

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. June 14, 2018

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 24, 2018](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION:

COMMITTEE & BOARD REPORTS: Public Works Committee

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS:

- 1) [Chinn Mei Fong Parking Lot Lease Agreement](#)

CONSENT AGENDA:

NEW BUSINESS:

- 1) [Authorization to Charge for Electronically Produced Public Records Requests](#)
- 2) [Amend Fee Resolution](#)
- 3) [Revised Salary Schedule—Creating the Evidence Technician Position within the Police Department](#)
- 4) [Fiber Repair Contractor](#)
- 5) [Purchase of Aluminum Trench Box](#)
- 6) **PUBLIC HEARING:** [Six Month Moratorium on the Establishment, Location, Operation, Licensing, or Maintenance of a Day Center Human Services Facilities](#)
- 7) [2019 Budget Calendar and Calendar of Council Summer 2018 Budget Workshops](#)

FUTURE WORKSHOP:

BUDGET AND FINANCE:

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

EXECUTIVE SESSION:

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

ADJOURNMENT:

MEETINGS:

1) **PUBLIC SAFETY COMMITTEE:**

Tuesday **June 12, 2018** 6:00 p.m.
Public Safety Building, 311 Cedar St.

2) **AUDIT & FINANCE COMMITTEE:**

Thursday **June 14, 2018** 4:00 p.m.
City Hall, 833 S Spruce St.

3) **HISTORICAL PRESERVATION BOARD:**

Monday **June 18, 2018** 2:00 p.m.

Parks & Recreation, 900 E Fairhaven Ave.



JUNE 15-17

(SPECIAL MEETING)

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
	May 27	28	29	30	31	Jun 1	2
May 27 - Jun 2							
	3	4	5	6	7	8	9
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)			
	10	11	12	13	14	15	16
Jun 10 - 16			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
	17	18	19	20	21	22	23
Jun 17 - 23		2:00pm 4:00pm Historical Preservation Board - Special Meeting (Parks & Recreation)	4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commission (Council Chambers)	6:00pm 8:00pm Budget & Finance Council Workshop (Council Chambers)		
	24	25	26	27	28	29	30
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		

July 2018

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

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



ITEM #: 1

CHECK ONE:

NEW BUS. _____

OLD BUS. X

AGENDA ITEM

Council Date: June 14, 2018 Subject: [Parking Lot Lease with Chinn Mei Fong](#)
Bryan Harrison, City Administrator

Attachments: Proposed Lease Agreement Public Hearing Required: YES () NO (**X**)

SUMMARY

The City of Burlington entered into an agreement with Chinn Mei Fong in December of 2016 to lease the parking lot located at 423 Fairhaven for public use. That lease currently exists on a month to month basis. The Chinn family has requested that the lease agreement be modified to increase the monthly lease payment from \$1,000 to \$1,500, and to provide for a shorter (less than ninety day) notification period in case of sale of the property. Attached is a proposed modified lease agreement that would raise the lease payment to \$1,500 per month, fix the lease payment at this rate for a period of one year, and reduce the termination notice period from ninety days to no less than fourteen days in case of sale of the property.

RECOMMENDATION

Move to approve the attached parking lot lease agreement with Chinn Mei Fong and authorize the Mayor to sign.



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [Resolution to authorize the City to charge for providing copies of electronically produced records.](#)
Bryan Harrison, City Administrator

Attachments: Proposed Resolution Public Hearing Required: YES () NO (X)
House Bill (HB) 1595—Bill Analysis
Certificate of Enrollment Engrossed House Bill 1595

SUMMARY

The Washington State Legislature recently passed HB 1595, which authorizes governmental agencies, including Cities, to charge fees for electronic public record requests. The City currently charges only for physical records produced, like paper copies. However, as technology has evolved over the years, nearly all public record requests and responses are now performed electronically, which means no fees are being charged for the vast majority of requests, even though City time and resources are being expended to respond to those requests.

Adopting the proposed resolution will allow the City to charge a reasonable fee for those records that the City is required to produce when an outside entity requests them.

RECOMMENDATION

Adopt the proposed resolution.

Proposed motion: ***“I hereby move to adopt the proposed resolution authorizing the city to charge for providing copies of electronically produced records, and authorize the mayor’s signature.”***



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [Amended Fee Resolution](#)

Attachments: Proposed Fee Resolution Public Hearing Required: YES () NO (X)

SUMMARY

Attached is a proposed updated fee resolution for various city services. Proposed changes fall into the following three categories:

1. Establishing fees to implement the Hearings Examiner land use permit review process (for cases that previously went to the Planning Commission).
2. Amending the methodology to establish fees for recreation programs, allowing the city to recover the cost of providing classes and programs. In addition, a fee is established for rental of the new (Maiben House) park facility.
3. Implementing a fee for provision of electronic public records, as authorized by the State of Washington.

RECOMMENDATION

Move to approve the attached amended fee resolution and authorize the Mayor to sign.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [Revised 2018 Salary Schedule – Creating position of Evidence Technician within the Police Department](#)
Mike Luvera, Police Chief

Attachments: Proposed Job Description Public Hearing Required: YES () NO (X)
Revised 2018 Salary Resolution

SUMMARY

A vital function of any Police Department is the proper retention and storage of evidence. Evidence handling is paramount as it can be used to convict or exonerate a person accused of a criminal act. The BPD records clerk tasked with our evidence operations has retired. The core duties of evidence have temporarily been shifted to our office manager. The core duties only include the in-taking of evidence and delivery to the Court and/or crime lab. The reason this can only be temporary is that effective evidence operations include the purging of evidence as soon as the law allows and/or as soon as an owner is identified. This prevents over inventory. If we fail to purge we will quickly outgrow our storage facility which is currently close to capacity.

The title Records Clerk is not the correct title for the position that oversees the evidence operation. An Evidence Technician should be the title. In addition to overall evidence operations, the added duties and responsibilities will include the expectation that the evidence technician be available to respond to major crime scenes and assist officers and detectives with the processing and collection of evidence. The City of Burlington does not currently have the job title of Evidence Technician so I am requesting Council approval.

RECOMMENDATION

Move to approve the position of Evidence Technician within the Burlington Police Department and authorize the Mayor's signature on revised 2018 Salary Resolution.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [Fiber repair contractor](#)

Geoff Hawes, IT Manager

Attachments: 2018-05-30 COB Fiber Professional Services Agreement Public Hearing Required: YES () NO (**X**)

NWTEL

SUMMARY

The City is in need of an alternate fiber repair contractor that will be able to be on call 7x24 for fiber repair issues and be able to perform customer fiber installations as required. Some of the current fiber installers are too far away to provide an effective response. NWTEL is located in Burlington and will be able to fulfil the off hours emergency response requirements and timely fiber install requests to Burlington Businesses.

RECOMMENDATION

Motion to authorize the Mayor to sign the Professional Services Fiber Emergency Install And Repair Agreement with NWTEL.



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [Purchase Aluminum Trench Box](#)

Marv Pulst, Public Works Director

Attachments: Quote: AllWest Underground Inc. Public Hearing Required: YES () NO (X)

SUMMARY

The Street Department is in need of an Aluminum Trench Box. This provides necessary safety for crew when installing Storm Piping. Per the three quotes that we received, Allwest Underground Inc. was the lowest quote.

Descriptions: One (1) 6'x14'x3" Efficiency brand (XLAP-614) double wall aluminum trench shield with 24"-36" static adjustable spreaders, rated to 11' in C-60 soil. Weight with spreaders is 1,500#.

- Delivered cost: \$9,100.00 plus tax. Lead time from the factory, with shipping time, is approximately 6 weeks.

RECOMMENDATION

Motion to authorize procurement of Aluminum Trench Box



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [SIX MONTH MORATORIUM ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING OR MAINTENANCE OF A DAY CENTER HUMAN SERVICES FACILITIES](#)

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

SUMMARY

Pursuant to RCW 35.63.200 and RCW 36.70A.390, a six month moratorium on the establishment, location, operation, licensing or maintenance of a day center human services facility was approved by Council at the May 24, 2018 regular meeting. 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 was 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.

This public hearing was necessary within 60 days of the May 24, 2018 meeting. Pursuant to Council Rule 4.3(A), in order “[t]o ensure equal opportunity for the public to comment, a [public] speaker’s comments shall be limited to up to three (3) minutes per person.”

RECOMMENDATION

Conduct the public hearing pursuant to RCW 36.70A.390. No motion is necessary by council to sustain the existing moratorium for a period of six months from May 24, 2018. If no motion is made by council, council may proceed to the next agenda item at the conclusion of the public hearing.

-OR-

Council may move to rescind the moratorium if desired.



ITEM #: 7

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: June 14, 2018 Subject: [2019 Budget Calendar and Calendar of Council Summer 2018 Budget Workshops](#)

Attachments: Draft 2019 Budget Adoption Calendar Public Hearing Required: YES () NO (**X**)

SUMMARY

Staff developed the attached draft 2019 Budget Adoption Calendar for Council consideration. In addition, three “third Thursday” workshops have tentatively been scheduled during the summer of 2018 (June 21st, July 19th, and August 16th). When these three “third Thursday” workshops were originally scheduled, the intent was to review level of service presentations and information from each major department. The proposed draft 2019 Budget Adoption Calendar anticipates incorporating level of service discussions into the workshops to be held in September and October. If Council desires to hold the “third Thursday” workshops, potential topics to discuss might include the following:

June 21st: Council discussion / review of budget process, data, and priorities to date??
Discussion of desired detail in Mayor’s budget presentations to Council??

July 19th: Introduction to Strategic Planning – what is it and what does it offer a city??

August 16th: Preliminary results of Total Cost of Compensation Study??

RECOMMENDATION

Review the attached draft 2019 Budget Adoption Calendar and move to adopt, or amend and adopt, as desired. Provide direction to staff regarding the cancelling or scheduling of, and/or desired topics to address during, “third Thursday” workshops.