

**MINUTES
MARYSVILLE CITY COUNCIL
REGULAR MEETING - WORK SESSION
JULY 16, 2001**

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I. Call to Order

The work session was convened by Mayor Weiser at 7:00 p.m. in the Council Chambers.

II. Pledge of Allegiance

The assemblage joined in the flag salute.

III. Roll Call

A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:

Dave Weiser, Mayor
Mike Leighan, Mayor Pro Tem
Shirley Bartholomew
Jim Brennick (late arrival)
NormaJean Dierck
Donna Pedersen
Suzanne Smith
John Soriano

Administrative Staff present:

Robert Carden, Chief of Police
Sandy Langdon, Finance Director
Gloria Hirashima, City Planner
Grant Weed, City Attorney
Ken Winckler, Public Works Director

Mayor Weiser advised that Councilmember Brennick had a family emergency and would be delayed.

IV. Discussion Items**A. Workforce allocation study**

Chief Carden gave a brief background on the need for the study. Commander Lamoureux added that a workforce allocation study would show how many employees were needed to achieve operational goals, what constituted minimum staffing levels and how personnel could best be utilized to achieve operational goals. Data for the report would be collected from two sources. Reports from Computer Aided Dispatch would give the time officers spent on calls. Time spent on other activities, such as community policing, public interaction, and paperwork, would be logged by each employee on a Daily Activity Report. Data from these two sources would be logged for 60 days then submitted to an outside vendor, Corona Solutions, for analysis. They would provide up to three staffing scenarios and suggest the most efficient usage of current personnel. Their report would be relied on to enhance planning for future needs, determine optimal staffing allocations, and identify a balance between efficiency, officer safety and delivery of services. The software could be purchased from Corona Solutions for \$30,000 plus an annual maintenance fee

of \$3,000, but the Department recommended the option of using them as a consultant to prepare a one-time report for a fee of \$9500.

Councilmember questions and comments included:

Could the Department afford this study within its budget? Commander Lamoureux responded that the Department was slightly under budget and could afford to proceed without a budget amendment at this time. If necessary, one would be done at year end.

Questioned Corona being the "preferred provider." Chief Carden advised that an additional vendor had been sought but this was the only vendor who would do a "snapshot" approach and did not require purchase of the software.

Councilmember Brennick arrived at this point in the meeting (7:10 p.m.).

When would the study be completed? Data collection would be done by the end of September, then the data would be sent for analysis.

What had been the experience of Everett P.D. and the Sheriff's office with this software? Commander Lamoureux stated Everett had used it for one study only, and did not keep it up to date. The Sheriff's office had one deputy who kept it up.

What was the position of the Police Officers' Association on the study? They were supportive because they understood the need for it and would do the DARs for 60 days.

Would the study show the need for additional officers to handle growth? Chief Carden noted that many of those projections had been done in his strategic plan and showed six additional officers would be needed during the next five years. That was just based on growth and did not take into account the need for a baseline, which this study would provide.

B. Ordinance to amend Ordinance Nos. 1949 and 1470 to extend cable franchise agreements with AT&T Broadband for 1 year

Doug Buell, community Information Officer, advised that the city's non-exclusive franchise with AT&T Broadband would expire September 30. The start of negotiations to renew the contract were delayed by the city for several reasons, including the instability of the cable industry, the common use of extensions for these contracts, the city's budget cutbacks which delayed the hiring of a cable consultant to guide the renegotiations, and the rapid advancement of the technology itself which allowed the city to benefit from the delay. Staff was requesting that the franchise agreements be extended for one year to allow the negotiations to take place.

Council comments and questions included:

AT&T Broadband was in the midst of a hostile takeover and there was much confusion within the company; a delay was appropriate.

Would this affect rates? No, the city had no influence on the rates charged to AT&T Broadband's customers. Mr. Weed added that the city's franchise ordinance laid out the rules and standards a franchisee must follow to utilize

city rights-of-way. The approval of the rates they charged their customers was through the FCC. The city could only dictate those things having to do with city property. There were rigid regulations under FCC about how far cities could go, and federal law superseded the authority of the city.

Could the city choose not to extend or re-sign? No, the city needed to negotiate in good faith and deal with AT&T Broadband as an existing franchisee. There was no process that compelled the city to agree to all their terms and conditions, however.

What was the status of the city's agreement with Black Rock Cable? Mr. Buell noted that agreement was running concurrent with the AT&T agreement. By doing that, the city created a level playing field for Black Rock, even though it still did not have a system in place. The FCC had structured its law in such a way that if a company wanted to be a participant in this competitive market it had to jump in; that's what Black Rock had done. Mr. Weed added that Black Rock had requested to be licensed and franchised under FCC as an OVS, Open Video System, and they would need to make a certain percentage of their fiber optic cable capacity available to third parties or competitors. The city would work with them to extend their agreement also.

Would there be cable service in the city if the city allowed the franchise agreement to expire? No.

Councilmembers requested no additional information for its next meeting.

C. Councilmember input from review of televised council meetings

Mr. Buell noted that councilmembers had been supplied with samples from the videotapes. An RFP would be prepared and sent to possible service providers later this month.

Councilmember comments included:

- MayCreek's work was inferior: poor lighting, poor panning.
- The council needed to march crisply through its work, more like Everett did.
- Recommended not shooting from the back corner – could only see the podium and microphone. Suggested moving the podium to the north wall, facing audience.
- Use fewer cameras.
- There was difficulty tracking who was talking.
- Questioned the ability of the sample companies to do live broadcasting.
- Would the RFP be open to other companies besides the two sample ones?
Yes.
- Councilmember Soriano had a list of detailed suggestions which he supplied to Mr. Buell.

Ms. Langdon noted that Everett used its own equipment in the council chambers and the cost to maintain that was \$30,000 to \$40,000 per year.

Councilmembers agreed that the topic had undergone a thorough workshop process. After the responses to the RFP were received, the matter should go to the TV Advisory Committee then directly onto a council agenda for action.

D. I-5 West annexation; 60% petition

Ms. Hirashima advised that a 60% petition had been received with 100% of the signatures. Staff recommended approval of the annexation and prezone, but recommended the effective date be held until the subarea plan and the Police Department's workforce allocation study had been completed.

Councilmember comments and questions included:

If a whole new squad was needed to offer police protection to the annexation area, would it be cheaper to contract with the Sheriff's office? Chief Carden responded that a squad was not needed, but a beat. This might be covered with existing staffing. He felt it would be confusing for an area to be in the city but receiving police protection from the county.

Councilmembers Dierck and Smith advocated for delaying action until the subarea and staffing plans were completed.

Response times for emergency vehicles was an issue because 172nd must be crossed in order to access the area.

Who would retain liability for Twin Lakes Park? The park would be owned and maintained by Snohomish County. Mr. Weed added that the city would have law enforcement authority, but any claims for injuries or drownings would be made against the county.

Had the railroad's intentions to install double tracking and cut off 156th been considered? Ms. Hirashima responded that the city and county were both following the issue closely. The county was actively opposing the road closure. The State Utilities and Transportation Commission would hold a hearing. Chief Carden added that closure of 156th would significantly impact the Department's ability to respond to the Smokey Point area.

If the council delayed action, would the petition have to start over? No, the signatures on the petition had already been certified. Mr. Weed added that the council's hearing on the 60% petition, scheduled for the next council meeting, was only one step before the annexation would be final. If the council approved it, the annexation would go to the County's Boundary Review Board which had 120 days within which to hold a hearing. The BRB would then issue a written decision. If those steps were favorable, the matter would come back to the city for adoption of the final annexation ordinance. If any portion of the subarea plan or the workforce allocation study caused councilmembers concern, it was not required to adopt the final ordinance. It was ultimately up to the council to make that property part of the city.

The area was outside of RUSA but within the UGA, who would pay for sewers if a line was installed on 156th? Ms. Hirashima responded that earlier this year the council amended RUSA so the boundary mirrored the UGA boundary. Staff anticipated that utilities would be provided by developers.

How much of the proposed area was park, and therefore untaxed? About 50%. The county was one of the property owners and had signed the petition.

What would be the cost to a developer of running a sewer line under the freeway? Larry Larson, Public Works Superintendent, noted that the Comp Plan spoke to the area at ultimate buildout. The number of feet of line for that

was known, so the cost could be determined by multiplying that by the cost per foot to install.

Councilmembers asked for brief report from the Police Department for the July 23rd meeting.

Mayor Weiser then reordered the agenda.

G. Solid waste rate study

Mr. Winckler backgrounded council and introduced Tom Gould, Vice President of Economic and Engineering Services, the consultant that had assisted with the study.

Mr. Gould gave a detailed presentation and handout, concluding that the city would experience a serious shortfall if rates were not increased by 15% over the next five years. The cost to an average homeowner with a 32-gallon can picked up weekly would go from \$15.83 to \$18.20. He suggested three options for raising the rates: Option 1 raised rates by 7% in 2002 and 2004; Option 2 raised by 3.5% each year; and Option 3 raised by 5% in 2002 then decreased to 2.5% in 2005.

Councilmember questions and comments included:

What was the increased interfund rent for the backup truck? Mr. Winckler explained that the utility had one vehicle scheduled to be replaced next year. Staff proposed buying it back and using it as a backup as needed until a new vehicle was purchased in 2005. Some work had been done on the truck and he felt it was a good risk and worth the \$25,000 annual rental the department would pay. A new truck was approximately \$200,000.

Councilmember Dierck asked for figures comparing the cost of the city staying in the garbage business or contracting out this service. Mr. Winckler responded that a study had been conducted by the Finance Department a few years ago. It had been a detailed study and an extensive undertaking, which resulted in the council's decision to remain in the garbage business. Councilmember Pedersen agreed that the study had taken a year to complete and clearly showed it was cheaper for the city to buy new trucks and stay in the garbage business.

When would the administrative fee be charged? Mr. Gould noted this fee would be applied to accounts where the homeowner wanted to stop the yard waste service during the winter months. There was an administrative cost associated with making changes on an account, and it was appropriate that that cost be borne by the customers wanting the change rather than raising the rates to everyone.

What was the outlook for tipping fees? Larry Larson advised that the county hoped to hold tipping fees at the \$89 per ton level.

Did the city charge a fee to establish utility service? Dean Roha, Assistant Finance Director, stated the city charged a one-time fee of \$15 to set up an account.

Councilmember Dierck asked to see information on what other cities in the county were doing their own garbage service and what rates their customers were paying.

E. 2001 Comprehensive Plan amendments

This topic was deferred due to lack of time.

F. 6-Year Transportation Improvement Plan update

This topic was deferred due to lack of time. Mr. Winckler advised that a public hearing would be held on the TIP on August 13, so council would have ample opportunity review this at a subsequent meeting.

V. **Executive session**

MOTION by Bartholomew, second by Brennick, to extend the meeting beyond the 9:30 cutoff to allow for an Executive Session. Motion carried (7-0).

Council adjourned into a short Executive Session at 9:30 p.m. to discuss an issue of potential litigation.

VI. **Adjourn**

Council reconvened into regular session, took no further action, and adjourned at 10:00 p.m.

Accepted this 23rd day of July, 2001.

David Weiss
Mayor

Perry Becker
City Clerk

Ann McAverill
Recording Secretary