

CITY COUNCIL AGENDA
City Hall, 833 South Spruce Street
7:00 p.m. February 13, 2020

CALL TO ORDER:

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

MINUTES:

[City Council Meeting January 23, 2020](#)

AUDIT OF BILLS:

PUBLIC COMMENTS:

COUNCIL COMMENTS:

MAYOR'S UPDATE:

PROCLAMATION:

SPECIAL PRESENTATION: United States Census Bureau

COMMITTEE & BOARD REPORTS:

OFFICERS REPORTS: TBD

UNFINISHED BUSINESS:

- 1) Request for Confirmation of City Administrator Position Appointment
- 2) [Administrative Services Agreement – ICMA-RC](#)

CONSENT AGENDA:

NEW BUSINESS:

- 1) [IT Surplus](#)
- 2) [Procurement of John Deere Mower & Collection System](#)
- 3) [BLS Training Hub Agreement](#)
- 4) [PUD Utility Easement](#)
- 5) Extra Construction Project Work by 2020
- 6) [Bid and Contract Award – Wastewater Treatment Plant Primary Clarifier Mechanism Replacement](#)

FUTURE WORKSHOP:

- 1) **WORKSHOP:** Discussion of 2020 Budget Thursday **February 20, 2020** 6:00 p.m.
City Hall, 833 S Spruce Street

EXECUTIVE SESSION:

ADJOURNMENT:

MEETINGS:

- 1) **AUDIT & FINANCE COMMITTEE:** Thursday **February 13, 2020** 4:00 p.m.
City Hall, 833 S Spruce Street
- 3) **PUBLIC WORKS COMMITTEE:** Tuesday **February 18, 2020** 4:00 p.m.
City Hall, 833 S Spruce Street
- 3) **SKAT BOARD:** Wednesday **February 19, 2020** 1:00 p.m.
Council Chambers, 833 S Spruce Street
- 4) **DOWNTOWN BURLINGTON ASSOCIATION:** Wednesday **February 26, 2020** 9:00 a.m.
Chamber of Commerce, 520 E Fairhaven Ave
- 5) **AUDIT & FINANCE COMMITTEE:** Thursday **February 27, 2020** 4:00 p.m.
City Hall, 833 S Spruce Street

February 2020

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

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 26	27	28	29	30	31	Feb 1
Jan 26 - Feb 1							
	2	3	4	5	6	7	8
Feb 2 - 8			5:30pm Parks Board (Parks & Rec Dept) 6:00pm Library Board (Library)				
	9	10	11	12	13	14	15
Feb 9 - 15			4:00pm Public Safety Committee (Public Safety Building)		4:00pm Audit & Finance Committee (City Hall) 7:00pm Council Meeting		
	16	17	18	19	20	21	22
Feb 16 - 22			4:00pm Public Works Committee (Engineering Conf Room)	1:00pm SKAT Board (Burlington City Hall) 5:30pm 7:00pm Planning Commission (Council Chambers)	6:00am 8:00am Council Workshop: Discussion of 2020 Budget (Council Chambers)		
	23	24	25	26	27	28	29
Feb 23 - 29				9:00am 10:00am Downtown Burlington Association (Visitor Information Center/Chamber of	4:00pm Audit & Finance (City Hall) 7:00pm Council Meeting		

March 2020

March 2020							April 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		
29	30	31											

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



ITEM #: 1

CHECK ONE:

NEW BUS. _____

OLD BUS. X

AGENDA ITEM

Council Date: February 13, 2020

Subject: Request for Confirmation of City Administrator
Position Appointment

Submitted By: Steve Sexton, Mayor

Attachments: none

Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

Following Interim City Administrator Greg Young’s consulting services to the City for the past eight months, Mayor Sexton is recommending Young for the position of City Administrator and requests the City Council to confirm his selection per Burlington Municipal Code Chapter 2, Section 2.08.020 effective February 26, 2020.

ALTERNATIVES CONSIDERED

While continuing on with Mr. Young’s services through the consulting firm is an alternative, bringing him on board as a full-time employee is the preferred choice.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

The position of City Administrator has been included in prior budgets and with the adoption of the new Non-Represented Employee Salary Grid, these costs will be known and included in future annual budgets.

LEGAL ASPECTS – LEGAL REVIEW

Burlington Municipal Code, Chapter 2, Section 2.08.020 states “The city administrator shall be appointed by the mayor, subject to the approval by majority vote of the city council.” The purpose of this request is to fulfill the requirement of a majority vote of Council to confirm the Mayor’s recommendation for the position of City Administrator.

STAFF RECOMMENDATION

SUGGESTED COUNCIL MOTION LANGUAGE

"I move to approve the Mayor's recommendation of Greg Young for the position of City Administrator beginning February 26, 2020."



ITEM #: 2

CHECK ONE:

NEW BUS. _____

OLD BUS. X

AGENDA ITEM

Council Date: February 13, 2020 Subject: [Administrative Services Agreement – ICMA-RC](#)

Submitted By: Greg Young – Interim City Administrator

Attachments: ICMA-RC Administrative Services Agreement Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

As City Administrator, Greg Young is a member of the International City Managers Association (ICMA). With City Administrators typically working for numerous cities during their careers in possibly different states, ICMA offers a retirement plan that is portable and serves as a replacement for the Washington State Public Employee’s Retirement System (PERS). The attached Administrative Services Agreement with ICMA-RC will activate Mr. Young’s participation in this retirement plan as he assumes his role as the Burlington City Administrator. The contributions from the City and Mr. Young will mirror that would have been paid into the PERS system and will not carry any additional cost to the city.

ALTERNATIVES CONSIDERED

Again, since this type of position sometimes involve the individual working in different states and for different public jurisdictions during their career, this retirement plan serves to replace the Washington State PERS system. The other alternative is for the individual to participate in possibly numerous state and locally sponsored retirement plans which would divide their retirement contributions amongst different plans.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

As noted, the contributions made by the employee and the employer will match that which would have been paid into the State PERs system so there is no adverse budget ramifications.

LEGAL ASPECTS – LEGAL REVIEW

None identified

STAFF RECOMMENDATION

Staff would recommend that the City adopt the ICMA-RC Administrative Services Agreement

SUGGESTED COUNCIL MOTION LANGUAGE

“I move to adopt the Administrative Services Agreement between the ICMA Retirement Corporation and the City of Burlington and authorize the Mayor to sign.”



ITEM #: 1

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 13th 2020 Subject: [IT Surplus](#)

Submitted By: Geoff Hawes, IT Manager

Attachments: IS-Surplus2016 Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

The IT department has surplus computer equipment, which is no longer usable in the city. The equipment has reached its usable life cycle (over 5-6 years old) and has been replaced with newer equipment based on the IT computer replacement schedule.

The last computer surplus was over five years ago. Most of the used equipment can be placed up for auction with PropertyRoom.com which we will hopefully be able to recover some expenses into the general fund.

All of the equipment is bar coded and tracked by serial number.

ALTERNATIVES CONSIDERED

As we are not allowed to give the equipment away, using a web based auction company offers the potential to regain some residual value based on open market. Most companies charge for disposal, PropertyRoom.com will pick up the equipment and they manage the auction process for us. We looked at having an internal hosted auction, but that requires a lot of staff time and additional expense. We looked at eBay (I'd like to use this method for specific high profile items) but again the labor costs and shipping reduces the value gained vs bulk disposal via auction.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

None, there generally is not enough return value.

LEGAL ASPECTS – LEGAL REVIEW

None

STAFF RECOMMENDATION

Approve surplusing the IT computer equipment listed on the attached sheet.

SUGGESTED COUNCIL MOTION LANGUAGE

I make a motion to authorize the Mayor to allow us to surplus the IT computer equipment listed on the attached sheet.



ITEM #: 2

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 13, 2020 Subject: [Procurement of a John Deere Mower & Collection System](#)
Jennifer Berner
Parks and Recreation Director

Attachments: John Deere Z997R Mower and Collection System Quote Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

As part of the 2020 budget, The Parks and Recreation Department is scheduled to purchase from the Equipment Rental & Replacement (ER&R) Fund a new John Deere Z997R Mower and collection system.

Currently the Department is down one ZTRAK mower that will be needed by the spring of this year to keep up with the mowing. The oldest ZTRAK was sent to surplus and is being used for spare parts, not usable for the upcoming mowing season. The purchase of the new ZTRAK is scheduled and funded for replacement in 2020 through the ER&R fund. Purchasing a used mower is not a sustainable option. Parks Department mowers log many hours and are the "workhorse" equipment for the department. By purchasing a new mower staff is able to sustain it for 10 years with good maintenance practices.

ALTERNATIVES CONSIDERED

The statewide contracts have met state requirements for competitive bidding and other procurement laws, reducing risk and streamlining the purchasing process for agencies. Master contracts leverage the state's collective buying power and are established for most frequently purchased products, making for the best use of resources for all types of Washington governments.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

Included in the 2020 budget is the authorized replacement expenditure in the ER&R fund for a new John Deere ZTRAK 997 mower. The new mower will be assigned an annual contribution

rate to the ER&R fund based on the estimated useful life expectancy. This will ensure money will be available to purchase a replacement mower in 10 years.

New Equipment	List Price	State Contract Price
John Deere Z997R Mower	\$26,000.00	\$19,506.46
Bushel Dump Collection System for Z997R	\$5,390.00	\$3,688.44
Sub-Total:		
*Trade-in value for Old John Deere Collection System and Old 72" Mower Deck		-\$300.00
Total with Sales Tax (\$1,946.07)		\$24,840.97

LEGAL ASPECTS-LEGAL REVIEW

N/A

STAFF RECOMMENDATION

Staff recommends approving the state contract quote and trade-in values for a new John Deere ZTRAK Mower and collection system. The order needs to be submitted in February so it will be delivered by spring 2020, which is the peak of the mowing season.

SUGGESTED COUNCIL MOTION LANGUAGE

Motion to authorize the Mayor to approve the purchase of new John Deere ZTRAK 997 Mower and collection system for the Parks and Recreation Department.



ITEM #: 3

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 13, 2020 Subject: [BLS Training Hub Agreement](#)

Submitted By: Dan Laine, Division Chief - EMS

Attachments: Amendment to Interlocal Cooperative Agreement Public Hearing Required: YES () NO (X)

Between Skagit County and Burlington

HISTORY AND SUMMARY

In 2018 the City of Burlington and Skagit County entered into an interlocal agreement to have the City of Burlington provide and coordinate training for BLS providers via the Burlington BLS training hub. It was recognized that there was a need to revise some language within this agreement for clarity of expectations and services provided by both parties.

Updated Amendment Items:

- Allows County to update standard training curriculum (changes may be needed due to recognized needs).
- Provides City of Burlington 6 months advance notice in the event of CPR cost change.
- Provides County with a work plan for training by November 15th for the following year.
- Set minimum and maximum number of Community CPR/ First Aid classes, and instructor to student ratios with a minimum student attendance.
- Expands language for High School CPR to be provided in whichever year the school is scheduling the required CPR.
- Set minimum and maximum number of pre-authorized BLS OTEP's for Burlington Training Hub.
- Allows for the City of Burlington to utilize subcontractors for providing CPR and OTEP Training.
- Updates invoice dates to correct months.
- Mileage locations are defined from Hub Site to training site (was previously vague).

ALTERNATIVES CONSIDERED

Considerations for this agreement could be the voiding or withdrawal from the agreement to which both parties have a vested interest.

Both parties mutually agree upon the terms of the amendment and continue to provide mutually agreed upon services.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

There are no changes to the financial aspects of this agreement with the exception of the allowed annual 2% increases as already outlined in the existing agreement.

LEGAL ASPECTS – LEGAL REVIEW

Legal has reviewed the document and concerns that have been presented have been addressed or agreed upon.

STAFF RECOMMENDATION

The Burlington Fire Department recommends that we move forward on the amendment to the existing BLS Training Hub agreement. The amendment provides improved clarity on the expectations and services that are agreed upon between the City of Burlington and Skagit County. There are no financial changes to this agreement, and compensations and increases will carry over from the existing interlocal agreement.

SUGGESTED COUNCIL MOTION LANGUAGE

I move to approve the Amendment to the existing interlocal agreement for the BLS Training Hub and authorize the Mayor to sign the amendment.



ITEM #: 4

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 13, 2020 Subject: [PUD Utility Easement](#)

Submitted By: Brad Johnson, Community Development
Director

Attachments: (1) Easement Language Public Hearing Required: YES () NO ()
(2) Map showing approximate location of parcel and
easement

HISTORY AND SUMMARY

The Skagit Public Utility District (PUD) is upgrading their water system near the intersection of George Hopper Road and South Walnut Street. In order to facilitate these improvements PUD would like to route a waterline across a parcel owned by the City of Burlington. In order to allow PUD to cross the City's property an easement is required. PUD drafted an easement which has been reviewed, and amended, by City staff. Notably, protected wetland areas and a city storm-water pond are located on the parcel PUD wishes to cross. As amended by staff, the easement language would protect these features by requiring that the waterline be installed using subsurface boring.

ALTERNATIVES CONSIDERED

Deny PUD's easement request. This alternative was rejected by staff. Denying PUD's request would serve no useful purpose, would frustrate the provision of public water service, and would complicate the City's relationship with PUD.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

This proposal will have no impact on the City's budget.

LEGAL ASPECTS – LEGAL REVIEW

STAFF RECOMMENDATION

Approve PUD's request for an easement.

SUGGESTED COUNCIL MOTION LANGUAGE

"I make a motion to approve the Skagit Pubic Utility District's request for an easement to cross City property and authorize the Mayor to sign the easement document".



ITEM #: 5

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 13, 2020 Subject: Extra Construction Project Work by 2020 Engineering

Submitted By: Marv Pulst, Public Works Director

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

HISTORY AND SUMMARY

Both design and construction management services were provided by 2020 Engineering for the conversion of the intersection at Fairhaven/Cherry (5-way intersection). The project schedule was extended due to a number of unforeseen obstacles encountered during site excavation and delays created by BNSF. 2020 Engineering's subcontract (Trantech) retained a site inspector throughout the final days of construction even though they had consumed their budget. Months after completion of the project, 2020 submitted an invoice to the City for \$22,751.33 for additional inspection services. Engineering staff argued that the additional inspection was not necessary. Following repeated meetings and a thorough review of project records, Engineering staff has agreed to pay for the additional time for inspection. NOTE: this project was fully grant funded with no City match.

ALTERNATIVES CONSIDERED

Denying payment and letting the contractor pursue the issue through legal avenues.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

Payment will impact the Arterial Street 102 fund (Roadway Engineering) for 2020.

LEGAL ASPECTS – LEGAL REVIEW

Potential lawsuit for the City.

STAFF RECOMMENDATION

Staff recommends paying the claimed extra costs

SUGGESTED COUNCIL MOTION LANGUAGE

Motion to approve the claimed extra costs of \$22,751.33 payable to 2020 Engineering.



ITEM #: 6

CHECK ONE:

NEW BUS. X

OLD BUS. _____

AGENDA ITEM

Council Date: February 13, 2020

Subject: [Bid and Contract Award – Wastewater Treatment Plant Primary Clarifier Mechanism Replacement](#)

Submitted By: Marv Pulst, Public Works Director

Attachments: Review of Bids

Public Hearing Required: YES () NO (X)

HISTORY AND SUMMARY

The primary clarifier mechanisms at the Wastewater Treatment Plant have been identified for replacement within the Sewer Comprehensive Plan. Last year, Gray & Osborne engineers prepared a design report with recommendations to remove and replace the existing clarifier mechanisms. After finalizing design report, a bid package (plans, specifications, and cost estimate) was completed. Bids were advertised on January 14th, 2020. Seven bids were received on January 30th, 2020. Lowest, responsive bidder is McClure and Sons of Mill Creek, WA.

Primary clarifiers provide treatment of sewage by removing portions of organic material and solids from the wastewater stream before it enters the aeration basin. In 2016, the secondary clarifier mechanisms were upgraded.

ALTERNATIVES CONSIDERED

Alternatives were considered within 2019 Design Report completed by Gray & Osborne engineers.

CURRENT AND FUTURE BUDGET RAMIFICATIONS

This work was recommended within Sewer Comprehensive Plan and budgeted for this year.

LEGAL ASPECTS – LEGAL REVIEW

No legal issues identified.

STAFF RECOMMENDATION

Staff recommends approval of base bid and additive item to McClure and Sons for \$545,442.53 for Wastewater Treatment Plant Primary Clarifier Mechanism Replacement.

SUGGESTED COUNCIL MOTION LANGUAGE

Motion to award base bid and additive item to McClure and Sons for \$545,442.53 for Wastewater Treatment Plant Primary Clarifier Mechanism Replacement and authorize Mayor to sign contract.