

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 19, 2022:

- a) 8:45 a.m. - 9:45 a.m. Briefing - Public Works, Public Health, and Department of Emergency Management
- b) 10:00 a.m. - 11:00 a.m. Work Session with Public Works - Ferry Terminal Improvements
- c) 11:00 a.m. - 12:00 p.m. Planning and Development Services - Monthly Briefing
- d) 12:00 p.m. - 1:00 p.m. Washington State Association of Counties (WSAC) Virtual Assembly hosted by WSAC
- e) *1:00 p.m. Pledge of Allegiance
- f) *1:00 p.m. - 1:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items:
 - 1. Public Comment (Specifically related to the agenda item)
- g) *1:30 p.m. - 1:45 p.m. Discussion - 2023 Committee Assignments
- h) *1:45 p.m. - 2:00 p.m. Washington State Association of Counties Ballot for Electing County Representative to the Board of Natural Resources:
 - 1. Discussion
 - 2. Public Comment (Specifically related to the agenda item)
 - 3. Possible Action - Vote to Appoint a Representative to the Board of Natural Resources
- i) 2:15 p.m. - 3:00 p.m. Work Session with Facilities Management
- j) 3:15 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))
 - 3. Reconvene Public Meeting/Adjournment

II. TUESDAY, DECEMBER 20, 2022:

- a) 10:00 a.m. - 11:00 a.m. 2023 Legislative Meeting with Representative Lekanoff
- b) *11:15 a.m. Pledge of Allegiance
- c) *11:15 a.m. - 11:30 a.m. Budget and Finance - Trisha Logue, Director:
 - 1. Public Hearing to Consider Testimony Regarding Amending the 2022 Skagit County Budget
 - 2. Possible Action - Resolution to Amend the 2022 Skagit County Budget
- d) *11:30 a.m. - 11:45 a.m. Board of County Commissioners:
 - 1. Public Comment Period
 - 2. County and Individual Success Stories
 - 3. Miscellaneous

Continued OVER...

- e) ~~*11:45 a.m. - 12:45 p.m.~~ ~~Skagit County Elected Officials Swearing In and Recognition Ceremony (Event Cancelled Due to Weather)~~
- f) ~~3:00 p.m. - 4:00 p.m.~~ ~~Groundbreaking Ceremony for Channel Cove Affordable Homeownership Project (914 Park Street, La Conner)- (Event Cancelled Due to Weather)~~

III. WEDNESDAY, DECEMBER 21, 2022:

- a) 11:00 a.m. - 12:00 p.m. Skagit Transit Board of Director's Meeting (Burlington City Council Chambers, 833 South Spruce Street, Burlington or join the meeting from your computer, tablet, or smartphone: <https://us02web.zoom.us/j/86092215677>, ID: 860 9221 5677 or by telephone 1 (253) 215-8782)
- b) 1:00 p.m. Skagit Council of Governments Transportation Policy Board Meeting (Burlington City Council Chambers, 833 South Spruce Street, Burlington or join the meeting from your computer, tablet, or smartphone: <https://meet.goto.com/647380821>, Access Code: 647-380-821 or by telephone 1 (877) 309-2073)
- c) 1:30 p.m. Skagit Council of Governments Growth Management Act Steering Committee Meeting (Burlington City Council Chambers, 833 South Spruce Street, Burlington or join the meeting from your computer, tablet, or smartphone: <https://meet.goto.com/647380821>, Access Code: 647-380-821 or by telephone 1 (877) 309-2073)

IV. THURSDAY, DECEMBER 22, 2022:

- a) 10:00 a.m. - 11:00 a.m. Snohomish, Whatcom, Island, San Juan and Skagit (SWISS) Counties - Washington State University (WSU) Broadband Technical Session (Join the meeting from your computer, tablet, or smartphone: <https://wsac-org.zoom.us/j/85016899943?pwd=dFBjUGpuYUdHMU13Z2o4SExWVGhIdz09&from=addon>, Meeting ID: 850 1689 9943 or by telephone 1 (253) 215-8782)
- b) ~~3:00 p.m. - 4:00 p.m.~~ ~~Commissioners Briefing (Meeting Cancelled)~~

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 19, 2022 (items 1 through 44):

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, December 12 2022.
2. Record of the Proceedings for Tuesday, December 13, 2022.
3. Record of the Proceedings for Wednesday, December 14, 2022.
4. Record of the Proceedings for Thursday, December 15, 2022.
5. Record of the Proceedings for Friday, December 16, 2022.

b) ADMINISTRATIVE SERVICES:

6. Personal Services Agreement with Skagit Tourism Bureau to undertake all duties outlined in Interlocal Cooperative Agreement No. C20200219 between Skagit County, the Cities and Towns in Skagit County for the joint establishment of the Skagit County Tourism Promotion Area. Compensation shall be up to, but not exceed 100% of the monthly revenue received by Skagit County. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
7. Resolution authorizing the County Administrator to accept the terms of the Portal Account Holder Agreement and any other documents necessary to accept opioid funding.
8. Personal Services Agreement with PFM Financial Advisors LLC to provide financial advisory and consulting services to the County for all debt planning and financing services initiated by the County during the contract period. Compensation is based on a fee schedule and shall not exceed \$100,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.
9. Amendment No. 1 to Personal Services Agreement No. C20220614 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 resources issues. This Amendment increases compensation from \$60,000 to an amount not to exceed \$65,000 to reflect additional services performed. All other terms and conditions of the original Agreement shall remain in effect. 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.

c) ASSIGNED COUNSEL:

10. Personal Services Agreement with Ronald Heiman, Attorney at Law, to provide consultation and representation for cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and that have been determined to be within the scope of indigent defense. Case referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. Cases include Class A, Class B, and Class C felonies, homicides, dependency type cases, misdemeanors and gross misdemeanors for adults and juveniles. Compensation is based on a reimbursement fee schedule and shall not exceed \$200,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.
11. Personal Services Agreement with Jason Smith, Attorney at Law, to provide consultation and representation for cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and that have been determined to be within the scope of indigent defense. Case referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. Cases include Class A, Class B, and Class C felonies, homicides, dependency type cases, misdemeanors and gross misdemeanors for adults and juveniles. Compensation is based on a reimbursement fee schedule and shall not exceed \$200,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.
12. Personal Services Agreement with Trena Berton, Attorney at Law, to provide consultation and representation for cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and that have been determined to be within the scope of indigent defense. Case referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. Cases include Class A, Class B, and Class C felonies, homicides, dependency type cases, misdemeanors and gross misdemeanors for adults and juveniles. Compensation is based on a reimbursement fee schedule and shall not exceed \$100,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.

d) BUDGET AND FINANCE:

13. Interlocal Cooperative Agreement with the City of Mount Vernon to assist in providing library materials to the residents of unincorporated Skagit County during 2022. Compensation shall not exceed \$13,701. The Agreement shall commence on the date of execution and continue until December 31, 2022.

14. Interlocal Cooperative Agreement with the City of Anacortes to assist in providing library materials to the residents of unincorporated Skagit County during 2022. Compensation shall not exceed \$15,297. The Agreement shall commence on the date of execution and continue until December 31, 2022.
15. Funding Agreement with Camp Korey which awards \$3,000 of Lodging Tax Funds to support marketing and advertising as authorized by Resolution No. R20220205. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.

e) FACILITIES MANAGEMENT:

16. Interlocal Cooperative Agreement with the City of Mount Vernon to provide additional parking options in the downtown area in exchange for use of approximately 17,275 square feet in the County-owned parking lot located at 108 Broadway Street in Mount Vernon to use as a contractor staging area to benefit the Library Commons Project. The Agreement shall commence on the date of execution and continue until the substantial completion of the Library Commons construction or January 1, 2025, whichever is sooner. There is no monetary amount associated with this Agreement.
17. Temporary Construction Easement with the City of Mount Vernon for the use of approximately 17,275 square feet in the County-owned parking lot located at 108 Broadway Street in Mount Vernon to use as a contractor staging area to benefit the Library Commons Project. The Agreement shall commence on the date of execution and continue until the substantial completion of the Library Commons construction or January 1, 2025, whichever is sooner. There is no monetary amount associated with this Agreement.

f) INFORMATION SERVICES:

18. Interlocal Agreement with the City of Mount Vernon to provide Skagit 21 governmental broadcast television station with up to 250 hours of video production services. Compensation shall not exceed \$18,750 plus applicable sales tax. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.

g) OFFICE OF JUVENILE COURT:

19. Skagit Detention Center Educational Program Agreement for Educational Instructional Services with Northwest Educational Service District 189. There is no monetary amount associated with this Agreement. The Agreement is ratified to commence on September 1, 2022 and continue until August 31, 2023.

h) PROSECUTING ATTORNEY:

20. Resolution setting bonds of public officials pursuant to RCW 36.16.050.

i) PUBLIC HEALTH:

21. Personal Services Agreement with Mount Baker Presbyterian Church to plan, manage, and operate a temporary, seasonal shelter at the Community Blessings Initiatives Center located at 44942 State Route 20 in Concrete. Compensation is based on reimbursement for eligible expenses and shall not exceed \$110,500. The Agreement is ratified to commence on December 1, 2022 and continue until March 31, 2023.
22. Subaward Agreement with Opportunity Council to provide three (3) individual efforts to address the disproportionate impacts of COVID-19 on households and communities in Skagit County. Compensation is based on a reimbursement schedule and shall not exceed \$874,651. The Agreement is ratified to commence on November 1, 2022 and shall continue until December 31, 2024.
23. Personal Services Agreement with Mount Baker Presbyterian Church to provide Medication-Assisted Treatment (MAT) related prescriptions for Skagit County residents who meet eligibility requirements. Compensation is based on reimbursement for MAT-related prescriptions and shall not exceed \$5,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
24. Interlocal Cooperative Agreement with the City of Anacortes. Skagit County will provide nutrition programming at the Anacortes Senior Activity Center. The City of Anacortes will oversee and provide comprehensive programming and operational support services at the Anacortes Senior Activity Center. The County will pay the City an amount not to exceed \$104,805. The City will pay the County an amount not to exceed \$39,750. The Agreement shall commence on January 1, 2023 and continue through December 31, 2023.
25. Personal Services Agreement with Catholic Community Services of Western Washington to provide services to individuals enrolled in Skagit County Family Recovery Court. Compensation is based on a reimbursement schedule and shall not exceed \$20,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.

26. Personal Services Agreement with Catholic Community Services of Western Washington to provide outpatient substance use disorder treatment related services to County residents who meet eligibility requirements. Compensation is based on a reimbursement fee schedule and shall not exceed \$40,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
27. Personal Services Agreement with Skagit Radiology to provide services for the clients of the County's Tuberculosis Control Program. Compensation is based on fee schedule and shall not exceed \$20,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
28. Resolution delegating to the North Star Leadership Team the responsibility for overseeing the development of the FY 2023-2024 competitive solicitation process used to award grants to qualified service providers, including establishing priorities, criteria, and a scoring methodology based on North Star principles and the Vital Conditions framework.
29. Memorandum of Understanding (MOU) between North Sound Region Participating Local Governments and North Sound Behavioral Health Administrative Services Organization (NSBH-ASO) for the purpose of establishing the Opioid Abatement Council as required by One WA MOU and related settlement documents. The MOU shall commence on the date of execution. There is no monetary amount associated with this MOU.
30. Personal Services Agreement with NAMI Skagit to provide education and outreach to individuals living with mental illness. Compensation is based on a fee schedule and shall not exceed \$25,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
31. Resolution to authorize the Skagit County Administrator or Deputy Administrator to execute the TEDRA Agreement and other documents related to the Estate of Joan Bissell.

j) PUBLIC WORKS:

32. Resolution initiating County Road Projects (CRP) and assigning CRP numbers.
33. Resolution to adopt the 2022 Annual Construction Program, Revision No. 2.
34. Amendment No. 1 to Personal Services Agreement No. C20220023 with Natural Systems Design to provide as-needed support (on an on-call task assignment basis) for management and administration of non-federally funded capital flood, stormwater, and drainage projects. This Amendment extends the term of the Agreement from December 31, 2022 to December 31, 2023. This Amendment also updates the fee schedule to 2023 rate schedule. Compensation remains the same and shall not exceed \$100,000. All other terms and conditions of the original Agreement shall remain in effect.
35. Amendment No. 3 to Personal Services Agreement No. C20200185 with Northwest Center Services, dba Lithtex NW (formerly known as Lithtex NW, LLC) to provide bulk mailing services for projects and programs, such as the Clean Samish Initiative, Lake Management District newsletters, public meeting invitations, and landowner outreach correspondence. This Amendment extends the term of the Agreement from December 31, 2022, to December 31, 2023. Compensation is increased by an additional \$4,000 for a new compensation amount not to exceed \$29,000. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.
36. Puget Sound Energy (PSE) Facilities Contract for the improvements of the signalization for the Marblemount Bridge which will transition the signals from solar charged battery power to PSE power. Compensation shall not exceed \$16,968.32 plus applicable sales tax. The Agreement shall commence on the date of execution and continue until November 7, 2023.
37. Amendment No. 1 to Vendor Services Agreement No. C20210243 with United Site Services of Nevada, Inc. to furnish and maintain portable toilet units at Guemes Ferry Dock, Ovenell Transfer Station, Sauk Transfer Station, Bonnar's Trading Post, Clear Lake Transfer Station, Bayview Edison Road/W. Edison Lane Intersection, and four county-owned units in the Burlington Yard. This Amendment extends the term of the Agreement from May 24, 2023 to May 24, 2024. Compensation is increased from \$24,000 to an amount not to exceed \$48,000. All other terms and conditions of the original Agreement shall remain in effect.
38. Personal Services Agreement with KPFF, Inc. to evaluate the current rate structure for the Guemes Island Ferry system and make recommendations for rate adjustments planned for 2023. Compensation is based on a fee schedule and shall not exceed \$111,800. The Agreement shall commence on the date of execution and continue until June 30, 2023.
39. Overhead Area/Flood Light Contract with Puget Sound Energy (PSE) to add two (2) flood lights to existing poles at the intersection of 6th Street and I Avenue in Anacortes. Construction costs do not apply. Area lighting service will be provided for a minimum of 96 months and will continue until terminated.

k) SHERIFF:

40. Amendment No. 1 to Vendor Services Agreement No. C20200652 with Modern Cleaners of Skagit Valley, LLC to provide laundering, dry cleaning, and sewing of Sheriff's Office employee uniforms. This Amendment increases compensation by an additional \$5,000 for a new compensation amount not to exceed \$25,000, due to the unexpected impacts of the COVID-19 pandemic. The term is extended and shall expire on December 31, 2023. All other terms and conditions of the original Agreement shall remain in effect.
41. Intergovernmental Agreement with Washington State Parks and Recreation Commission, Agreement No. MLE 123-465 to award funds for recreational boating enforcement and education and to set forth the deliverables under the Federal Financial Assistance Grant. Compensation to Skagit County shall not exceed \$11,564.70. Skagit County will provide 25% (\$2,891.18) of the total project cost as a cost-sharing match. The Agreement shall commence on the date of the last signature and continue until September 30, 2023.
42. Purchased Services Agreement with the Humane Society of Skagit Valley to provide kennels for animals on a seven (7) day per week basis for care and feeding of all animals brought in by County representatives. Compensation is based on a fee schedule and shall not exceed \$60,000 per calendar year. The Agreement shall commence on January 1, 2023 and continue until December 31, 2027.
43. Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0343 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 October 1, 2022 and continue until September 30, 2023.
44. Amendment No. 4 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 increases compensation to Skagit County by \$267.79 for a new total compensation amount not to exceed \$7,047.10. 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.

2. MISCELLANEOUS AGENDA (items 1 - 7):

a) PARKS, RECREATION AND FAIR:

1. Amendment No. 3 to Funding Agreement No. C20170111 with Skagit Land Trust (SLT) to provide reimbursement funding, at the rate of \$90 per hour, in exchange for the SLT providing assistance with the acquisition and permanent protection of lands in Skagit County that will contribute to a corridor for the County's planned Centennial Trail. This Amendment extends the term of the Agreement from December 31, 2022 to December 31, 2024. Compensation remains the same and shall not exceed \$50,000 which is funded through the Special Pathways Fund 102 that is funded directly from gasoline tax revenues. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.
2. Resolution to dedicate funds for the restoration of the Tommy Thompson Trail.
3. Amendment No. 5 to Funding Agreement No. C20160329 with Skagit Land Trust to provide funding for negotiating and securing a County public trail access to Big Rock Park. The County public trail access route is not yet determined and will need to be negotiated via easement, boundary line adjustment, and/or fee simple purchase. This Amendment extends the term of the Agreement from December 31, 2022 to December 31, 2024. Compensation remains the same and shall not exceed \$50,000. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.

b) PUBLIC HEALTH:

4. Personal Services Agreement with Community Action of Skagit County to provide administration of the Tenant-Based Rental Assistance Program (TBRA) for individuals who have behavioral health disorders and to provide case management support for households receiving assistance through the TBRA Program. Compensation shall not exceed \$30,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2023.
5. Funding Agreement with Housing Authority of Skagit County Mount Vernon Farmworker LLLP to provide funding for planning, acquisition, and construction of an affordable housing project as described in Exhibit "A". Compensation shall not exceed \$661,848. The Agreement shall commence on the date of execution and recording the Declaration of Restrictive Covenant and Deed of Trust with the Skagit County Auditor and shall terminate on completion of the Project, which shall occur no later than October 31, 2026.

c) PUBLIC WORKS:

6. Resolution to approve the Guemes Island Ferry Fourteen-Year Capital Improvement Plan for 2023-2036.
7. Farmland Legacy Program Grant Deed of Conservation Easement between Phillip Y. Wynne, Grantor, and Skagit County, Grantee. The Conservation Easement protects 25.48 acres of agricultural land Parcel number P33800 and eliminates one (1) residential development right for compensation in the amount of \$85,000. The Conservation Values include protection of agricultural productivity and the protection of prime and important agricultural soils. The Agreement commences on mutual execution and continues in perpetuity.