

**CITY COUNCIL AGENDA**  
**City Hall, 833 South Spruce Street**  
**7:00 p.m. September 27, 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 September 13, 2018](#)

**AUDIT OF BILLS:**

**PUBLIC COMMENTS:**

**COUNCIL COMMENTS:**

**MAYOR'S UPDATE:**

**PROCLAMATION:**

[Diaper Awareness Needs Week](#)

**SPECIAL PRESENTATION:**

**COMMITTEE & BOARD REPORTS:**

**OFFICERS REPORTS:**

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**UNFINISHED BUSINESS:**

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**CONSENT AGENDA:**

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**NEW BUSINESS:**

- 1) [State Required Revision of BMC 5.04](#)
- 2) [Agreement with Gray & Osborne for Engineering Services – Sharon Ave. Sewer Improvements Construction Management Duties](#)
- 3) [Request for a Street Closure of a Portion of North Oak Street from E. Fairhaven Avenue to Victoria Avenue](#)
- 4) [Appointment of Carol Doyle to the Library Board of Trustees](#)
- 5) [Letter of Understanding between the City and IAFF Local No. 4111 regarding 2019 Wage Opener](#)
- 6) [Interlocal Agreement with Skagit County for Emergency Medical Services](#)

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**FUTURE WORKSHOP:**

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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 **September 26, 2018** 9:00 a.m.  
Chamber of Commerce, 520 E Fairhaven Ave
- 2) AUDIT & FINANCE COMMITTEE: Thursday **September 27, 2018** 4:00 p.m.  
City Hall, 833 S Spruce St
- 3) PARKS ADVISORY BOARD: Monday **October 1, 2018** 5:30 p.m.  
Parks & Recreation, 900 E Fairhaven Ave
- 4) LIBRARY BOARD: Tuesday **October 2, 2018** 6:00 p.m.  
Burlington Public Library, 820 E Washington Ave

# 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							30	29	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>Aug 26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Sep 1</b>
8/26 - 31							
	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
9/2 - 7			6:00pm Library Board (Library)				
	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
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		
	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>
9/16 - 21			4:00pm Public Works Committee (Engineering Conf Room)	7:00pm 9:00pm Planning Commission (City Council Chambers)			
	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>
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		
	<b>30</b>	<b>Oct 1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
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	<b>Sep 30</b>	<b>Oct 1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)				
Oct 7 - 13	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
			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	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</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)		
Oct 21 - 27	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</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		
Oct 28 - Nov 3	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Nov 1</b>	<b>2</b>	<b>3</b>



ITEM #: 1

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

Council Date: September 27, 2018 Subject: [State Required Revision of BMC 5.04](#)

Renee Sinclair, Director of Budget & Accounting

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

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### SUMMARY

In the 2017 session, EHB 2005 (RCW 35.90) passed requiring three actions by cities with business licenses and local B&O taxes. The law:

1. Requires cities with business licenses to establish a workgroup to create a model business license with a licensing threshold by July 2018 for adoption by all business license cities by January 1, 2019;
2. Requires all cities with business license to administer their business license through the state’s Business Licensing System (BLS) by 2022 or FileLocal by 2020; and
3. Establishes a task force on local B&O tax service apportionment under RCW 35.102.130 to report to the Legislature by October 2018.

The City is required to adopt one of two alternatives for businesses under a certain threshold that do not maintain a place of business in the City. City staff has determined that a business license exemption for any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than \$2,000 is consistent with the City’s needs and resources. A proposed ordinance to reflect that change is attached.

Additionally, section 5.04 of the Burlington Municipal Code must be amended to allow the City to utilize the State’s Business Licensing Service (BLS) as required or pursuant to the needs of the finance department.

### RECOMMENDATION

To adopt proposed Ordinance amending BMC Section 5.04 to adopt a threshold whereby certain businesses are not required to obtain a City of Burlington Business License, and to authorize the finance director to utilize the State of Washington’s Business Licensing Service, as required.



ITEM #: 2

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: September 27, 2018 Subject: [Agreement with Gray & Osborne for Engineering Services](#)  
Marv Pulst, Public Works Director

Attachments: Agreement Public Hearing Required: YES ( ) NO ( **X** )  
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\_\_\_\_\_

### SUMMARY

This \$20,900 contract with Gray & Osborne engineers will provide construction management duties for the Sharon Ave project. Their duties include but are not limited to the following: Prepare progress payments, facilitate construction progress meetings, final inspection, record drawings, and submittal review. Gray & Osborne engineers provided the original bid package (plans, specifications, and estimate).

Razz Construction was awarded a construction contract for this work during the September 13<sup>th</sup> City Council meeting for \$506,321. The project will upgrade sewer piping within Sharon Ave and Skagit Street.

### RECOMMENDATION

Motion to authorize Mayor to sign agreement with Gray & Osborne for engineering services.



ITEM #: 3

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

Council Date: September 27, 2018 Subject: [Request for a street closure of a portion of North Oak Street from E. Fairhaven Avenue to Victoria Avenue.](#)  
Bryan Harrison, City Administrator

Attachments: Map Public Hearing Required: YES ( ) NO ( **X** )  
\_\_\_\_\_  
\_\_\_\_\_

### **SUMMARY**

Street closure request from the Train Wreck to celebrate their 10 Year Anniversary on November 10. A portion of North Oak Street would be closed from E. Fairhaven Avenue to Victoria Avenue from 9:00 a.m. November 10 to 9:00 a.m. November 11. The area will be fenced off and include a 100' x 40' tent with a beer garden, food and live music along with security guards to monitor the area. Flashing barricades and ecology blocks will line the north and south ends at Fairhaven/Victoria. In lieu of this event, the Train Wreck will not hold their Annual Day Before Thanksgiving street closure event this year.

The Technical Review Committee met with the applicant to review the street closure and recommend approval. The Fire Marshal was out of town and he will review the plans and inspect the site prior to event opening.

### **RECOMMENDATION**

Motion to approve street closure of N. Oak Street from Fairhaven Avenue to Victoria Avenue from 9:00 a.m. November 10 to 9:00 a.m. November 11, 2018.



ITEM #: 4

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: September 27, 2018 Subject: [Appointment of Carol Doyle to the Library Board of Trustees](#)  
Sarah Ward, Library Director

Attachments: Letter of interest from Carol Doyle Public Hearing Required: YES ( ) NO ( **X** )  
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### **SUMMARY**

Carol Doyle has volunteered to serve on the Library Board of Trustees, filling a vacancy.

### **RECOMMENDATION**

Vote to approve the Mayor's appointment of Carol Doyle to the Library Board of Trustees.



ITEM #: 5

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: September 27, 2018 Subject: [Letter of Understanding between the City and IAFF Local No. 4111 regarding 2019 Wage Opener](#)  
Bryan Harrison, City Administrator  
Levon Yengoyan, Fire Chief  
Brittany Johnson, HR Manager

Attachments: Proposed LOU with IAFF Local #4111 Public Hearing Required: YES ( ) NO ( **X** )  
Total Cost of Compensation Results for Firefighters  
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### **SUMMARY**

The City and IAFF Local No. 4111 agreed to open any articles pertaining to Total Cost of Compensation in 2018 to determine wages for 2019. The City and Local IAFF No. 4111 worked together through a comprehensive and data driven process to determine the wage package for 2019. Attached are the proposed LOU with the details regarding the wage package, which include an increase of 8% to the base wage rate, increase to the Deferred Compensation matching share from 3.08% to 6.2% (alternative to not participating in Social Security), and an additional KELLY Day off which are for the sole purpose of lowering the hours worked by the employee. The Total Cost of Compensation spreadsheet is also attached.

### **RECOMMENDATION**

I motion to approve the Letter of Understanding with IAFF Local No. 4111 determining the wages for 2019 and authorize the Mayor's signature.



ITEM #: 6

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: September 27, 2018 Subject: [Interlocal Agreement with Skagit County for Emergency Medical Services](#)  
Levon Yengoyan, Fire Chief

Attachments: Skagit County Ordinance #O20180008 Public Hearing Required: YES ( ) NO ( **X** )  
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### **SUMMARY**

In June of 2018, Skagit County Emergency Medical Services (EMS) contacted the cities of Burlington, Mount Vernon, Anacortes, and Sedro Woolley to gauge their interest in participating in a fire-based EMS system. Based on the Cities' positive response to this request, the Skagit County Board of Commissioners passed Ordinance # O20180008 dissolving the current EMS provider and forming a fire-based EMS delivery model effective January 1, 2019.

Since the passage of that ordinance, a transition team comprised of representatives from Skagit County, all four cities, Aero-Skagit, and County Fire Districts have worked to develop an implementation plan for these new services. The transition team has worked on the following items:

- The equitable distribution of existing EMS assets
- A response plan that ensures EMS coverage to all residents of Skagit County
- Outreach to fire district partners
- An equitable distribution of EMS Levy funds
- A streamlined and coordinated hiring process for existing Central Valley Ambulance Authority paramedics
- An interlocal agreement with detailed scope of work

The interlocal agreement for EMS Services was developed in order to establish a six year Agreement between the parties. The agreement sets out terms for response area, response times and other minimum responsibilities for each entity. The relationship between the County and each City provider is that of a contractor, so as long as the City meets the minimum terms of the contract, the administration of those terms is discretionary. In exchange for those EMS services, the County will compensate each City at a defined amount. Although highly unlikely, the Agreement also

contemplates a mandatory process to resolve disputes that may arise and a way to terminate the agreement if necessary, based on certain criteria that may occur. In the unlikely event that the Agreement is terminated, the City would be responsible to reimburse a declining percentage of the one-time “startup” cash received from the County and the value of equipment received, including Ambulances. Generally speaking, each City will receive the equipment that is already housed within each Fire Station, with some equalization for older or inadequate equipment. Finally, the Agreement is structured so that the parties may work to develop a “closest unit” response plan, should they so desire.

Unfortunately, the draft agreement was not available at the time of publication of the council packet. Therefore, a copy of the draft agreement will be provided to council members separately, as soon as possible.

#### **RECOMMENDATION**

I motion to approve the proposed contract for Emergency Medical Services and authorize the Mayor to sign the interlocal agreement with Skagit County.