

June 28, 2007

**CALL TO ORDER:** Mayor Tjeerdsma called the meeting to order at 7:01 p.m., with the Pledge of Allegiance. Council members present: Bensen, Doyle, Loving, Valentine, Straathof and Montgomery. Staff present: Anderson, Cavanaugh, Fleek, Harmon, Martin, Perkins, Sheahan, Sherwood, Thomas, Staheli, Butterfield, Burwash and Conlee.

A motion was made by **Councilors Bensen/Doyle** to excuse **Councilor Aslett** from tonight's meeting. All agreed. Motion carried.

**APPROVAL OF MINUTES:**

A motion was made by **Councilors Valentine/Doyle** to approve the minutes of the June 14, 2007 Council meeting. All were in favor. Motion carried.

**AUDIT OF BILLS:**

**Councilor Bensen** presented the bills. A motion was made by **Councilors Bensen/Montgomery** to approve vouchers 49849 - 49971 in the amount of \$334,855.18. All were in favor. Motion carried.

Current Expense	\$ 46,791.97
Current Expense Cumulative Reserve	12,024.33
Fire Equipment Cumulative Reserve	3,752.16
City Street	98,914.31
Hopper Construction Fund	6,428.75
Library Fund	1,261.82
Parks & Recreation	5,216.06
Cemetery Fund	212.95
Local Capital Improvement Fund	46,855.46
Park & Recreation Reserve	16,586.25
Sewer Fund	26,385.73
Storm Drainage Utility	70,425.39
<b>Total</b>	<b>\$ 334,855.18</b>

**PUBLIC COMMENTS:**

There were no public comments.

**OFFICER REPORTS:**

**Library Director Perkins** distributed the 2006 Library Annual Report. She noted that business at the library increased throughout the year. In 2006 there were 91,000 visits; this was up 12% over 2005. There were 44,000 visits to library website in 2006.

**Library Director Perkins** thanked everyone for attending the Library grand opening. There were 1,700 visitors and 776 items checked out that day. Over 90 new library cards were issued that day also.

**Library Director Perkins** circulated a letter from U. S. Congressman Rick Larsen. He was unable to attend the grand opening celebration but sent the letter and donated a book to the collection.

**Parks & Recreation Director Cavanaugh** noted that graffiti and vandalism hit the park system again last night. Fencing at the soccer field between the east road and dike district property was damaged.

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**Parks & Recreation Director Cavanaugh** reported on the parking lot paving project. This past week he met with Mayor Tjeerdsma and staff from Ravnik & Associates. After review of the project, **Parks & Recreation Director Cavanaugh** suggests that the City put off the project until we can determine the cost to complete the entire project rather than a piece meal the project; a little at a time over several years.

**Fire Chief Anderson** reported on the Fire Department activities. During the first six months of June there were 788 calls (710 in the same period 2006). So far, January – June 2007 is up 11% over 2006. He noted that we are just now entering the busy months (July-Sept). Five new volunteers have been added. One will replace a BayRidge volunteer firefighter who was hired into a full-time position by a King County Fire Department. He noted that volunteer retention is up, due in part by not sending new recruits off to academy right away. Rather the new recruit attends meetings and responds to calls to observe how operations are run. This gives the new recruit a time to determine if they are interested in going forward with training at the academy.

**Fire Chief Anderson** announced that the fire department has an opportunity to do a fire training using an old building at the Burlington Boulevard Skagit Farmers Supply site on Saturday July 21<sup>st</sup>. He noted that all permits have been obtained as well as permission from NW CleanAir Authority to conduct a training burn. Council is invited to attend and observe the training.

**City Attorney Thomas** reported that City Hall construction is progressing on schedule.

**City Attorney Thomas** discussed the Costco latecomers agreement. He noted that it is time to establish a hearing date for this latecomers agreement. He suggested July 26, 2007 (the second council meeting in July). If acceptable, he will set that date and publish a notice of public hearing. A motion was made by Councilors **Loving/Bensen** to set a Public Hearing on July 26, 2007 to consider the Costco Latecomers Agreement. All agreed. Motion carried.

#### **UNFINISHED BUSINESS:**

There was no unfinished business.

#### **NEW BUSINESS:**

#### **REQUEST TO CLOSE ONE BLOCK OF E. ORANGE AVENUE FOR A BLOCK PARTY ON AUGUST 4, 2007 FROM 2 P.M. TO 11 P.M.**

**Planning Director Fleek** stated that the proposed request by the neighbors in the 700 block of East Orange Avenue is to barricade the street at S. Anacortes and S. Pine for a summer block party. This request has been reviewed by the Technical Review Committee and they did not see any problems with the request. The Street Department will loan the barricades and cones for the street closure. The applicants have been advised of the noise ordinance requirements. A motion was made by **Councilors Montgomery/Bensen** to approve the request for street closure on August 4, 2007 from 2 p.m. to 11 p.m. All agreed. Motion carried.

#### **ORDINANCE TO REPEAL AND REENACT, BURLINGTON MUNICIPAL CODE SECTION 15.04.20, AND AMENDING SECTION 15.08.010 ADOPTING THE STATE MANDATED 2006 EDITIONS OF THE INTERNATIONAL BUILDING & FIRE CODES, WITH STATE AMENDMENTS.**

**Building Official Sherwood** stated that this is a house keeping measure as the state mandates the adoption of these codes every three to four years based on updates and changes through public hearings by the ICC and the State Building Code Council. A motion was made by **Councilors Bensen/Valentine** to approve the Ordinance. All agreed. Motion carried. (Ordinance #1625)

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**BID AWARD OF NORTH BURLINGTON REGIONAL STORMWATER FACILITY.**

**Assistant Public Works Director/Engineer Harmon** stated that bids were opened for the North Burlington Regional Stormwater Facility to provide drainage conveyance for the basin between Avon Street and the Chuckanut Interchange. Bids were opened Thursday, June 21, 2007 with the low bid from Trico Contracting, Inc. in the amount of \$2,057,145.00. Awarding the low bid will result in an initial construction cost including engineering of approximately \$2,310,000 with an additional \$1,500,000 expected to follow in conjunction with the drainage work for the North Burlington Boulevard Project. Funds associated with the regional stormwater project will be generated through the Stormwater Utility Fund with a 10-year loan for \$4,000,000. There were a few minor issues that the City would like to waive. A motion was made by **Councilors Loving/Bensen** to approve the Trico Contracting, Inc. bid, and waive selected requirements, for the amount of \$2,057,145.00. All agreed. Motion carried.

**SUPPLEMENT TO THE CONSULTANT AGREEMENT WITH PERTEET, INC. FOR CONSTRUCTION ADMINISTRATION SUPPORT FOR THE NORTH BURLINGTON REGIONAL STORMWATER PROJECT.**

**Assistant Public Works Director/Engineer Harmon** stated that this supplement to the Consultant Agreement for an additional \$125,799.00 with Perteet will provide for limited construction management, construction alignment staking and as-requested survey services, temporary daily construction observation, materials testing coordination, geotechnical construction monitoring services, and preparation of record drawings for the North Burlington Regional Stormwater Facility Project. Construction support services will be provided by Perteet, Inc., Murray, Smith & Associates (MSA), GeoEngineers, Inc., and Casne. This supplement will increase the contract amount to a total of \$419,455.00 to be funded out of the Stormwater Utility Fund. He noted Robin LaRue will be the on-site inspector for the City. Councilor Bensen asked if this funding is available within the budget. **Assistant Public Works Director/Engineer Harmon** noted that funding is available in this year's budget. A motion was made by **Councilors Loving/Montgomery** to authorize the Mayor to supplement the Standard Consultant Agreement with Perteet, Inc. for a total contract amount of \$419,455.00. All agreed. Motion carried.

**PIPELINE LICENSE AGREEMENTS WITH BNSF RAILROAD FOR THE INSTALLATION OF TWO STORM PIPELINE CROSSINGS UNDER THE RAIL LINE ON WALNUT STREET.**

**Assistant Public Works Director/Engineer Harmon** stated that these Pipeline Agreements with BNSF will allow the City to install and maintain a 36" and 30" steel sleeve crossing under the railroad on Walnut Street. These crossings will be installed in conjunction with the North Burlington Regional Stormwater Project. These crossings are necessary for stormwater conveyance for both the North Burlington Regional Pump Station and the future Walnut Street Pump Station. A motion was made by **Councilors Valentine/Straathof** to authorize the Mayor to enter into Pipeline License Agreement #32113 and #32114 for the total amount of \$7,000.00. All agreed. Motion carried.

**STANDARD CONSULTANT AGREEMENT WITH GARRY STRUTHERS ASSOCIATES TO ASSIST THE CITY IN DEVELOPING A TRAFFIC IMPACT FEE AND PROVIDE GENERAL TRAFFIC ENGINEERING SUPPORT RELATED TO IMPROVING THE SIGNAL OPERATIONS IN THE CITY.**

**Assistant Public Works Director/Engineer Harmon** stated that this Standard Consultant Agreement with Garry Struthers Associates will be a 2.5-year contract to provide traffic engineering support as needed to help improve the funding and traffic operations in the City. The first approved task order for \$40,586.00 will provide technical consultant services to assist the City in the development of a traffic impact fee to generate development revenue to support the construction of necessary transportation facilities which will provide an acceptable LOS on the City's arterial street network. The scope includes data collection, analysis, modeling, cost estimating, trip fee formulation, and Council presentation. The remaining \$109,414.00 will be set aside in the Manager Reserve Fund to be used for additional tasks as authorized. It is expected that the majority of this reserve will be used towards improving the signal operations in the City.

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**Councilor Loving** asked how much has been spent in the past to correct the signal problems. **Assistant Public Works Director/Engineer Harmon** stated that he was not sure of the amount. He noted that this firm has done other work related to Burlington Boulevard and has worked with Washington State Department of Transportation. He suggested that the City needs to work towards taking control of the signal lights and let Washington State Department of Transportation handle the maintenance. A motion was made by **Councilors Loving/Bensen** to authorize the Mayor to execute the Standard Consultant Agreement with Gary Struthers Associates for the total amount of \$150,000. All agreed. Motion carried.

**DISCUSSION: DRAFT 6-YEAR TRANSPORTATION IMPROVEMENT PROGRAM.**

**Public Works Director/City Engineer Martin** noted that he is presenting a draft of the Six-year TIP prior to the public hearing scheduled for July 12, 2007. This should give council members an opportunity to review the draft well in advance of the public hearing. He noted that the impact fees are not keeping up with the projects happening in Burlington. He noted there is a Fairhaven Avenue project on the list. Councilor Doyle noted her disappointment with the fact that residential streets are not included in the plan. She noted that the Rio Vista to Fairhaven on S. Section project has been pushed from 14<sup>th</sup> to 22<sup>nd</sup> on the list of priorities. **Public Works Director/City Engineer Martin** noted that the other projects take priority. **Councilor Doyle** stated that she would like to see sidewalks on the street, even if only on one side of the street. **Public Works Director/City Engineer Martin** noted that most of the projects scheduled for residential streets may not be street/sidewalk projects but rather drainage projects. He thanked her for bringing it up; he still doesn't believe the City has funds available to move along any faster with the residential projects. He noted that the State is not bringing in revenue to Burlington fast enough (thus the need for impact fees). He has concerns about "piece-mealing" the projects. He will take another look at the priority list and perhaps make some changes. Mayor Tjeerdsma noted that this topic is only for discussion tonight and that the Public Works Director is looking for input prior to the Public Hearing. **Councilor Loving** asked about project #8 (in the three bridge corridor). **Public Works Director/City Engineer Martin** noted he could re-adjust the priority on that project. Councilor Doyle asked about Planning Commission discussion regarding the 6-year TIP. **Public Works Director/City Engineer Martin** noted that lack of residential area projects were also a concern of the Planning Commission. Mayor Tjeerdsma noted we need to do something for everyone every year. **Public Works Director/City Engineer Martin** noted that Burlington has done a lot of nice things for the City residents (Library, City Hall, etc.) – not necessarily always street projects. Councilor Bensen noted that the City has been plugging along on little projects and now we should be able to concentrate on other issues. He suggested that the 5-way intersection project on Fairhaven Avenue be moved up to #10. **Public Works Director/City Engineer Martin** asked council to let him know their choices for priorities. Some council members suggested a workshop be held prior to the Public Hearing. **Public Works Director/City Engineer Martin** will check the schedule for a possible workshop. He noted that the Skagit Council of Governments (SCOG) is anxious for our list prior to July 13, 2007. They are in need of the list of projects for the federal priority list. Councilor Loving asked if SCOG would be happy to have the top three items on the draft as our federal projects. **Public Works Director/City Engineer Martin** stated that SCOG would be happy with that information and that the list could be changed any time in the future.

**LIBRARY PERSONNEL REQUEST.**

**Library Director Perkins** reviewed the data regarding visits to the new library. She noted that several library staff are with us here this evening. The Library staff spends most of their time serving the public and is not able to keep up with behind the scenes work. She noted that she met with Finance Committee and the Finance Director and was able to come up with additional funding to 2.5 FTE (part-time) staff through the end of the year by shifting funds within her budget and dipping into ending net cash. She hopes that no other funding issues come up prior to the end of the year. She also noted that she may not have estimated the staffing needs at the correct level. She is proposing to move forward with the budget changes at this time. She'll come back in September to let them know how the scheduling and funding are working. She would like some assurance that the additional staff (if needed) will be supported in the 2008 budget. **Councilor Doyle** asked about 2.5 FTE, **Library Director Perkins** explained that the total hours to be worked are equivalent to 2.5 FTE, but she would

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actually hire several part-time employees for the needed hours of coverage. **Councilor Loving** stated that the Budget Committee was aware that the library might need additional staff after the new Library opened to the public. A motion was made by **Councilors Loving/Doyle** to approve the hiring of additional staff, equivalent to 2.5 FTE, for the Library. All approved. Motion carried.

**EXECUTIVE SESSION:**

There was not an Executive Session.

**ADJOURNMENT:**

A motion was made by **Councilors Valentine/Doyle** to adjourn the meeting at 7:49 p.m. All were in favor. Motion carried.

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Richard A. Patrick  
Finance Director / City Clerk

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Roger "Gus" Tjeerdsma  
Mayor