

July 14, 2016

CALL TO ORDER:

Mayor Steve Sexton called the meeting to order at 7:00 p.m., with the Pledge of Allegiance. Council members present: Tonya Bieche, Joe DeGloria, Rick DeGloria, Edie Edmundson, Chris Loving, and Ted Montgomery. Staff present: Brian Dempsey, Bryan Harrison, Brad Johnson, Brittany Johnson, Leif Johnson, Tom Moser, Marv Pulst, Renee Sinclair, and Levon Yengoyan.

A motion was made to excuse **Councilor Aslett** by **Councilors Loving/Bieche**. All in favor; motion carried.

MINUTES:

A motion was made to approve the minutes of the June 23, 2016 council meeting by **Loving/J. DeGloria**. All in favor; motion carried.

AUDIT OF BILLS:

A motion was made by **Councilors R. DeGloria/Loving** to approve Accounts Payable checks numbered 32090 - 32250 in the amount of \$335,082.45; June 30th payroll checks numbered 32048 - 32089 in the amount of \$550,767.26. All in favor; motion carried.

PUBLIC COMMENTS:

Tana Wood – 1745 Monroe Street – Thanked the Mayor, City Council, and others for organizing the rally to honor the law enforcement community. Ms. Wood stated it was a very successful event and was very special for the community.

COUNCIL COMMENTS:

There were no Council Comments.

MAYOR'S UPDATE:

There was not a Mayor's Update.

PROCLAMATION:

There was no proclamation.

SPECIAL PRESENTATION:

There was no Special Presentation.

OFFICER'S REPORTS:

Recreation Coordinator Christi Kinney updated the council on what has been happening with the Recreation Department. The All Comers Track Meet has been a huge success this year. There are five meets that comprise this event and it is run well by City staff and many volunteers. The attendance has increased in 2016 over 2015 even with a decrease in the number of events, from six to five. **Kinney** stated that the Burlington Summer Nights had the first concert on July 8th at the Visitor Information Center on Fairhaven and it was a very successful event. There will be live music at the VIC each Friday until August 26th. **Kinney** thanked the council for the purchase of two new ten passenger vans. She stated it has increased the number of participants allowed for each camp. The camps have been very successful this year and each camp has filled to capacity and has a wait list. **Kinney** invited council to attend a tour of the City parks with the Parks Board members on July 25th at 4:30 p.m. **Councilor Loving** added that there are a few new Parks Board members and they are going to have new plans; should be exciting.

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Public Works Director Marv Pulst thanked Christi for the update on all the great things that Parks & Recreation does for the City. He stated that he would like to postpone the discussion of the Parks & Recreation building until there is a full council.

UNFINISHED BUSINESS:

There was no Unfinished Business.

CONSENT AGENDA:

There was no Consent Agenda.

NEW BUSINESS:

PUBLIC HEARING: AMENDMENT TO BURLINGTON MUNICIPAL CODE CHAPTER 2.74 PERTAINING TO THE MEMBERSHIP COMPOSITION OF THE BURLINGTON LODGING TAX COMMITTEE

City Administrator Bryan Harrison stated that this pertains to the desired size and composition of the Burlington Lodging Tax Advisory Committee (LTAC). State law (RCW 67.28.1817) requires that a municipality with a population of five thousand or more residents that imposes lodging taxes must establish a lodging tax advisory committee consisting of at least five members. At least two members shall represent businesses required to collect the tax, at least two members must represent persons/entities involved in activities authorized to be funded by lodging taxes, and one member (a city councilperson) shall act as chair. Currently the LTAC is comprised of seven members, three members representing businesses required to collect the tax, three members eligible to receive lodging tax funding, and a council member chair per BMC 2.74. It has been challenging at times to ensure that the LTAC achieves a quorum and in order to increase the probability that the LTAC will achieve a quorum at its meetings. The recommendation of staff is that the Burlington City considers adopting an ordinance that would amend BMC 2.74 to expand the LTAC from seven members to seven members plus two alternate members. The alternate members would be one alternate member be appointed from the businesses required to collect the tax (hoteliers) and one alternate member be appointed from the entities eligible to receive lodging tax grants (non-profits). The addition of alternates would allow the LTAC to maintain a quorum and remove conflicts of interest when voting on applications that are being funded by lodging tax funds.

Mayor Sexton opened the Public Hearing for comments.

There were no public comments made.

A motion was made to close the Public Hearing by **Councilors J. DeGloria/Loving**. All in favor; motion carried.

Councilor Bieche stated that it would be awkward to be voting on a project that is competing for the same funds that your organization is applying for.

Administrator Harrison stated that was an excellent point and much of this committee is self-regulated.

Discussion ensued regarding the approval process of projects and how the extra funds are dispersed.

Councilor Edmundson stated that she is comfortable with who votes and this amendment to the committee composition would enable the committee to reach a

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quorum so that decisions can be made and projects can be funded. The committee needs members present to award funds and alternate members are important.

A motion was made to adopt the proposed ordinance amending the Burlington Municipal Code Section 2.74.020 to expand the membership of the Burlington Lodging Tax Advisory Committee and authorize the Mayor's signature by **Councilors Loving/J. DeGloria**. All in favor; motion carried.

PUBLIC HEARING: AMENDMENT TO ORDINANCE 1783 SECTIONS 15.04.20 AND 15.08.010 OF TITLE 15 OF THE BURLINGTON MUNICIPAL CODE TO UPDATE THE INTERNATIONAL CONSTRUCTION AND FIRE CODES

City Administrator Bryan Harrison that as part of three year cycle the proposed ordinance would adopt and update the state mandated codes per RCW 19.27.031 which include the International Building Code, International Residential Code, International Mechanical Code, Uniform Plumbing Code, International Fuel Gas Code, Grading of the International Building Code, International Energy Conservation Code, International Existing Building Code, International Property Maintenance Code, and the International Fire Code along with the State of Washington amendments. The current adopted codes are from 2012 and this ordinance would update to the 2015 Edition.

Mayor Sexton opened the Public Hearing for comments.

There were no public comments made.

A motion was made to close the Public Hearing by **Councilors R. DeGloria/Loving**. All in favor; motion carried.

A motion was made to approve the proposed ordinance updating the state mandated International Building, Fire, and other related codes to the 2015 Editions along with the State of Washington amendments and authorize the Mayor's signature by **Councilors Montgomery/Bieche**. All in favor; motion carried.

PUBLIC HEARING: RESOLUTION FOR THE 2017 – 2022 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN

Assistant Public Works Director Brian Dempsey stated that minor revisions have been made in the expense estimates and/or grant funding for some of the existing projects based on current information. This program can be revised at any time, following a Public Hearing, by the majority of the City Council. This document is used by the Federal Highway Administration to authorize federally funded projects.

Councilor Loving asked if the overpass for the railroad had any other locations looked at besides Rio Vista/Pease/Gilkey. **Public Works Director Marv Pulst** stated that Highway 20 has been looked at, but the solution is intended to be Burlington specific as this is not a regional issue. This overpass would be to enhance access to locals and to increase public safety. Discussion ensued regarding the location of the overpass, the size, and the sites that have been reviewed.

Mayor Sexton opened the Public Hearing for comments.

There were no public comments made.

A motion was made to close the Public Hearing by **Councilors J. DeGloria/Montgomery**. All in favor; motion carried.

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A motion was made to approve the proposed resolution approving the 2017 – 2022 Transportation Improvement Program and authorize the Mayor's signature by **Councilors R. DeGloria/Loving**. All in favor; motion carried.

BID & CONTRACT AWARD FOR THE FIRE DEPARTMENT ROOF PROJECT

Public Works Director Marv Pulst stated that bids were opened for the Fire Department roof project on June 28th, 2016. The lowest responsive bid was received from Cascade Roofing from Burlington in the amount of \$151,335.80. The estimate includes \$5,000 for unknown issues that could arise during the project. **Councilor J. DeGloria** asked if the \$5,000 was included in the estimate of \$151,335.80. **Pulst** clarified that yes, the \$5,000 was included in the estimate received.

A motion was made award the bid and approve the contract with Cascade Roofing for the replacement of the Fire Department roof project and authorize the Mayor's signature on applicable documents by **Councilors R. DeGloria/Bieche**. All in favor; motion carried.

BID & CONTRACT AWARD FOR THE EAST FAIRHAVEN AVENUE CULVERT & EAST RIO VISTA OVERLAY

Public Works Director Marv Pulst stated that bids were opened for the project on July 7th, 2016. The project includes replacement of the culvert, sidewalk improvements, and the paving of sections of East Fairhaven Avenue and Rio Vista Avenue. The lowest responsive bidder was SRV Construction in the amount of \$643,737.85. The engineer's estimate was \$500,000 and that was just for the culvert replacement and did not include the sidewalk improvements and paving that is included with the estimate.

A motion was made to award the bid and approve the contract with SRV Construction for the East Fairhaven Avenue culvert replacement and the Rio Vista Avenue overlay project and authorize the Mayor's signature on applicable documents by **Councilors Loving/Montgomery**.

EXECUTIVE SESSION

An Executive Session will be held Per RCW 42.30.110 to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The executive session should take approximately twenty minutes and no action is expected as a result of the executive session. Council and city staff adjourned for Executive Session at 7:32 p.m.

ADJOURNMENT:

Mayor Sexton adjourned the meeting at 7:55 p.m.

Renee Sinclair
Director of Budget & Accounting

Steve Sexton
Mayor