

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. October 11, 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, Rogge, Schwetz, Sinclair, Toth, Ward, Yengoyan

MINUTES:

[City Council Meeting September 27, 2018](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION: Skagit County Public Health: E-Cigarette Use and Smoking & Vaping in Public Places

COMMITTEE & BOARD REPORTS:

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS:

CONSENT AGENDA:

NEW BUSINESS:

- 1) [Public Defense Auditor's 2nd Biannual Report](#)
- 2) [Caselle Inc. Payroll/HR/Timekeeping Software](#)
- 3) [Recommended 2019 Lodging Tax Awards: hold for future action \(award funds at time of 2019 budget, and amendment of the 2018 budget\)](#)
- 4) [Letter of Understanding with IAFF 4111: Issues Pertaining to Addition of Firefighter/Paramedic Positions](#)

FUTURE WORKSHOP:

BUDGET & FINANCE

Thursday **October 11, 2018** 6:00 p.m.
Council Chambers, 833 S Spruce St

BUDGET & FINANCE

Thursday **October 18, 2018** 6:00 p.m.
Council Chambers, 833 S Spruce St

EXECUTIVE SESSION:

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

ADJOURNMENT:

MEETINGS:

- 1) **HISTORICAL PRESERVATION BOARD:** Tuesday **October 9, 2018** 2:00 p.m.
Parks & Recreation, 900 E Fairhaven Ave
- 2) **PUBLIC SAFETY COMMITTEE:** Tuesday **October 9, 2018** 4:00 p.m.
Public Safety Building, 311 Cedar Street
- 3) **AUDIT & FINANCE COMMITTEE:** Thursday **October 11 2018** 4:00 p.m.
City Hall, 833 S Spruce Street
- 4) **PUBLIC WORKS COMMITTEE:** Tuesday **October 16, 2018** 4:00 p.m.
City Hall, 833 S Spruce Street
- 5) **SKAT BOARD:** Wednesday **October 17, 2018** 1:00 p.m.
Council Chambers, 833 S Spruce Street

October 2018

October 2018							November 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	4	5	6	7	1	2	3
14	8	9	10	11	12	13	11	12	13	14	15	16	17
21	15	16	17	18	19	20	18	19	20	21	22	23	24
28	22	23	24	25	26	27	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 (6:00pm 7:00pm Budget & Finance Worksho 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 9:00pm 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

November 2018

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

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



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 11, 2018 Subject: [Public Defense Auditor's 2nd Biannual Report](#)

Attachments: Public Defense Auditor's 2nd Biannual Report Public Hearing Required: YES () NO (X)

SUMMARY

Jennifer Rancourt, the Public Defense Auditor for the cities of Mount Vernon and Burlington, has completed her 2nd biannual report. Overall, the report is very complementary of the public defense system that the two cities have developed over the last five years. Specifically, she praised the quality and professionalism of the cities' primary public defense contractor, Mountain Law, and of the cities' conflict counsel panel. Ms. Rancourt did identify a few areas that need further attention. These items include:

- Access of defense counsel to defendants being held in custody at the Skagit County jail, and the ability to hold confidential conversations and exchange case related materials (a physical limitation of the facility – Ms. Rancourt noted that jail staff are attempting to accommodate counsel requests)
- An overly busy in-custody (jail) court calendar
- Challenges in ensuring the timeliness of mental health competency evaluations and restoration activities

In summary, the report is very complimentary of the public defense system that has been developed, but does identify a few areas in need of attention. This report has been shared with the Skagit County Sheriff's Office (the operator of the Skagit County jail) for their review.

RECOMMENDATION

Review and discuss the Public Defense Auditor's 2nd Biannual Report and provide feedback and direction to staff as desired. Note: staff is committed to working with the Ms. Rancourt to continuously improve Burlington's public defense services.



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: 10/11/2018 Subject: [Caselle Inc. Payroll/HR/Timekeeping Software](#)

Attachments: Caselle, Inc. Proposal Public Hearing Required: YES () NO (**X**)

SUMMARY

Due to persistent, ongoing severe challenges with the current software used to process payroll transactions, the Mayor and City Administrator requested staff seek a different software solution. The parameters that need to be met include the ability to maintain four distinct work periods, an online portal for employees and supervisors for timekeeping and employee self-service, streamlined Human Resources/Payroll integration, and the ability to maintain at least six distinct salary/wage schedules. In addition the software must be able to “stand-alone”, i.e. must not require the existence of the general ledger to function. Instead, the software must be able to export the journal entries necessary to maintain records in Springbrook.

Staff reached out to four software application providers for local government to request a cost proposal for a stand-alone (does not require the general ledger module to operate) payroll, timekeeping, human resources solution to replace these functions in Springbrook. The four companies contacted were Caselle, Inc., Tyler Technologies (Eden), American Data Group (ADG), and Workday. Of the four only Caselle and ADG have stand-alone solutions.

ADG was disqualified for two reasons: it does not accommodate multiple work periods and they do not have any Washington state clients – no BARS experience. We have three work periods – the work week for non-represented and Teamsters employees, 24-day work period for IAFF employees, and 28-day work period for Police Guild employees.

Caselle, Inc. responded with the attached proposal. Ronn Gilson worked through several example payrolls using our real data (hours worked, work periods vs. pay periods, etc.) from start to finish. At no point was there an issue – it just worked.

Staff discussed the replacement of these specific modules on September 27. The consensus was to proceed with the replacement pending City Council approval. The objective is to implement the Caselle software in time to process the January 15th payroll. This alleviates the need to “convert” current payroll files, only requiring annual history data to be converted after implementation. The 2018 expenditure will be \$9,792.50; 2019 will be \$29,377.50.

RECOMMENDATION

City Council authorizes the Mayor to sign the agreement for Caselle, Inc. Payroll, Human Resources, Timekeeping and Document Management and to make the deposit in the amount of \$9,792.50.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 11, 2018 Subject: [Recommended 2019 Lodging Tax Awards: hold for future action \(award funds at time of adoption of the 2019 budget, and amendment of the 2018 budget\)](#)

Attachments: Spreadsheet - Recommended 2019 Lodging Tax Awards Public Hearing Required: YES () NO (X)

SUMMARY

The Burlington Lodging Tax Advisory Committee reviewed applications for 2019 Lodging Tax funds on September 17th and 24th. Attached is a spreadsheet listing the amounts each entity requested, the score each application received, and the amount that the Lodging Tax Advisory Committee (LTAC) recommends to be funded. Note: state law prohibits council from awarding lodging tax funds within 45 days of the LTAC decision date. Final awards may be made in conjunction with adoption of the 2019 budget and amendment of the 2018 budget (on or after November 8, 2018). The Lodging Tax Advisory Committee recommends that the Burlington City Council fund a one-time contribution from Fund 197 (Lodging Tax) in support of the Children’s Museum of Skagit County during 2018, and sixteen additional requests in 2019 as follows:

Burlington Chamber of Commerce – Visitor Information Center Operations:	\$125,000
Burlington Chamber of Commerce – Berry Dairy Days Festival Promotion:	\$16,000
Skagit Valley Tulip Festival – Tulip Festival Brochure:	\$6,500
Skagit River Bald Eagle River Festival – Interpretive Center Operations & Marketing:	\$5,000
Burlington Parks and Recreation – Harvest Festival Marketing:	\$12,000
Burlington Parks and Recreation – Summer Nights Operations & Marketing:	\$10,000
Burlington Parks and Recreation – Skagit River Park Events / Tournament Support:	\$68,650
Celtic Arts Foundation – Skagit Highlands Games & Celtic Arts Festival:	\$7,500
McIntyre Hall – Events and Venue Marketing:	\$16,000
Skagit River Salmon Festival – Marketing:	\$5,000

Lincoln Theatre Foundation – Marketing & Promotion:	\$8,000
Children’s Museum – Museum Passport:	\$3,000
Children’s Museum – Marketing & Operations:	\$35,000
Children’s Museum – Winter Wonderland Marketing & Operations:	\$50,000
Burlington Library – Quidditch Festival:	\$42,000
Pacific Premier FC dba Rush Cup: Tournament Marketing and Operations:	<u>\$20,200</u>

Total Recommended 2019 Lodging Tax Awards: \$429,850

Children’s Museum – 2018 Capital Campaign – Museum and Event Center: \$150,000

RECOMMENDATION

FYI only: hold action until adoption of the 2019 budget and amendment of the 2018 budget on or after November 8, 2018.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 11, 2018 Subject: [Letter of Understanding with IAFF 4111: Issues Pertaining to Addition of Firefighter/Paramedic Positions](#)

Attachments: Proposed Letter of Understanding Public Hearing Required: YES () NO (X)

SUMMARY

Attached is a Letter of Understanding (LOU) between the City of Burlington and IAFF Local 4111 pertaining to the employment of Firefighter/Paramedics by the City of Burlington effective January 1, 2019. The LOU is organized into eight sections paraphrased as follows:

1. Section one specifies that the city recognizes IAFF Local 4111 as the exclusive bargaining representative for City of Burlington Firefighter/Paramedic employees.
2. Section two places Firefighter/Paramedics employed from the pool of existing Central Valley Ambulance Authority (CVAA) Paramedics (in recognition of their experience with CVAA) at a representative step in the pay scale ranging from step one through five.
3. Section three provides that employees hired from CVAA will start their employment with the city with a forty eight hour bank of sick leave.
4. Section four establishes a six month trial period specifically for employees hired from CVAA, and includes an expectation that Firefighter/Paramedics will obtain Firefighter 1 certification within a twelve month period in order to maintain employment with the city. This section provides that the city shall offer reasonable training and testing opportunities to assist employees in meeting this requirement.
5. Section five amends Articles 11, 14, 17, 23, and 29 of the existing Collective Bargaining Agreement between the City of Burlington and IAFF 4111 paraphrased as follows:
 - Article 11 – Seniority List: Two seniority lists are established, one each for the employee classifications of Firefighter/EMT and Firefighter/Paramedic. Firefighter/Paramedics hired on the same date

from CVAA will initiate their City of Burlington seniority upon their hire date, but will retain their relative seniority based upon the relative seniority that they held at CVAA. Layoffs are prescribed in inverse seniority order, by employment classification.

- Article 14 – Shift Exchanges: Vacation schedules are to be prioritized by seniority and employment classification. Only two employees total (one employee from each classification) shall be allowed on vacation or Kelly day at a time, unless previously approved by the Chief. Minimum shift staff shall consist of four bargaining unit members (two of which shall be Firefighter/Paramedics). Firefighter/Paramedics hired from CVAA with less than five years of experience shall be placed at Year 1 on the vacation accrual schedule, and those with five or more years of experience shall be placed at Year 5 on the vacation accrual schedule. The first six months of vacation hours (for those hired from CVAA) shall be frontloaded at time of hire, with protections in place to reimburse the city if an employee leaves employment prior to “earning” the amount of leave so used.
 - Article 23 – Education Incentives and Training: Paramedics are required to maintain required certifications and training.
 - Article 24 – Salary and Deferred Compensation: The 2019 IAFF 4111 salary schedule is amended to include the position of Firefighter/Paramedic.
 - Article 29 – Overtime and Call Back: Overtime and callback language is amended to add the position of Firefighter/Paramedic and specifies that before a Firefighter/EMT is mandated to work overtime, the shift will be offered to Firefighter/Paramedics.
6. Section six specifies that the city will work with other affected jurisdictions (Anacortes, Mount Vernon, and Sedro-Woolley) during the Firefighter/Paramedic hiring process to maximize efficiencies.
 7. Section seven clarifies that this LOU does not establish a past practice or precedent and may not be used or cited by either party in any future dispute, except for a dispute to enforce the terms of this LOU.
 8. Section eight declares the LOU effective upon signing by both parties.

Note: Sections of the existing CBA quoted within the LOU that have been deleted are indicated by a ~~striketrough~~ of the text, and additions are indicated by underlining the applicable text.

RECOMMENDATION

Move to approve the attached Letter of Understanding with IAFF 4111 and authorize the Mayor to sign.