

February 5, 2018

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Resolution authorizing execution of a 25 year Wireless Communications Facilities Site Lease Agreement with three automatic five-year extensions with King County for installation of equipment related to the Puget Sound Emergency Radio Network (PSERN) at Bellevue Fire Station #9 located at 12412 Newcastle Way, Bellevue Washington.

### **FISCAL IMPACT**

Approving this Resolution will result in the General Fund receiving annual rent of \$13,200 beginning when the County commences installation of its site equipment or no later than 24 months after execution of the lease. The annual rent will increase every five years by 10 percent.

### **STAFF CONTACTS**

Ira McDaniel, Real Property Manager, 452-4182  
Patti Ebert, Sr. Real Property Agent, 452-5203  
*Civic Services Department*

### **POLICY CONSIDERATION**

City Code:

Bellevue City Code 4.30.020 requires Council approval of leases that exceed two years in duration, or are less than fair market value.

Land Use Code Section 20.20.195 regulates placement of wireless communication facilities.

Comprehensive Plan:

The City's Comprehensive Plan supports increased availability and improved communication services for its citizens and businesses, and the location of telecommunication antennas on public facilities.

*Utilities Element:*

UT-20: Coordinate emergency preparedness and response with local and regional utility partners.

UT-66: For infrastructure opportunities on City Property, other than street right-of-way, encourage the use of appropriate City-owned properties for lease to install wireless communications equipment that is compatible with existing City uses of the sites and consistent with land use requirements.

*Neighborhood Goals and Policies:*

N-2: Ensure police, fire and emergency services provide high levels of public safety that respond to growth and changing community needs.

N-4: Plan and prepare for the response, recovery, and mitigation of potential disasters and hazards.

*Capital Facilities Goals and Policies:*

CF-2: Plan for the long-term renewal or replacement of aging capital facilities as needed to maintain target service levels.

CF-17: Require essential public facilities to be sited and designed according to city standards and criteria in order to minimize potential impacts to the community while recognizing the public importance and difficult-to-site nature of such facilities.

CF-18: Participate in inter-jurisdictional efforts to site countywide or statewide essential public facilities. Pursue agreements among jurisdictions to mitigate against the disproportionate burden that may fall on the jurisdiction which becomes the site of the facility.

CF-20: Work to site or expand essential public facilities in ways that equitably balance social, environmental, and economic impacts to achieve citywide and regional planning objectives.

## **BACKGROUND**

In 2015 King County voters approved a levy to upgrade the current emergency radio system. The current system is over 20 years old and faces increasing component failures as it ages. In addition, the vendor of the current system (Motorola) plans to discontinue the sale and repair of all components after 2018. Following the 2015 levy, an Interlocal Cooperation Agreement (ILA) was entered into by King County and 11 municipal agencies, including the City of Bellevue. In this agreement, the City agreed to the use of Fire Station #9 property for installation of equipment related to PSERN and that lease rates would be comparable to leases, licenses or agreements the City has with other governmental entities.

The emergency radio system is used to dispatch first responders (Police, Fire, EMS) to incidents and allow responders to communicate with each other at those incidents. The system is owned in equal shares by King County, the City of Seattle, Valley Communications Center (ValleyCom), and the Eastside Public Safety Communication Agency (EPSCA), of which the City of Bellevue is a partner.

The Emergency Radio Network uses redundant microwave as the primary means of communication as microwave links are the most reliable means of communication after a major disaster. Roads can buckle or break during an event, causing fiber or other land-based communication to fail, but these failures will not affect microwaves. In the worst case, antennas may need to be realigned to restore communication.

The search for adequate sites for the PSERN facility in this area of King County started in June 2014 and included sites in Seattle, Mercer Island, Newcastle and additional possibilities in Bellevue. The subject area of Bellevue/Newcastle was important in the King County PSERN design due to the City of Newcastle Police Department indicating they were experiencing coverage/communications issues in this area of Newcastle and Bellevue. The Bellevue Fire Station #9 emergency radio site is critical for emergency communications coverage in the east Lake Washington area. It and the Cougar Mountain site (a similar PSERN facility located at 180<sup>th</sup> Avenue SE and Cougar Mountain Drive, in unincorporated King County) will provide the backbone of the emergency radio coverage for first responders in this area. Further, the Bellevue Fire Station #9 site links the Northeast King County Regional Public Safety Communication Agency (NORCOM) and existing Capitol Hill sites, to provide a critical link in the microwave chain supporting the emergency radio network. Without the Bellevue Fire Station #9 site, PSERN states that they will not be able to provide a high level of emergency radio coverage to the first responders that rely on communication in the field in the greater southern Bellevue area.

At Fire Station #9 the new 170-foot monopole will be located in a wooded area on the north portion of the property occupying approximately 1,892 square feet. This area will be fenced with landscaping outside of the fenced area. Up to seven trees will be removed. There will be a driveway to the east so the monopole and associated equipment can be maintained. Two parking stalls will be provided. The area of

the equipment building is 360 square feet (12 feet by 30 feet). There will be no permanent impact to the existing fire station or its parking area.

On September 29, 2016 Notice of Application was mailed to all property owners within 500 feet of the project site and a public information sign was posted in the adjacent right-of-way. A public meeting was held on November 10, 2016 which nine (9) members of the public attended. Questions included concerns about health effects, aesthetics, noise impacts and property values. The City received several phone calls/emails/letters from adjacent neighbors with concerns, including those mentioned at the public meeting. The City sufficiently answered all questions raised and made a change to the initial proposal. The monopole and leased/fenced area was moved 8-10 feet south of the original location placing it adjacent to the parking lot for the fire station. Permitting required by the City for this site was through a Conditional Use Permit (File # 16-139244-LB) which was approved by the City's Hearing Examiner with no appeals in June 2017.

### **EFFECTIVE DATE**

If approved, this Resolution becomes effective immediately upon Council adoption.

### **OPTIONS**

1. Adopt the Resolution authorizing execution of a 25 year Wireless Communications Facilities Site Lease Agreement with three automatic five-year extensions with King County for installation of equipment related to the Puget Sound Emergency Radio Network (PSERN) at Bellevue Fire Station #9 located at 12412 Newcastle Way, Bellevue Washington.
2. Do not adopt the Resolution and provide alternative direction to staff.

### **RECOMMENDATION**

Option 1

### **MOTION**

Move to adopt Resolution No. 9366 authorizing execution of a 25 year Wireless Communications Facilities Site Lease Agreement with three automatic five-year extensions with King County for installation of equipment related to the Puget Sound Emergency Radio Network (PSERN) at Bellevue Fire Station #9 located at 12412 Newcastle Way, Bellevue Washington.

### **ATTACHMENTS**

A. Vicinity Map

B. Facility Site Plan

Proposed Resolution No. 9366

### **AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

Wireless Communications Facilities Site Lease Agreement