010 Purpose, authority, and applicability.

A. The purpose of this chapter is to establish rules of conduct for city facilities and properties that prohibit dangerous or unsafe actions or behavior, illegal actions or behavior, and actions or behavior that are unreasonably disruptive to the use of city facilities and properties by city staff and others.

B. It is further the purpose of this chapter to provide city staff, city security personnel and law enforcement officers with additional, legally sound tools for the enforcement of such rules, as an alternative to arrest and prosecution.

C. Enforcement may include issuing trespass warnings to persons who refuse to comply. It is the goal of this chapter to encourage education and voluntary compliance, to place limitations on the circumstances in which trespass warnings are issued, to create exceptions to issued trespass warnings, and to provide an appeals procedure for after the issuance of trespass warnings.

D. This chapter is enacted as an exercise of the city's authority to protect and preserve the public health, safety and welfare.

E. This chapter shall apply to facilities and properties owned or controlled by the city, excepting those properties, such as city parks and city road rights-of-way, with separate conduct and/or use and occupancy codes and regulations.

F. Enforcement shall only be taken for conduct violating rules adopted pursuant to this chapter, or pursuant to violations of other laws, statutes, ordinances, or regulations.

G. This chapter shall be enforced in a manner that emphasizes education and voluntary compliance with laws and city facility and property occupancy rules so that inadvertent minor violations of this chapter can be corrected without resort to a trespass warning. In addition, whenever possible and appropriate, law enforcement officers, designated city staff and security personnel are encouraged to assist persons who violate the code of conduct by directing them to available community resources that may help with an underlying cause of the violation, such as drug or alcohol dependency or mental health crises.

H. The facilities and public works departments, with the oversight of the Public Works Director, are authorized to adopt rules and procedures consistent with this chapter.

I. Any constitutionally protected action or speech is excluded from the prohibited actions or behavior regulated in this chapter.

J. This chapter shall not be used to impair the rights of or remove people in attendance at open public meetings of the City Council, or people in attendance at public meetings of any other city board, which rights are and attendance are subject to the Open Public Meetings Act, Chapter 42.30 RCW.

K. Persons who are trespassed from a city facility or property, but wish to attend any open public meeting that is subject to the Open Public Meetings Act (Chapter 42.30 RCW), and that is held within a city facility, may do so pursuant to CMC 9.34.050(A)(1).

L. Dangerous or unsafe actions or behavior, illegal actions or behavior, and unreasonably disruptive actions or behavior, as defined in CMC 9.34.020, are prohibited within all city facilities and properties.

9.34.020 Definitions.

“Authorized officer” shall mean any law enforcement officer or security personnel, or city staff designated by the Director or by an elected official, as herein defined.

“City” means Camas, Washington.

“City facility” means all or any part of a building that is owned or controlled by the city, and includes but is not limited to the City Hall, Camas Library, and the Administration Building and Annex.

“Dangerous or unsafe actions, behavior or conduct” means behavior that creates an imminent and unreasonable risk of injury or harm to either persons or property of another or the person.

“Director” means the Public Works Director, or their designee, as being primarily responsible for city facilities and properties, including city rights-of-way, from which an excluded person has been excluded pursuant to a trespass warning.

“Excluded person” means a person excluded from a city facility or property pursuant to this chapter.

“Illegal actions or behavior” means actions or behavior that are prohibited by the laws of the United States, Washington State, or applicable city or municipal codes.

“Law enforcement officer” means law enforcement officer as defined in RCW 9.41.010(13), and specially commissioned Washington peace officer as defined in RCW 10.93.020(5), and qualified law enforcement officer as defined in 18 U.S.C. Section 928B(c), as they now exist or are hereafter amended.

“Open Public Meetings Act” means Chapter 42.30 RCW.

“Preponderance of evidence” means that, when considering a proposition, based on all evidence, the proposition is more probably true than not.

“Property” or “city property” means any property owned or controlled by city, including lands abutting any city facility, or tax title land, park, trail, or open space, or road right-of-way.

“RCW” means the Revised Code of Washington, as now exists or as amended in the future.

“Security personnel” means city employees or employees of private security hired by the city and licensed under Chapter 18.170 RCW (Security Guards) to provide security services.

“Trespass warning” means a trespass warning issued pursuant to CMC 9.34.030.

“Unreasonably disruptive actions or behavior” are actions or behavior that are not constitutionally protected and that, in consideration of the nature, scope, use and purpose of the publicly owned property in question, unreasonably interferes with others’ use and enjoyment of publicly owned property. Examples of unreasonably disruptive behavior include, but are not limited to, any of the following:

1. Use of threatening or unreasonably hostile language or gestures, and unreasonably loud and ongoing noise (such as music or verbal outbursts) which disrupts normal city operations;

2. Using electronic or other communication devices in a manner that is unreasonably disruptive to city staff and others;

3. Actual or simulated sexual intercourse or sexual conduct, or public nudity (except that a mother's breastfeeding of her baby does not under any circumstance constitute prohibited action or behavior);

4. Consuming, possessing, selling, or distributing alcoholic beverages, nonprescribed controlled substances, or illegal drugs;

5. Attempting to enter any staff-only area of a city facility or property, or the entering of a closed facility or of property before or after posted public hours, all without permission;

6. Unreasonably interfering with the free passage of staff or patrons in or on public property; or

7. Actions or behavior that are unreasonably inconsistent with the normal use for which the publicly owned property was designed and intended to be used (e.g., bathing, shaving, or washing clothes in a public bathroom or skating/skateboarding in a public parking area, entryway, or open plaza).

9.34.030 Authority to issue trespass warnings – Service.

A. Any authorized officer is empowered to issue a trespass warning to any person, excluding the person from any city facility(ies) or property(ies), when the authorized officer has probable cause to believe that:

1. The conduct of any person has violated any statute, ordinance, regulation, or rule of conduct relating to or prohibiting dangerous or unsafe actions or behavior, illegal action or behavior, or unreasonably disruptive action or behavior; and

2. Such conduct occurs or did occur while the person is at a city facility or upon city property, or that such conduct is directed by the person toward a city facility or property.

B. CMC 9.34.040 provides criteria for the length of the exclusion resulting from a trespass warning.

C. Trespass warnings may be delivered in person to the person, or by first class mail to the person at the person's last known address.

D. The person need not be charged, tried, or convicted of any crime or infraction for the trespass warning to be issued or be effective.

E. The trespass warning may be based upon observation by an authorized security officer, designated city staff, law enforcement officer, or any other person that can be relied upon by authorized officials issuing trespass warnings in their determinations of probable cause.

9.34.040 Duration of exclusion.

A. When the trespass warning is issued due to illegal conduct that presents a danger to persons or property, or is issued due to dangerous or unsafe conduct, or is issued as a result of a violation of an existing trespass warning, then the warning may exclude the person for a period of up to one year.

B. When a trespass warning is issued due to any conduct other than that identified in subsection A of this section, then the duration of exclusion shall be as follows:

1. For the first trespass warning within a period of one year, a period not exceeding seven days.

2. For the second trespass warning within a period of one year, a period of more than seven days, but not more than 90 days.

3. For the third trespass warning within a period of one year, and for all subsequent trespass warnings, a period of more than 90 days, but not more than one year.

C. If a person has been excluded from a city facility pursuant to this chapter, and any law, court order or judgment, or regulation applicable to such property establishes a different period of time for the person to be excluded, the time period under such rule or regulation shall apply notwithstanding the provisions of this section.

9.34.050 Exceptions to exclusion.

A. Exceptions That Do Not Require Prior Approval.

1. Persons who are prohibited from a facility by a trespass warning may still go to that facility or upon property, without prior approval, for the following reasons:

a. To respond to a direct written notice to appear as part of any public hearing;

b. To attend court when subject to a summons, subpoena, or similar requirement to appear before a court; or

c. To attend any open public meeting that is subject to the Open Public Meetings Act (Chapter 42.56 RCW), and that is being held within a city facility or on its property.

2. An excluded person exercising an exception that does not require prior approval may not engage in any other business or occupy areas unrelated to the reasons set forth above, while at the facility or upon property, without obtaining prior approval, and must depart immediately from the city facility or property upon timely conclusion of their business or upon the conclusion of their participation in the open public meeting.

B. Exceptions Requiring Prior Approval.

1. Subject to the procedure outlined below, an excluded person may visit the city facility or property, only with prior approval, for the following purposes:

a. To utilize a public service provided by an office within the city facility, where the service is not available elsewhere in the city or by other reasonable means; or

b. To seek review of a trespass warning pursuant to the procedure in CMC 9.34.070.

2. Upon request for such an exception, the Director, regarding the facility or property from which the person was excluded, may authorize an exception for the excluded person and allow entry for that person.

a. The Director shall issue a written decision on a request for entry onto public property by the recipient of a trespass warning during a period of exclusion no later than 48 hours after receipt of the request for exception.

b. If the exception is authorized, the decision must specify the duration of the authorization, must specify any conditions thereof, and must explain the process outlined in subsection (B)(3)(c) of this section.

c. If the exception is denied, the decision must contain an explanation for the denial, offer alternative means of access to services, if practicable, and refer the person to the appeals process in CMC 9.34.070.

3. Once such authorization is received, but before entering the city facility, an excluded person must provide notice as follows:

a. For city facilities and properties other than the Camas Municipal Court, the excluded person must first notify the department director or designee for the particular facility from which the person was trespassed. Such notice must be made telephonically, at least two hours prior to the intended visit. This is to allow time for the department director or designee responsible for the facility to arrange for an authorized employee or security personnel to be present during the visit and to notify the particular office or official of the scheduled visit.

b. For the Camas Municipal Court, on entering the facility, the excluded person must proceed immediately and only to the security station and contact the authorized officer(s) on duty at the security station, who may in turn contact the Camas Police Department for assistance.

c. The authorized officer may, in their discretion, verify the validity of the excluded person’s reason for business at the city facility or property, and escort that person during their time at the city facility or property.

C. An excluded person may not engage in any non-city-business-related matters at the city facility or property from which they are excluded and must depart immediately from the city facility upon the conclusion of their business.

9.34.060 Content of trespass warning.

The trespass warning shall:

A. Be in writing;

B. Contain the date of issuance;

C. Describe the actions or behavior that are the basis(es) for the trespass warning;

D. Identify any city facility, or facilities or portion(s) of a facility to which the exclusion applies;

E. Specify the length of the exclusion;

F. Be signed by the issuing authorized officer;

G. State the consequences for failure to comply; and

H. Explain the exceptions to the exclusion, the procedure for utilizing those exceptions as described in CMC 9.34.050, and the appeals process as described in CMC 9.34.070.

9.34.070 Appeal procedure.

A. For good cause shown, the City Administrator, or an individual designated by the City Administrator, may rescind, shorten or modify a trespass warning issued by an authorized officer as follows:

1. A written request for review must be delivered to the City clerk no later than seven business days after the trespass warning that is being contested, or after the denial of an exception under CMC 9.34.050. The written request must contain identifying personal information on the requester and the number, date and location of the particular trespass warning, and provide a valid mailing address for receipt of notices and decisions. Failure to provide a mailing address will require the requester to initiate telephonic or online contact with the clerk to receive notifications and decisions on the review. Upon receipt of such request, the City Administrator shall review the trespass warning in a manner that meets the following requirements:

a. During the review, the actions or behavior resulting in the trespass warning must be proved by a preponderance of the evidence to uphold the trespass warning.

b. The City Administrator shall consider a sworn report or declaration from the authorized officer or who issued the trespass warning or upon whose observation the trespass warning was based, without further evidentiary foundation, as prima facie evidence that the actions or behavior occurred as described.

c. The City Administrator may consider information that would not be admissible under the evidence rules in a court of law, but that they consider relevant and trustworthy.

d. The City Administrator may consider whether the excluded person was afforded reasonable warnings that their conduct might lead to a trespass warning, and reasonable opportunities to correct their conduct, and weigh these factors against the egregiousness of the conduct itself;

2. If the warning was issued because of the alleged violation of any criminal law, the person need not be charged, tried, or convicted for the warning to be upheld;

3. The review shall result in a written decision;

4. During the review, the City Administrator shall determine how a written decision will be served on the person, in accordance with subsection (A)(1) of this section;

5. The written decision shall be sent or otherwise made available no later than two business days following the written review;

6. At the end of every written decision, the City Administrator must provide information to the person requesting review as to the right to seek judicial review of the written decision and that the time frame for seeking judicial review runs from the date of service of the written decision and not later than five business days after the issuance of the decision.

B. For purposes of this section, “good cause” to rescind, shorten, or modify the trespass warning shall be found where the person receiving the trespass warning demonstrates by a preponderance of evidence that:

1. The conduct that led to the trespass warning was intended to be expressive conduct protected by the First Amendment;

2. The person was not given a warning prior to issuance of the trespass warning that the conduct in question was subject to a trespass warning;

3. The trespass warning was based solely upon the statement of a person who did not observe personally the conduct, would not ordinarily be relied upon by law enforcement or the courts in the determination of probable cause, and the person claims that he or she did not commit the action for which he or she was warned; or

4. In the judgment of the City Administrator, the circumstances warrant a modification or rescission of the trespass warning or decision;

5. The City Administrator shall rescind the trespass warning if, considering all the circumstances, they find reasonable minds could differ on the question of whether the conduct in question was unreasonably disruptive to others on the same public property at that time;

6. If the City Administrator rescind an exclusion, for good cause or because the actions or behavior were not proved, the exclusion shall not be considered a prior trespass warning for purposes of this section;

7. The decision of the City Administrator will be the city's final decision;

8. A person seeking judicial review of the city's final decision must file an application for a writ of review in the district court within 15 days of receipt of the city's final decision;

9. The trespass warning shall remain in effect during the pendency of any review by the City Administrator.

10. No determination of facts made by the City Administrator shall have any collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and shall not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.

9.34.080 Violation – Penalty.

Any person who is found on a city facility in violation of a trespass warning issued in accordance with this chapter, except as otherwise provided in this chapter, may be arrested for trespassing, pursuant to RCW 9A.52.070, 9A.52.080, and any other applicable statutes or the Camas Municipal Code. The penalty under this chapter is cumulative of any other penalties that may apply under state or local law.

9.34.090 Education and deescalation.

A. In the application of this chapter's provisions, authorized officers shall prioritize education, deescalation, and voluntary compliance whenever reasonably possible. This may include explaining the rules, providing warnings of potential consequences for rule violations, and giving people who violate rules an opportunity to correct their actions or behavior.

B. Whenever reasonably possible, the issuance of a trespass warning to a person should be used after other techniques and deescalation attempts have proved ineffective.

C. Nothing in this section is intended to preclude authorized officers from immediately issuing a trespass warning to a person when that person's conduct jeopardizes or threatens to jeopardize the personal safety of others, involves criminal activity or behavior, or is so egregious that there is no reasonable solution short of a trespass warning.

9.34.100 Limitation.

Nothing in the chapter shall be construed to alter the rights of the state or any local government to enforce other provisions of state or local law or to prosecute criminal conduct under state or local law.