

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, OCTOBER 17, 2022:

- a) 8:45 a.m. - 9:45 a.m. Briefing - Public Works, Public Health, and Department of Emergency Management
- b) 11:00 a.m. - 12:00 p.m. Monthly Briefing with Planning and Development Services
- c) 12:00 p.m. - 1:00 p.m. Washington State Association of Counties (WSAC) Virtual Assembly hosted by WSAC
- d) *1:30 p.m. Pledge of Allegiance
- e) *1:30 p.m. - 2:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items:
 - 1. Public Comment (Specifically related to the agenda item)
- f) 2:30 p.m. - 4:30 p.m. Executive Session (None Scheduled as of the Date of this Notice)

II. TUESDAY, OCTOBER 18, 2022:

- a) 7:00 a.m. Skagit County Employees' Open House
- b) *8:30 a.m. Pledge of Allegiance
- c) *8:30 a.m. - 9:30 a.m. Public Works - Grace Kane, Director:
 - 1. Public Hearing to Consider Testimony Regarding the Intent to Vacate a Portion of County Right-of-Way known as Lindegren Road, County Road No. 79200
 - 2. Possible Action: Resolution to Vacate a Portion of County Right-of-Way known as Lindegren Road, County Road No. 79200
 - 3. Lorenzen Creek Presentation
 - 4. Miscellaneous
- d) *9:30 a.m. - 10:15 a.m. Assessor's Office:
 - 1. Presentation by Chief Deputy Assessor/Levy Officer Annette DeVoe Regarding the Intent to Increase Fees for Designated Forest Land and Current Use Classification Applications
 - 2. Public Hearing Regarding the Intent to Increase Fees for Designated Forest Land and Current Use Classification Applications
 - 3. Possible Action - Resolution to Approve an Increase in Fees for Designated Forest Land and Current Use Classification Applications
- e) *10:30 a.m. - 12:00 p.m. Snohomish, Whatcom, Island, San Juan, and Skagit (SWISS) Discussion (Attend in-person or remote by computer, tablet, or smartphone: <https://wsac-org.zoom.us/j/82471787420?pwd=cmdUQUVSLzQzeDBUcEUrRzQxM3JVZz09&from=addon>; or +12532158782,,82471787420#,...*337567#; or Call-In: 1 (253) 215 8782; Meeting ID: 824 7178 7420; Passcode: 337567)
- f) 4:00 p.m. Skagit County Employees' Open House

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III. WEDNESDAY, OCTOBER 19, 2022:

- a) 9:00 a.m. - 9:45 a.m. Executive Session (Review Qualifications of Job Applicant - RCW 42.30.110(1)(g))
 - 1. Call Public Meeting to Order/Roll Call
 - 2. Executive Session (Review Qualifications of Job Applicant - RCW 42.30.110(1)(g))
 - 3. Reconvene Public Meeting/Adjournment
- b) 9:45 a.m. - 10:30 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))
 - 3. Reconvene Public Meeting/Adjournment
- c) 11:00 a.m. Skagit Transit Board of Directors Meeting (Burlington City Hall, Council Chambers, 833 South Spruce Street, Burlington or join the meeting from your computer, tablet, or smartphone: <https://us02web.zoom.us/j/86092215677>, Meeting ID: 860 9221 5677 or dial in: 1 (253) 215-8782)
- d) 1:00 p.m. Skagit Council of Governments Transportation Policy Board Meeting (Burlington Council Chambers, 833 South Spruce Street, Burlington or join the meeting from your computer, tablet, or smartphone: <https://meet.goto.com/468843821>, dial in: 1 (866) 899-4679, Access Code: 468-843-821)

IV. THURSDAY, OCTOBER 20, 2022:

- a) 11:00 a.m. - 12:00 p.m. Commissioners Briefing
- b) 5:30 p.m. Skagit Women's Alliance and Network (SWAN) 2022 Women of the Year Banquet (Swinomish Casino and Lodge, 12885 Casino Drive, Anacortes)

V. FRIDAY, OCTOBER 21, 2022:

- a) 8:30 a.m. - 10:30 a.m. Work Session with Budget and Finance
- ~~b) 10:00 a.m. - 11:00 a.m. Executive Session (Review Qualifications of Job Applicant - RCW 42.30.110(1)(g))~~ **Cancelled**
 - ~~1. Call Public Meeting to Order/Roll Call~~
 - ~~2. Executive Session (Review Qualifications of Job Applicant - RCW 42.30.110(1)(g))~~
 - ~~3. Reconvene Public Meeting/Adjournment~~

FUTURE PUBLIC HEARING:

Tuesday, October 25, 2022, 11:00 a.m. To Consider Testimony Regarding the Proposed Establishment and Adoption of Policies and Procedures for Operating Small Unmanned Aircraft Systems (SUAS) by the Skagit County Public Works Department

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, OCTOBER 17, 2022 (items 1 through 22):

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, October 10, 2022.
2. Record of the Proceedings for Tuesday, October 11, 2022.
3. Record of the Proceedings for Wednesday, October 12, 2022.
4. Record of the Proceedings for Thursday, October 13, 2022.

b) ASSIGNED COUNSEL:

5. Personal Services Agreement with Wendy Wall, 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.
6. Personal Services Agreement with Wendy Wall, 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 those under the Uniform Guardianship Act RCW 11.130.200. Compensation is based on a reimbursement fee schedule and shall not exceed \$150,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2024.

c) AUDITOR:

7. Personal Services Agreement with Key Benefit Concepts, LLC to address requirements under the Governmental Accounting Standards Board (GASB) Statements 74 and 75; prepare an updated measurement of the County's Other Post-Employment Benefits (OPEB) liabilities; quantify the County's liabilities and utilize the findings to strategize for long-term planning for fiscal years 2023, 2024, 2025, and 2026. Compensation is based on a fee schedule and shall not exceed \$15,000. The Agreement shall commence on January 1, 2023 and continue until December 31, 2026.

d) BUDGET AND FINANCE:

8. Amendment No. 2 to Interlocal Cooperative Agreement No. C20190343 with SkagitNet, LLC to award \$500,000 of Economic Development/Public Facilities Project grant funds for the Town of Concrete portion of the Skagit County Fiber Optic Network. This Amendment updates the scope of work and extends the term from October 31, 2022, to June 30, 2023 to complete construction and closeout procedures. Compensation remains unchanged and shall not exceed \$500,000. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.
9. Amendment No. 2 to Interlocal Cooperative Agreement No. C20190344 with SkagitNet, LLC to award \$500,00 of Economic Development/Public Facilities Project grant funds for the Hamilton, Concrete and Darrington portions of the Skagit County Fiber Optic Network. This Amendment updates the scope of work and extends the term from October 31, 2022, to June 30, 2023 to complete construction and closeout procedures. Compensation remains unchanged and shall not exceed \$500,000. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.
10. Amendment No. 2 to Interlocal Cooperative Agreement No. C20200455 with SkagitNet, LLC to award \$839,437.80 of Economic Development/Public Facilities Project grant funds to support the completion of the Skagit County Fiber Optic Network - Segment 4. This Amendment updates the scope of work and extends the term from October 31, 2022, to June 30, 2023 to complete construction and closeout procedures. Compensation remains unchanged and shall not exceed \$839,437.80. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect.

e) CORONER:

11. Memorandum of Agreement with SightLife regarding recovery of anatomical gifts that meet medical suitability criteria for two non-profit tissue recovery agencies in Washington State pursuant to RCW 68.64.190. SightLife will reimburse the Skagit County Coroner \$100 for facility use for each eye tissue recovery. The Agreement is ratified to commence on October 10, 2022 and continue for a three (3) year term and shall renew automatically for additional one (1) year terms, unless terminated.

f) DEPARTMENT OF EMERGENCY MANAGEMENT:

12. Resolution authorizing, designating, and delegating the Skagit County Board of Commissioners' Chair (currently Peter Browning or such person[s] subsequently serving as the successive Chair[s] of the Skagit County Board of Commissioners to serve as the Chair of the Emergency Management Compensation Board.

g) DISTRICT COURT:

13. Interlocal Cooperative Agreement with the City of Sedro-Woolley to formalize the relationship of the City and the County regarding the provision of District Community Court services to the City. The City shall compensate the County \$650 per month (\$325 per docket) for 2 dockets per month. Each Community Court Docket shall be limited to 15 total clients. The Agreement shall commence on January 1, 2023 and continue until December 31, 2025.

h) FACILITIES MANAGEMENT:

14. Standard Form Agreement AIA Document B103 with Alana, Buick and Bers, Inc. to provide project design, bid specifications, and construction management for the fourth (4th) floor demolition and re-roof of the Skagit County Courthouse located at 205 West Kincaid Street in Mount Vernon. The Agreement will commence on the date of execution and continue until project completion. Total compensation shall not exceed \$415,720.

i) PLANNING AND DEVELOPMENT SERVICES:

15. License/Use Agreement with the Federal Emergency Management Agency (FEMA) to use a two-story building with adjacent parking lot at 1800 Continental Place in Mount Vernon. FEMA will use the premises to meet and work with Skagit County staff on a project to promote community resilience to disaster. There is no cost associated with this Agreement. The Agreement shall commence on the date of execution and continue until December 31, 2022.

j) PUBLIC HEALTH:

16. Amendment C to Interagency Grant Agreement No. C20210338 with the Washington State Department of Commerce through the Community Services and Housing Assistance Division Unit, Contract No. 22-46108-26 to provide resources to assist people who are experiencing homelessness obtain and maintain stability. This Amendment increases funding by \$78,895 for a new total compensation amount to Skagit County not to exceed \$2,949,142. The term remains the same and shall continue until June 30, 2023. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect.
17. Interlocal Cooperative Agreement with Concrete School District to fund a school social worker in order to develop and support a Multi-Tiered System of Support (MTSS) practice and teams, increase capacity to implement or maintain programs and practices that prevent or reduce substance use and that target mental health promotion, prevention, and treatment, and to provide workforce development opportunities for district employees addressing behavioral, social and emotional determinants of health and learning. Skagit County shall reimburse the District an amount not to exceed \$101,000. The Agreement shall commence on the date of execution and continue until July 31, 2023.
18. Amendment No. 1 to Personal Services Agreement No. C20220277 with Community Action of Skagit County to staff and operate its ten (10) unit interim housing Family Development Center as outlined in Exhibit "B" of the Agreement. This Amendment increases compensation from \$115,961 to an amount not to exceed \$231,922 and extends the term from December 31, 2022 to June 30, 2023. All other terms and conditions of the original Agreement shall remain in effect.
19. Amendment No. 1 to Personal Services Agreement No. C20220278 with Skagit Domestic Violence and Sexual Assault Services to operate its twenty (20) bed confidential emergency shelter that provides housing for women and children fleeing domestic violence. This Amendment increases compensation from \$29,667.50 to an amount not to exceed \$59,335 and extends the term from December 31, 2022 to June 30, 2023. All other terms and conditions of the original Agreement shall remain in effect.

k) PUBLIC WORKS:

20. Amendment No. 1 to Interlocal Cooperative Agreement No. C20210167, with the City of Sedro-Woolley to work collaboratively on the Cook Road Pedestrian Crossing(s) project, Project #ES63000-10, consisting of a combination of self-actuated flashing lights, advanced warnings signs, and pavement markings. This Amendment reflects the updated project costs after the bids were opened and the lowest responsible responsive bidder, Larry Brown Construction, Inc. was awarded the project by Resolution No. R20220162 on August 29, 2022. The City shall reimburse the County 50% of the project work performed pursuant Schedule A: \$159,483.65; the County shall invoice the City for 100% of contract Project work pursuant to Schedule B: \$23,953.31 and the County shall be responsible for funding 100% of Project work performed pursuant to

Schedule C: \$59,297.31 for a total compensation amount not to exceed \$242,734.27. The term remains the same and shall continue until December 31, 2023. All other terms and conditions of the original Agreement shall remain in effect.

21. Resolution to call for public notice for modification of permit coverage of the Skagit County Transfer and Recycling Station Industrial Stormwater General Permit as required by the Washington Administrative Code (WAC) 173-226-130.
22. Amendment No. 1 to Personal Services Agreement No. C20210009 with Anchor QEA, LLC to provide support through the bid process and completion of construction for the South Fork Delta Channel construction project. This Amendment adds \$34,433 to the compensation to allow QEA to continue to provide construction oversight to the South Fork Restoration Project through the end of the project. The new total compensation shall not exceed \$135,996. 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.

2. MISCELLANEOUS AGENDA (item 1):

a) PROSECUTING ATTORNEY:

1. Resolution authorizing litigation by the Skagit County Prosecuting Attorney to abate public nuisances related and arising from onsite septic code violations by Virginia Blackburn the owner of Skagit County Tax Parcel No. P24329; Han Nguyen the owner of Skagit County Tax Parcel No. P80550 and Bryan S. Ogle and Rakan Alduaij the owners of Skagit County Tax Parcel Nos. P19302 and P19303.