

SKAGIT COUNTY COMMISSIONERS' AGENDA

In-person public attendance at meetings has resumed. In addition, remote access will continue through Zoom. To join remotely use this link: <https://bit.ly/SkagitBoCCMtg> or call: 1 (253) 215-8782 Meeting ID: 871 8000 1980 Passcode: 143573

I. MONDAY, MAY 2, 2022:

- a) 8:45 a.m. - 9:45 a.m. Briefing – Emergency Medical Services, Planning and Development Services, Public Health and Public Works
- b) 10:00 a.m. - 11:00 a.m. Work Session with Facilities Management
- c) 11:00 a.m. - 11:30 a.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))
 - 1. Call Public Meeting to Order/Roll Call
 - 2. Executive Session (Potential Litigation - RCW 42.30.110(1)(i)) (Approximately 30 minutes)
 - 3. Reconvene Public Meeting/Adjournment
- d) *11:30 a.m. Pledge of Allegiance
- e) *11:30 a.m. - 12:00 p.m. Public Health - George Kosovich, Public Health Analyst:
 - 1. Public Hearing to Consider Testimony Regarding the Skagit HOME Investment Partnerships Program (HOME Program) 2022 Annual Action Plan and Amendments to the 2020 Annual Action Plan
- f) 12:00 p.m. - 1:00 p.m. Commissioners may attend a Washington State Association of Counties (WSAC) Virtual Assembly hosted by WSAC
- g) 1:00 p.m. Skagit Valley College Parks Law Enforcement Academy Spring 2022 Graduation Ceremony
- h) *1:30 p.m. - 2:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- i) 2:30 p.m. - 4:30 p.m. Executive Session (RCW 42.30.110(1)(g) Review Qualification of Job Applicant)
 - 1. Call Public Meeting to Order/Roll Call
 - 2. Executive Session (RCW 42.30.110(1)(g) Review Qualification of Job Applicant) (Approximately 2 Hours)
 - 3. Reconvene Public Meeting/Adjournment

II. TUESDAY, MAY 3, 2022:

- a) *9:00 a.m. Pledge of Allegiance
- b) *9:00 a.m. - 10:00 a.m. Public Works - Grace Kane, Director:
 - 1. Update - Cook Road Pedestrian Crossing
 - 2. ~~Code Update—Source Control Program~~ **(Rescheduled to May 10, 2022, at 9:00 a.m.)**
 - 3. Miscellaneous
- c) *10:00 a.m. - 10:30 a.m. Proclamation Recognizing May 6, 2022, as Child Care Professional Appreciation Day
- d) *10:30 a.m. - 11:00 a.m. Proclamation Recognizing May 5, 2022, as National Day of Prayer

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- e) *11:00 a.m. - 11:30 a.m. Proclamation Recognizing April 24, 2022, through May 1, 2022, as Soil and Water Stewardship Week
- f) *11:30 a.m. - 11:45 a.m. Board of County Commissioners:
 - 1. County and Individual Success Stories
 - 2. Public Comment Period
 - 3. Miscellaneous Announcements
- g) 3:30 p.m. - 4:15 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))
 - 1. Call Public Meeting to Order/Roll Call
 - 2. Executive Session (Potential Litigation - RCW 42.30.110(1)(i)) (Approximately 45 Minutes)
 - 3. Reconvene Public Meeting/Adjournment

III. THURSDAY, MAY 5, 2022:

- a) *1:00 p.m. Pledge of Allegiance
- b) *1:00 p.m. - 2:30 p.m. Presentations - Economic Development Grant Applicants

IV. FRIDAY, MAY 6, 2022:

- a) 9:30 a.m. Ribbon Cutting Ceremony - Bow Hill Road Reconstruction Project (18994 Bow Hill Road, Burlington)

FUTURE PUBLIC HEARINGS:

- Tuesday, May 10, 2022, 9:30 a.m. To Consider Testimony Regarding an Ordinance to Retract the Size and Composition of the Board of Health and Rescinding Skagit County Ordinance No. O20190008
- Tuesday, May 10, 2022, 11:45 a.m. To Consider Testimony Regarding an Application for the Public Service Grant Component of the Community Development Block Grant to Assist Community Action of Skagit County with Public Services

FUTURE BID OPENINGS:

- Monday, May 9, 2022, 2:30 p.m. Northern State Recreation Area (NSRA) Trailhead and Park Project No. RCO 18-1609
- Monday, May 16, 2022, 2:30 p.m. Upper Finney Creek (Seismic Retrofit) Project #ES40093-2, Federal Aid #BHOS-2029(057)
- Monday, May 16, 2022, 2:45 p.m. 2022 HMA Overlay Project #ESHMA22-1

NOTE: ALL TIMES ARE ESTIMATES TO ASSIST IN SCHEDULING AND MAY BE CHANGED SUBJECT TO THE BUSINESS OF THE DAY AT THE BOARD'S DISCRETION

MEETINGS WILL BE HELD AT 1800 CONTINENTAL PLACE, MOUNT VERNON, UNLESS NOTED OTHERWISE

Sessions marked with an asterisk * will be televised live on Comcast Channel 21, WAVE cable channel 21 (La Conner and surrounding areas,) and in Anacortes on Comcast channel 26 and streamed online live at www.skagitcounty.net/skagit21. Recorded meetings are re-broadcast daily at 3:00, 6:00, 9:00, 12:00 am and pm and can also be viewed ON DEMAND online at www.skagitcounty.net/Skagit21.

1. CONSENT AGENDA FOR Monday, May 2, 2022 (items 1 through 24):

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, April 25, 2022.
2. Record of the Proceedings for Tuesday, April 26, 2022.

b) EMERGENCY MANAGEMENT:

3. Intergovernmental Agreement with Washington State Military Department (WMD), MIL Contract No. U22-036 to reimburse Skagit County for flooding that occurred in November 2021 that resulted in extensive damage to homes and personal property. WMD will reimburse Skagit County an amount not to exceed \$108,438 which includes \$10,000 for travel, training, and mentorship, for Individual Assistance costs related to Disaster Case Management pursuant to request No. WA-202111911971. The Agreement shall commence on the date of mutual execution and continue until June 30, 2022.
4. Agreement with The Salvation Army to provide Disaster Case Management services for persons displaced from their residences as a result of damages incurred by the continuous series of severe winter storms, high winds, flooding, landslides and mudslides in November and December of 2021. Compensation is based on an Emergency Disaster Services Case Management Budget and shall not exceed \$98,438. The Agreement is ratified to commence on April 1, 2022, and continue until June 30, 2022.
5. Spill Prevention, Preparedness, and Response Equipment Grant Agreement No. SPPREG-2123-SgCDEM-00007 with Washington State Department of Ecology (DOE) to provide funding to replace thirty-four (34) gas meters and one (1) calibration station in Skagit County Fire Departments/districts. Compensation to Skagit County shall not exceed \$66,600. The Agreement is ratified to commence on July 1, 2021, and continue until June 30, 2023.
6. Grant Agreement No. E22-277 with the Washington State Military Department and the U.S. Department of Homeland Security (DHS) for Fiscal Year (FY) 2020 Emergency Management Performance Grant (20EMPG) program to provide Federal funds to assist governments in preparing for all hazards through sustainment and enhancement of the programs described in the Work Plan. Compensation to Skagit County shall not exceed \$22,000. The Grant Agreement is ratified to commence on January 1, 2022, and continue until September 30, 2022.

c) HUMAN RESOURCES:

7. Memorandum of Understanding (MOU) Amendment No. 2 to Collective Bargaining Agreement No. C20200353 with the Skagit County Deputy Sheriff's Guild. This Amendment updates the wage terms due to the impact of bargaining regarding the implementation of body worn cameras. The term remains the same and shall continue until December 31, 2022. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.

d) PARKS, RECREATION AND FAIR:

8. Personal Services Agreement with Cowling & Company LLC dba Widener & Associates to assist with the completion of the required procedures and documentation for Federal Emergency Management Agency (FEMA) Public Assistance Washington Flooding and Mudslides (DR-4635) Projects. Compensation is based on a fee schedule and shall not exceed \$35,306.40. The Agreement shall commence on the date of execution and continue for an initial term of two (2) years with the option to renew for one (1) additional year.

e) PUBLIC HEALTH:

9. Personal Services Agreement with Common Goodness Project to provide custom designed workshops and consultation to meet the needs of professionals from a broad array of fields. The workshops will be offered to all Skagit County Public Health employees to build understanding of the LGBTQ+ health equity needs. Compensation is based on a fee schedule and shall not exceed \$2,700. The Agreement shall commence on the date of execution and continue until June 30, 2022.
10. Resolution approving Public Health to submit a grant application to the Washington State Department of Commerce Grant to stabilize Ukraine Conflict Refugees, and designating Jennifer Johnson, Public Health Director, as the authorized representative to act in all official matters in connection with this application.

f) PUBLIC WORKS:

11. Resolution to call for a public hearing to consider testimony regarding amending four (4) Franchise Agreements with Astound LLC: WaveDivision I, LLC Contract No. C20110525; WaveDivision II, LLC Contract No. C20090372; Cedar Communications, LLC Contract No. C20090373; and Astound Broadband, LLC Contract No. C20140313. The public hearing is scheduled to take place on Tuesday, May 24, 2022, at 9:00

a.m. or as soon thereafter as possible in the Skagit County Commissioners’ Hearing Room. Attendance will be in-person or remote by computer, tablet, or smartphone: <https://bit.ly/SkagitBoCCMtg> or by phone: 1 (253) 215-8782 Meeting ID: 871 8000 1980 Passcode: 143573.

12. Resolution to amend and supersede the previous appointment of members to the Voluntary Stewardship Program (VSP) Watershed Group pursuant to Resolution No. R20190185 and appointing new members to the VSP Watershed Group, as outlined in attachment “A”.
13. Street Waste Facility Use Agreement with DownStream Services, Inc. to dispose of waste generated from cleaning streets and stormwater drainage systems. DownStream Services, Inc. shall pay the established fees which are outlined in Skagit County’s Solid Waste Disposal Rates. The Agreement shall commence on the date of execution and continue for two years.
14. Resolution to call for bids for parts, maintenance, and repair of hydraulic equipment at various Skagit County locations. The bid opening is scheduled to take place on Monday, May 23, 2022, at 3:00 p.m. or as soon thereafter as possible in the Skagit County Commissioners’ Hearing Room. Attendance will be in-person or remote by computer, tablet, or smartphone: <https://bit.ly/SkagitBoCCMtg> or by phone: 1 (253) 215-8782 Meeting ID: 871 8000 1980 Passcode: 143573.
15. Personal Services Agreement with Natural Systems Designs, Inc. to provide fish passage improvement services for Little Fisher Creek and restoration services for Child’s Creek. Compensation is based on a fee schedule and shall not exceed \$100,000. The Agreement shall commence on the date of mutual execution and continue until December 31, 2022.
16. Public Assistance Grant Agreement No. D22-122 with Washington State Military Department and the Federal Emergency Management Agency (FEMA) to receive payments for emergency work caused by severe storms, straight-line winds, flooding, landslides, and mudslides as identified under Presidential Disaster Declaration No. FEMA-4635-DR-WA. The Agreement is ratified to commence on November 5, 2021, and continue until January 5, 2026. Compensation to Skagit County shall be determined based upon approved project worksheets.

g) RISK MANAGEMENT:

17. Personal Services Agreement with Stop Claims Corporation to provide professional services and administration of worker’s compensation claims. Compensation is based on a reimbursement schedule and shall not exceed \$50,000. The Agreement shall commence on the date of execution and continue until December 31, 2022, with the option to renew on a yearly basis.
18. Personal Services Agreement with Summit Law Group PLLC to provide at the request and direction of the Skagit County Prosecuting Attorney, Human Resources Director or the Risk Manager, representation and assistance on matters related to employment law, labor relations/negotiations and litigation. Summit Law will also provide Human Resources/Risk Management training as requested. Compensation is based on a fee schedule and shall not exceed \$75,000. Any non-labor expenses, such as court filing fees, pre-approved sub-consultant’s contracts, copying fees, mileage, etc. will be billed at cost. The Agreement shall commence on the date of execution and continue until December 31, 2022.
19. Resolution updating appointments and designations as they relate to Skagit County’s relationship with the Washington Counties Risk Pool.

h) SHERIFF:

20. Amendment No. 1 to Master Agreement No. C20210448 with Assisted Patrol, LLC for the lease of a single bait device to use to track criminal activity. This Amendment adds one (1) bait device. Compensation for the additional device shall not exceed \$1,200 plus applicable taxes for a new total compensation amount not to exceed \$3,600. The term remains the same and shall continue until November 14, 2022. All other terms and conditions of the original Agreement shall remain in effect.
21. Master Agreement with Assisted Patrol, LLC to lease two (2) bait devices to track criminal activity. Compensation shall not exceed \$4,000 plus applicable taxes. The Agreement shall commence on November 15, 2022, and continue until November 14, 2023.
22. Amendment No. 2 to Personal Services Agreement No. C20200302 with Law Office of Scott G. Thomas to serve as Judicial Officer for the Skagit County Interlocal Drug Enforcement Unit (SCIDEU) in administrative hearings including civil forfeitures pursuant to Chapter 69.50 RCW. This Amendment reflects the change in name from Thomas Law Group to Law Office of Scott G. Thomas. Compensation remains at an amount not to exceed \$10,000. The term remains the same and shall continue until July 15, 2022. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.

23. Amendment No. 1 to Professional Services Agreement No. C20210494 with ZetX, Inc. to provide a Software License for VIPER and TraX services for the Skagit County Interlocal Drug Enforcement Unit (SCIDEU). This Amendment reflects the name change from ZetX, Inc. to the corporate name LexisNexis Risk Solution FL Inc., effective March 1, 2022. The term remains the same and shall continue until January 9, 2026. All other terms and conditions of the original Agreement shall remain in effect.
24. Amendment No. 1 to Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0362, Skagit County Agreement No. C20220034, for fiscal year 2022, for the purpose of receiving reimbursement for costs incurred by the Skagit County Sheriff's Office in providing resources to joint operations/task forces. This Amendment increases compensation to Skagit County by \$2,500 for a new amount total compensation amount not to exceed \$7,840. The term remains the same and shall continue until September 30, 2022. All other terms and conditions of the original Agreement shall remain in effect.

2. MISCELLANEOUS AGENDA (item 1):

a) PLANNING AND DEVELOPMENT SERVICES:

1. Public Meeting/Possible Action: Review the Final Plat approval request #PL10-0383 for the Plat of Blanchard Knob and the associated Grant Deed of Natural Resource Lands Easement (NRLE).