

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. October 10, 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 26, 2019](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION:

COMMITTEE & BOARD REPORTS:

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS:

CONSENT AGENDA:

NEW BUSINESS:

- 1) [Public Hearing: Preliminary 2020 Budget](#)
- 2) [Interlocal with Skagit County for Library Allocation](#)
- 3) [FEMA Award – Self Contained Breathing Apparatus \(SCBA\) Bid Participation Authorization](#)
- 4) [Year 2020 Recommended Lodging Tax Awards](#)
- 5) [Year 2020 Property Tax Levy](#)
- 6) Memorandum of Understanding between the City and Teamsters Local 231 Clerical & Public Works 2018 Wage Opener

FUTURE WORKSHOP:

- 1) WORKSHOP Thursday **October 17, 2019** 6:00 p.m.
City Hall, 833 S Spruce Street

EXECUTIVE SESSION:

- Labor Negotiations

ADJOURNMENT:

MEETINGS:

- 1) PARKS ADVISORY BOARD: Tuesday **October 7, 2019** 5:30 p.m.
Parks & Recreation, 900 E Fairhaven Ave
 - 2.) HISTORICAL PRESERVATION BOARD: Tuesday **October 8, 2019** 2:00 p.m.
Parks & Recreation, 900 E Fairhaven Ave
 - 3.) PUBLIC SAFETY COMMITTEE: Tuesday **October 8, 2019** 4:00 p.m.
Public Safety Building, 311 Cedar Street
- AUDIT & FINANCE COMMITTEE: Thursday **October 10, 2019** 4:00 p.m.
City Hall, 833 S Spruce Street



FUTURE COUNCIL AGENDA

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:

Ordinance Setting Year 2020 Property Tax Levy

Public Hearing on Preliminary 2020 Budget

SCBA Grant – Regional Purchasing Cooperative Authorization

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

Teamster’s 2018 Wage Opener Settlement

2020 Recommended Lodging Tax Awards

- **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

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

November 2019

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

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



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 10, 2019 Subject: [Preliminary 2020 Budget](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: 2020 Preliminary Budget Public Hearing Required: YES (X) NO ()

HISTORY AND SUMMARY

State law requires that the preliminary 2020 budget be disclosed for public inspection and a formal Public Hearing be held on specific date 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 at this meeting.

We can change the anticipated 2020 budget up to our adoption date but we are required to present the initial document 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 #: 2

CHECK ONE:

NEW BUS. _____

OLD BUS. _____

AGENDA ITEM

Council Date: October 10, 2019 Subject: [Interlocal with Skagit County for Library Allocation](#)

Submitted By: Sarah Ward

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

HISTORY AND SUMMARY

This interlocal agreement is for an allocation of funds in the amount of \$9,333 from Skagit County in recognition of the services that the Burlington Public Library provides to all residents of Skagit County.

ALTERNATIVES CONSIDERED

The alternative is to not accept the funds.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

This money will be used to supplement the current library budget and will be spent in 2019.

LEGAL ASPECTS – LEGAL REVIEW

STAFF RECOMMENDATION

Council approves the Mayor's signature.

SUGGESTED COUNCIL MOTION LANGUAGE

I make a motion to authorize the Mayor to sign the Interlocal Cooperative Agreement for Library Materials between the City of Burlington and Skagit County.



ITEM #: 3

CHECK ONE:

NEW BUS. _____

OLD BUS. _____

AGENDA ITEM

Council Date: October 10, 2019 Subject: [FEMA Award – Self Contained Breathing Apparatus \(SCBA\) Bid Participation Authorization](#)

Submitted By: Fire Chief Mike Ganz

Attachments: _____ Public Hearing Required: YES () NO (**x**)

2018 Interlocal Agreement

HISTORY AND SUMMARY

In November of 2018 Council approved the Fire Department to participate in a regional FEMA Grant application with several other fire districts. Additionally, Council approved an Interlocal Purchasing Agreement that allows for the fire department to participate in joint bidding processes with other Skagit County Fire Districts. In early September of 2019 the City and the participating fire districts were notified that FEMA had awarded the SCBA Regional Grant. The next step after acceptance of the Grant is to go out for sealed bids. The fire department is seeking authorization to participate in the SCBA sealed bid process with its Regional Grant Award partners. Doing so will streamline the bidding and reporting process necessary for administering the City’s participation in the Grant. Bidding with the other Districts will benefit the City in achieving a lower price by buying in bulk as part of a group purchase.

ALTERNATIVES CONSIDERED

1. Participate in the regional partner sealed bid process for the SCBA FEMA Grant and City matching funds.
2. Solicit quotes for BFD portion of SCBA Grant via sealed bid process as a single agency.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

The Burlington Fire Department’s portion of this regional grant will be for at least 18 to 20 SCBA units with additional spare bottles, masks and rescue packs. By participating with the other fire districts in a sealed bid it is anticipated that the cost per unit will be reduced due to a more competitive pricing situation than by the City going out by itself. FEMA awarded \$679,933.33 to the region with a \$33,996.67 match. The City’s portion of this award and required matching funds will depend on the price per unit received in the sealed bid;

however, the City's portion will not exceed \$10,733 and is anticipated to be lower than originally thought.

LEGAL ASPECTS – LEGAL REVIEW

The City Attorney has reviewed this Grant Award and has recommended that the Fire Department can participate in the regional sealed bidding of this SCBA Grant given there is an existing Cooperative Purchasing Interlocal Agreement.

STAFF RECOMMENDATION

The Fire Department recommends that the City participates in a regional Self Contained Breathing Apparatus sealed bid process in accordance with its approved ILA purchasing agreement with Skagit County Fire Districts 2, 6, 12, and 14.

SUGGESTED COUNCIL MOTION LANGUAGE

I make a motion to authorize the Burlington Fire Department to participate in the sealed bid process for Self Contained Breathing Apparatus in accordance with the Interlocal Agreement on cooperative purchasing with Skagit County Fire Districts 2, 6, 12, and 14.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 10, 2019 Subject: [Year 2020 Recommended Lodging Tax Awards](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: List of Recommended Awards Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

The City of Burlington annually awards Lodging Tax grants to various groups for the purpose of supporting tourism in the City. The lodging taxes are generated by businesses in the city that rent rooms on a less-than-30-day-basis, predominately hotels. Per State law, the city has formed a Lodging Tax Advisory Committee made up of individuals from the businesses that generate the lodging tax.

Annually the Lodging Tax Advisory Committee meets to hear presentations from the groups that have applied for this funding and then develops a recommended list of awardees as well as the grant amounts. These recommendations then come to the Council for consideration.

The Council is not empowered to alter the recommended awards but may send the recommendations back to the Committee for reconsideration.

ALTERNATIVES CONSIDERED

The City is not required to award Lodging Tax grants but these monies cannot be used for other purposes and encouraging increased tourism spurs overall economic activity in the City so the alternative of not awarding these grant is not extremely feasible.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

The recommended awards total \$657,820 and following Council approval, will be folded into the 2020 budget. The Lodging Tax Fund began 2019 with a fund balance of \$616,137, is

expected to generate over \$300,000 in revenue in 2019, yielding total available resources of \$916,137. Approving these grant awards will leave a balance of \$258,317 at year end.

With the opening of new hotels in Burlington this year, we may receive revenues in excess of the \$300,000 budgeted and if so, the ending fund balance will be greater. The Committee normally desires to leave a fund balance annually for roll-over into the next year.

LEGAL ASPECTS – LEGAL REVIEW

None identified

STAFF RECOMMENDATION

Staff recommends that the Council approve the 2020 Lodging Tax grants as recommended by the Lodging Tax Advisory Committee.

SUGGESTED COUNCIL MOTION LANGUAGE

“I move to approve the year 2020 Lodging Tax Awards in accordance with the recommendations of the Lodging Tax Advisory Committee.”



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 10, 2019 Subject: [Year 2020 Property Tax Levy](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: Ordinance Setting 2020 Property Tax Levy Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

Washington State law sets two limitations on city property taxes. There is a maximum *Levy Rate* (\$3.375 per \$1,000 in valuation) and an annual maximum *Levy Amount* increase (1% more dollars than the previous year). If a city does not take the annual 1%, it is “banked” (saved for potential use later). In the year 2019, Burlington’s levy rate was \$1.6794 per \$1,000 in valuation, we levied a total of \$1,580,160 in property taxes and since past Council’s had not taken the 1% annual increase for many years, the City has about 10% in banked property tax authority.

The dollar value of the banked capacity varies between cities since the 1% represents 1% of what you actually levied in the prior year – put another way, in Burlington, every 1% in property tax authority equals approximately \$30,000 – in other cities the 1% amount would be different.

Annually every Council is asked to set their property tax levy for the following year. Cities can decide to not take their annual 1% (as Burlington has done), can take the 1% (as most cities do) or can take the 1% and any or all of their banked capacity (which some cities do periodically).

Another wrinkle to property taxes is that every year, new construction occurs which adds to the overall tax assessed valuation of the city. To fairly have new construction contribute to property taxes in the year that the construction occurred (but after the city has set their property tax levy), the County keeps track of new construction each year and in the following year, cities receive what the new construction would have paid if they had been on the tax rolls in the prior year.

So, annually Cities decide how much property taxes they want in the next year, possibly including their annual 1% increase and possibly using banked capacity. In addition to these amounts, cities also receive the prior year's new construction levied at the prior year's tax levy rate.

At this meeting, the Council needs to decide if they 1) want to take the annual 1% next year and 2) if we want to tap into any of our banked capacity.

ALTERNATIVES CONSIDERED

The alternatives are to take some or all of our banked property tax capacity and if so, how much.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

Either taking or not taking the annual 1% property tax amount has (sometimes) drastic consequences for not only the next year's budget but subsequent years as well. This is because taking the 1% increase in one year (assume \$30,000) means that you do not get this money in future years as well. So, deciding to forego \$30,000 in the year 2020 means that by the year 2030, you will be collecting \$300,000 less (10 years of \$30,000). Due to the continuous nature of the 1% property tax collection in future years means that most cities take their annual 1% because over time, this small increase compounds and allows property taxes to keep pace with increasing expenses.

LEGAL ASPECTS – LEGAL REVIEW

None identified

STAFF RECOMMENDATION

Staff recommends that the Council decide on what is best for the financial health of the City.

SUGGESTED COUNCIL MOTION LANGUAGE

"I move to approve the year 2020 Property Tax Ordinance including (insert your desired use of banked capacity if any) and authorize the Mayor to sign the ordinance and pass on the property tax levy amount to the County for collection in the year 2020."



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: October 10, 2019 Subject: Memorandum of Understanding between the City and Teamsters Local 231 Clerical & Public Works 2018 Wage Opener

Submitted By: Greg Young, City Administrator
Brittany Nelson, HR Manager

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

HISTORY AND SUMMARY

The City is required to negotiate with the Teamsters Local 231 Clerical & Public works units at the end of each collective bargaining agreement term. During the last contract negotiations the City agreed to complete an analysis of covered positions using comparable positions within comparable cities in 2017 based on upon 2017 compensation. The City agreed to a wage opener and bargain wage adjustments upon the completion of the study. The City and the Union reviewed each position within the bargaining units. The City began negotiations in 2018 for the wage opener, but the parties were unable to come to an agreement and entered into mediation with a Public Employment Relations Commission (PERC) mediator assigned to the mediation. The wage opener affected Article 9, wages, of the 2016 – 2019 collective bargaining agreement. The City and the Union negotiated that the position would each get either 70% of the difference from average for 2018 OR if there were fewer comparables for a position that position would receive a 3% increase for 2018. The wage adjustments were to go into effect January 1, 2018; the employees on the payroll at the time this MOU is ratified by the Union are eligible for retroactive pay. The Union voted to approve the MOU on September 20, 2019.

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 2018 and January 1 - October 25, 2019 wages is estimated to cost the City approximately \$156,000.

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 wages of the clerical and public works employees represented by Teamsters Local 231 effective January 1, 2018 and to approve the MOU ratified by the Union on September 20, 2019. Staff has worked with the guild to negotiate this contract and agree that it is a fair contract to both the City and Union.

SUGGESTED COUNCIL MOTION LANGUAGE

Move to approve the MOU between the City and the Teamsters Local 231 regarding changes to the wages effective retroactively January 1, 2018 and authorize the Mayor's signature.