



**CITY OF MOUNT VERNON
CITY COUNCIL MEETING
AGENDA**

January 11, 2023, 7:00 p.m.
Police Court Campus, 1805 Continental Place

To virtually attend the meeting, the public may:

1. **Watch the meeting live on TV10:** Comcast/Xfinity Channel 10
2. **Watch the meeting live, online:**
https://www.youtube.com/channel/UCUJob_hcQUmd4S93YkletdrA

I. OPENING CEREMONIES

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Councilmembers

II. COMMUNITY COMMENTS

1. Review of Emails from the Public
(Public comments may be sent via email to communitycomments@mountvernonwa.gov. The comments will be read aloud into the record during the public comment portion of the agenda. Please limit your comments to be read in three minutes or less. Email comments must be received by 4 p.m. on January 11, 2023.)
2. Public Comments
(This is an opportunity for Mount Vernon residents to address their City Council. Please limit comments to three minutes or less. Under normal circumstances, the Mayor and Council will not respond immediately to Community Comments. If you would like someone to follow-up with you regarding the topic of your comments, please leave your name and contact information on the form at the entrance of the Council Chambers. If you are unable to attend the meeting and would like to make your comments via Zoom, please submit a request to speak via email to communitycomments@mountvernonwa.gov or by telephone at 360-419-3253. Requests must be received by 4 p.m. on January 11, 2023.)

III. CONSENT AGENDA

- A. Approval of December 14, 2022, Regular Council Meeting Minutes
- B. Approval of December 20, 2022, payroll checks numbered 111799 – 111815, direct deposit checks numbered 91509 – 91759 and wire transfers numbered 1165 – 1169 in the amount of \$1,509,851.54
- C. Approval of January 5, 2023, payroll checks numbered 111816 – 111839, direct deposit checks numbered 91759 – 92012, and wire transfers numbered 1170 – 1174 in the amount of \$1,276,424.19
- D. Approval of December 28, 2022, Claims numbered 20028 – 20220 in the amount of \$1,680,688.61

- E. Approval of January 11, 2023, Claims numbered 20225 – 20373 in the amount of \$3,305,887.07

IV. REPORTS

- A. Committees
 - 1. Public Works/Library
- B. Councilmember Comments
- C. Mayor's Report
- D. Committee Agenda Requests

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

- A. Presentation – Friendship House
(Friendship House Executive Director Jonathan Kline will provide an update of the agency's recent activities.)
(required action – none)
(staff contact – Peter Donovan)
- B. Approval of Appointments to the Planning Commission
(Staff is requesting approval of the appointments of Mary Mae Hardt and Adair Orr to the Planning Commission.)
(required action – motion)
(staff contact – Darren Groth)
- C. Approval of Agreement – The Johnston Group
(Staff is requesting approval an agreement with The Johnston Group to assist with securing federal funding and support for City projects.)
(required action – motion)
(staff contact – Peter Donovan)
- D. Approval of Agreement Extension – Cara Lorenzo
(Staff is requesting approval of an extension to agreement 4013 with Cara Lorenzo to provide conflict council for public defense services.)
(required action – motion)
(staff contact – Peter Donovan)
- E. Approval of Agreement Amendment – Mountain Law, LLC
(Staff is requesting approval of an amendment to 4269 with Mountain Law, LLC extending the termination date three months.)
(required action – motion)
(staff contact – Peter Donovan)
- F. Approval of Agreement – Volunteers of America Western WA
(Staff is requesting approval of an agreement with Volunteers of American Western WA for Community Development Block Grant funded community services.)
(required action – motion)
(staff contact – Peter Donovan)
- G. Approval of Agreement – Jen Pitner Consulting, LLC
(Staff is requesting approval an agreement with Jen Pitner Consulting, LLC to execute a fundraising campaign to support the costs associated with the Mount Vernon Library Commons Project.)
(required action – motion)
(staff contact – Peter Donovan)

- H. **Approval of Agreement – Evergreen Mountain Bike Alliance**
(Staff is requesting approval an agreement with Evergreen Mountain Bike Alliance for mountain bike trail maintenance.)
(*required action – motion*)
(*staff contact – Jennifer Berner*)

- I. **Winter Road Maintenance Briefing**
(Staff will provide an update of recent snow and ice removal efforts.)
(*required action – none*)
(*staff contact – Chris Phillips*)

- J. **Executive Session**
Legal counsel will discuss matters regarding agency enforcement actions, litigation, or potential litigation to which the City, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the City pursuant to RCW 42.30.110(1)(i).

COMMITTEE MEETINGS

Public Works and Library 6:00 p.m.

Next Ordinance 3865
Next Resolution 1024



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: FRIENDSHIP HOUSE AGENCY UPDATE

RECOMMENDED ACTION:

None

INTRODUCTION/BACKGROUND:

Friendship House serves Mount Vernon and Skagit County residents by providing low clean and sober emergency shelters, one transitional home, one permanent low-income shared-living house, a daily meal service, and an innovative employment training program.

Friendship House also operates the low-barrier, Skagit First Step Center.

Friendship House believes that by treating all people with respect and kindness, they can help them transform their lives into ones of self-sufficiency and abundance.

FINDINGS/CONCLUSIONS:

Jonathan Kline was recently brought on as the Executive Director of Friendship House. Tonight Mr. Kline will update city council on the agency's more recent activities.

RECOMMENDATION:

None

ATTACHED:

None



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Darren Groth
SUBJECT: PLANNING COMMISSION MEMBER CONFIRMATIONS

RECOMMENDED ACTION:

Approve the Mayoral appointments of Mary Mae Hardt and Adair Orr to the Planning Commission for terms expiring on December 31, 2026.

INTRODUCTION/BACKGROUND:

The terms for Commissioners Hardt and Orr expired in December 2022. The Mayor is seeking reappointment for these two commissioners to continue serving on the Mount Vernon Planning Commission for another four-year term.

FINDINGS/CONCLUSIONS:

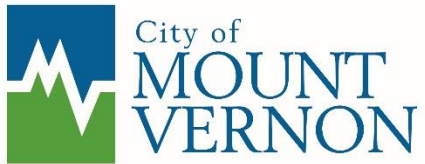
In accordance with MVMC Chapter 2.60, members of the city planning commission shall be appointed by the mayor and confirmed by the city council. The terms of office of the members of the city planning commission shall be four years. This request complies with the established membership appointment requirements for the City's Planning Commission.

RECOMMENDATION:

Confirm the Mayoral appointments.

ATTACHED:

Planning Commission Roster



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: CONTRACT RENEWAL FOR ADVOCACY SERVICES

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

--On July 28, 2021 City Council authorized Mayor Boudreau to enter into an agreement with Johnston Group to assist with securing federal funding and support for City projects, such as the Library Commons Project

--Since the execution of the agreement, Johnston Group has:

- Played a lead role in securing a \$2 million federal appropriation for the MVLC project
- Tracked and analyzed new federal grant programs created under the Bipartisan Infrastructure Bill and the Inflation Reduction Act to determine if the Library Commons Project could qualify for funding as well as other priority projects identified by the City
- Tracked the FY'23 appropriations process and lobby for funding for the Riverside Drive project
- Monitored potential grant opportunities for the City
- Provided advice to the City on its federal and regional legislative and federal funding priorities;
- Researched federal transportation legislation with an eye towards supporting new grant programs within which the Mount Vernon Library Commons Project would qualify

--The expired agreement has provided advocacy and lobbying services for the City at a fixed monthly retainer of \$3,000 per month

- The expired agreement went into effect on August 1, 2021 and expired December 31, 2022.
- This expired agreement took into consideration the experienced and dedicated assistance of the Mayor in many of the tasks listed within the scope of services

FINDINGS/CONCLUSIONS:

--The proposed agreement will provide advocacy and lobbying services for the City at a fixed monthly retainer of \$4,000 per month

--The proposed agreement will retroactively go into effect from January 1, 2023 to December 31, 2024

--The proposed agreement assumes a less active role from Mayor or City staff.

--Johnston Group's work in 2023-24 will require in person meetings in Washington, D.C. and a higher level of advocacy to lobby for federal funding and a resubmittal of the City's RIASE grant application for its Library Commons Project. Without Mayor Boudreau's active involvement in the provision of work described in the current contract, additional support will be needed to manage the City's federal work and bring funding support to the City's projects.

--The expired contract does not include any D.C.-based meetings or travel and was offered at a reduced price to reflect the narrow focus of the engagement centered around the Library Commons project. The proposed retainer increase will cover appropriations lobbying, D.C. based meetings for the City, supporting the RAISE grant application for the Library Commons project, securing the funding for the Riverside Drive project, and helping the City transition to its new Congressional District, among other items.

--The Johnston Group and the City of Mount Vernon will review the scope of work regularly to ensure it is meeting the needs of the City. The Johnston Group will continue to be registered as a federal lobbyist for the City of Mount Vernon and be responsible for all required federal reporting.

RECOMMENDATION:

In light of the past return-on-investment associated with this agreement, staff recommends that Council make a motion to authorize the Mayor to enter into an agreement with Johnston Group for advocacy on the City's federal policy and funding agendas.

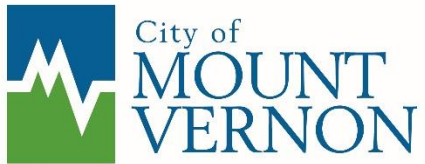
ATTACHED:

--2023 Cover Letter from Johnston Group

--Expired Professional Services Agreement with Johnston Group

--Exhibit A: (2021) Scope of Services

--Exhibit B: (2021) Compensation



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: PUBLIC DEFENSE CONTRACT EXTENSION

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

- The City maintains a roster of “conflict counselors” within the City’s public defense program
- Conflict counselors provide indigent defense services when a conflict exists between a client and an attorney within the City’s primary public defense service provider firm (Mountain Law).
- Cara Lorenzo has been providing outstanding public defense services for the City, as a conflict counselor, since 2021.
- Ms. Lorenzo’s original 1-year contract included (2) 1-year renewal options. That contract was renewed once in 2022

FINDINGS/CONCLUSIONS:

- This proposed 1-year contract renewal is the last remaining renewal option on Ms. Lorenzo’s original agreement
- The agreement provides the same level of compensation
- The agreement expires on December 31, 2023

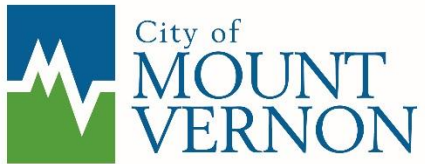
RECOMMENDATION:

Staff recommends that Council authorize the Mayor to enter into this agreement with Cara Lorenzo to extend Ms. Lorenzo’s existing public defense ‘conflict counsel’ agreement.

ATTACHED:

--2nd Amendment to Lorenzo Agreement

--Original Agreement



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: PUBLIC DEFENSE CONTRACT EXTENSION

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

--Mountain Law has consistently provided quality public defense services for the City of Mount Vernon since 2014

--Since that time, the City has twice requested proposals from other public defenders, and found that Mountain Law continued to stand out among its peers in its ability to provide service that exceeds the stringent standards that cities must maintain for their public defense programs.

FINDINGS/CONCLUSIONS:

--With Mountain Law's most recent contract (2020-2022) expiring, the City wishes to extend the contract for a brief period (3 months) to work with outside counsel in assessing the City's overall public defense program.

--During this period, Mountain Law will continue to provide services to the City at the same rate as its current contract permits.

--In 2021, Council approved an amendment to provide additional funding for the hiring of an additional public defender, within Mountain Law, to assist with the significant backlog of cases that built up as a result of the COVID-19 pandemic.

--With the help of outside counsel, the City will assess Mountain Law's performance, review the progress made on the aforementioned backlog, and determine whether a need exists to request qualifications from other providers.

RECOMMENDATION:

Staff recommends that Council authorize the Mayor to extend, by agreement, the City's existing contract with Mountain Law, for an additional 3-month period.

ATTACHED:

- Proposed Draft Addendum (extension)
- Existing 2020-2022 Contract for Indigent Defense Services (expiring)
- Addendum to Contract (2021)



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: CDBG AGREEMENT WITH VOLUNTEERS OF AMERICA WESTERN WA

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

The terms of this agreement were accepted by City Council when Council approved the City's 2022-2023 CDBG Action Plan.

The amount of the agreement (\$17,999) represents 5% of the total annual CDBG allocation to the City.

FINDINGS/CONCLUSIONS:

Volunteers of America will provide services to Mount Vernon residents within the Skagit County juvenile court system.

RECOMMENDATION:

Staff recommends that Council authorize the Mayor to enter into this agreement with Volunteers of America for CDBG-funded community services.

ATTACHED:

Draft Professional Services Agreement



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: AGREEMENT FOR FUNDRAISING CONSULTANT SERVICES

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

- Council approved a Library Associate position in the 2022 City budget, and the position was vacant in 2022 while waiting for a fundraising plan.
- The position was designed to provide marketing/outreach support related to the MV Library Commons project
- This position was designed to be a “hybrid” mix between the Library Foundation (fundraising), and City Library staff (marketing).
- In researching a strategic way forward in the hiring process for this position, staff learned of the substantial benefit of contracting with a Certified Fundraising Executive.

FINDINGS/CONCLUSIONS:

- The City identified a local business with a certified fundraiser, Jen Pitner Consulting, LLC
- Jennifer Pitner has played an instrumental role in local capital campaigns, including the Skagit Family YMCA campaign.
- Staff believes that Jennifer’s extensive knowledge of executing a capital facility campaign; as well as her strong connections within the Skagit community, make her the ideal candidate to step into the role of Capital Campaign Director for the MV Library Commons fundraising effort.
- The Consultant will form a Fundraising Committee, and report monthly to the Library Foundation Board.
- This temporary professional services agreement will expire on December 31, 2023.

- The agreement allows the Consultant to bill the City at an hourly rate, with a 40-hour weekly cap.
- The agreement may be terminated, with notice, at any time prior to the agreement's expiration.
- Any billable hours beyond the City's budgeted allocation for this position will be covered by the Library Foundation.

RECOMMENDATION:

Staff recommends that Council authorize the Mayor to enter into this professional services agreement with Jen Pitner Consulting, LLC for the execution of a capital fundraising campaign.

ATTACHED:

- Draft Agreement with Jen Pitner Consulting, LLC
- Ex. A: Scope of Services
- Ex. B: Compensation



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Jennifer Berner, Parks & Enrichment Services Director
SUBJECT: EVERGREEN MTN BIKE ALLIANCE LANDOWNER AGREEMENT-TRAIL MAINTENANCE

RECOMMENDED ACTION:

Staff recommends Council approve the Mayor to enter into the Landowner Agreement with Evergreen Mountain Bike Alliance for mountain bike trail maintenance.

INTRODUCTION/BACKGROUND:

The purpose of this agreement is to describe the terms, conditions, and obligations agreed upon between Evergreen Mtn. Bike Alliance, who is undertaking projects administered through the Recreation Conservation Office, (RCO), and the City, the landowner on which the property will take place.

Mount Vernon is one of many cities that receives assistance from Evergreen Mountain Bike Alliance for mountain bike trail maintenance. The focus in Mount Vernon is Little Mountain Park. Evergreen will provide 25,000 hours of volunteer labor covering more than 650 miles of popular trails of critical importance to mountain bikers, hikers, and equestrians throughout the region. The result is many miles of high-quality trail maintenance, engagement of community members in protecting and valuing our public lands, as well as generating and educating the next generation of trail stewards.

Evergreen shall obtain permission from the City of Mount Vernon for each trail maintenance project prior to the commencement of work. This has been a past practice and has worked well.

FINDINGS/CONCLUSIONS:

None

RECOMMENDATION:

Staff request approval for the Mayor to enter into a Landowner Agreement with Evergreen Mountain Bike Alliance for collaborative maintenance projects on mountain bike trails.

ATTACHED:

Recreational Trails Program – Landowner Agreement for Maintenance Projects



DATE: January 11, 2023
TO: Mayor Boudreau and City Council
FROM: Chris Phillips, Public Works Director
SUBJECT: 21-23 DECEMBER 2022, REGIONAL SNOW AND ICE EVENT RESPONSE UPDATE

RECOMMENDED ACTION:

None

INTRODUCTION/BACKGROUND:

City staff responded to a significant regional snow and ice event from 21-23 December 2022.

FINDINGS/CONCLUSIONS:

City staff conducted a response assessment before, during and after the regional ice and snow event and provide the following briefing for City Council and Mayor.

RECOMMENDATION:

City Staff will incorporate and/or respond to any City Council comments, questions or concerns.

ATTACHED:

N/A