

**CITY COUNCIL AGENDA**  
**City Hall, 833 South Spruce Street**  
**7:00 p.m. November 14, 2019**

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**CALL TO ORDER:**

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

**MINUTES:**

[City Council Meeting October 24, 2019](#)

**AUDIT OF BILLS:**

**PUBLIC COMMENTS:**

**COUNCIL COMMENTS:**

**MAYOR'S UPDATE:**

**PROCLAMATION:**

**SPECIAL PRESENTATION:** Margie Wilson, Burlington Historical Society

**COMMITTEE & BOARD REPORTS:**

**OFFICERS REPORTS:** TBD

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**UNFINISHED BUSINESS:**

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**CONSENT AGENDA:**

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**NEW BUSINESS:**

- 1) [PUBLIC HEARING: 1<sup>st</sup> Public Hearing for the 2020 Budget](#)
- 2) [PUBLIC HEARING: Ordinance Setting the 2020 Property Tax](#)
- 3) [Comprehensive Plan Update – Map Revisions – Group C](#)
- 4) [Resolution to Declare Certain Property as Surplus](#)
- 5) Change of Council meeting date for the second meeting in November due to the Thanksgiving Holiday

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**FUTURE WORKSHOP:**

- 1) WORKSHOP Thursday **November 14, 2019** 6:00 p.m.  
City Hall, 833 S Spruce Street

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**EXECUTIVE SESSION:**

**ADJOURNMENT:**

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**MEETINGS:**

- 1) PUBLIC SAFETY COMMITTEE: Tuesday **November 12, 2019** 4:00 p.m.  
Public Safety Building, 311 Cedar Street
- 2) AUDIT & FINANCE COMMITTEE: Thursday **November 14, 2019** 4:00 p.m.  
City Hall, 833 S Spruce Street
- 3) PUBLIC WORKS COMMITTEE: Tuesday **November 19, 2019** 4:00 p.m.  
City Hall, 833 S Spruce Street
- 4) SKAT BOARD: Wednesday **November 20, 2019** 1:00 p.m.  
Council Chambers, 833 S Spruce Street
- 5) DOWNTOWN BURLINGTON ASSOCIATION: Wednesday **November 27, 2019** 9:00 a.m.  
Chamber of Commerce, 520 E Fairhaven Ave



**FUTURE COUNCIL AGENDA**

**City Council Meeting of November 26 (TUESDAY), 2019**

**6PM Workshop - Overview of Code Enforcement – Police/Legal/Community Development**

Final Public Hearing – 2020 Budget

Ordinance Adopting Year 2020 Budget

EMS Hub District Interlocal with Skagit County

Ordinance Revising Fee Code

Resolution Supporting Carpenter Training Center State Financing

Agreement with Skagit Valley College – EMT Student Ride-Alongs

Resolution Regarding New Comprehensive Plan “C” Maps

**City Council Meeting of December 12, 2019**

PROS (Parks, Recreation, and Open Space) Plan Presentation

Ordinance - Final 2019 Budget Amendment

Exec Session – Real Estate (Nagatani Water Right)

Resolution Surplusing Fire Equipment

**City Council Meeting of December 26, 2019**

**City Council Meeting of January 9, 2020**

PROS Plan 2<sup>nd</sup> Hearing and Adoption

**City Council Meeting of January 23, 2020**

**City Council Meeting of February 14, 2020**

Ordinance Revising Park Impact Fees

**City Council Meeting of February 28, 2020**

# 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
	<b>Oct 27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Nov 1</b>	<b>2</b>
Oct 27 - Nov 2							
	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
Nov 3 - 9			5:30pm Parks Board (Parks & Rec Dept) 6:00pm Library Board (Library)				
	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
Nov 10 - 16			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee ( 6:00pm 7:00pm Council Workshop (Council 7:00pm Council Meeting		
	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
Nov 17 - 23			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commission (Council Chambers)	6:00pm 8:00pm Budget & Finance Council Workshop (Council Chambers)		
	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
Nov 24 - 30			6:00pm 7:00pm Councilor Edmundson Farewell (Council Chambers)	9:00am 10:00am Downtown Burlington Association (Visitor Information Center/Chamber of	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		

# December 2019

December 2019							January 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30	31	

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



ITEM #: 1

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: November 14, 2019 Subject: [2020 budget – 1<sup>st</sup> Public Hearing](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: 2020 City-Wide Budget Public Hearing Required: YES (X ) NO ( )

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### HISTORY AND SUMMARY

Washington State establishes the timelines relating to the annual adoption of the City's budget. Following this guidance, the City is required to hold various Public Hearings related to the budget and this is the first of two required Public Hearings preceding the formal adoption of the final annual budget.

### ALTERNATIVES CONSIDERED

State law requires that the City adopt the next year's budget prior to the end of the year. While the timing of tonight's Public Hearing follows this guidance, the City could hold this Public Hearing later, as long as we adopt the budget prior to the end of the year and hold all required hearings.

### CURRENT AND FUTURE BUDGET RAMIFICATIONS

As the Council is well aware, the 2020 budget, while balanced, is not sustainable in future years and the Council will need to adopt other revenue/expenditure plans.

### LEGAL ASPECTS – LEGAL REVIEW

None identified

**STAFF RECOMMENDATION**

Staff has no recommendation other than holding the required Public Hearing at this meeting.

**SUGGESTED COUNCIL MOTION LANGUAGE**

None – this is the first of the two required hearings on the final 2020 budget.



ITEM #: 2

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: November 14, 2019 Subject: [Ordinance Setting 2020 Property Taxes](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: Ordinance Fixing 2020 Property Taxes Public Hearing Required: YES (X ) NO ( )

Preliminary Assessed Valuation Worksheet

Levy Certification Form & Notice of Refund Levy

### **HISTORY AND SUMMARY**

State law requires that the Council set the property tax levy for the following year (2020) by the end of November of each year. All cities are limited on the amount they can levy for property taxes to a maximum “per every \$1,000 in valuation” levy rate. The 2019 Burlington levy was \$1.67 per every \$1,000 in assessed valuation.

Each year cities are able to increase their property tax collections by 1% more than the prior year. Thus, if a city collected \$1 million in property tax in year one, the most they can collect in year two is \$1,010,000 (1% or \$10,000 more). Cities that choose to not collect their additional 1% in any year, can “bank” (not lose) this amount and can collect these funds anytime in the future. In certain years, Burlington has foregone their 1% increase which results in the City have a total of \$279,447 in Banked Property Tax authority for the year 2020.

In addition to the regular 1% increase, cities also receive additional property taxes each year for “new construction”. Annually the Assessor’s Office adds the value of newly constructed buildings to the tax rolls but they need to pick a date each year for valuation cut-off. For most counties, they stop adding new construction to the tax rolls as of the end of June. This means that there are buildings completed between July and the end of every year that are not included on the tax rolls for that year. Since it would be unfair to have these buildings not pay their share of taxes, the Assessor tracks these parcels and the City gets what they would have paid in the year they were completed in the following year. This new construction taxation for the year 2020 equals \$56,028. Thus, in addition to whatever property tax amount the Council feels is appropriate for the year 2020, the city will receive this additional new construction from 2019.



The last component of property taxes is Refund Levies. This number represents properties that were removed from the tax roles for various reasons (destruction, change in status, etc.) after the tax rolls were set. Since this lessens the amount of property taxes a city will collect, we are able to add this amount back on to the next year's rolls. For the year 2020, Burlington has a total of \$10,080.67 in available Refund Levy property taxes.

### **ALTERNATIVES CONSIDERED**

We have until the end of November to set our property tax levy for the following year. If we fail to make this decision by this date, we will receive the same amount of property taxes in 2020 as we levied in 2019.

### **CURRENT AND FUTURE BUDGET RAMIFICATIONS**

Property taxes are one of the larger and consistent revenue sources the City has available. In many ways, our setting of the property tax levy rate establishes the framework of the revenue portion of our annual budget.

### **LEGAL ASPECTS – LEGAL REVIEW**

None identified

### **STAFF RECOMMENDATION**

Council will need to decide on the preferred 2020 property tax levy amount. Whatever amount is decided will be included in the Ordinance and together with the New Construction property tax and the Refund Levy property tax, will constitute our 2020 property tax dollars.

### **SUGGESTED COUNCIL MOTION LANGUAGE**

"I move to set our 2020 property tax levy amount at \$\_\_\_\_\_ not including New Construction and Refund Levy dollars."



ITEM #: 3

CHECK ONE:

NEW BUS. \_\_\_\_\_

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

## AGENDA ITEM

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Council Date: November 14, 2019 Subject: [Comprehensive Plan Update – Map Revisions – Group C](#)

Submitted By: Brad Johnson, Community Development

Attachments:

- 1) [Planning Commission Recommendation – Amendment C-1](#)
  - 2) [Planning Commission Recommendation – Amendments C-2 & C-3](#)
  - 3) [Planning Commission Recommendation – Amendments C-4 & C-5](#)
  - 4) [Planning Commission Recommendation – Amendments C-6 & C-7](#)
  - 5) [Resolution - Group “C” changes](#)
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Public Hearing Required: YES ( ) NO (X)

### **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.

The City’s comprehensive plan map is used to decide how different areas should be zoned. The comprehensive plan map is not the same as a zoning map, but it is used to determine what types of development should be allowed or prohibited.

By law, the text and the maps of the comprehensive plan must be consistent with one another. Stated more simply, you cannot say one thing and show another. The Planning Commission and City Council previously took steps to update the land use and housing Elements of the Comprehensive Plan. These elements included a new system of mapping designations and describe steps the City must take to accommodate future population and job growth. Importantly, both elements stress the need to accommodate more attached housing, such as duplexes, townhomes, and small apartment buildings. The comprehensive plan maps must be updated to ensure consistency with these recommendations.

Given the number, and complexity, of the mapping changes under consideration, the Planning Commission divided the changes into three groups, labeled “A”, “B”, and “C”. Group “A” primarily involved publicly owned parcels, while group “B” included simple changes that were necessary to resolve obvious inconsistencies in the comprehensive plan map. The Planning Commission recommended that the changes in groups A and B be adopted on June 19<sup>th</sup>. The City Council subsequently accepted the Planning Commission’s recommendation on September 26<sup>th</sup>.

Group “C”, the third and final group of changes considered by the Planning Commission, involved complex, discretionary, and potentially controversial changes. In order to ensure an adequate opportunity for public comment and participation, the Planning Commission directed staff to contact the residents and property owners in the affected areas directly. The Planning Commission then held three separate hearings to consider the changes before taking action. Ultimately the Planning Commission recommended that all of the group C changes be adopted.

### **ALTERNATIVES CONSIDERED**

1. Revise the Land Use Element to eliminate the updated land use designations and 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.
3. Adopt some, but not all, of the changes made to permit the construction of more attached housing. The Planning Commission evaluated, but did not pursue, this alternative. The Planning Commission determined that the scope of the City’s existing and projected housing needs outweighed other considerations.
4. Consider changing the mapping designations of different areas. The changes made to accommodate additional attached housing were selected based on their proximity to commercial areas. The Planning Commission has previously determined that the highest residential densities should be located within walking distance of businesses and services in order to promote walking and minimize impacts on the City’s transportation system. No other areas were identified which met this objective.

### **CURRENT AND FUTURE BUDGET RAMIFICATIONS**

By completing the comprehensive plan update the City will again be eligible for certain grants. Broadly, the changes being pursued by the Planning Commission are intended to minimize the City’s future capital expenses by concentrating development in existing developed areas.

### **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 October 23, 2019 and authorize the Mayor to sign the attached resolutions".***

#### **Remand:**

***"I make a motion to remand the Planning Commission's recommendations dated October 23, 2019 and direct the Planning Commission to address the following concerns...."***

If Council selects this option they will need to identify the specific concerns or changes they would like the Planning Commission to address.

#### **Approval in Part:**

***"I make a motion to accept the Planning Commission's recommendations dated October 23, 2019 except as follows"***

If the Council selects this option they will need to identify the specific changes they are not accepting.





ITEM #: 5

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: November 14, 2019 Subject: Change of Council meeting date for the second meeting in November due to the Thanksgiving Holiday  
Submitted By: Greg Young, City Administrator

Attachments: none Public Hearing Required: YES ( ) NO (X)

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### HISTORY AND SUMMARY

The 2019 Thanksgiving Holiday is on Thursday, November 28, 2019, which is the same date as the second regularly scheduled Council meeting in November. If Council should choose to reschedule the meeting, a motion is needed to change the meeting date to Tuesday, November 26, 2019.

### ALTERNATIVES CONSIDERED

Hold the second regularly scheduled Council meeting in November on Thursday, November 28, 2019 during the Thanksgiving holiday.

### CURRENT AND FUTURE BUDGET RAMIFICATIONS

None

### LEGAL ASPECTS – LEGAL REVIEW

Burlington City Council Rules of Procedures, Section 2.1 states “When a Council meeting falls on a holiday, or there is a conflict, the council may determine an alternate date for the meeting or cancel the meeting. The Council may reschedule regular meetings to a different date or time by motion.”

### STAFF RECOMMENDATION

Change the date of the second Council meeting in November from Thursday, November 28, 2019 to Tuesday, November 26, 2019.

### SUGGESTED COUNCIL MOTION LANGUAGE

“I move to change the date of the second Council meeting in November from Thursday, November 28, 2019 to Tuesday, November 26, 2019.”