

SKAGIT COUNTY COMMISSIONERS' AGENDA

In-person public attendance at meetings has resumed. 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

Public comments prior to final action per RCW 42.30.20(4) must relate to the specific agenda item

I. MONDAY, DECEMBER 12, 2022:

- a) 8:45 a.m. - 9:45 a.m. Briefing – Planning and Development Services and Central Services - Information Services, Geographic Information Services and Records Management
- b) 9:45 a.m. - 10:15 a.m. Bi-Weekly Briefing with Public Works
- c) *10:30 a.m. Pledge of Allegiance
- d) *10:30 a.m. - 10:45 a.m. Public Works – Grace Kane, Director:
 - 1. Discussion/Possible Action: Adoption of the 2023-2028 Six-Year Transportation Improvement Program (TIP)
 - 2. Miscellaneous
- e) *10:45 a.m. - 11:00 a.m. Planning and Development Services – Sarah Ruether, Long-Range Planner:
 - 1. Discussion/Possible Action: Adoption of the 2023-2028 Capital Facilities Plan
 - 2. Miscellaneous
- f) *11:00 a.m. - 11:30 a.m. Budget and Finance – Trisha Logue, Director – Discussion/Possible Action:
 - 1. Resolution Adopting the 2023 Skagit County Budget
 - 2. Resolution Authorizing the Property Tax Limit Factor for the 2023 General Levy
 - 3. Resolution Authorizing the Property Tax Limit Factor for the 2023 Road Levy
 - 4. Resolution Authorizing the Property Tax Limit Factor for the 2023 Conservation Futures Levy
 - 5. Resolution Authorizing the Property Tax Limit Factor for the 2023 Emergency Medical Services Levy
 - 6. Resolution Authorizing the Property Tax Levy for the 2023 General Levy
 - 7. Resolution Authorizing the Property Tax Levy for the 2023 Road Levy
 - 8. Resolution Authorizing the Property Tax Levy for the 2023 Conservation Futures Levy
 - 9. Resolution Authorizing the Property Tax Levy for the 2023 Emergency Medical Services Levy
 - 10. Resolution Authorizing a Diversion of \$1.35 Million from the Road Levy to the General Levy for Traffic Law Enforcement
- g) 12:00 p.m. - 1:00 p.m. Washington State Association of Counties Virtual Assembly hosted by WSAC
- h) *1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
 - 1. Public Comment (Specifically related to the agenda item)
- i) 2:00 p.m. - 3:00 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))
 - 1. Call Public Meeting to Order/Roll Call

Continued OVER...

2. Executive Session
3. Reconvene Public Meeting/Adjournment

II. TUESDAY, DECEMBER 13, 2022:

- a) *9:00 a.m. Pledge of Allegiance
- b) *9:00 a.m. - 10:00 a.m. Public Works – Grace Kane, Director:
 1. Presentation: Skagit Hydrodynamic Model Project – An Alternative Analysis Restoration from Drainage and Irrigation District Consortium Executive Director Jenna Friebel and Washington Department of Fish and Wildlife Environmental Planner Jenny Baker
 2. Miscellaneous
- c) *10:00 a.m. - 10:15 a.m. Board of County Commissioners:
 1. Public Comment Period
 2. County and Individual Success Stories
 3. Miscellaneous

III. WEDNESDAY, DECEMBER 14, 2022:

- a) 11:00 a.m. - 12:00 p.m. Washington State Association of Counties Board of Natural Resources Candidate Forum hosted by WSAC
- b) *12:30 p.m. - 1:30 p.m. Snohomish, Whatcom, Island, San Juan and Skagit Counties (SWISS) Legislative Lunch (Watch the meeting live on Skagit 21 Television, streamed online at www.skagitcounty.net/Skagit21, or listen to the meeting by calling 1 (253) 215-8782 Meeting ID: 854 2362 4694 or join by computer: <https://wsac-org.zoom.us/j/85423624694?pwd=OFJ3NkIrUlFOYUo5M3FMSFY4UnB2dz09&from=addon>)

IV. THURSDAY, DECEMBER 15, 2022:

- a) 10:00 a.m. - 12:00 p.m. Northwest Regional Council Board Meeting hosted by Northwest Regional Council
- b) 2:00 p.m. - 3:00 p.m. Commissioners Briefing

V. FRIDAY, DECEMBER 16, 2022:

- a) 10:30 a.m. - 11:30 a.m. Work Session with Human Resources to Discuss Compensation Philosophy

FUTURE PUBLIC HEARING:

Tuesday, December 20, 2022, 11:15 a.m. To Consider Testimony Regarding Amending the 2022 Skagit County Budget

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, DECEMBER 12, 2022 (items 1 through 45):

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, December 5, 2022.
2. Record of the Proceedings for Tuesday, December 6, 2022.
3. Record of the Proceedings for Wednesday, December 7, 2022.
4. Record of the Proceedings for Thursday, December 8, 2022.
5. Resolution to reappoint the following members to the Skagit County Board of Equalization: Angie Bossarte – District 1; John Rantschler – District 2; and Betta Spinelli – Alternate. The members new terms shall become effective on January 1, 2023 and expire on December 31, 2025.

b) ADMINISTRATIVE SERVICES:

6. Personal Services Agreement with Innovative Environments, LLC to provide policy assistance related to forest practice issues, including administration of the Forest Advisory Board and advising Skagit County on state-level forest lands and natural resource issues. Compensation shall not exceed \$60,000 and is based on a rate schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.

c) ASSIGNED COUNSEL:

7. Personal Services Agreement with Trena Berton, Attorney at Law, to provide indigent defense representation to defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest cases for the Skagit County Public Defender's Office. Referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. Compensation shall not exceed \$150,000 and is based on a rate schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.
8. Personal Services Agreement with Ronald Heiman, Attorney at Law, to provide indigent defense representation to defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest cases for the Skagit County Public Defender's Office. Referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. Compensation shall not exceed \$150,000 and is based on a rate schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.

d) BUDGET AND FINANCE:

9. Amendment No. 3 to Interlocal Cooperative Agreement No. C20190334 with the City of Burlington to award \$430,000 of Economic Development/Public Facilities Project grant funds to support the arterial connection of Burlington Boulevard and South Walnut Street. This Amendment extends the term of the Agreement from December 31, 2022 to December 31, 2023. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.

e) CORONER:

10. Personal Services Agreement with Mount Vernon Cemetery Inc., dba Kern Funeral Home to have a funeral home representative available twenty-four (24) hours a day, seven (7) days a week to assist and/or respond to a death scene when requested by the Coroner's office. Compensation shall not exceed \$10,000 and is based on a fee schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.

f) DISTRICT COURT:

11. Interlocal Cooperative Agreement with the City of Burlington to formalize the relationship of the City and the County regarding the provision of District Court Community Court services to the City. The City shall compensate the County \$975 per month for up to three (3) dockets per month, each Community Court Docket shall be limited to 15 clients. The Agreement shall commence on January 1, 2023 and continue until December 31, 2025.
12. Interlocal Cooperative Agreement with the City of Burlington to formalize the relationship of the City and the County regarding the provision of probation services to the City. The City shall compensate the County \$100 for each month that a defendant is on active supervision up to a maximum of \$2,400 per defendant/case. In cases involving pre-sentence supervision, supervision of mandatory community service or determination of restitution, the maximum per defendant/case shall be \$150. The Agreement shall commence on January 1, 2023 and continue until December 31, 2025.

g) FACILITIES MANAGEMENT:

13. Standard AIA Form of Agreement with Alana, Buick and Bers, Inc. for the 4th Floor Demolition and Reroofing on the Skagit County Courthouse. Compensation shall not exceed \$362,720. The Agreement shall commence

on the date of execution and continue until project completion.

h) HUMAN RESOURCES:

14. Collective Bargaining Agreement between Skagit County and Public Defender's Support Staff Local 176 PDS, Council #2, AFSCME effective January 1, 2022 through December 31, 2024.

i) INFORMATION SERVICES:

15. Amendment No. 44 to Contract No. 00484 with Spillman Technologies, Inc. to rescind Amendment No. 43, Skagit County Amendment No. A20220205, for the purchase of three (3) additional Fire Mobile Client licenses for Anacortes Fire District which includes Mobile Voiceless CAD and AVL. These licenses are no longer requested by Anacortes Fire District. Compensation is decreased by \$1950 plus applicable sales tax for a new estimated total compensation amount not to exceed \$1,054,389.99. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.

j) OFFICE OF JUVENILE COURT:

16. Personal Services Agreement with Health Pros Northwest Inc. to provide nursing services at the Skagit County Juvenile Detention Center. Compensation shall not exceed \$66,000 and is based on a rate schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2026.

k) PARKS, RECREATION AND FAIR:

17. Vendor Services Agreement with VECA Electric and Technologies, LLC to provide electrical services, including anticipated annual maintenance at Skagit County Park Facilities and Fairgrounds. Compensation shall not exceed \$35,000 and is based on a rate schedule. The Agreement shall commence on the date of execution and continue for two (2) years.

l) PUBLIC DEFENDER:

18. Agreement with the Washington State Office of Public Defense, Agreement No. ICA23029, for receipt of RCW 10.101.070 Funds for the purpose of improving the quality of public defense services in Washington State counties. Compensation to Skagit County shall not exceed \$127,668. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.

m) PUBLIC HEALTH:

19. Resolution to authorize Skagit County Behavioral Health 0.1% Sales Tax Fund Allocations for 2023.
20. Resolution authorizing the submission of an application to the Washington State Department of Commerce Housing Trust Fund for a down payment assistance program for low- to moderate-income first time homebuyers.
21. Interlocal Cooperative Agreement with the Town of La Conner to provide funding for staffing and program supplies for the Senior Services Program. Compensation shall not exceed \$6,966. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
22. Interlocal Cooperative Agreement with the City of Sedro-Woolley for Skagit County to operate a Senior Services Program and develop, direct, and coordinate a comprehensive system for the delivery of services to seniors. Compensation shall not exceed \$22,014 for the fiscal year 2023, and \$22,344 for the fiscal year 2024. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.
23. Amendment No. 1 to Memorandum of Agreement No. C20220216 with the State of Washington Department of Veterans Affairs, WDVA Contract No. 305E-22-013, to provide information and assistance to veterans and their families in processing claims applications. This Amendment extends the Agreement from December 31, 2022 to December 31, 2024 and updates Attachment A: General Terms and Conditions to add unlawful discrimination language. There is no compensation associated with this Agreement. All other terms and conditions of the original Agreement remain in effect.
24. Amendment No. 1 to Personal Services Agreement No. C20210508 with Sutherland Design Works to provide design work for print and web publication for community education materials. This Amendment increases compensation to an amount not to exceed \$15,000, updates "Exhibit B," and extends the term from December 31, 2022 to December 31, 2023. All other terms and conditions of the original Agreement shall remain in effect.
25. Amendment No. 1 to Personal Services Agreement No. C20220304 with Helping Hands Project Organization to administer the Eviction Rent Assistance Program 2.0 (ERAP 2.0) Grant to prevent evictions by providing outreach services and application preparation and review for marginalized communities in order to increase

access to ERAP 2.0. This Amendment increases compensation to an amount not to exceed \$174,720 and extends the term of the Agreement from December 31, 2022 to March 31, 2023. All other terms and conditions of the original Agreement shall remain in effect.

26. Amendment No. 1 to Personal Services Agreement No. C20220293 with Housing Authority of Skagit County to provide emergency shelter and tenant-based rental assistance to farmworkers and their families who are homeless or at risk of being homeless. This Amendment decreases compensation to an amount not to exceed \$28,361 and extends the term of the Agreement from December 31, 2022 to June 30, 2023. All other terms and conditions of the original Agreement shall remain in effect.
27. Amendment No. 4 to Personal Services Agreement No. C20210551 with Geocko Inc. d.b.a. LiveStories to administer the Emergency Rental Assistance Program 2.0 (ERAP 2.0) Grant, Skagit County Agreement C20210480, to prevent evictions by paying past due, current due, future rent and utilities, targeting households with limited resources. This Amendment increases compensation to an amount not to exceed \$13,674,941 and extends the term of the Agreement from December 31, 2022 to March 31, 2023. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.

n) PUBLIC WORKS:

28. Resolution to close River Improvement Fund 110 that was established by Resolution No. 1315.
29. Capital Agreement with the Washington State Department of Commerce, through the Energy Division – Electrification of Transportation Systems Contract No. 21-92201-010, to procure and construct shore-side EVSE for a 28-car, 150-passenger battery electric ferry for service to Guemes Island. The Department of Commerce shall pay Skagit County an amount not to exceed \$989,521.24. The Agreement is ratified to commence on December 1, 2022 and continue until September 30, 2026.
30. Conservation Credit Purchase and Sale Agreement between Puget Sound Partnership (Bank Sponsor) and Skagit County (Buyer) for the Guemes Ferry Electric Shore Side Facility & Terminal Improvements Project #ESMVGUE-2. The purpose of the Agreement is to provide for the purchase and sale of 105 conservation credits from the Puget Sound Partnership for a total cost of \$126,000. The Credit Purchase Form facilitates the process for federal permittees to purchase conservation credits from Puget Sound Partnership to offset Endangered Species Act (ESA) impacts resulting from the maintenance, replacement, expansion, or new construction of structures in the Puget Sound nearshore. The Agreement shall commence on the date of execution and continue until project completion.
31. Amendment No. 1 to Grant Agreement No. C20210413 with Washington State Recreation and Conservation Office (RCO) Project No. 20-1367P for the Debays Slough Feasibility Assessment to complete feasibility of re-establishment (fully or partially) of the hydraulic connection to the mainstem, including a detailed existing conditions assessment and 3-5 alternatives for restoration. This Amendment extends the term from December 31, 2023 to December 31, 2024. Compensation to Skagit County remains at an amount not to exceed \$161,500. All other terms and conditions of the original Agreement shall remain in effect.
32. Amendment No. 1 to Interlocal Agreement No. C20220059 with the Samish Indian Nation to participate in meetings and/or coordination with planning groups, stakeholders, agencies, and associations as it relates to or benefits the County's Clean Water Program within the Samish Watershed. This Amendment extends the term of the Agreement from December 31, 2022 to December 31, 2023. Compensation remains the same and shall not exceed \$24,000. All other terms and conditions of the original Agreement shall remain in effect.
33. Amendment No. 2 to Personal Services Agreement No. C20210526 with Watershed Science and Engineering, Inc. to provide engineering services to develop a preliminary design to restore Lake Creek between Lake McMurray and an abandoned railroad berm (Lake Creek Channel & Culvert Design). This Amendment extends the term from December 31, 2022 to March 31, 2023. Compensation remains at an amount not to exceed \$125,000. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.
34. Amendment No. 3 to Personal Services Agreement No. C20210342 with Skagit Fisheries Enhancement Group to install additional off-channel habitat and large wood in the South Fork of the Skagit River as part of the South Fork Channel Construction Project within the Skagit River delta. This Amendment increases compensation from \$58,000 to an amount not to exceed \$66,000. The term remains the same and shall continue until December 31, 2024. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.
35. Amendment No. 1 to Personal Services Agreement No. C20220170 with Northwest Aquatic Eco-Systems to provide aquatic plant management services for Lake Management District No. 1 for Big Lake (LMD 1) to continue implementing a control strategy to manage noxious aquatic plants such as Eurasian milfoil, Brazilian elodea, fragrant water lilies, and other nuisance aquatic vegetation. This Amendment increases compensation by \$14,825 for additional herbicide material and sampling that was needed. Total compensation shall not exceed \$80,903. The term remains the same and shall continue until May 31, 2023. All other terms and

conditions of the original Agreement shall remain in effect.

36. Amendment No. 2 to Personal Services Agreement No. C20210281 with Herrera Environmental Consultants to complete an alternatives analysis, preliminary, and final design for the Lorenzen Creek Stormwater Improvement Project to improve water quality, fish passage and habitat, and reduce upstream flooding in Lorenzen Creek near the Concrete Public Works Facility, located at 44510 Concrete Sauk Valley Road in Concrete. This Amendment updates “Exhibit A” Scope of Work to include Task 1.19 Additional Outreach Support, “Exhibit B” Compensation to reflect the current rates of pay, and increases compensation from \$446,846.41 to an amount not to exceed \$462,164.43. The term remains the same and shall continue until December 31, 2023. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.
37. Amendment No. 1 to Personal Services Agreement No. C20210089 with Inter-Fluve, Inc. to provide drawings and a design report at several project development phases for the Dam removal project at Barrel Springs. This Amendment increases compensation to an amount not to exceed \$215,449, updates the rate schedule and extends the term from December 31, 2022 to December 31, 2023. All other terms and conditions of the original Agreement shall remain in effect.

o) RISK MANAGEMENT:

38. Personal Services Agreement with Skagit Regional Health to provide occupational health services at Skagit Regional Health necessary to comply with Washington State Labor & Industries/Department of Occupational Safety and Health Washington Administrative Codes (WACs) related to bloodborne pathogens, hearing conservation and respiratory protection as well as to manage risk related to fitness for duty. Compensation shall not exceed \$6,000 and is based on a fee schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
39. Personal Services Agreement with Listen Audiology Services Inc. to provide on-site audiometric testing services at various county locations. Compensation shall not exceed \$6,500 and is based on a rate schedule. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
40. Indemnity and Damage Release Agreement with Washington Counties Risk Pool (WCRP) for Skagit County to waive, release, and forever discharge the WCRP from any and all claims Skagit County may have against the WCRP arising out of the maintenance, operation or use of the borrowed Streets Smarts Virtual Reality (SSVR) system. There is no compensation associated with this Agreement. The Agreement shall commence on the date of execution.

p) SHERIFF:

41. User License Agreement with Permittium, LLC for an online weapons permit application. Permittium, LLC will collect online payments and agrees to deliver a monthly, itemized statement for transactions along with a check or Automated Clearing House (ACH) transfer for the total amount collected less credit card fees. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023, and then will automatically renew for successive one (1) year terms until cancelled.
42. Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0367 for fiscal year 2023, for the purpose of receiving reimbursement for costs incurred by the Skagit County Sheriff's Office in providing resources to joint operations/task forces. OCDETF shall reimburse Skagit County in an amount not to exceed \$15,000. The Agreement is ratified to commence on November 1, 2022 and continue until September 30, 2023.
43. Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0365 for fiscal year 2023, for the purpose of receiving reimbursement for costs incurred by the Skagit County Sheriff's Office in providing resources to joint operations/task forces. OCDETF shall reimburse Skagit County in an amount not to exceed \$15,000. The Agreement is ratified to commence on November 1, 2022 and continue until September 30, 2023.
44. Amendment No. 3 to Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0362, Skagit County Contract 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 decreases compensation to Skagit County by \$6,060.69 for a new total compensation amount not to exceed \$6,779.31. The term remains the same and shall continue until September 30, 2022. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.

q) SUPERIOR COURT:

45. Personal Services Agreement with Eileen Sterns, PLLC to provide court reporter services. Compensation shall

not exceed \$20,000 and is based on a rate schedule. The Agreement shall commence on January 1, 2023 and continue until July 31, 2023.

2. MISCELLANEOUS AGENDA (items 1 through 3):

a) PLANNING AND DEVELOPMENT SERVICES:

1. Interlocal Cooperative Agreement with Burlington-Edison School District (District) for the purpose of establishing terms of the wastewater treatment facility services the District will perform at the County's Edison Wastewater Treatment Facility located at 5801 Main Ave. in Bow. Compensation shall not exceed \$21,000 per year. The Agreement is ratified to commence on January 1, 2022 and continue through December 31, 2025.

b) PUBLIC HEALTH:

2. Personal Services Agreement with Community Action of Skagit County to process mileage reimbursement requests for Skagit Meals on Wheels volunteers. Compensation shall not exceed \$19,500. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
3. Amendment No. 1 to Personal Services Agreement No. C20210666 with Community Action of Skagit County to process mileage reimbursement requests for Skagit Meals on Wheels volunteers. This Amendment increases compensation to an amount not to exceed \$19,500, and revises Exhibit "B" Compensation. The term remains the same and shall continue until December 31, 2022. All other terms and conditions of the original Agreement shall remain in effect.