

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

November 20, 2006
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Deputy Mayor Chelminiak, and Councilmembers Balducci, Davidson, Lee, Marshall, and Noble

ABSENT: Mayor Degginger

1. Call to Order

The meeting was called to order at 8:01 p.m., with Deputy Mayor Chelminiak presiding.

2. Roll Call, Flag Salute

Upon roll call by the Deputy City Clerk, all Councilmembers except Mayor Degginger were present. City Manager Steve Sarkozy was also absent. Councilmember Davidson led the flag salute.

3. Communications: Written and Oral

- (a) Sam Elder commented on Sound Transit planning and expressed concern that local public input is not being incorporated into the plans.
- (b) Doug Hoople spoke regarding Sound Transit alignment options and encouraged consideration of traffic spillover and neighborhood impacts.
- (c) Diane Cramer, President of Assistance League of the Eastside, described two programs, Operation School Bell and the distribution of assault survivor kits. Operation School Bell provides school clothes and will help 2,100 children this year. She said the organization has submitted an application for funding from the City of Bellevue this year.
- (d) Maya Cheval, a representative of Bellevue Youth Theatre's Teen Action Board, invited Council and the public to the following upcoming productions – How the Penguin Saved Santa Claus (Opening Thanksgiving weekend for two weekends), Babes in Toyland

(December 8-10), and a benefit gala and auction on January 27 with a production of Fiddler on the Roof featuring Mayor Grant Degginger in his Bellevue Youth Theatre debut. She thanked Council for its continuing support.

- (e) Rochelle Keisel, a resident of Avondale Park's transitional housing, thanked Council for its support of this program. She described the assistance she receives from the program and her case worker at Hopelink. She is learning to be a medical transcriptionist and working as a nanny. She asked the Council to consider providing additional funding for Hopelink, and noted the importance of having support and encouragement in turning one's life around.
- 4. Reports of Community Councils, Boards and Commissions: None.
- 5. Report of the City Manager
 - (a) Update on Crane Accident

Deputy Mayor Chelminiak praised the City's response from the Police and Fire Departments and building inspectors to the crane accident on Thursday night. He thanked mutual aid responders from Kirkland, Redmond, Issaquah, Northshore, and other areas. Seattle sent its Urban Search and Rescue Team.

Deputy City Manager Brad Miyake reported that 200 staff from Bellevue and the region responded to the crane accident in a number of roles including search and rescue, finding temporary housing, moving debris, securing the site, inspecting buildings, and controlling traffic. Mr. Miyake commended Fire Chief Mario Trevino, Police Chief Jim Montgomery, Deputy Director for Development Services Mike Brennan, and Communications Director Tim Waters for their response to the event.

Chief Trevino said the Fire Department provided 29 fire apparatus and more than 70 personnel to the crane accident. Fire personnel handled four incidents: 1) Pinnacle condominiums - Search and rescue, addressed broken water mains and sprinkler lines, and secured electrical hazards, 2) Rescued crane operator from a height of 30 feet and stabilized crane, with help of Ness Cranes, 3) Civica Commons Building - Search and rescue, secured utilities, and 4) 305 Plaza Building - Search and rescue, secured utilities, stabilized building, and provided security. Chief Trevino thanked responders from the region including the Fire Departments of Bothell, Kent, Kirkland, Northshore, Redmond, Seattle, Shoreline, and Woodinville; Eastside Fire and Rescue; and Seattle Fire Buffs. He thanked 911 dispatch center staff for their outstanding work, as well as the men and women from Bellevue's Police and Fire Departments.

Chief Montgomery reported that the Police Department initially responded with 26 officers to protect the scene and provide support for fire and medical personnel, and 25 to 30 officers remained on site throughout the night. Detectives processed the scene of the fatality, interviewed the crane operator, and initiated contact with the state Department of Labor and Industries. The public safety chaplain, Michael Ryan, was the first to speak with the deceased victim's girlfriend

and some of her friends, who were looking for Mr. Ammon. Detective Carl Kleinknecht met Mr. Ammon's family members at the airport and spent a day with them to provide details about the accident and help them contact appropriate agencies to address the situation.

Mr. Brennan explained that Development Services provided support to the search and rescue teams to ensure the safety of the buildings. He thanked Building Official Greg Schrader and Fire Marshal Ken Carlson and their staff for their continued efforts. Additionally, he thanked John Regalia and Bill Nelson from the Transportation Department. The final sections of the crane were to be removed by the end of today. Howard S. Wright coordinated with the City to identify the safe areas of the Civica office tower, remove debris, and allow people to return to work. There was no significant structural damage to the building. The Pinnacle apartment building contains four uninhabitable units, not 25 to 30 as had been previously reported. The Plaza 305 building is unsafe for occupancy. However, several tenants want to remove equipment and files from the building. The Tower 333 project site, where the crane was located, will resume construction as soon as possible after a damage assessment is completed for the City and the building is stabilized.

Mr. Brennan said City staff are working closely with the Department of Labor and Industries, the lead agency in the investigation and for overseeing crane safety on construction sites. Crane failures are a rare occurrence, and inspections will be completed by the end of the day tomorrow to ensure the safety of the remaining 13 cranes in the community. Mr. Brennan praised the response of City staff, Public Safety personnel, contractors, residents, and the business community to this incident.

Responding to Deputy Mayor Chelminiak, Mr. Brennan said the northbound lane of 108th Avenue is open, and the sidewalk on the east side is open as well.

(b) Management Brief – Motorized Mobility Devices

Mr. Miyake recalled Council's request earlier in the year for information about motorized mobility devices and their regulation.

Chief Montgomery explained that the state Motor Vehicle Code allows local jurisdictions to regulate motorized mobility devices. A summary of current regulations is provided in the Council packet beginning on page 5-1. The following aspects can be regulated: 1) Age of operator, 2) Location of operation (e.g., streets, trails, parks), 3) Time of day, and 4) Required safety gear (e.g., helmets, lights).

Councilmember Balducci said she has received numerous communications about motorized mobility devices over the past three years. She would like staff to schedule the issue for a Study Session agenda.

Mr. Chelminiak feels the regulations should focus on safety and the noise generated by motorized devices. He favors Issaquah's approach of allowing motorized foot scooters on streets below 25 miles per hour but not on sidewalks, multiple use trails, or in parks.

Ms. Balducci suggested seeking input from the Bellevue Youth Link Board.

Chief Montgomery encouraged Council to consider regulations that are consistent with neighboring jurisdictions to avoid confusion for citizens.

Councilmember Marshall suggested the Parks and Community Services Board discuss the issue as well.

(c) Management Brief – 140th Avenue Pathway Improvement Project

David Berg, Assistant Director of Transportation, recalled previous discussion with Council on October 9, 2006, regarding the 140th Avenue NE Pathway project. Two of the retaining walls could not be constructed as designed due to conflicts with a Puget Sound Energy buried power duct. Staff has received a preliminary price proposal for the new wall type but is still negotiating the actual cost of the change order. Construction of the new walls will result in a net cost increase to the construction contract of approximately \$200,000, or 22 percent above the original contract amount of \$916,275. City staff is negotiating with PSE and the engineering consultant to determine financial responsibility for the cost increase.

Mr. Berg said Council action to increase the construction contract amount will be requested on December 4.

(d) Management Brief – Solid Waste Collection Fee Increases for 2007

Denny Vidmar, Utilities Director, said the City will experience an increase in solid waste collection service fees for 2007. Effective February 1, 2007, residential rates will increase 4.4-6.0 percent and commercial rates will increase 4.9-7.1 percent. Allied Waste will provide a minimum 45-day advance notice to customers. The rate increase includes an annual CPI (inflation) adjustment as well as an annual fuel cost adjustment. A typical residential bill with one-container service will increase 83 cents per month.

Mr. Vidmar said the contractor requested additional rate relief to compensate for increased labor costs and commercial recycling processing costs. Both requests were denied because rate increases for these reasons are specifically excluded in Allied's contract with the City.

Responding to Councilmember Lee, Mr. Vidmar said the increase related to fuel costs is based on this year's fuel prices.

6. Council Business

Councilmember Marshall has been working extensively with the Sound Transit Board.

Councilmember Lee reported that the King County Council recently approved a budget increase for the bus shelter program.

Dr. Davidson attended meetings of the Puget Sound Salmon Recovery Council, Cascade Water Alliance, and Shared Strategies In-stream Flow Committee. He attended the *Salmon Homecoming* for a discussion regarding the Puget Sound Partnership.

Councilmember Balducci attended a meeting of the Association of Washington Cities (AWC) legislative committee to finalize 2007 legislative priorities.

Councilmember Noble, along with Councilmembers Balducci and Lee, attended the Bellevue City Employee of the Year luncheon. Mr. Noble attended the Eastside Transportation Partnership meeting.

Deputy Mayor Chelminiak, along with Mayor Degginger and Councilmembers Balducci and Lee, attended a Lake Hills community event to commemorate Veterans Day. Mr. Chelminiak attended the Probation Board meeting.

7. Approval of the Agenda

- ➔ Councilmember Balducci moved to approve the agenda, and Mr. Lee seconded the motion.
- ➔ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Deputy Mayor Chelminiak noted that Agenda Item 8(i) is being pulled from the Consent Calendar for consideration on a future date.

- ➔ Councilmember Balducci moved to approve the Consent Calendar, as amended, and Dr. Davidson seconded the motion.
- ➔ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:
 - (a) Correction to Minutes of September 18, 2006 Regular Session
Minutes of September 25, 2006 Extended Study Session
Minutes of October 9, 2006 Extended Study Session
Minutes of October 16, 2006 Study Session
Minutes of October 16, 2006 Regular Session
Minutes of October 18, 2006 Special Meeting
 - (b) Resolution No. 7461 authorizing execution of a one-year agreement with Olympic Security Services in an amount not to exceed \$114,351 for security guard services at City facilities.

- (c) Resolution No. 7462 authorizing execution of a one-year agreement with SBM Corporation in an amount not to exceed \$370,496.28 for custodial services at City Hall.
- (d) Resolution No. 7463 authorizing the City to join the National League of Cities (NLC) Inclusive Communities Partnership Program.
- (e) Motion to approve payment of claims for the period November 4, 2006, through November 17, 2006, and payroll for the period October 16 through October 31, 2006.
- (f) Resolution No. 7464 authorizing execution of a second amendment to the contract with Benefit Services Group, Inc. to continue using online benefit management and enrollment services for a third year at the 2005 contract rates.
- (g) Resolution No. 7456 authorizing execution of all documents necessary to grant a permanent easement to King County to install, construct, own, operate, maintain, and repair an underground sewer pipeline through a portion of Surrey Downs.
- (h) Motion to award Bid No. 0663 to Creative Dimensions, as the lowest responsible bidder, for the construction of a replacement greenhouse at the City's nursery located at 15302 SE 16th in the amount of \$80,533.66.
- (j) Motion to waive a minor bid irregularity and award Bid No. 0654 in the amount of \$121,400 to W.M. Dickson Company, as the lowest responsible and responsive bidder, for the demolition of a building for the NE 10th Street Extension, Stage 1, improvement as part of the NE 10th Street Extension project (112th Avenue NE to 116th Avenue NE). [CIP Plan No. PW-R-149]

Item Postponed:

- (i) Resolution No. 7465 authorizing the execution of a Professional Services Agreement with Jones & Jones Architects and Landscape Architects in an amount not to exceed \$70,100 to provide professional services required to apply for LEED certification for the Mercer Slough Environmental Education Center (MSEEC) project.
- 9. Public Hearings: None.
 - 10. Land Use: None.
 - 11. Other Ordinances, Resolutions and Motions: None.
 - 12. Unfinished Business

- (a) Northeast King County Regional Public Safety Communications Center (NORCOM) Initiative Update – Review of Estimated Budget and User Fees [From Study Session, Agenda Item 2(c)]

Mr. Miyake recalled a previous presentation to the Council in August regarding the Northeast King County Regional Public Safety Communications Center (NORCOM) Initiative.

Chief Montgomery noted the proposal to create a combined Police/Fire/Medical communications center commonly referred to as NORCOM. A needs assessment was completed in 2004 and concluded there was a solid basis and interest for considering a consolidated communications center model. A business and service plan was developed involving all partner agencies between I-90 and the Snohomish County line, as well as Shoreline, and east to Snoqualmie Pass. The governance structure, fees, potential location, and operational/staffing models were studied and a report was completed in July 2006.

Contracting agencies have expressed an interest in developing a shared governance model instead of the current contract relationship. While service levels under the current arrangement are high, the NORCOM model offers the potential for even higher levels of service, particularly for cities that now initially take calls and then transfer them to the Bellevue Communications Center. Chief Montgomery noted the potential for cost savings from the consolidation of dispatch services. It will also enhance interagency collaboration, communication, and interoperability.

Chief Montgomery described differing technology used by some jurisdictions. This necessitates one of three things: 1) Expand Bellevue's technical capabilities to incorporate Kirkland and its partners, 2) Expand Kirkland's system to incorporate Bellevue's technology, or 3) Upgrade the entire system using new technology. A grant from the Urban Area Security Initiative provided funds to study alternative technologies.

Diane Carlson, Director of Intergovernmental Relations, reviewed Bellevue's current cost for its communications center. The net cost to the City is \$3.9 million. Operating costs are \$6.3 million, which are offset by revenue of \$1.8 million and a retained cost of \$0.6 million. Retained costs are the remaining costs to cities that currently operate communications centers after dispatch functions are transferred to NORCOM. Bellevue's share of overall operating costs (\$6.3 million) is \$4.5 million.

The NORCOM business plan provides a Year 1 operating estimate assuming full participation of all partners and the consolidation of two centers (Kirkland and Bellevue). Three additional centers are not reflected in initial estimates because they would not be ready to transfer operations if NORCOM is ready to move forward in 2009. Consolidation of these centers would take another couple of years. Projected Year 1 savings from consolidating the Kirkland and Bellevue centers is \$0.6 million. Year 1 operating costs for NORCOM are estimated to be \$7.3 million. The NORCOM estimated cost does not yet include technology merging costs, the transfer of capital equipment, back-up facility costs. Ms. Carlson said the project is seeking grant funds for unknown costs.

Ms. Carlson reviewed Year 1 cost estimates for each partner agency. The NORCOM model benefits Bellevue because all administrative costs and capital costs will be shared. Bellevue's investment in its current 911 Dispatch Center will be recouped over time. Support by partners to move forward will in part be based on their ability to transition their cost increases over time, possibly over a 10-year period.

Ms. Carlson reviewed Year 1 costs for each agency based on a 10-year transition plan. Bellevue fully realizes the savings of the NORCOM model by year 10.

Agencies have been working on the NORCOM initiative under a Joint Powers Agreement, which expires at the end of this year. Extension of this agreement and current dispatch contracts is needed to continue through the transition period. Transition activities include a technology study, the development of cost estimates for technology and equipment, agreement on a cost smoothing plan, and completion of the Interlocal Agreement to consider NORCOM formation in mid-2007.

Responding to Councilmember Marshall, Ms. Carlson said the agreement would include a provision in which partners would still have to fulfill their financial obligations if they choose to leave NORCOM before the end of 10 years.

Responding to Ms. Balducci, Ms. Carlson said staff will provide Councilmembers with the full cost estimate and its components.

Councilmember Lee noted the complexity of the proposal and the potential for unanticipated financial implications. Ms. Carlson said more detailed information regarding the cost smoothing plan will be provided to the Council.

Responding to Mrs. Marshall, Ms. Carlson said NORCOM would be a separate legal agency.

Responding to Mr. Chelminiak, Ms. Carlson clarified the cost smoothing strategy. In further response, Ms. Carlson said a governing board will be formed after the Interlocal Agreement is signed. It is anticipated that NORCOM would not be prepared to function as an independent agency until 2009.

Mr. Chelminiak observed that the smoothing plan appears to be generous of Bellevue. Chief Montgomery said Bellevue has sold excess capacity on its Police dispatch channel over the years. Similarly, there is one primary channel for Fire dispatch, as well as several support channels. Chief Montgomery explained that the City needs the channels it has, whether or not it is contracting with other cities and agencies, because it would have to pay the full costs if contracting cities terminated their agreements with Bellevue. He feels the NORCOM model will best meet all partners' needs while saving Bellevue at least a couple of million dollars per year because administrative and capital costs will be shared. Partners are comfortable with the proposed governance model but the financial model will continue to be refined.

Councilmember Lee expressed concern that an outside agency, and not the City government, would be the responsible party over Bellevue's emergency dispatch services. He expressed further concern about retaining sufficient capacity for Bellevue's dispatch activities. Mr. Lee is more comfortable with the current contract approach in which Bellevue has control over and responsibility for communications services.

Responding to Mrs. Marshall, Ms. Carlson said the governing board structure reflects weighted votes based on the size of cities.

Responding to Mr. Lee's comments, Ms. Carlson said while the NORCOM model is complex, there are regional communications centers (ValleyCom, SnoCom) in the state from which Bellevue and partner agencies can learn. She acknowledged Council's interest in more detailed information on many aspects of the initiative.

Deputy Mayor Chelminiak said he understands the need for a transition plan in terms of costs to partners. However, he questioned whether 10 years is the right time period and suggested a six-year period consistent with the City's six-year capital plans.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:56 p.m., Deputy Mayor Chelminiak declared the meeting adjourned.

Myrna L. Basich
City Clerk

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