

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. February 22, 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 February 8, 2018

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION:

Community Action of Skagit County

Skagit Valley Tulip Festival: Presentation of 2018 Tulip Festival Poster

OFFICERS REPORTS:

TBD

UNFINISHED BUSINESS:

CONSENT AGENDA:

NEW BUSINESS:

- 1) [Agreement with Gray & Osborne for Engineering Services](#)
- 2) [New Mower & Collections Systems](#)
- 3) [Borrowing Agreement between Burlington Public Library and Central Skagit Sedro-Woolley Library](#)
- 4) [Hearing Examiner Contract](#)

FUTURE WORKSHOP:

EXECUTIVE SESSION:

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

ADJOURNMENT:

MEETINGS:

- 1) **PUBLIC WORKS COMMITTEE:** Tuesday **February 20, 2018** 4:00 p.m.
City Hall, 833 S Spruce St
- 2) **SKAT BOARD:** Wednesday **February 21, 2018** 1:00 p.m.
City Hall, 833 S Spruce St
- 3) **AUDIT & FINANCE COMMITTEE:** Thursday **February 22, 2018** 4:00 p.m.
City Hall, 833 S Spruce St
- 3) **DOWNTOWN BURLINGTON ASSOCIATION:** Wednesday **February 28, 2018** 9:00 p.m.
Chamber of Commerce, 520 E Fairhaven Ave
- 4) **PARKS ADVISORY BOARD:** Monday **March 5, 2018** 5:30 p.m.
Parks & Recreation, 900 E Fairhaven Ave
- 5) **LIBRARY BOARD:** Tuesday **March 6, 2018** 6:00 p.m.
Burlington Public Library, 820 E Washington Ave

February 2018

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

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

March 2018

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

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CALL TO ORDER:

Mayor Steve Sexton called the meeting to order at 7:02 p.m. with the Pledge of Allegiance. Council members present: Bill Aslett, Rick DeGloria, Edie Edmundson, Chris Loving, Ted Montgomery, and James Stavig. Staff present: Jennifer Berner, Brian Dempsey, Lawanda Hampton, Bryan Harrison, Brad Johnson, Leif Johnson, Michael Luvera, Kristen Morrison, Marv Pulst, Renee Sinclair, Sarah Ward, and Levon Yengoyan.

A motion was made to excuse **Councilor Joe DeGloria** from the meeting by **Councilors R. DeGloria/Aslett**. All in favor; motion carried.

MINUTES:

A motion was made to approve the minutes of the January 25, 2018 council meeting by **Councilors Loving/R. DeGloria**. All in favor; motion carried.

AUDIT OF BILLS:

A motion was made by **Councilors R. DeGloria/Aslett** to approve Accounts Payable invoices to be paid as reviewed on February 8, 2018 in the amount of \$1,113,522.67; and Payroll expenses for pay period ending January 25, 2018 in the amount of \$557,092.08. All in favor; motion carried.

PUBLIC COMMENTS:

No public comments

COUNCIL COMMENTS:

No council comments

MAYOR'S UPDATE:

No mayor's update

PROCLAMATION:

No Proclamation.

SPECIAL PRESENTATION:

No Special Presentation.

OFFICER REPORTS:

Parks & Recreation Director Jennifer Berner presented to council a slideshow exhibiting the Parks & Recreation department's Daddy & Daughter Sweetheart Dance which took place on Friday, February 2nd, and was a sold-out event with over 140 tickets sold. **Berner** also discussed idea of a new Parks & Recreation Pop Up program, which will be held in July and August on Tuesdays and Thursdays from 10 a.m. to 12 noon, as well as four times as evening events. The Pop Up program is one in which recreation is brought to people in places like neighborhoods and school grounds, including sports, music, education, games, family activities, and social

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services. **City Administrator Bryan Harrison** discussed bringing these services to the more densely populated areas of Burlington, where access to parks and other services can be limited.

Information Technology Manager Geoff Hawes discussed improvements made by the IT department, including the replacement of the Barracuda Spam appliance which blocks Malware, and was purchased as a re-built unit, costing roughly one third the price of new. **Hawes** also discussed the replacement of the telephone systems in the Finance, Police, and Legal departments, with new features including “my voice” which syncs to Outlook calendars and features caller identification. **Hawes** discussed the rewiring of the Public Safety building which includes new security cameras in critical areas, and the need to upgrade to Windows 10 programming by the year 2020-2021, at which point the system will no longer be supported. **Hawes** discussed fiber optics, stating that Walton Drive now has fiber, and there is a pump station and businesses utilizing it. **Hawes** praised the Streets Department crew for utilizing the existing right-of-way conduit, which runs under the railroad tracks in Burlington, and allowed for the running of the fiber to without having to incur a \$15,000 permit fee from Burlington Northern Sante Fe Railroad, and stated that the Public Works collaboration on the fiber project is going well. **Hawes** informed council of some issues with backup batteries at the Police Department, stating that on Saturday there was a “bump” on PSE AC lines, which took out systems in the Police Department, and that work needs to be done on the batteries for long-term use. **Councilor Aslett** asked about the possibility of looking into battery reconditioning; **Hawes** stated that that was a course of action he was indeed looking into. **Councilor Aslett** asked **Hawes** about the possibility of reformatting council packets, especially those with a large number of pages, so that they would be easier to use. **Administrator Harrison** stated that there was a meeting taking place on Monday to discuss this issue.

Administrator Harrison discussed the February 15th council workshop: it’s proposed agenda, the notes from the previous workshop, and the sample format of Board/Committee updates, which will be discussed at the workshop. **Administrator Harrison** discussed the approach to the next ten council workshops, and outlined a potential schedule, to include data discussions in the spring, presentations from staff regarding level of service demands in the summer, 2019 budget, specific needs and desires from council regarding information in the fall, and an accrual accounting “refresher” discussion, and information and reports in January of 2019.

Councilor Aslett discussed the importance of discussing at the council workshop the opportunities to increase revenue, other issues related to revenue, and being sure that council is equally informed. **Councilor Aslett** praised administration and staff for their efforts, discussed the budget, revenue sources, other government organization’s issues related to taxes and funds, making sure the council “gets a good grasp” on pressures for funds, and gaining better understanding of the 2018 budget, in relation to the new (accrual) system of accounting. **Administrator Harrison** discussed more data being offered to council in terms of revenue, revenue sources, and the effects of such on the budget. **Councilor Aslett** discussed the idea of council having conversations with citizens regarding the expected level of service, what citizens are willing to forgo, and what services citizens are willing to pay more for.

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UNFINISHED BUSINESS:

No Unfinished Business.

CONSENT AGENDA:

1. **Agreement Between Economic Development Alliance of Skagit County and City of Burlington**

A motion was made to approve the consent agenda by **Councilors Aslett/R. DeGloria**. All in favor; motion carried.

NEW BUSINESS:

INTERLOCAL AGREEMENT WITH SKAGIT CONSERVATION DISTRICT

Assistant Public Works Director Brian Dempsey discussed the City's 10 year partnership with Skagit Conservation, and the City's municipal National Pollutant Discharge Elimination System (NPDES) permit requirements, which involve education activities pertaining to the prevention of pollution in storm water runoff. **Dempsey** stated that the interlocal agreement would allow the City to meet most NPDES municipal permit requirements for education.

A motion was made by **Councilors R. DeGloria/Montgomery** to authorize the Mayor to sign the interlocal agreement with Skagit Conservation District. All in favor; motion carried.

AUTHORIZE PROCUREMENT OF VAN FROM STATE CONTRACT FOR BUILDINGS & GROUNDS DEPARTMENT

Public Works Director Marv Pulst discussed the need for the requested new van, that it was originally in the budget to purchase a pickup truck, but that a van would serve the department better, and that the total cost of the purchase is \$28,287.60.

A motion was made by **Councilors Montgomery/ Stavig** to authorize procurement of utility van from State Contract for Buildings and Grounds Department. All in favor; motion carried.

RECIPROCAL LENDING AGREEMENT FOR FIRE EQUIPMENT WITH THE CITIES OF ANACORTES AND MOUNT VERNON

Chief Levon Yengoyan discussed the agreement and its purpose, which is to mutually enhance the capabilities and coordination of emergency services by providing a functional operating framework for the sharing of emergency responder resources between the cities of Anacortes, Burlington, and Mount Vernon.

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A motion was made by **Councilors R. DeGloria/Edmundson** to approve the proposed Reciprocal Lending Agreement for Fire Equipment with the Cities of Anacortes and Mount Vernon and authorize the Mayor to execute the agreement. All in favor; motion carried

ASSISTANCE TO FIREFIGHTERS GRANT (AFG) APPLICATION 2017

Chief Levon Yengoyan discussed the grant, which is an Operations and Safety Grant to upgrade the fire station with a Source Capture Exhaust System, which would capture hazardous diesel exhaust fumes in the apparatus bay. **Chief Yengoyan** stated that the City would be responsible for a 5% match in grant funding, making the Federal Share \$98,826.00, and the City's share \$4,941.30. **Councilor Loving** asked whether the current exhaust system was no longer working; **Chief Yengoyan** explained that it works marginally, and that the current safety standard is the Source Capture Exhaust System.

A motion was made by **Councilors Aslett/J. DeGloria** to approve the Burlington Fire Department's application for a 2017 AFG Grant for the acquisition of a Fire Station Apparatus Bay Source Capture Exhaust System. All in favor; motion carried.

DEVELOPMENT AGREEMENT FOR COORDINATION OF LA QUINTA HOTEL CONSTRUCTION ON COSTCO DRIVE

Public Works Director Marv Pulst discussed the proposed agreement for coordination of the La Quinta Hotel construction, which would grant safe and legal access to Burlington Boulevard from the site, and would allow for the coordination of the hotel's construction and the new road, which runs alongside the site, and which will connect Costco Drive and South Walnut Street. **Pulst** stated the hotel may have temporary access to Burlington Boulevard during the construction of the new street, but the access would be abandoned after the street is constructed. **Pulst** also stated that the agreement also grants the developer traffic impact fee credits in exchange for dedicating a portion of the land needed to construct the new City street.

A motion was made by **Councilors Aslett/R. DeGloria** to authorize the Mayor to sign the proposed development agreement. All in favor; motion carried.

EXECUTIVE SESSION:

City Attorney Leif Johnson stated that an Executive Session will be held Per RCW 42.30.110 to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The executive session should take

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approximately twenty minutes and action is expected as a result of the executive session. Council and city staff adjourned for Executive Session at 8:11 p.m.

Council came out of Executive Session at 8:26 p.m. and the Mayor called the meeting to order.

A motion was made by **Councilors Loving/Aslett** to add agenda item number six to the agenda: Consideration of Settlement Agreement Between Skagit County Dike, Drainage, and Irrigation Improvement District 12, the City of Sedro Woolley, and the City of Burlington. All in favor; motion carried.

Councilors R. DeGloria/Aslett made a motion to approve settlement agreement and authorize the Mayor to sign. All in favor; motion carried.

ADJOURNMENT:

Mayor Steve Sexton adjourned the meeting at 8:27 p.m.

Renee Sinclair
Director of Budget & Accounting

Steve Sexton
Mayor



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 22, 2018 Subject: [Agreement with Gray & Osborne for Engineering Services](#)
Marv Pulst, Director of Public Works

Attachments: 1) Agreement Public Hearing Required: YES () NO (X)

SUMMARY

This \$54,804 contract with Gray & Osborne will produce a bid package (design, specifications, and cost analysis) for installation of sewer piping and associated infrastructure. This work follows recommendations provided from a sewer analysis for infrastructure modifications from Sharon Avenue to the Wastewater Treatment Plant. A portion of this sewer main collapsed during April of 2017. Following repair of collapsed piping, modifications were made upstream diverting sewer flows.

This project will install approximately 1,300 linear feet of 12-diameter force mains in Sharon Ave and Skagit St. Various manholes will be upgraded, along with a flow control structure upstream, splitting flows equally from pump stations 3, 5 and 6 to the new piping.

RECOMMENDATION

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



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 22, 2018 Subject: [New Mower & Collection Systems](#)
Jennifer Berner, Parks & Recreation
Director

Attachments: John Deere Z997R Mower & Collection Systems Quote Public Hearing Required: YES () NO (**X**)

SUMMARY

The Parks and Recreation Department budgeted \$50,000 for the purchase of new park equipment in the 311-000 Parks & Rec Reserve fund for 2018. The most pressing need is a mower with a collection system and a new collection system for one of the current mowers. By purchasing off the State Contract and trading in two of the departments outdated mowers the department was able to reduce the costs to the City.

New Equipment	List Price	State Contract Price
John Deere Z997R Mower	\$23,963.95	\$18,402.23
Bushel Dump Collection System for Z997R	\$4,289	\$3,302.53
Bushel Dump Collection System for 997-60/72 Z-Track Mower	\$3,499	\$2,694.23
Sub-Totals:	\$31,751.95	\$24,658.79
*Trade-in value two X749 Mowers		-\$10,000.00
Total with Sales Tax (\$1,246)		\$15,904.79

(*2009 X749 Mower - \$4,500 and 2010 X749 Mower - \$5,500 = \$10,000 Trade-in value)

The new mower and collection systems will allow staff to accomplish their job tasks more efficiently and jettison two older mowers. The second collection system will extend the life of one of our older 997 60/72 Z-TRAK mowers. By ordering the equipment in February it should be delivered and ready for use during the busy spring mowing season.

RECOMMENDATION

Motion to: authorize the Mayor to approve the purchase of a mower and collection systems for the Parks and Recreation Department.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 22, 2018 Subject: [Borrowing Agreement](#)

Sarah Ward, Library Director

Attachments: Central Skagit - Reciprocal Library Borrowing

Public Hearing Required: YES () NO (**X**)

Permanent 2018

SUMMARY

The Central Skagit and Sedro-Woolley City libraries are merging to become one entity. The Burlington Public Library has a reciprocal borrowing agreement with the Sedro-Woolley Public Library. At this time we would like to enter into a reciprocal agreement with the new entity, the Central Skagit Sedro-Woolley Library

RECOMMENDATION

The Burlington Public Library Board recommends that the City Council authorize the Mayor's signature on the Central Skagit Sedro-Woolley Library reciprocal borrowing agreement.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: 2/22/2018 Subject: [Hearing Examiner Contract](#)

Attachments: 1) Draft Contract Public Hearing Required: YES () NO (**X**)
2) RFP
3) RFP Response – Sound Law

SUMMARY

As part of the recent code update, a Hearing Examiner system was created and the permit review and appeal functions previously performed by the Planning Commission, Board of Adjustment, and City Council were transferred to the Hearing Examiner. In November the City solicited proposals from qualified Hearing Examiners and received three responses. These responses were evaluated by a committee comprised of representatives from the City's Planning, Administration, and Legal departments, and the Chair of the Planning Commission. The Committee recommended accepting a proposal from Sound Law based on the firm's experience, ability to provide coverage, implementation strategy, and cost.

RECOMMENDATION

Authorize the Mayor to sign the attached contract with Sound Law to provide Hearing Examiner services.