

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. September 13, 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 August 23, 2018](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

[September 2018: Recovery Month](#)

SPECIAL PRESENTATION:

COMMITTEE & BOARD REPORTS:

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS:

CONSENT AGENDA:

NEW BUSINESS:

- 1) [Independent Impact Fee Assessment Request, Freeway Storage LLC](#)
- 2) [Interlocal Agreement with Skagit County for EMS Training Staff](#)
- 3) [Fire and Life Safety Educator Reclassification](#)
- 4) [Interlocal Agreement with Skagit County for EMS Training Hub](#)
- 5) [Non-Represented Employee Compensation Survey](#)
- 6) [Interlocal Agreement with Skagit County for Emergency Management Services](#)
- 7) [Police Department Taser Purchase](#)
- 8) [Contract with Universal Field Services for Right of Way Acquisition](#)
- 9) [Award Bid – Sharon Ave Sewer Improvements](#)
- 10) [Single Use Plastic Bag Ban Discussion](#)

FUTURE WORKSHOP:

EXECUTIVE SESSION:

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

ADJOURNMENT:

MEETINGS:

- 1) PARKS ADVISORY BOARD: Monday **September 10, 2018**, 5:30 p.m.
Parks & Recreation, 900 E Fairhaven Ave
- 2) PUBLIC SAFETY COMMITTEE: Tuesday **September 11, 2018** 4:00 p.m.
Public Safety Building, 311 Cedar Street
- 3) AUDIT & FINANCE COMMITTEE: Thursday **September 13, 2018** 4:00 p.m.
City Hall, 833 S Spruce Street

September 2018

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

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Aug 26	27	28	29	30	31	Sep 1
8/26 - 31							
	2	3	4	5	6	7	8
9/2 - 7			6:00pm Library Board (Library)				
	9	10	11	12	13	14	15
9/9 - 14		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		
	16	17	18	19	20	21	22
9/16 - 21			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 7:00pm 9:00pm Planning Commission (City Co	6:00pm 8:00pm Budget & Finance Council Workshop (Council Chambers)		
	23	24	25	26	27	28	29
9/23 - 28				9:00am 10:00am Downtown Burlington Associati 5:30pm 7:00pm Planning Commissio	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
	30	Oct 1	2	3	4	5	6
9/30 - 10/5							

October 2018

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

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 30 - Oct 6	Sep 30	Oct 1	2	3	4	5	6
		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)				
Oct 7 - 13	7	8	9	10	11	12	13
			2:00pm 3:00pm Historical Preservation Board (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		
Oct 14 - 20	14	15	16	17	18	19	20
			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)		
Oct 21 - 27	21	22	23	24	25	26	27
				9:00am 10:00am Downtown Burlington Associati 5:30pm 7:00pm Planning Commission (Counci	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
Oct 28 - Nov 3	28	29	30	31	Nov 1	2	3



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: 9/13/2018 Subject: [Independent Impact Fee Assessment Request, Freeway Storage LLC](#)

Attachments: Planning Department Staff Report and Recommendation and exhibits:

Public Hearing Required: YES () NO (X)

A - Resolution

B - RCW 82.02.050

C - BMC 15.12.160

D - Employment Density Study

SUMMARY

The City is authorized by State law to collect impact fees. Impact fees must be directly related to an impact resulting from new development. The City collects park, fire, and transportation impact fees. Park impact fees are assessed using a table set forth in Chapter 15.12 BMC. For projects with impacts that are not accurately captured by the standard fee assessment table, the City may also conduct independent fee calculations.

On June 20, 2017 the City issued a building permit to Freeway Storage LLC and assessed a park impact fee of \$26,639 based on the standard impact fee assessment table. Freeway Storage paid the park impact fee under protest and subsequently submitted a request for an independent fee calculation. The Planning Department has reviewed Freeway Storage LLC's request and recommends the City Council approve the request and refund the \$26,639 park impact fee collected with building permit PR2017086.

RECOMMENDATION

Accept the Planning Department's recommendation and refund the \$26,639 park impact fee collected with building permit PR2017086.



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Interlocal Agreement with Skagit County for EMS Training Staff](#)
Levon Yengoyan, Fire Chief

Attachments: Interlocal Agreement with Skagit County Public Hearing Required: YES () NO (**X**)

SUMMARY

Skagit County EMS has changed the method by which its' Ongoing Training and Evaluation Program (OTEP) is being delivered to Basic Life Support (BLS) providers in the County. The new delivery model utilizes City fire departments that serve as "training hubs" who delivery standardized curricula to fire districts in their area. Training delivery of this type requires staff with a specialized skill set to coordinate the on-going training of Emergency Medical Technicians (EMT), teach and coordinate the delivery of CPR programs to local high schools, and coordinate and conduct child passenger safety education. This contract provides for the Burlington Fire Department's Fire and Life Safety Educator (FLSE) to provide these duties for the County for eighty (80) hours each month.

RECOMMENDATION

I motion to approve the proposed contract for EMS Training Staff and authorize the Mayor to sign the interlocal agreement with Skagit County.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Revised 2018 Salary Resolution – Establishing the position of Fire & Life Safety Educator responding to the Interlocal Agreement with Skagit County for EMS Training Staff](#)
Bryan Harrison, City Administrator
Levon Yengoyan, Fire Chief
Brittany Johnson, HR Manager

Attachments: Proposed Revised Salary Resolution Public Hearing Required: YES () NO (**X**)
Draft Job Description – Fire & Life Safety Educator

SUMMARY

Skagit County EMS has changed the method by which its' Ongoing Training and Evaluation Program (OTEP) is being delivered to Basic Life Support (BLS) providers in the County. The new delivery model utilizes City fire departments that serve as "training hubs" who deliver standardized curriculum to fire districts in their area. Training delivery of this type requires staff with a specialized skill set to coordinate the on-going training of Emergency Medical Technicians (EMT), teach and coordinate the delivery of CPR programs to local high schools, and coordinate and conduct child passenger safety education. This contract provides for the Burlington Fire Department's Fire and Life Safety Educator (FLSE) to provide these duties for the County for eighty (80) hours each month. The proposed revised salary resolution is creating the position of Fire and Life Safety Educator in the fire department.

RECOMMENDATION

I motion to approve the revised 2018 salary resolution creating the position of Fire and Life Safety Educator within the fire department; and to approve the salary for the position of Fire and Life Safety Educator be retroactive to September 1, 2018 and authorize the Mayor's signature.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Interlocal Agreement with Skagit County for EMS Training Hub](#)
Levon Yengoyan, Fire Chief

Attachments: Interlocal Agreement with Skagit County Public Hearing Required: YES () NO (**X**)

SUMMARY

Skagit County EMS has changed the method by which its' Ongoing Training and Evaluation Program (OTEP) is being delivered to Basic Life Support (BLS) providers in the County. The new delivery model utilizes City fire departments that serve as "training hubs" who deliver standardized curricula to fire districts in their area. Via this hub model, the Burlington Fire Department will train Emergency Medical Technicians (EMT) in Fire Districts 5, 6, 12, and 14. In addition, the Burlington Fire Department will provide community CPR and first aid classes. Training will be provided by fire department staff and the City will be reimbursed at a rate of \$65.00 per hour for 2018 with a 2% increase annually through the remainder of the contract.

RECOMMENDATION

I motion to approve the proposed contract for EMS Training Hub Services and authorize the Mayor to sign the interlocal agreement with Skagit County.



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS.

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Non – Represented Employee Compensation Survey](#)
Bryan Harrison, City Administrator

Attachments: 2018 Employee Compensation Survey Approach Public Hearing Required: YES () NO (**X**)
RFP: Total Cost of Compensation Review
RFP Response: McGrath Human Resources Group

SUMMARY

A total cost of compensation analysis has been initiated for each of the City of Burlington employment groups. Initial work has been completed for three of the represented groups (IAFF, and Teamsters Public Works and Administrative). Results are complete in draft form and have been presented to the applicable union representatives. Further assessment of represented police positions is pending initiation of Police Guild negotiations. What remains is a comprehensive review of non-represented positions. An RFP was prepared earlier this summer to solicit a professional human resources firm to assist the city in completing this task. Three responses were received. The responses demonstrate that each of these firms is sufficiently experienced and capable of completing this review. The response submitted by McGrath Human Resources Group is quite thorough, and represents the least cost to the city (\$23,746 as compared to \$39,155 for one firm, and between \$35,000 and \$42,500 based upon the specific scope of work for the other). McGrath has extensive experience completing similar reviews for cities in Washington. Contacts with references were favorable. A comprehensive review of compensation has not been completed for the city since 2007.

RECOMMENDATION

Move to award the 2018 Total Cost of Compensation Survey to McGrath Human Resources Group, and authorize the Mayor to negotiate and sign a contract to that effect.



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Inter-local Agreement with Skagit County for Emergency Management Services](#)

Attachments: Email correspondence from Department of Emergency Management Director Public Hearing Required: YES () NO (**X**)

Management Director

Proposed Inter-local Agreement

SUMMARY

The City of Burlington has contracted with Skagit County (Department of Emergency Management) to receive emergency management coordination services since 1981. The terms of the Agreement have recently been renegotiated by the partner agencies (County, Cities and Towns). Attached is an Agreement that would continue the existing regional role of the County DEM department through the year 2020. Schedule "D" of the Agreement specifies the financial responsibility of each partner agency based upon each entity's population and assessed valuation. City staff has reviewed the attached Agreement and the scope of work and supports the proposed regional coordination of DEM services.

RECOMMENDATION

1. Move to approve the attached Inter-local Agreement and authorize the Mayor to sign.
2. Designate Kelly Blaine as the City of Burlington representative to the DEM Emergency Management Advisory Board.



ITEM #: 7

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Police Department Taser Purchase](#)

Attachments: PROFORCE LE QUOTE Public Hearing Required: YES () NO (**X**)

AXON ENTERPRISES INC QUOTE

SUMMARY

BPD has several “less-lethal” tools that are used in apprehension of suspects. The Taser is one of these tools which have been used by the Burlington Police Department for many years. Some of the current Tasers in use date back to 2007. BPD is phasing in the newer technology Taser X2 in replacement of the older X26 model. The purchase would be within current budget of \$11,500.

The above quotes are from the only two distributors of the Taser X2. Axon Enterprises Inc. is the manufacturing company and they sell products exclusively to ProForce L.E. for resale.

RECOMMENDATION

Allow the expenditure of \$11,487 for the purchase of (6) X2 Tasers, holsters, batteries, duty/training cartridges.



ITEM #: 8

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Right-of-Way Acquisition Contract for George Hopper Interchange](#)
Marv Pulst, Public Works Director

Attachments: Universal Field Services – Scope of Work Public Hearing Required: YES () NO (**X**)
Universal Field Services – Fee Estimate

SUMMARY

The City has identified a future project for improvements to the intersection of George Hopper Road and Interstate 5 (I-5). The project requires acquisition of approximately 2.85 acres right-of-way in the northwest quadrant of the interchange. The property will be purchased using federal funds which requires a very specific acquisition process. The understanding of this process is outside the realm of staff and requires the use of a real estate specialty firm with proven skills in this area. Public Works solicited requests for qualifications from organizations possessing these skills, and has selected Universal Field Services (Edmonds, WA). Subsequent contract price negotiations resulted in an estimated cost of \$23,004 to facilitate the right-of-way acquisition.

RECOMMENDATION

Motion to approve and award a contract to Universal Field Services for \$23,004.



ITEM #: 9

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Award Bid - Sharon Ave Sewer Improvements](#)

Attachments: Review of Bids Public Hearing Required: YES () NO (**X**)

Bid Summary

SUMMARY

Sharon Avenue Sewer Improvement bids were opened for the Sewer Department on August 30th at 2p.m. The low, responsive bidder is Razz Construction, located in Bellingham, WA for the amount of \$506,320.68.

This was a rebid. During the August 9th, City Council meeting, prior bids were rejected for this project. Staff and Gray & Osborne engineers modified the design and readvertised for bids.

The project consists of upgrading sewer piping within Sharon Ave and Skagit Street roadways according to the design report developed by Gray & Osborne engineers earlier this year.

RECOMMENDATION

Motion to award bid and authorize Mayor to sign agreement with Razz Construction for Sharon Ave Sewer Improvements.



ITEM #: 10

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 13, 2018 Subject: [Single Use Plastic Bag Ban Discussion](#)

Bryan Harrison, City Administrator

Attachments: Existing Local Regulations Regarding Single Use Plastics Public Hearing Required: YES () NO (X)

SUMMARY

On May 10, 2018 members of Skagit BAG BAND Wagon made a presentation to council encouraging adoption of an ordinance that would regulate (ban) single use plastic bags within the City of Burlington. At city request, the Burlington Chamber of Commerce held a meeting on August 13th inviting local businesses to discuss this issue. City staff is seeking council direction on logical next steps to consider this policy issue. A review of the Municipal Research website indicates that the following Cities and Counties having adopted bag bans: Bainbridge Island, Bellingham, Edmonds, Ellensburg, Friday Harbor, Issaquah, Kirkland, Lacey, La Conner, Mukilteo, Olympia, Port Townsend, Quil Ceda Village, San Juan County (Unincorporated), Seattle, Shoreline, Tacoma, Thurston County, and Tumwater.

Several examples are included for your review

RECOMMENDATION

Review the attached list of ordinances, and provide direction to staff regarding next steps in considering this proposed policy.