BELLEVUE RECORDS MANAGEMENT

CONTRACT FACE SHEET

Document Type:

☐	Claim	☒	Interlocal Agmt
☐	Collective Bargaining Agmt	☐	Latecomer Agreement
☐	Connection Charge Agmt	☐	Lease
☐	Contract		MOU
☐	Franchise Agreement	☐	ROW Use Agmt
☐	Grant Agmt	☐	Settlement Agmt

Relationship to Original:

☐	Amendment	☒	MOU
☐	Cancellation		New
☐	Change Order	☐	Release
☐	Correspondence	☐	Renewal
☐	Initial	☐	Retainage
☐	Lien	☐	Working

***Vendor Name:** Bellevue Police Support Guild

***JDE PO Number:** N/A

***Original's Effective Date:** 07.23.2009

***Amendment's Effective Date** /

***Termination Date:** 12.31.2099

***Clerk's Receiving Number:** 44748 (City Clerk's Office will enter)

Original's Receiving Number: /

Bid/RFP/RFQ/ITQ Number: /

Ordinance Number: /

Resolution Number: 7949 09.20.2009

CIP Number: /

Project Description: Regarding layoff of employees due to COB discontinuing dispatching services

KC Recording Number: /

Vendor *or* Parcel Number: 90506

File Location: 09-545

- Denotes Mandatory Fields. If referring to Retainage, please indicate the Termination Date same as the Contract Termination Date.

DEPT: HR

Face Sheet Date 08.07.2009 ✓ JDE N/A

Scan/Index Date 8-7-09 MT ✓ ECM

MEMORANDUM OF UNDERSTANDING BETWEEN
BELLEVUE POLICE SUPPORT GUILD
AND
THE CITY OF BELLEVUE
JUNE 30, 2009

Res 7949 CR#44748 DATE 08.07.09 Loc 09:545

1. This Memorandum of Understanding is entered into between the Bellevue Police Support Guild (Guild) and the City of Bellevue (City). The purpose of this agreement is to address the effects of the separation of dispatch center employees as a result of the City discontinuing dispatch services on June 30, 2009 and the attendant elimination of dispatch related positions and layoff of affected employees.

2. The City agrees to pay $60,000 to Guild members whose positions have been eliminated due to discontinuing the providing of dispatch services. The funds shall be divided as follows: $30,000 shall be allocated equally among the Guild members and the remaining $30,000 shall be divided in proportion to completed years of service with the City.

3. Only employees who have completed their 12 month probationary period with the City on or before June 30, 2009 shall be eligible for payments from the funds.

4. The years of service formula shall be computed as follows: Total years of service of all eligible employees shall be aggregated, years of service of each individual employee shall be divided into that aggregate number and that result shall determine the employee share of the $30,000. EXAMPLE: Employee Smith has 15 years of Service. 35 employees are eligible. Total aggregate years of service for the eligible employees is 280. Employee Smith has a 5.357 share of that total. Employee Smith receives $1,607.10 based on years of service and $857.14 based on the equal share for a total payout of $2464.24.

5. The amount identified in paragraph 4 shall be subject to all legally required withholdings.

6. Separating employees shall be subject to full cash out of existing leave banks except that sick leave shall be subject to cash out only in accordance with Article 15.1.9 of the existing labor agreement between the Guild and the City.

7. The parties agree this resolution settles all claims of any nature whatsoever with prejudice arising from any legal obligation to bargain effects for dispatch positions related to the City discontinuing dispatch services. The parties disagree on whether the City had any legal obligation to give notice and an opportunity to bargain related to the decision to go out of the dispatch business and whether irrespective of said disputed bargaining obligations whether the Guild has waived its rights to raise said claims. This agreement does not settle any pending or future legal claims the Guild may present related to the City discontinuing dispatching services except those related to effects bargaining for dispatch positions and does not foreclose any defenses whatsoever available to the City. In the event a future determination is made that the City did not fulfill its obligations under the law or contract and that determination results in financial liability to employees, the City may claim these payments as a credit to offset any part of that financial liability.

By Julie Erdmann 7-16-09
Julie Erdmann — Date
Guild President

By Brad Miyake 7/23/09
Brad Miyake — Date
Deputy City Manager

APPROVED AS TO FORM:

By Siona Windsor 7/21/09
Siona Windsor — Date
Assistant City Attorney

2009 Police Support Settlement Agreement

2009	Bellevue Police Support Guild			Pro-rata share based on years of service.[1]	Equal share of $30,000.[2]	
Emp#	**Name**	**Job Title**	**Yrs of Svc by Hire Date**	**$ 30,000.00**	**$ 30,000.00**	**Total**
20235	Trout, Mark	Public Safety App Analyst	30.351	$ 2,533.465	$ 810.81	$ 3,344.28
20270	Schutz, Susan K	Dispatcher	28.962	$ 2,417.518	$ 810.81	$ 3,228.33
20419	Stuby, David P	Dispatcher-SD	23.225	$ 1,938.634	$ 810.81	$ 2,749.44
20430	Sutherland, Stephen L	Dispatcher-SD	23.140	$ 1,931.544	$ 810.81	$ 2,742.36
20483	Martin, Deanna L	Lead Dispatcher-SD	21.178	$ 1,767.800	$ 810.81	$ 2,578.61
20664	Morstad, Peggy J	Dispatcher	17.781	$ 1,484.220	$ 810.81	$ 2,295.03
20666	Bryson, Pamela A[3]	Comm Supv[3]	17.781	$ 1,484.220	$ 810.81	$ 2,295.03
20748	Einsetler, George E	Lead Dispatcher-SD	15.422	$ 1,287.315	$ 810.81	$ 2,098.13
20864	Lucci, Rebecca L	Dispatcher-CTO	13.378	$ 1,116.710	$ 810.81	$ 1,927.52
20947	Holloway, Christina J	Dispatcher-CTO	11.644	$ 971.947	$ 810.81	$ 1,782.76
21013	McCoy, Krystal Y	Dispatcher-CTO	10.718	$ 894.649	$ 810.81	$ 1,705.46
21056	Hogue, Cassandra P	Lead Dispatcher	10.173	$ 849.139	$ 810.81	$ 1,659.95
21053	Mitchell, Erin R	Dispatcher-SD+CTO	10.162	$ 848.224	$ 810.81	$ 1,659.03
21105	Hanson, Andrea L	Dispatcher	9.704	$ 810.032	$ 810.81	$ 1,620.84
21104	Caligiuri, Traci L	Dispatcher-SD	9.704	$ 810.032	$ 810.81	$ 1,620.84
21166	Paulsen, Barbra Jo	Dispatcher-SD	9.137	$ 762.692	$ 810.81	$ 1,573.50
21176	Lucci, James	Lead Dispatcher-SD	9.049	$ 755.374	$ 810.81	$ 1,566.19
21254	Besse, Diana D	Dispatcher	8.592	$ 717.182	$ 810.81	$ 1,527.99
21350	Vieth, Melissa L	Dispatcher-CTO	8.033	$ 670.529	$ 810.81	$ 1,481.34
21348	McCracken, Rebecca S	Dispatcher-CTO	8.033	$ 670.529	$ 810.81	$ 1,481.34
21351	Wood, Mark L	Lead Dispatcher-SD	8.033	$ 670.529	$ 810.81	$ 1,481.34
20952	Zuppe, Shelly R	Dispatcher-SD	7.666	$ 639.884	$ 810.81	$ 1,450.69
21480	Garcia, Christie L	Dispatcher-SD	7.079	$ 590.944	$ 810.81	$ 1,401.75
21551	Shelton, Gregory G	Lead Dispatcher-SD	6.827	$ 569.904	$ 810.81	$ 1,380.71
20028	Burns, Paula M	Dispatcher-SD	5.789	$ 483.229	$ 810.81	$ 1,294.04
70343	Kronberg, Erin M	Dispatcher-SD	4.871	$ 406.617	$ 810.81	$ 1,217.43
76110	Hallifax, Ashley A	Dispatcher-SD	3.816	$ 318.570	$ 810.81	$ 1,129.38
86489	Koepke, Jaclyn B	Dispatcher-SD	2.874	$ 239.899	$ 810.81	$ 1,050.71
88069	Gallichan, Kayla A	Dispatcher-SD	2.685	$ 224.120	$ 810.81	$ 1,034.93
88082	Rigler, Christopher S	Dispatcher-SD+CTO	2.685	$ 224.120	$ 810.81	$ 1,034.93
90466	Nedell, Lieth M	Dispatcher-SD	2.205	$ 184.098	$ 810.81	$ 994.91
90877	Presley, Brian P	Dispatcher-SD	2.110	$ 176.094	$ 810.81	$ 986.90
94566	Hay, Jason H	Dispatcher-SD	1.477	$ 123.266	$ 810.81	$ 934.08
95457	Brian, Dustin J	Dispatcher	1.433	$ 119.607	$ 810.81	$ 930.42
96570	Miner, Staci M	Dispatcher	1.323	$ 110.459	$ 810.81	$ 921.27
96435	Castiglione, Daniel I	Dispatcher-SD	1.323	$ 110.459	$ 810.81	$ 921.27
102601	Alfaro, Jaime A	Dispatcher-SD	1.036	$ 86.446	$ 810.81	$ 897.26
		Totals	359.397	30,000.00	30,000.00	$ 60,000.00

[1]Requires they were in b.u. on 6/30/09 and then $30k is spread by years of services sharing by the total aggregate.

[2]Requires only that they were in b.u. on 6/30/09 and then $30k is spread equally.

[3] Acting status as comm supvsr, considered b.u. member per union.

NOT ELIGIBLE <1 yr service		Job Title	Yrs of Svc by Hire Date
107345	Cannon, Jessica C	Dispatcher-SD	0.87
111240	James, Cory M	Dispatcher-SD	0.73
134752	Louie, Roky J	Dispatcher	0.33
134753	Maxin, Katherine R	Dispatcher-SD	0.33

Total share available	$ 30,000.00
Total yrs of service	359.397
Dollar value per yr	$ 83.473
Employee Count	37
Formula: Total share divided by total years = Dollar value per yr	

Julie Erdmann
Guild President

Date 7-16-09

mkast 06/26/09

2174-RES
7/14/2009

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 7949

A RESOLUTION authorizing the execution of a Memorandum of Understanding by and between the City of Bellevue (City) and the Bellevue Police Support Guild (Guild) related to effects bargaining as a result of the City discontinuing dispatch services on June 30, 2009, and the attendant elimination of dispatch related positions and layoff of affected employees.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute a Memorandum of Understanding by and between the City of Bellevue (City) and the Bellevue Police Support Guild (Guild) related to effects bargaining as a result of the City discontinuing dispatch services on June 30, 2009, and the attendant elimination of dispatch related positions and layoff of affected employees, a copy of which Memorandum of Understanding has been given Clerk's Receiving No. 44748.

Passed by the City Council this 20th day of July, 2009, and signed in authentication of its passage this 20th day of July, 2009.

(SEAL)

Grant S. Degginger, Mayor

Attest:

Myrna L. Basich, City Clerk

Resolution 7949
page 2
Item 8c

Agenda

p1of5

City Council

Regular Session

MONDAY
July 20, 2009

8:00 – 10:00 p.m.
Council Chambers (1E-126)

Page

1. Call to Order
2. Roll Call, Flag Salute
3. Communications: Written and Oral

   Note: *Three-minute limit per person, or five minutes if representing the official position of a recognized community organization. Maximum of three persons are permitted to speak to each side of any one topic. Additional presentations may be heard at Agenda Item 13, including three additional persons speaking to topics heard at Agenda Item 3.*

4. Reports of Community Council, Boards and Commissions
5. Report of the City Manager

   (a) Management Brief providing information on Neighbor Link NIS- 3 — PCD, Cheryl Kuhn — 5-1

6. Council Business and New Initiatives
7. Approval of the Agenda

City Council meetings are wheelchair accessible. American Sign language (ASL) interpretation is available upon request. Please phone 452-6805 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

City of Bellevue

8. Consent Calendar

(a)	Motion to award Bid No. 9131 for the replacement of the Public Safety Garage Vehicle Access Door at City Hall to Davis Door Services Inc., in the amount of $42,869.25, as the lowest responsive and responsible bidder.	CIVIC	8-1
(b)	Motion to approve payment of claims for the period June 13, 2009 through July 17, 2009 and payroll for the period June 1, 2009 through June 30, 2009.	FIN	8-5
* * (c)	Resolution No. 7949 authorizing execution of a Memorandum of Understanding with the Bellevue Police Support Guild related to effects bargaining as a result of the City discontinuing dispatch services on June 30, 2009, and the attendant elimination of dispatch related positions and layoff of affected employees.	HR	8-7
(d)	Resolution No. 7950 authorizing execution of a seven-year Network Service and Maintenance Agreement with the North East King County Regional Public Safety Communication Agency (NORCOM) for the provision of network and data center collocation services supporting NORCOM's regional communications center.	ITD	8-11
(e)	Resolution No. 7951 authorizing execution of a Professional Services Agreement with Boxwood Architects, in the amount of $148,792, for architectural, engineering and site design services for the Lewis Creek Park Picnic Area.	PARK	8-15
(f)	Motion to award Change Order #1 for Bid No. 9118 to RC Zeigler Company Inc., for costs of up to $26,000, for services and materials furnished over and above the original contract amount for the installation of playground covers at Lewis Creek Park.	PARK	8-21
(g)	Resolution No. 7952 authorizing execution of a Consultant Agreement with David Evans and Associates, Inc., in an amount not to exceed $537,310,	TRAN	8-25

to develop the design and prepare the construction contract documents for the proposed pedestrian and bicycle improvements on 108th Avenue SE between Bellevue Way and I-90 (CIP Plan No. PW-W/B-71).

(h) Resolution No. 7953 authorizing execution of Amendment No. 1 to the Professional Services Agreement with HDR Engineering, in an amount not to exceed $73,000, for engineering services for the Southridge, Kimberlee and Emerald Ridge Pump Station Rehabilitation (CIP Plan No. S-16). — UTIL — 8-33

(i) Motion to award Bid No. 9037 for Sanitary Sewer Rehabilitation – Main Street between 106th Avenue NE and 107th Avenue NE to Northwest Construction, in the amount of $702,706.00, as the lowest responsive and responsible bidder (CIP Plan Nos. S-24 and S-30). — UTIL — 8-39

9. Public Hearings

10. Land Use

(a) *Consideration of the application of St. Andrews Housing Group to rezone a 3.501 acre of tract land located at 4228 Factoria Boulevard SE from R-5 to R-30. The rezone is requested in order to increase the allowed residential density and to facilitate an affordable housing project. Rezoning to R-30 would allow a four-story 39,000 square foot residential building which would include 41 studio, one-bedroom and two bedroom dwelling units, one manager's unit and one level of underground parking. — DEV SRVCS Carol Helland — 10-1

Ordinance No. 5890 approving the rezone application of St. Andrews Housing Group (Andrews Rezone) to rezone a 3.501 acre tract of land at 4228 Factoria Boulevard SE, from R-5 to R-30, subject to conditions.

(This item was discussed with Council July 6, 2009.

This is a Process III application, in which the Hearing Examiner provides a written recommendation to

Council, which is the decision-making body. Should Council deny the application, your decision would be appealable to Superior Court.

The Hearing Examiner recommends Council approval with conditions.)

11. Other Ordinances, Resolutions and Motions

(a)	Ordinance No. 5891 authorizing: 1) amendment of the 2009-2015 Capital Investment Program Plan to create a new CIP project entitled East Link Analysis and Development Project (CIP Plan No. PW-R-159) with a project budget of $770,000; 2) transfer of budget totaling $710,000 from four existing CIP projects to fund PW-R-159, East Link Analysis and Development Project; and 3) amendment of the 2009-2010 General CIP Fund to increase the appropriation by $60,000 representing funds contributed by the Transportation operating budget. *(Discussed with Council on July 13, 2009.)*	TRAN Goran Sparrman	11-1
(b)	Ordinance No. 5892 amending Sections 20.10.440 and 20.25D.070 of the Land Use Code relating to Shopping Cart Containment Areas required for wholesale and retail uses; providing for severability; and establishing an effective date. *(Discussed with Council on June 1, 2009.)*	DEV SRVCS	11-17
(c)	Resolution No. 7954 authorizing execution of an Interlocal Agreement with King County regarding implementation of a Regional Transferable Development Rights program. *(Discussed with Council July 6, 2009.)*	PCD Dan Stroh	11-29

12. Unfinished Business

13. Continued Oral Communications

14. New Business

15. Executive Session

16. Adjournment

* Quasi-judicial matters are those in which the Councilmembers sit as "judges" to decide issues involving specifically identified property or other rights between individuals or parties. This differs from Council's usual role of acting in a legislative or policy-making capacity

Item No. 8(c)
July 20, 2009

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 7949, authorizing execution of a Memorandum of Understanding by and between the City of Bellevue (City) and the Bellevue Police Support Guild (Guild). This agreement will be effective upon date of signing by the last party.

FISCAL IMPACT

The agreement reached with the Guild will result in a one-time cost to the City of $60,000.

These costs were anticipated during budget development and sufficient funds exist within the City's General Fund.

STAFF CONTACT

Jean West, Compensation and Labor Relations Manager, 452-4581
Human Resources

POLICY CONSIDERATION

Shall the City enter into a Memorandum of Understanding with the Bellevue Police Support Guild concluding effects bargaining as a result of the City discontinuing dispatch services on June 30, 2009, and the attendant elimination of dispatch related positions and layoff of affected employees?

BACKGROUND

In 2007, the Bellevue City Council, along with a number of other eastside public agencies approved the creation of NORCOM. For the last eighteen months NORCOM has been working diligently to become a functioning dispatch agency. Effective July 1, 2009 NORCOM began providing dispatch services.

As a result of the formation of NORCOM, effective July 1, 2009, the City no longer provides dispatch services and 48 regular-status employees were laid off and dispatch assignments ended for three temporary employees as of June 30, 2009. Because this was an entrepreneurial decision to go out of the dispatch business, there was no duty to bargain this decision. The City engaged with the Guild in effects bargaining regarding the decision to lay off with an initial meeting on November 24, 2008. Subsequently the City and the Guild met an additional five times before coming to this settlement agreement on June 30, 2009.

The 51 affected employees are comprised of the following:

Represented	Non-represented	Assignments ended
41 dispatch staff	One manager Three supervisors Three Information Technology staff	Three temporary dispatch staff

Key Package Elements

The payment will be shared amongst 37 bargaining unit members whose positions have been eliminated due to discontinuing dispatch services and who have completed their 12-month probation with the City, on or before June 30, 2009.

One-half of the payment ($30,000) will be allocated equally among the affected guild members, with the remaining half ($30,000) divided in proportion to their completed years of service with the City, for a total cost settlement of $60,000.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption. The Memorandum of Understanding between the City and the Guild will be effective upon date of signing by the last party.

OPTIONS

1. Adopt Resolution No. 7949 authorizing execution of a Memorandum of Understanding by and between the City of Bellevue (City) and the Bellevue Police Support Guild (Guild).
2. Do not adopt Resolution No. 7949 and provide alternative direction to staff.

RECOMMENDATION

Adopt Resolution No. 7949 authorizing execution of a Memorandum of Understanding by and between the City of Bellevue (City) and the Bellevue Police Support Guild (Guild).

ATTACHMENTS

Resolution No. 7949

AVAILABLE IN COUNCIL OFFICE

Memorandum of Understanding substantially in the form of what will be the final document.