

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 27, 2016**

The Skagit County Board of Commissioners met in regular session on Monday, June 27, 2016, with Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt present.

I. **CALL TO ORDER:**

Chair Janicki called the proceedings to order at 1:30 p.m.

II. **PLEDGE OF ALLEGIANCE:**

Chair Janicki led the gallery in the salute to the flag.

III. **AGENDA:**

- a) *8:30 a.m. - 9:30 a.m. Briefing - County Commissioners/County Administration with Public Works, Planning and Development Services, Parks, Recreation, Fair, and Facilities Management Departments
- b) *9:30 a.m. - 12:00 p.m. Skagit County Emergency Medical Services Delivery Model Advisory Group Meeting No. 4
- c) 1:30 p.m. - 2:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- d) *2:30 p.m. - 3:30 p.m. Executive Session (Potential Litigation - RCW 42.30-110(1)(i))
- e) *3:30 p.m. - 4:15 p.m. Executive Session (Personnel - RCW 42.30.110(1)(f))

IV. **DISCUSSION CONSENT ITEMS:**

V. **CONSENT AGENDA FOR MONDAY, JUNE 27, 2016 (items 1 through 18):**

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 3 through 18, Ratification Agenda items 19 through 26, vouchers and warrants, for Monday, June 27, 2016. (items 1 and 2 were pulled and will be considered on the 7-5-2016 Consent Agenda.) Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) **COMMISSIONERS:**

- 1. Record of the Proceedings for Monday, June 20, 2016. **(This item was pulled and will be considered on a future Consent Agenda.)**
- 2. Record of the Proceedings for Tuesday, June 21, 2016. **(This item was pulled and will be considered on a future Consent Agenda.)**
- 3. Vendor Services Agreement with Skagit Publishing to provide legal printing services. The Agreement shall commence on July 1, 2016, pursuant to Resolution No. R20160104, and continues until June 30, 2017. Compensation shall not exceed \$10.55 per column inch for notices submitted electronically to Skagit Publishing. **(Contract No. C20160268)**

b) **ASSESSOR/TREASURER:**

- 4. Interlocal Cooperative Agreement between Skagit County and the Swinomish Indian Tribal Community concerning the assessment, collection and contribution of Swinomish Trust Improvement Use and Occupancy Taxes, and the administration of County and Tribal tax systems. The Swinomish Indian Tribal Community will pay Skagit County in

the following amounts: \$50,000 to the General Fund for data information services provided; \$53,487 for Emergency Medical Services; and \$32,478 for technology staffing, training and transcription services for the Skagit County Prosecuting Attorney's Office. The Agreement shall commence on the date of execution and shall continue until December 31, 2016, or the date on which all payments are made pursuant to Section 2.1.1 of the Agreement. **(Contract No. C20160269)**

c) FACILITIES MANAGEMENT:

5. AIA Standard Form of Agreement with Carletti Architects, P.S. to provide basic architectural services as described in the Agreement for the design, preparation of construction documents and construction administration for remodeling the Skagit County Parks and Recreation building, located at 1730 Continental Place in Mount Vernon. The Agreement shall commence on the date of execution and shall be completed within 24 months of the date of this Agreement. Compensation shall not exceed \$55,000 which shall be billed on an hourly basis and is based on a fee schedule. **(Contract No. C20160270)**

d) HUMAN RESOURCES:

6. Personal Services Agreement with BMI Audit Services, LLC to provide a dependent audit for health care coverage. The Agreement shall commence on the date of execution and continue until December 31, 2016. Compensation shall not exceed \$13,551 and is based on a fee schedule. **(Contract No. C20160271)**

e) PARKS, RECREATION AND FAIR:

7. Resolution authorizing the submittal of an application for grant funding request to the Recreation and Conservation Office, Aquatic Lands Enhancement Account (ALEA) to assist in financing the cost for the Presentin Park, Bike Camp, Trails, and Off-Channel Habitat Project No. 16-1730. **(Resolution No. R20160170)**
8. Resolution authorizing the submittal of an application to the Recreation and Conservation Office, Washington Wildlife and Recreation Program (WWRP) Water Access, for grant funding assistance from the Washington Wildlife and Recreation Program (WWRP) projects for the Presentin Parking and Day Use Acquisition Project No. 16-1921. **(Resolution No. R20160171)**
9. Resolution authorizing the submittal of an application to the Recreation and Conservation Office, Washington Recreation and Conservation Program Trails, for grant funding assistance from the Washington Wildlife and Recreation Program (WWRP) projects for the Centennial Trail Phase I Project No. 16-1818. **(Resolution No. R20160172)**

f) PUBLIC HEALTH:

10. Business Associate Agreement with Snohomish Health District (Business Associate) and Skagit County (County) to provide assurances regarding respective County's responsibilities to maintain strict confidentiality under applicable State and Federal laws and regulations relating to the County's patient medical information, financial information, and other patient identifiable health information to which the Business Associate gains access. The Agreement shall commence on the date of execution and shall terminate on the date the County or Business Associate terminates the Agreement pursuant to Section 14. Disclosure is subject to Skagit County Contract No. C20150395. **(Contract No. C20160272)**
11. Subrecipient Agreement for Community Development Block Grant (Public Services Grant) with the Washington State Department of Commerce as authorized by the Federal Department of Housing and Urban Development (HUD) to provide services to low and moderate income persons in East Skagit County. The Agreement shall commence on July 1, 2016, and continue until June 30, 2017. The Department of Commerce provides funds to Skagit County, and the County in turn shall reimburse Community Action of Skagit County an amount not to exceed \$61,689. **(Contract No. C20160273)**

12. Community Development Block Grant (CDBG) Program Public Services Grant Agreement with the Washington State Department of Commerce, Contract No. 16-62210-012 to provide public services through Community Action of Skagit County to low- and moderate-income persons in Skagit County. The Agreement shall commence on July 1, 2016, and expires on June 30, 2017. Compensation to Skagit County shall not exceed \$61,689. **(Contract No. C20160274)**
13. Amendment No. 2 to Personal Services Agreement No. C20150274 with Skagit Preschool and Resource Center, Inc. (SPARC) to provide developmental and disabilities services to Skagit County residents. This Amendment extends the term of the Agreement from June 30, 2016, to June 30, 2017. Compensation for the additional term shall be \$2,000 for a new compensation amount not to exceed \$77,369. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20160086)**
14. Amendment No. 2 to Personal Services Agreement No. C20150344 with Chinook Enterprises to provide "Pathways to Employment" and "Community Access" to individuals with developmental disabilities services in Skagit County. This Amendment extends the term of Agreement from June 30, 2016, to June 30, 2017. Compensation for the additional term shall be \$71,128 for a new compensation amount not to exceed \$677,242. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160087)**

g) PUBLIC WORKS:

15. Amendment No. 2 to Interagency Agreement Contract No. K1710, Skagit County contract No. C20150391, (between Skagit County and its agent the Skagit County Noxious Weed Control Board, and the Washington State Department of Agriculture (WSDA) to provide the County and its agent funding for the necessary personnel, equipment, materials, and services to perform Spartina control and eradication as described in Attachment "A". This Amendment increases compensation by \$15,000 in order to accomplish the Spartina eradication activities. The term remains the same, ending June 30, 2017. Total compensation from WSDA to Skagit County shall not exceed \$65,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160088)**
16. Vendor Services Agreement with Northwest Tank and Environmental Services to calibrate the fuel dispensers at each of the following sites: Burlington Shop, eight (8) dispensers; Sheriff's Office, one (1) dispenser; and Concrete Shop, two (2) dispensers. The compliance testing is needed in order to comply with appropriate Federal, State, County, and Municipal Agencies. The Agreement shall commence on the date of execution and shall continue for one year from the date of execution. Compensation shall not exceed \$2,400. **(Contract No. C20160275)**
17. Memorandum of Agreement with the Washington State Department of Ecology (Ecology) to authorize Skagit County to train and certify staff as Certified Erosion and Sediment Control Lead (CESCL). Skagit County needs to train staff to remain in compliance with the National Pollution Discharge Elimination System (NPDES) permit requirements, especially as it applies to County projects. The Regional Road Maintenance Program (RRMP) has worked with Ecology to create an approved presentation for both the eight (8) hour classroom and the eight (8) hour field session. Upon successful completion of training, the CESCL certification is valid for three (3) years. The Agreement shall commence on July 1, 2016, and continue until July 1, 2019. There is no compensation associated with this Agreement. **(Contract No. C20160276)**
18. Construction Contract Agreement with Lakeside Industries, Inc. for the HMA Overlay Project #ESA016-1, pursuant to Resolution No. R20160149 to award the bid which was executed on May 23, 2016. The HMA Overlay Project EESA016-1 will be for the resurfacing of Fir Island Road between the South Fork Bridge and Dry Slough Road. The work performed under this contract includes: planing of existing pavement and hauling planed material to a County owned pit; application of a wearing course over the existing roadway; providing erosion control, trimming and cleanup, traffic control, and signage. The Agreement shall commence on the date of execution and continue until completion. Compensation shall not exceed \$475,721.50. **(Contract No. C20160277)**

VI. RATIFICATION AGENDA (items 19 through 26):

a) PARKS, RECREATION AND FAIR:

19. Resolution authorizing the ratification of a Vendor Services Agreement with Donald K. Moore Construction, Inc. to make the necessary structural repairs to correct dry rot damage to the lower restroom building at Howard Miller Steelhead Park, located at 52804 Rockport Park Road in Rockport. Due to undetected dry rot in the door and wall of the lower restroom building, Parks and Recreation staff determined that such damage could compromise the safety of the park patrons and a contractor was hired to immediately make repairs prior to having a contract in place. **(Resolution No. R20160173)**
20. Vendor Services Agreement with Donald K. Moore Construction, Inc. to make the necessary structural repairs to correct dry rot damage to the lower restroom building at Howard Miller Steelhead Park located at 52804 Rockport Park Road in Rockport. The Agreement commenced on May 23, 2016, and shall continue for one year from the date of execution. Compensation shall not exceed \$4,190.92. **(Contract No. C20160278)**

b) PUBLIC WORKS:

21. Resolution authorizing the ratification of a Restoration Funding Agreement with Skagit Land Trust to perform riparian restoration work in the Illabot Creek area. The project is designed to improve the riparian area and water quality around Illabot Creek. Skagit Land Trust (SLT) procured a Salmon Recovery Funding Board (SFB) grant to partially fund the project and the County agreed to provide a match for the remaining amount. Although, the Restoration Funding Agreement had not been executed, Skagit County Public Works Department staff has been providing project services (as grant match funding) since March 10, 2015. **(Resolution No. R20160174)**
22. Restoration Funding Agreement with Skagit Land Trust (SLT) to perform riparian restoration work in the Illabot Creek area. The Agreement commenced on March 10, 2015, which is the date of the Temporary Construction Easement was signed, and continues through December 31, 2017. SLT procured a Salmon Recovery Funding Board Grant to partially fund the Project, and the County agreed to provide the match for the Grant through restoration work in the amount the amount of \$55,000. As additional restoration work was identified, Project costs exceeded \$55,000, SLT shall reimburse the County in a total amount not exceed \$30,000. The primary purpose of this Agreement is to provide the terms of reimbursement to the County from SLT, through the Grant, for Project expenses incurred by the County related to planning and implementation of the Project in excess \$55,000, but not to exceed \$85,000. **(Contract No. C20160279)**
23. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with Skagit County Drainage and Irrigation Improvement District No. 14 (District) for the replacement of a section of drain pipe from Avon Allen Road to Joe Leary Slough. Properties located within the District recently experienced severe flowing along Avon Allen Road (County Road No. 33110) near Joe Leary Slough and work had to be performed quickly to relieve the flooding, and without first entering into an Agreement with the County. **(Resolution No. R20160175)**
24. Interlocal Cooperative Agreement with Skagit County Drainage and Irrigation Improvement District No. 14 (District) to provide for the replacement of a section of drain pipe from Avon Allen Road (County Road No. 33110) to Joe Leary Slough ditch. The Agreement commenced on April 2, 2016, and shall continue for one (1) year or until the project has been completed. Upon completion of the project, the County shall pay the District a total amount not to exceed \$3,523.51, representing costs incurred by the District for the construction of the project. **(Contract No. C20160280)**
25. Resolution authorizing the ratification of a Vendor Services Agreement with Cummins Inc. to provide engine control components incorporated into the ferry main engines and related materials and technical support to inspect and repair the engines for the Guemes Ferry, M/V Guemes, as authorized by and pursuant to the terms of Sole Source Resolution No. R20160153, dated May 31, 2016. The Public Works Department was in the process of procuring a new contract when unexpected maintenance services were

necessary on the main ferry engine pump on Sunday, May 22, 2016. **(Resolution No. R20160176)**

26. Vendor Services Agreement with Cummins Inc. to provide engine control components incorporated into the ferry main engines and related materials and technical support to inspect and repair the engines for the Guemes Ferry, M/V Guemes, as authorized by and pursuant to the terms of Sole Source Resolution No. R20160153, dated May 31, 2016. The Agreement commenced on May 22, 2016, and shall continue for an initial term of two (2) years, without amendment. At the sole option and discretion of the County, this Agreement may be extended for up to two (2) additional successive terms of one (1) year each but in no event shall the Agreement continue for more than a total of four (4) years from the date of mutual execution (in the event that the County elects to exercise both one year extensions). Compensation shall not exceed \$75,000. **(Contract No. C20160281)**

VII. MISCELLANEOUS AGENDA (items 1 through 3):

a) FACILITIES MANAGEMENT:

1. Grant Program Agreement No. TCPRA-2015-SkCoCA-00049 with the State of Washington Department of Ecology (Ecology) to provide Toxics Cleanup Remedial Action Grant to conduct assessment and cleanup of the Truck City Truck Stop, a brownfield property, to allow for redevelopment as a County Jail. The Truck City Site is located at 3215 Old Highway 99 South in Mount Vernon. The effective date of the Agreement is January 1, 2013, and the expiration date is no later than June 30, 2017. The total cost of the project is \$2,500,000: Ecology will pay Skagit County an amount not to exceed \$2,000,000; and Skagit County's share of the project shall not exceed \$222,222.22. **(Contract No. C20160282)**

A motion was made by Commissioner Wesen to approve Miscellaneous Agenda item No. 1. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

b) PUBLIC DEFENDER:

2. Interlocal Cooperative Agreement with the City of Sedro-Woolley to provide rotating legal representation to arrestees at the 8:30 a.m. preliminary appearance calendar in Skagit County District Court. The Agreement shall commence on July 1, 2016, and continue until December 31, 2016. There is no monetary compensation associated with this Agreement. **(Contract No. C20160283)**

A motion was made by Commissioner Dahlstedt to approve Miscellaneous Agenda item 2. Commissioner Wesen seconded the motion.

The vote passed unanimously.

3. Amendment No. 1 to Preliminary Appearance Agreement No. C20160078 with Mountain Law to provide legal representation to arrestees at the 8:30 a.m. preliminary appearance calendar in Skagit County District Court. The Amendment modifies the Exhibit "A" Scope of Work to authorize the City of Sedro-Woolley to provide rotating legal representation to arrestees at the 8:30 a.m. preliminary appearance calendar in Skagit County District Court. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2016. There is no monetary compensation associated with this Agreement. **(Amendment No. A20160089)**

A motion was made by Commissioner Dahlstedt to approve Miscellaneous Agenda item No. 3. Commissioner Wesen seconded the motion.

The vote passed unanimously.

VIII. VOUCHERS AND WARRANTS:

- a. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing, which has been made available to the Board. As of this date, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:
- a) Warrants numbered 443844 through 444236 from Clearing Fund 696 in the total dollar amount of \$6,252,319.46 (Transmittal No. C-82-16); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$86,490.31 (Transmittal No. C-83-16); and
 - c) Payroll warrants numbered 367372 through 368075 in the total dollar amount of \$1,197,381.34 (Transmittal No. P-25-2016).

IX. ADJOURNMENT:

Chair Janicki adjourned the proceedings at 1:56 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board