

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. September 26, 2019

CALL TO ORDER:

Mayor Sexton
Council Members: Aslett, J. DeGloria, R. DeGloria, Edmundson, Green, Loving, and Stavig
Staff: Berner, Blaine, Dempsey, Erickson, Ganz, Hampton, Hawes, Brad Johnson, L. Johnson, Jongsma, Luvera, Moser, Nelson, Olafson, Peterson, Pulst, Rabenstein, Schwetz, Stewart, Toth, Ward, and Young.

MINUTES:

[City Council Meeting September 12, 2019](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION:

COMMITTEE & BOARD REPORTS:

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS: [Adoption of 2019 Non-Represented Salary Survey](#)

CONSENT AGENDA:

NEW BUSINESS:

- 1) [Public Hearing: 2020 Revenue Sources](#)
- 2) [Public Hearing: Preliminary 2020 Budget Summary](#)
- 3) [Interlocal Agreement for Probation Services](#)
- 4) [Comprehensive Plan Update – Map Revisions – Groups A and B](#)
- 5) [LOU with IAFF 4111 for Lateral Paramedic Hire](#)
- 6) Collective Bargaining Agreement between the City and the Burlington Police Employee's Guild for January 1, 2020 – December 31, 2020

FUTURE WORKSHOP:

- 1) WORKSHOP Thursday **September 26, 2019** 6:00 p.m.
City Hall, 833 S Spruce Street

EXECUTIVE SESSION:

- Labor Negotiations

ADJOURNMENT:

MEETINGS:

- 1) DOWNTOWN BURLINGTON ASSOCIATION: Wednesday **September 25, 2019** 9:00 a.m.
Chamber of Commerce, 520 E Fairhaven Ave
- 2) AUDIT & FINANCE COMMITTEE: Thursday **September 26, 2019** 4:00 p.m.
City Hall, 833 S Spruce Street



FUTURE COUNCIL AGENDA

City Council Meeting of September 26, 2019 – SPECIAL START TIME 6PM

2020 Budget SPECIAL Council Workshop

Indigent Defense

Legal & Risk Management

Parks & Recreation – Admin/Recreation/Festivals/Park Facilities

Regular Agenda:

Public Hearing on Revenue Sources for 2020 Budget

Public Hearing on Initial Preliminary 2020 Budget

Fire/EMS Letter of Understanding – Paramedic Lateral Language

Executive Session – 2020 Guild Agreement & Teamsters 2018 Wage Opener

- **2020 Budget SPECIAL Council Workshop October 3 – 6PM**

Community Development Department – Planning/Permitting/Inspection/Code Enforcement

Sewer & Sewer Reserve Funds

Storm and Storm Reserve Funds

Discussion of Initial Preliminary 2020 City-Wide Budget

Presentation of Final 5% General Fund 2020 Budget Cuts

City Council Meeting of October 10, 2019– SPECIAL START TIME 6PM

6PM to 7PM – Anticipated **2020 Budget** for:

Engineering

Fire/EMS Fund 150

Regular Agenda:

Presentation of 3-Year Revenue Enhancement and Stabilization Plan

Ordinance Setting Year 2020 Property Tax Levy

Public Hearing on Preliminary 2020 Budget

EMS Hub District Interlocal with Skagit County

Agreement with Skagit Valley College – EMT Student Ride-Alongs

Overview of Code Enforcement in Burlington – Police/Legal/Community Development

- **2020 Budget SPECIAL Council Workshop October 17 – 6PM**

Review of Proposed 2020 Budget

Preferred Package of Options for New/Enhanced Revenues Sources for City in 2020

Review and Discussion of ER&R, CR&R, and CIP Proposed 2020 Expenditures

City Council Meeting of October 24, 2019

1st Public Hearing – 2020 Budget

Authorization for City Participation in Ground Emergency Medical Transportation (GEMT) Program

- **2020 Budget SPECIAL Council Workshop November 7 – 6PM**

Review and Final Alterations to Proposed 2020 Budget

City Council Meeting of November 14, 2019

Final Public Hearing – 2020 Budget

Ordinance Adopting Year 2020 Budget

Ordinance Revising Planning and Permitting Fees

City Council Meeting of November 26 (TUESDAY), 2019

PROS (Parks, Recreation, and Open Space) Plan

City Council Meeting of December 12, 2019

Ordinance Revising Park Impact Fees

City Council Meeting of December 26, 2019

CANCELLED

September 2019

September 2019							October 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	6	7	8	9	10	11	12
8	9	10	11	12	13	14	13	14	15	16	17	18	19
15	16	17	18	19	20	21	20	21	22	23	24	25	26
22	23	24	25	26	27	28	27	28	29	30	31		
29	30												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 1 - 7	Sep 1	2	3	4	5	6	7
		5:30pm Parks Board (Parks & Rec Dept) - Judy Sheahan	6:00pm Library Board (Library)		6:00pm 8:00pm Council Workshop (Council Chambers)		
Sep 8 - 14	8	9	10	11	12	13	14
			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
Sep 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)		
Sep 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		
Sep 29 - Oct 5	29	30	Oct 1	2	3	4	5

October 2019

October 2019							November 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	3	4	5	6	7	1	2
13	14	8	9	10	11	12	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

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



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 17, 2019 Subject: [Public Hearing – 2020 Revenue Sources](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: 2020 Budgeted Revenues Public Hearing Required: YES (X) NO ()

HISTORY AND SUMMARY

State law requires that certain aspects of next year’s budget be disclosed for public inspection and a formal Public Hearing be held on specific dates each year. For our 2020 budget, the first required Public Hearing is for Revenue Sources. To comply with state law, we will be holding the required Public Hearing on 2020 Revenue Sources at this meeting.

We can change revenues up to our adoption of the 2020 budget but we are required to present the initial estimates of available revenues for next year at this time.

ALTERNATIVES CONSIDERED

Since state law sets out the timing of this required Public Hearing, there are no viable alternatives to holding the Public Hearing at this time.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

This is the City’s first cut at estimating revenues for the year 2020. As we work through the budget in the following weeks and months, the budgeted revenues may change and any change will be reflected in future Public Hearings as required by state law.

LEGAL ASPECTS – LEGAL REVIEW

None identified

STAFF RECOMMENDATION

No action by the Council is required – we are just required to hold the Public Hearing and take testimony from any citizen regarding our initial estimate of revenues for 2020.

SUGGESTED COUNCIL MOTION LANGUAGE

None



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 17, 2019 Subject: [Preliminary 2020 Budget Summary](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: 2020 Revenue Summary Public Hearing Required: YES (X) NO ()

HISTORY AND SUMMARY

State law requires that certain aspects of next year’s budget be disclosed for public inspection and a formal Public Hearing be held on specific dates each year. For our 2020 budget, this required Public Hearing is for the Preliminary 2020 Budget. To comply with state law, we will be holding the required Public Hearing on 2020 Preliminary Budget Summary at this meeting.

We can change the anticipated 2020 budget up to our adoption date but we are required to present the initial estimates at this time.

ALTERNATIVES CONSIDERED

Since state law sets out the timing of this required Public Hearing, there are no viable alternatives to holding the Public Hearing at this time.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

This is the City’s preliminary budget for the year 2020. As we work through the budget in the following weeks and months, it will change and these changes will be reflected in future documents.

LEGAL ASPECTS – LEGAL REVIEW

None identified

STAFF RECOMMENDATION

No action by the Council is required – we are required to hold the Public Hearing and take testimony from any citizen regarding our preliminary budget for 2020.

SUGGESTED COUNCIL MOTION LANGUAGE

None



ITEM #: 3

CHECK ONE:

NEW BUS. _____

OLD BUS. _____

AGENDA ITEM

Council Date: September 12, 2019 Subject: [Interlocal Agreement for Probation Services](#)

Submitted By: Mickey Zitkovich, Court Administrator

Attachments: Interlocal agreement between Skagit County and City of Burlington Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

The purpose of this interlocal agreement is to formalize the relationship of the City and the County regarding the provision of probation services to the City. The Skagit County District Court Probation Department has provided probation services to the City in past years based on its' participation in the consolidated district/municipal court judicial services plan.

ALTERNATIVES CONSIDERED

The District Court Probation Department is the only monitoring agency for all cities with Skagit County. There is no other reasonable alternative for the city at this time.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

The proposed rate is the same as our current contract and is a budgeted line item. There is no way to know the precise cost as it varies with the number of defendants referred and the length of time to complete treatment requirements.

LEGAL ASPECTS – LEGAL REVIEW

I have spoken to the legal department regarding the contract and there are no unusual legal concerns.

STAFF RECOMMENDATION

Staff recommends the council approve the attached contract to allow probation services to continue for the Burlington Municipal Court.

SUGGESTED COUNCIL MOTION LANGUAGE

I move to approve the contract with Skagit County for probation services for the term of January 1, 2020 through December 31, 2022 and authorize the Mayor to sign the contract.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 26, 2019 Subject: [Comprehensive Plan Update – Map Revisions – Groups A and B](#)

Submitted By: Brad Johnson, Community Development

Attachments: 1) Planning Commission Recommendation – Group “A” comprehensive plan map changes Public Hearing Required: YES () NO (X)

2) Planning Commission Recommendation – Group “B” comprehensive map changes

3) Resolution – Group “A” changes
 a. Exhibit – location and description of changes

4) Resolution – Group “B” changes
 a. Exhibit – location and description of changes

HISTORY AND SUMMARY

As part of the ongoing comprehensive plan update the Planning Commission has recommended the adoption of revised and updated comprehensive plan maps. The new maps are intended to implement the Land Use Element of the Comprehensive Plan which was approved by the Planning Commission on May 15, 2019 and presented to the City Council on July 11, 2019.

While related, the City’s comprehensive plan map is not the same as its zoning map. The comprehensive plan illustrates, in a very broad and general way, where different land uses are permitted. In contrast, the zoning map is much more detailed and specific. For example, the comprehensive plan map has a single designation for “detached housing”, whereas the zoning map contains three separate designations for the same use.

By law the City must have a comprehensive plan map and the map must be consistent with the text of the comprehensive plan. The Land Use Element adopted by the Planning Commission and City Council includes “designation criteria” which should be used establish the location and boundaries of the various designations shown on the comprehensive plan map. In order to ensure the comprehensive plan map is consistent with the text of the comprehensive plan, the Planning Commission compared the current comprehensive plan map to the designation criteria included in the updated Land Use Element and identified a number of recommend changes.

In order to break the recommended changes into manageable pieces, the Planning Commission has divided the recommendations into three groups:

1. Group “A” includes changes involving publicly owned parcels and privately owned parcels where development is permanently restricted by easements, plat notes, or covenants. These changes must be made to address inconsistencies that are clear and unambiguous.
2. Group “B” includes changes involving privately owned parcels that must be made to address inconsistencies that are clear and unambiguous.
3. Group “C” includes changes that are not necessarily required but may advance the goals and policies of the comprehensive plan related to population and housing growth. These changes include privately owned parcels and are likely to be of interest to property owners and residents in the affected areas.

The Planning Commission has issued recommendations on groups “A” and “B”. Because of the discretionary nature of the changes included in Group “C”, the Planning Department contacted the residents and property owners in the affected areas directly and the Planning Commission held a separate hearing to collect public comments. The Planning Commission is still evaluating the public comments has not yet issued a recommendation on the changes included in Group “C”.

ALTERNATIVES CONSIDERED

1. Revise the Land Use Element to eliminate the updated land use designations and the designation criteria. This alternative was not considered feasible or desirable because the Land Use Element was recently adopted by the Planning Commission and City Council.
2. Continue to use the existing comprehensive plan map. This alternative was not considered feasible because it would result in clear inconsistencies between the text of the comprehensive plan and the comprehensive plan map in violation of Washington State law.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

By completing the comprehensive plan update the City will again be eligible for certain grants.

LEGAL ASPECTS – LEGAL REVIEW

STAFF RECOMMENDATION

Accept the Planning Commission’s recommendations

SUGGESTED COUNCIL MOTION LANGUAGE

Approval: “I make a motion to accept the Planning Commission’s recommendations dated June 19, 2019 and authorize the Mayor to sign the attached resolutions”.

Remand: “I make a motion to remand the Planning Commission’s recommendations dated June 19, 2019 and direct the Planning Commission to address the following concerns....” (if Council choses this option they will need to identify the specific concerns or changes they would like the Planning Commission to address)



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 26th, 2019 Subject: [LOU with IAFF Local 4111 for Lateral Paramedic Hire](#)

Submitted By: Fire Chief Mike Ganz

Attachments: LOU with IAFF Local 4111 for Lateral Paramedic Hire Public Hearing Required: YES () NO (**X**)

HISTORY AND SUMMARY

The City of Burlington Fire Department has a desire to hire experienced paramedics. Currently only entry level paramedics are eligible for the hiring process. Due to no current applicable lateral entry civil service rules, past practice, or language with Local 4111's bargaining unit referencing the hiring of lateral paramedics, the attached Letter of Understanding (LOU) was negotiated and agreed upon by the Union and the City. This agreement will allow the City of Burlington Fire Department to hire experienced paramedics to provide ALS level care with the Burlington Fire Department.

ALTERNATIVES CONSIDERED

Options were considered in the hiring process for paramedics, to include:

- Hire a lateral paramedic with existing experience, skills and established certifications beyond the first recertification cycle.
- Hire a new medic with limited experience, possibly in his/her first certification period, requiring additional training, experience, mentoring, with additional skills requirements to maintain their certification.
- Sending a firefighter to paramedic school with an added expense due to tuition, living expenses, and wages. This would still require the additional training, experience, mentoring, and additional skills for their certification and require the replacement of the firefighter position that would be vacated by this action.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

Currently there is one vacant paramedic position that is part of the Burlington Fire Department budget for 2019 as well as the proposed budget for 2020.

LEGAL ASPECTS – LEGAL REVIEW

This LOU has been reviewed by legal counsel and is acceptable.

STAFF RECOMMENDATION

The Burlington Fire Department staff recommendation is to approve the LOU as written, to allow for the hiring of a lateral paramedic.

SUGGESTED COUNCIL MOTION LANGUAGE

Motion to approve the Letter of Understanding with IAFF Local 4111 allowing the City to use the option to test and hire lateral paramedics and authorize the Mayor's signature.



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: September 26, 2019 Subject: Collective Bargaining Agreement between the City and the Burlington Police Employees' Guild for January 1, 2020 – December 31, 2020.

Submitted By: Greg Young, City Administrator

Brittany Nelson, HR Manager

Attachments: Burlington Police Employees' Guild Collective Bargaining Agreement Public Hearing Required: YES () NO (**X**)

HISTORY AND SUMMARY

The City is required to negotiate with the Burlington Police Employees' Guild at the end of each Collective Bargaining Agreement (CBA) term. The current CBA expires December 31, 2019. The City and the Guild agreed to a one year wage opener only for 2020. The wage opener affected Article 8 – Wages and Article 10 – Longevity Pay Program. In addition to the wage opener, the City needed to incorporate the MOU (Memorandum of Understanding) approved by Council on March 28, 2019; this affected Article 6 – Hours of Work and Article 7 - Overtime. There were other articles that required amending due to Washington State legislative decisions were Articles 3 – Dues Check Off, Article 12 Health & Welfare Benefits, and Article 14 – Sick Leave & Other Leave.

Attached is a proposed January 1, 2020 – December 31, 2020 Burlington Police Employees' Guild collective bargaining agreement. Proposed new/amended agreement terms and conditions of note are as follows (in the order they appear in the agreement):

Term: One year – From January 1, 2020 through December 31, 2020

Article 3 – Dues Check Off: Clarification made to the language to reflect the JANUS decision per Washington State law (employees no longer required to join union).

Article 6 – Hours of Work: Language amended to reflect the Pitman 12 Hour Scheduled adopted by City Council in 2019. Light Duty language amended and/or removed to reflect current City policy for Light Duty.

Article 7 – Overtime: Language amended to reflect the change in the number of hours worked during the 28 day work period as a result of the Pitman 12 Hour scheduled implementation.

Article 8 –Wages: Effective January 1, 2020 increase base wages by three percent (3%). There has been an additional 5th step added to the Salary Schedule for Police Officer; the 5th step is three and a half percent (3.5%) above Step 4.

Article 10 – Longevity: Effective January 1, 2020 the longevity compensation will be earned as follows:

- Commencing at the beginning of the employee’s sixth year rate per month 1% of base wage
- Commencing at the beginning of the employee’s eighth year rate per month 1.5% of base wage
- Commencing at the beginning of the employee’s eleventh year rate per month 2% of base wage
- Commencing at the beginning of the employee’s sixteenth year rate per month 2.5% of base wage
- Commencing at the beginning of the employee’s twentieth year rate per month 3.25% base wage

Article 12 – Health & Welfare Benefits: Addition of section 12.8 to recognize the Washington State Paid Family Medical Leave tax and specify which portion will be paid by the employer and the employee.

Article 14 – Sick Leave & Other Leave: Language amended/removed to reflect the changes to the change in sick leave laws due to the Washington State Sick Leave Law.

ALTERNATIVES CONSIDERED

By law we are required to bargain with organized groups prior to the end of the term of their Agreement so an alternative to bargaining periodically is not available.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

The revision to wages for the year 2020 is estimated to cost the City approximately \$100,000 more than 2019.

LEGAL ASPECTS – LEGAL REVIEW

The City had Sofia Mabee, employment law attorney from Summit Law, sit on the negotiating team and review the contract to insure the legality of what was being proposed.

STAFF RECOMMENDATION

Staff recommends approval of the changes to the Burlington Police Employees’ Guild Collective Bargaining agreement effective January 1, 2020. Staff has worked with the guild to negotiate this contract and agree that it is a fair contract to both the City and guild.

SUGGESTED COUNCIL MOTION LANGUAGE

Move to approve the collective bargaining agreement between the City and the Burlington Police Employees' guild effective January 1, 2020 and authorize the Mayor's signature.