

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

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 November 14, 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: 2020 Budget: 2nd Public Hearing](#)
- 2) [Ordinance Adopting the 2020 Budget](#)
- 3) [Resolution Supporting State Financing for a Carpenter Apprentice Training Facility](#)
- 4) [Contract for Prosecution Services by Kailin James](#)
- 5) Proposed Cancellation of Second Council Meeting in December

FUTURE WORKSHOP:

- | | |
|--|--|
| 1) <u>WORKSHOP:</u> Budget Review & Utility Tax Proposal | Tuesday November 26, 2019 6:00 p.m.
City Hall, 833 S Spruce Street |
| 2) <u>WORKSHOP:</u> Presentation of B&O Tax Ordinance | Thursday January 9, 2020 6:00 p.m.
City Hall, 833 S Spruce Street |

EXECUTIVE SESSION:

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

ADJOURNMENT:

MEETINGS:

- | | |
|--|---|
| 1) <u>AUDIT & FINANCE COMMITTEE:</u> | Tuesday November 26, 2019 4:00 p.m.
City Hall, 833 S Spruce Street |
| 2) <u>LIBRARY BOARD:</u> | Tuesday December 3, 2019 6:00 p.m.
Burlington Public Library 820 E Washington Ave |



Annual Tree Lighting – 6:00 p.m. Thursday, December 5th, 2019 at Alpha Park
City offices will be closed November 28th & 29th and December 24th & 25th, 2019 for the Holidays



FUTURE COUNCIL AGENDA

City Council Meeting of December 12, 2019

Presentation – Ronda DeGloria

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

Ordinance - Final 2019 Budget Amendment

Ordinance Revising Electric, Gas, and Cable TV Utility Taxes

Resolution Related to 2% Water Utility Tax

Resolution Surplusing Fire Equipment

Interlocal Agreement with Skagit County for Operation of Burlington Senior Center

Ordinance Revising Fee Code

Skagit River Park Irrigation Plan – Phase 3 Engineering Services Agreement

Exec. Session – Real Estate (Nagatani Water Right)

City Council Meeting of December 26, 2019

(proposed) CANCELLED

City Council Meeting of January 9, 2020

6PM Workshop – Presentation of B&O Tax Ordinance

PROS Plan 2nd Hearing and Adoption

Ordinance Instituting Retail Business and Occupation (B&O) Tax

City Council Meeting of January 23, 2020

EMS Hub District Interlocal with Skagit County

Agreement with Skagit Valley College – EMT Student Ride-Alongs

City Council Meeting of February 14, 2020

6PM Workshop – Department Head 2020 Workplans

Ordinance Revising Park Impact Fees

City Council Meeting of February 28, 2020

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

Ordinance Revising the 2020 Budget

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) 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 (6:00pm 7:00pm Council Workshop (Council 7:00pm Council Meeting		
	17	18	19	20	21	22	23
Nov 17 - 23			4:00pm Public Works Committee (Engineering Conf Room)	9:00am 10:00am Downtown Burlingto 1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commissio			
	24	25	26	27	28	29	30
Nov 24 - 30			4:00pm Audit & Finance (City Hall) 6:00pm 7:00pm Councilor Edmundso 7:00pm Council Meeting		CITY HALL CLOSED	CITY HALL CLOSED	

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	5	6	7	1	2	3	4
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30	31	
29	30	31											

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Dec 1	2	3	4	5	6	7
Dec 1 - 7			5:30pm CANCELLED: Parks Board (Parks & Rec Dept) 6:00pm Library Board (Library)				
	8	9	10	11	12	13	14
Dec 8 - 14			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
	15	16	17	18	19	20	21
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)			
	22	23	24	25	26	27	28
Dec 22 - 28			CITY HALL CLOSED	CITY HALL CLOSED	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		
	29	30	31	Jan 1, 20	2	3	4
Dec 29 - Jan 4							



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: November 26, 2019 Subject: **PUBLIC HEARING:** 2020 budget – 2nd Public Hearing
Submitted By: Greg Young – Interim City Administrator

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

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 second of the 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 second of the two required public hearings on the final 2020 budget.



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: November 26, 2019 Subject: Ordinance Adopting the 2020 Budget

Submitted By: Greg Young – Interim City Administrator

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

Adopting Ordinance

HISTORY AND SUMMARY

Washington State establishes the timelines relating for the annual adoption of the City's budget. Following this guidance, the City is required to hold various Public Hearings related to the budget. Having completed these required public hearings, the City is now in the position to adopt the year 2020 city-wide budget

ALTERNATIVES CONSIDERED

State law requires that the City adopt the next year's budget prior to the end of the year. Therefore, should the budget not be adopted tonight, it will need to be done at the next meeting in December.

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 recommends that we adopt the attached 2020 budget

SUGGESTED COUNCIL MOTION LANGUAGE

“I move to adopt the 2020 budget and authorize the mayor to sign the ordinance.”



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: November 26, 2019 Subject: Resolution Supporting State Financing for a
Submitted By: Greg Young – Interim City Administrator Carpenter Apprentice Training Facility

Attachments: 1. Cover Letter from Washington Economic Development Finance Authority (WEDFA) Public Hearing Required: YES () NO (X)
2. City Resolution Supporting State Financing
3. WEDFA Resolution for State Financing

HISTORY AND SUMMARY

A carpenter apprentice training program facility is being proposed for construction and operation in Burlington. To achieve this end, the Carpenters-Employees Apprenticeship & Training Trust Fund of Washington-Idaho is intending to use Washington State Issued economic development long term bonds. The State is supporting of this program, will be issuing the bonds, and is asking the City of Burlington to also offer support for the project. The proposed resolution does not obligate the city in any way but formally states that we welcome such a facility in our city.

ALTERNATIVES CONSIDERED

The city is not required to adopt this resolution but the State desires to target this type of financing in communities that support the projects goals.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

None

LEGAL ASPECTS – LEGAL REVIEW

None identified

STAFF RECOMMENDATION

Staff is recommending approval of the resolution

SUGGESTED COUNCIL MOTION LANGUAGE

“I move to adopt the resolution in support of State financing for the construction and operation of a carpenter apprentice training facility in the City of Burlington and authorize the mayor to sign the resolution.”



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: November 26, 2019 Subject: Contract for prosecution services by Kailin James
Submitted By: Leif Johnson – City Attorney

Attachments: 1. Proposed Contract Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

The City of Burlington has contracted with Kailin James to provide criminal prosecution services on a yearly basis since approximately 2014. Ms. James and City Attorney Leif Johnson divide criminal prosecution duties based on a variety of factors that may fluctuate in any given week, with Ms. James handling the lion’s share of duties. Since 2015, the number of municipal court calendar days and potential trials per month has generally increased, and the City continues to be under public defense audit.

The proposed contract, attached, is identical to the contract from 2017 onward, with no change in fees or rates. It is important that Ms. James is available for public defense access as much as necessary, and this contract should continue to support that goal. City Attorney Leif Johnson plans to continue to participate in criminal prosecution at the same level that was exercised in 2019.

The contract currently in place expires at the end of December, and goes to month-to-month thereafter. The proposed contract is set for calendar year 2020, then month-to month thereafter.

ALTERNATIVES CONSIDERED

The city is not required to approve this contract, but not doing so will result in a substantial impact to the Legal Department and prosecution generally. As prosecution needs have increased, especially since 2014, it is not possible for the duties performed by Ms. James to be

absorbed by the City Attorney without a substantial change in the level of services provided by the Legal Department, both in prosecution and other non-prosecution matters.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

The overall rates and fees are the same as they have been for the last two contract renewals, so approving this contract should be relatively neutral when compared to prior years, with some unknown fluctuations depending on need, as it arises.

LEGAL ASPECTS – LEGAL REVIEW

Prosecution is a basic, required function of the Burlington Municipal Court. The City must maintain adequate prosecution resources. Failing to do so would result in substantial negative complications.

STAFF RECOMMENDATION

Staff recommends approval of the resolution.

SUGGESTED COUNCIL MOTION LANGUAGE

“I move to approve the *Agreement For Legal Services Between City Of Burlington And Kailin James* and authorize the Mayor to sign the Agreement.”



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: November 26, 2019 Subject: Proposed Cancellation of second Council meeting in December
Submitted By: Greg Young, City Administrator

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

HISTORY AND SUMMARY

The 2019 Christmas Holiday is on Wednesday, December 25, 2019, and the second regularly scheduled Council meeting is to be held on Thursday, December 26, 2019 which is the day after a holiday. If Council should choose to cancel the meeting, a motion is needed to do so.

ALTERNATIVES CONSIDERED

Hold the second regularly scheduled Council meeting in December on Thursday, December 26, 2019.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

None identified.

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

Cancellation of the second Council meeting in December.

SUGGESTED COUNCIL MOTION LANGUAGE

“I move to cancel the second regularly scheduled Council meeting in December, which was to be held on December 26, 2019.”