

**CITY COUNCIL AGENDA**  
**7:00 p.m. July 9, 2020**

**MEETING TO BE HELD REMOTELY**  
**VIA TELEPHONE: 1-774-777-4255**  
**CONFERENCE ID No.: 589-8786**

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**CALL TO ORDER:**

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

**MINUTES:**

[City Council Meeting May 28, 2020](#)  
[City Council Meeting June 11, 2020](#)  
[City Council Meeting June 25, 2020](#)

**AUDIT OF BILLS:**

**PUBLIC COMMENTS:**

**COUNCIL COMMENTS:**

**MAYOR'S UPDATE:**

**PROCLAMATION:**

**SPECIAL PRESENTATION:**

**COMMITTEE & BOARD REPORTS:**

**OFFICERS REPORTS:** TBD

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**UNFINISHED BUSINESS:**

- 1) [Ordinance Establishing a Business and Occupation Tax](#)

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**CONSENT AGENDA:**

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**NEW BUSINESS:**

- 1) [Edison Sewer Treatment Facility](#)
- 2) [Interlocal Agreement with Skagit Valley College for Internship for EMT Student](#)

**DISCUSSION:**

Sewer Late Fees  
Canton Parking Lot Lease

**FUTURE WORKSHOP:**

COVID-19 Budget Impacts

Thursday **July 16, 2020** 6:00 p.m.  
MEETING TO BE HELD REMOTELY  
VIA TELEPHONE: 1-774-777-4255  
CONFERENCE ID No.: 589-8786

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**EXECUTIVE SESSION:**

**ADJOURNMENT:**

**MEETINGS:**

- 1) **AUDIT & FINANCE COMMITTEE:** Thursday **July 23, 2020** 4:00 p.m.  
MEETING TO BE HELD REMOTELY  
VIA TELEPHONE: 1-774-777-4255  
CONFERENCE ID No.: 589-8786

**DUE TO THE COVID-19 PANDEMIC, AS OF MARCH 20, 2020, ALL OTHER COUNCIL COMMITTEE MEETINGS ARE SUSPENDED UNTIL EMERGENCY PROCLAMATION 2020-03 HAS BEEN RESCINDED, OR UNTIL FURTHER NOTICE**

# July 2020

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

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

# August 2020

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

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



ITEM #: 1

CHECK ONE:

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

OLD BUS. X

## AGENDA ITEM

Council Date: July 9, 2020 Subject: [Ordinance Establishing a Business and Occupation Tax](#)

Submitted By: Greg Young – City Administrator

Attachments: Enabling Ordinances (2) Public Hearing Required: YES ( ) NO (X)

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### **HISTORY AND SUMMARY**

Burlington has and will always be a City at the crossroads of major transportation corridors. This aspect of geography has meant that for the last few decades, many retailers have chosen to locate in the City. With the improvements to Burlington Boulevard and the growth of residential development in the region, retailers have realized that if they locate in Burlington, customers will follow. Even though we have seen many retailers come and go, the underlying market for retail has meant that as older retailers leave the market, new ones replace them.

The growth and establishment of Burlington as a regional retail destination opens up the possibility of leveraging this arrangement to provide a source of new revenue through the establishment of a Business and Occupation (B&O) Tax.

State law permits the levying of B&O taxes on a variety of business types including retail, services, manufacturing, extracting, wholesale, and others. While it is not a requirement to have the B&O tax apply to all business types, the established rate must be the same for all businesses within a single category. Thus, for example, a B&O tax on retail and services must apply to all retailers and service businesses but would not be levied upon wholesalers, manufacturers, or other business categories.

The B&O Tax statutory limit is two-tenths of one-percent (0.002). In addition, state law requires that cities established a minimum threshold under which no B&O taxes would be owing. The minimum exemption level is \$25,000 but we are proposing an exemption amount of \$1,000,000. Thus any commercial retail and/or service business that generates less than \$1 million in annual gross revenue would not owe the city any B&O taxes.

### **ALTERNATIVES CONSIDERED**

Currently the City received its share of sales tax (we get a little less than 1% of the 8.5% sales tax rate) for taxable retail sales in Burlington. We have seen a moderation of total sales tax in the city as alternatives to the traditional brick-and-mortar stores have emerged.

The City is not able to increase our sales tax collections through increasing the sales tax rate since state law limits the amount cities can levy for sales tax that can be used for the General Fund purposes (unrestricted). While there are ways to increase the city's sales tax rate, the new revenue would be restricted to providing homeless services, building affordable housing, or other limited purposes.

As a result, there are no viable alternatives for generating additional sales tax but assessing a B&O tax – together with a high gross sales exemption amount – can tap this same business segment to provide unrestricted General Fund Revenues which are used, for the most part, to provide essential services directly to these businesses..

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

It is estimated that total taxable retail sales in Burlington total over \$1 Billion annually. Given what we believe will be the number of businesses that will fall below the B&O tax threshold (\$1 million), a B&O tax may generate as much as \$1.5 million annually. It has also been estimated that between 135 to 150 businesses will need to pay this tax in Burlington.

Since there are assumptions made in estimating the amount of revenue the new B&O tax will generate, the exact amount of new revenue will not be known until the first billing period has been completed. Council will be updated as these new revenues are received to inform the 2021 budget deliberations.

### **LEGAL ASPECTS – LEGAL REVIEW**

None identified

### **STAFF RECOMMENDATION**

Staff would recommend that we adopt the Ordinance.

### **SUGGESTED COUNCIL MOTION LANGUAGE**

*"I move to adopt the ordinance as written and authorize the Mayor's signature."*

**Note To Council – The associated Ordinances are very long – please see section 3.70.050 for the tax rates and exemption amount.**



ITEM #: 1

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

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Council Date: July 7, 2020 Subject: [Edison Sewer Treatment Facility](#)

Submitted By: Marv Pulst, Public Works Director

Attachments: Interlocal Agreement with Skagit County Public Hearing Required: YES ( ) NO ()

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### **HISTORY AND SUMMARY**

Skagit County has responsibility for the sewer treatment facility serving the community of Edison. The current Department of Ecology's waste discharge permit for the treatment facility requires that the plant must be operated by an operator certified by the State of Washington for at least a Class 1 plant. The County does not have this resource, and has asked the City of Burlington to help them satisfy this requirement. Although this new DOE requirement does not go into effect until March 2021, the County requests a City operator begin training on the plant operations as soon as possible. The City of Burlington has these resources and can make an operator available for approximately 10 hours per month to perform this need. The County will reimburse the City for this service in accordance with the attached interlocal agreement.

### **ALTERNATIVES CONSIDERED**

The County will be in violation of their DOE discharge permit, or must go outside the sewer region to locate a municipality with sewer operator capabilities to assist them.

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

This will not influence the City's budget since all labor, material and equipment will be reimbursed by the County.

### **LEGAL ASPECTS – LEGAL REVIEW**

City Legal has reviewed the interlocal agreement, and no legal issues were identified.

**STAFF RECOMMENDATION**

Staff recommends entering into the interlocal agreement since it strengthens our relationship with the County and gives the City familiarity with a treatment facility which may likely be connected to our sewer collection system at a future date.

**SUGGESTED COUNCIL MOTION LANGUAGE**

I move to approve the interlocal agreement with Skagit County to provide a sewer plant operator for the Edison treatment facility and authorize the Mayor to sign the agreement.



ITEM #: 2

CHECK ONE:

NEW BUS. X

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

## AGENDA ITEM

Council Date: July 9, 2020 Subject: [Interlocal Agreement with Skagit Valley College for Internship for EMT Students](#)

Submitted By: Dan Laine, Division Chief EMS

Attachments: Interlocal Agreement regarding internship for EMS Students at Skagit Valley College Public Hearing Required: YES ( ) NO ( X )

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### **HISTORY AND SUMMARY**

Emergency Medical Technician (EMT) training requires approximately 150-190 hours of initial education and additional requirements for clinical internship to acquire patient contact hours.

As part of the clinical internship, EMT Interns will be provided opportunities in Hospital Emergency Room and Ambulance ride sites so as develop patient care hands on training. Skagit County EMS and regional fire services within Skagit County utilize the EMT training program at Skagit Valley College for this initial EMT training. As a verified trauma and ambulance service provider, the City of Burlington and the other municipalities have been requested to establish Interlocal Agreements for these essential learning opportunities (Previously Central Skagit Medic One provided the primary ride site for all Skagit County EMT Students). This serves as a benefit to our communities and service agencies, as many of these interns will be future Skagit County EMS providers. The Burlington Fire Department and Skagit Valley College have been working on this agreement to facilitate the internship requirements for completion of EMT course curriculum.

### **ALTERNATIVES CONSIDERED**

The City of Burlington Fire Department can provide the opportunity for internship to be done at our agency, which in cooperation with the other municipalities will distribute the need for internship sites amongst multiple agencies. In doing this, we would be able to be a participant in providing education and guidance in quality care within Skagit County as well as serve a potential recruitment method for future provider needs.



The City of Burlington could reject the Interlocal Agreement and this would place the challenge of available internship sites with other municipal agencies, as well as reduce potential for future recruitment as well as educational opportunities for future potential EMS providers who may serve in surrounding communities our respective partnering agencies.

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

This Interlocal Agreement has no budget impact. Interns would be riding with qualified EMT's and/ or Paramedics that are already on duty and participating in calls for service that would be part of Burlington Fire Departments daily responsibilities.

### **LEGAL ASPECTS – LEGAL REVIEW**

Legal has been involved in various revisions and has reviewed the final ILA, and agrees that it meets the requirements of the City of Burlington. Potential legal risk have been addressed within the agreement.

### **STAFF RECOMMENDATION**

This ILA between the City of Burlington and Skagit Valley College can bring benefits to all parties involved. Every member of the Burlington Fire Department began their service through a similar training process, either here in Skagit County or elsewhere, which contributed to them being successful and competent care providers. This is an opportunity for EMT students to learn in a high volume ALS and BLS EMS system, provides opportunities for our agency to have a role in the care that providers serving in this region will provide, and potential recruitment for prospective future Burlington Fire/ EMS providers. The Burlington Fire Department would like to recommend that we move to approve a motion to accept this ILA and have the mayor sign this agreement.

### **SUGGESTED COUNCIL MOTION LANGUAGE**

I move to accept and have the mayor sign the Interlocal Agreement between the City of Burlington and Skagit Valley College for Internship for EMT Students.