

**CITY COUNCIL AGENDA**  
**City Hall, 833 South Spruce Street**  
**7:00 p.m. May 24, 2018**

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**CALL TO ORDER:**

Mayor Sexton  
Council Members: Aslett, J. DeGloria, R. DeGloria, Edmundson, Loving, Montgomery, and Stavig  
Staff: Berner, Blaine, Dempsey, Erickson, Hampton, Harrison, Hawes, Brad Johnson, Brittany Johnson, L. Johnson, Jongsma, Luvera, Morrison, Moser, Peterson, Pulst, Rabenstein, Schwetz, Sinclair, Toth, Ward, Yengoyan

**MINUTES:** [City Council Meeting May 10, 2018](#)

**AUDIT OF BILLS:**

**PUBLIC COMMENTS:**

**COUNCIL COMMENTS:**

**MAYOR'S UPDATE:**

**PROCLAMATION:**

**SPECIAL PRESENTATION:** Renata Maybruck—Skagit County Emergency Medical Services Levy

**COMMITTEE & BOARD REPORTS:** [Public Safety Committee](#)

**OFFICERS REPORTS:** TBD

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**UNFINISHED BUSINESS:**

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**CONSENT AGENDA:**

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**NEW BUSINESS:**

- 1) [Six Month Moratorium on the Establishment, Location, Operation, Licensing, or Maintenance of a Day Center Human Services Facility](#)
- 2) [Bid and Contract Award—2018 Overlay Project](#)
- 3) [Street Closures for 2018 Berry Dairy Days Events](#)
- 4) [Naming Parks and Parks Facilities Policy](#)
- 5) [Contracts for Indigent Defense Conflict Counsel](#)
- 6) [Quidditch Fest Marketing Contract](#)
- 7) [Letter of Understanding II with IAFF Local 4111](#)
- 8) **A-** [Revised Salary Resolution—Creating the position of Police Commander within the Burlington Police Department](#)  
**B-** [Revised Salary Resolution—Adjusting the Salary for the Position of Civil Service Examiner](#)

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**FUTURE WORKSHOP:**

**BUDGET AND FINANCE:**

Thursday **June 21, 2018** 6:00 p.m.  
City Hall, 833 S Spruce St

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**EXECUTIVE SESSION:**

- An Executive Session may be held to discuss Personnel, Litigation, and/or Land Acquisition.

**ADJOURNMENT:**

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**MEETINGS:**

- 1) **DOWNTOWN BURLINGTON ASSOCIATION:** Wednesday **May 23, 2018** 9:00 a.m.  
Chamber of Commerce, 520 E Fairhaven Ave
- 2) **AUDIT & FINANCE COMMITTEE:** Thursday **May 24, 2018** 4:00 p.m.  
City Hall, 833 S Spruce St
- 3) **PARKS ADVISORY BOARD:** Monday **June 4, 2018** 5:30 p.m.  
Parks & Recreation, 900 E Fairhaven Ave
- 4) **LIBRARY BOARD:** Tuesday **June 5, 2018** 6:00 p.m.  
Burlington Public Library, 820 E Washington Ave

# May 2018

May 2018							June 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	3	4	5	6	7	1	2
13	14	8	9	10	11	12	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 29 - May 5	<b>Apr 29</b>	<b>30</b>	<b>May 1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
			6:00pm Library Board (Library)				
May 6 - 12	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	4:00pm Public Safety Committee (Public Safety Building)	5:30pm 7:00pm Planning Commission (Council Chambers)	4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
May 13 - 19	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 7:00pm 9:00pm Planning Commission (City Council Chambers)	6:00pm 8:00pm Budget & Finance Council Workshop (Council Chambers)		
May 20 - 26	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
				9:00am 10:00am Downtown Burlington Associati 5:30pm 7:00pm Planning Commission (Counci	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
May 27 - Jun 2	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Jun 1</b>	<b>2</b>

# June 2018

June 2018							July 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	1	2	3	4	5	6	7
10	11	12	13	14	15	16	8	9	10	11	12	13	14
17	18	19	20	21	22	23	15	16	17	18	19	20	21
24	25	26	27	28	29	30	22	23	24	25	26	27	28
							29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>May 27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Jun 1</b>	<b>2</b>
May 27 - Jun 2							
	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
Jun 3 - 9		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)	5:30pm 7:00pm Planning Commission (Council Chambers)			
	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
Jun 10 - 16			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
Jun 17 - 23			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commissio 7:00pm 9:00pm Planning Commissio	6:00pm 8:00pm Budget & Finance Council Workshop (Council Chambers)		
	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
Jun 24 - 30				9:00am 10:00am Downtown Burlington Association (Visitor Information Center/Chamber of	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

Council Date: May 24, 2018 Subject: [Six month moratorium on the establishment, location, operation, licensing or maintenance of a day center human services facilities](#)

Attachments: Proposed Ordinance Public Hearing Required: YES ( ) NO (X)

### SUMMARY

Pursuant to RCW 35.63.200 and RCW 36.70A.390, a proposed six month moratorium on the establishment, location, operation, licensing or maintenance of a day center human services facility is attached to this agenda item. A facility of this type provides a variety of social services to the public free of charge on a drop in basis without providing temporary or permanent overnight shelter. The Burlington Municipal Code does not have regulations in place to specifically address the unique characteristics of such a facility. Therefore, it is necessary to establish a moratorium on this type of facility while the City studies and addresses what regulation, if any, is necessary. City staff intends to study this issue as part of the ongoing comprehensive plan process and review comments from the public, then make a recommendation to Council regarding any permanent regulations that may be reasonable.

A public hearing is necessary at a future council meeting within 60 days. The moratorium may only be extended for six months at a time, with a new public hearing on or before each extension.

### RECOMMENDATION

Motion to approve "AN ORDINANCE OF THE CITY OF BURLINGTON, WASHINGTON, ESTABLISHING A SIX MONTH MORATORIUM ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING OR MAINTENANCE OF A DAY CENTER HUMAN SERVICES FACILITIES" and authorize the mayor's signature.



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Bid and Contract Award – 2018 Overlay Project](#)

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Attachments: Bid Summary Public Hearing Required: YES ( ) NO (X)

Contract

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### SUMMARY

Bids were opened for the 2018 Overlay Project on May 7<sup>th</sup> at 11 a.m. The low, responsive bidder is Lakeside Industries, located in Anacortes, WA, for the amount of \$653,765.20.

The project consists of 2-inch pavement overlay of Burlington Boulevard between Gilkey Road and Rio Vista Avenue AND Anacortes Street between the Gilkey Road compact roundabout and the BNSF tracks. WA State Transportation Board is funding \$220,000 for paving Anacortes Street.

### RECOMMENDATION

Motion to award bid and authorize Mayor to sign agreement with Lakeside Industries for Overlay Project.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Street Closures for 2018 Berry Dairy Days Events](#)  
Jennifer Berner,  
Parks & Recreation Director

Attachments: Berry Dairy Days Parade & Festival - Road Closure Map Public Hearing Required: YES ( ) NO ( **X** )  
Berry Cool Car Show - Road Closure Map  
Berry Dairy Days Road Run - Road Closure Map

### SUMMARY

- Berry Dairy Days Road Run Special Event Permit and Street Closure Request:** The Berry Dairy Days Road Run organizers, Kevin Ryan and Chris Whan, are requesting street closures as well as a special event permit for Saturday, June 16, 2018. Street Closures: 1.) Oak between Victoria Avenue and E. Fairhaven Avenue; 2.) E. Fairhaven Ave at Oak through Skagit. There are no changes from the previous year and there were no issues with the run.
- Berry Dairy Days Grand Parade and Festival Special Event Permit and Street Closure Request:** The Burlington Chamber of Commerce is requesting street closures as well as approval of a special event permit for the Berry Dairy Days Grand Parade and Festival. The Festival will take place at the Visitor Information Center (VIC) Amphitheater area and the Parade will take place along E. Fairhaven Avenue. The Festival will begin setting up on Friday, June 15, 2018; and both events will take place on Saturday, June 16, 2018. The Grand Parade will start at 11:00AM with the Festival starting at 10:00AM at the VIC Amphitheatre following the parade.  
Street Closures will begin at 5:00AM and be completed by 6:00AM: 1.) E. Fairhaven Avenue from Alder to Skagit Street; and side streets one-block off Fairhaven on north and south side; 2.) Walnut Avenue from E. Fairhaven Avenue to Greenleaf; 3.) Washington Street from Alder Street to S. Spruce Street; 4.) E. Vic Avenue from Oak to S. Skagit. There are no road closure location changes; the only change is closing the street earlier starting at 5:00AM.
- Berry Cool Car Show Special Event Permit and Street Closure Request:** The Cascade Street Rod Association is requesting street closures as well as approval of a special event permit for the annual "Berry Cool Car Show" to take place on Sunday, June 17, 2018 from 10:00AM-3:00PM. The car show will take place on E. Fairhaven Avenue.

Street Closures begin at 6:00AM: 1.) E. Fairhaven Avenue from Alder Street east to the Railroad Tracks; 2.) Walnut Street on both sides of the railroad tracks. There were no issues with the event last year.

### **RECOMMENDATION**

**Council Motion** to approve the street closures for the 2018 Berry Dairy Days events and authorize the Mayor's signature on appropriate documents.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Naming Parks and Parks Facilities Policy](#)  
Jennifer Berner,  
Parks and Recreation Director

Attachments: DRAFT Park Naming Policy Public Hearing Required: YES ( ) NO (X)

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### SUMMARY

The City of Burlington currently does not have a policy that provides guidelines to the naming of public parklands and park facilities. Staff drafted a policy and the Parks and Recreation Advisory Board reviewed and approved the policy at the May 7<sup>th</sup> meeting.

The purpose of the policy of naming parks and facilities within parks is to:

- Establish a consistent standard and procedure for naming of public parklands and park facilities.
- Important for public awareness, promotion, emergency access

### Process:

- Parks and Recreation Advisory Board and Parks and Recreation Department will solicit names.
  - Citizen involvement is encouraged through a variety of ways (contests, recommendations from previous owners, historical, etc.)
- Parks and Recreation Advisory Board, with input from staff, will recommend a name or top-runner names to City Council for consideration and approval.

### Criteria:

Names submitted for consideration should provide some form of individual identity in relation to the following:

- Geographic location



- Natural features
- Adjoining subdivision, street, school or natural feature.
- Commonly recognized historical event, group, organization or individual.
- Individual or organization that contributed significantly to the acquisition or development of the park or park facility.
- Should not be named to honor or recognize an individual or group unless it's determined appropriate by the Parks and Recreation Advisory Board and City Council.
  - If individual/group is considered as a park/facility name they shall have provided exceptional service to the community. Quality and length of service should be considered.
  - Typically, while serving in a public office, public officials should not be considered.

Parks and park facilities that are donated to the City can be named by deed restriction by the donor. In the case of a new project, a temporary name will be designated by the City staff for identification during acquisition and/or development. Renaming of parks and park facilities is discouraged, however if it is to be considered, a critical review will be conducted. Renaming will follow the same procedures as naming a park.

#### **RECOMMENDATION**

Council Motion to approve the Park and Park Facility Naming Policy.



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Contracts for Indigent Defense Conflict Counsel](#)

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Attachments: Proposed Contracts (2) Public Hearing Required: YES ( ) NO ( **X** )

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### SUMMARY

Attached are two proposed contracts with attorneys to provide Indigent Defense Conflict Counsel services in Burlington and Mount Vernon Municipal Courts:

- Alexandria Hohman
- Melanie Stum

Juan Farias, Public Defense Program Assistant, and Jennifer Rancourt, Public Defense Auditor reviewed the credentials of these two attorneys and recommend both to serve on the indigent defense conflict counsel panel.

### RECOMMENDATION

Move to approve the contracts for provision of indigent defense conflict counsel services with Alexandria Hohman and Melanie Stum, and authorize the Mayor to sign.



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: 5/24/2018 Subject: [Quidditch Fest Marketing Contract](#)

Sarah Ward

Attachments: Contract from Seattle Times Public Hearing Required: YES ( ) NO ( **X** )

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### SUMMARY

This contract is for the online marketing strategy for Quidditch Fest 2018. We have used the Seattle Times media solutions for Quidditch Fest marketing each year. The amount, \$8,000 was approved in the LTAC grant for Quidditch Fest 2018.

### RECOMMENDATION

Authorize the Mayor's signature on the contract from the Seattle Times Media Solution.



ITEM #: 7

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Letter of Understanding II with IAFF Local 4111](#)  
Levon Yengoyan, Fire Chief

Attachments: Letter of Understanding II Public Hearing Required: YES ( ) NO ( **X** )  
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### **SUMMARY**

The City of Burlington and IAFF Local 4111 have identified necessary updates to the Collective Bargaining Agreement (CBA) in order to clarify procedures and reflect compliance with actual practices of the parties. This letter of understanding reflects amendments to Article 18 of the CBA pertaining to:

1. Light duty assignments.

### **RECOMMENDATION**

I motion to approve the proposed update to the collective bargaining agreement with IAFF Local 4111 and authorize the Mayor to sign Letter of Understanding II.



ITEM #: 8-A

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Revised 2018 Salary Resolution – Creating the position of Police Commander within the Burlington Police Department](#)  
Mike Luvera, Police Chief

Attachments: Current Organizational Chart Public Hearing Required: YES ( ) NO ( **X** )  
Organizational Chart with Commander Position  
Job Description – Commander Position  
Proposed Revised Salary Resolution

### **SUMMARY**

The Police Department currently has 2 commissioned police officer vacancies. One position has been unfilled for many years through normal/natural attrition. The other position has been vacant for 5 months due to the retirement of a Lieutenant.

These months have afforded me an opportunity to analyze the agency and determine the best course for the future. It is this mindset that leads me to this request of forming a “Commander” position within BPD. A Commander structure aligns with my philosophy of empowering those on our team with authority and the responsibility that comes with that authority. Forming a Commander position flattens the organization to create streamlined areas of responsibility and ease of communication. This structure will serve us efficiently into the future.

I understand a concern of Council in creating mid-year positions. This position is not new (as we have always had 3 commissioned administrators within BPD) but the title and shift in responsibilities is a new concept.

### **RECOMMENDATION**

Move to create a new position within the Burlington Police Department of an exempt, non-civil service commander and authorize the Mayor’s signature on the revised 2018 Salary Resolution.



ITEM #: 8-B

CHECK ONE:

NEW BUS. X

OLD BUS. \_\_\_\_\_

## AGENDA ITEM

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Council Date: May 24, 2018 Subject: [Revised 2018 Salary Resolution – Adjusting the salary for the position of Civil Service Examiner](#)  
Bryan Harrison, City Administrator  
Brittany Johnson, HR Manager

Attachments: Memo from Civil Service Examiner, Carly Ruacho Public Hearing Required: YES ( ) NO ( **X** )  
Job Description – Civil Service Examiner  
Proposed 2018 Salary Resolution

### **SUMMARY**

The Civil Service Examiner position serves as the City's chief examiner for all civil service business including hiring, firing, discipline, and promotion processes for all non-exempt Police Department and Fire Department personnel. In addition to those processes this position attends to the daily function needs of the Civil Service operations and reports to the Civil Service Commission at monthly meetings. This position is characterized by issues that can be complex and sensitive in nature and require a high level of competence, understanding, and coordination among City Human Resources, Legal, and other divisions and departments.

In keeping with the current industry standard for similar jurisdictions and positions as well as reflective of the professional nature of work and necessary skill set to be successful and provide the City with a high level of service we are requesting that the salary for this position be adjusted to reflect industry standards.

### **RECOMMENDATION**

Move to adjust the salary of the Civil Service Examiner to reflect current industry standards and authorize the Mayor's signature on the revised 2018 Salary Resolution.