



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

February 9, 2022, 7:00 p.m.

Police Court Campus, 1805 Continental Place

(Masks are required regardless of vaccination status)

To virtually attend the meeting, the public may:

1. **Call the conference line:** 1-888-924-9240; Access Code: 3366211 (please 'mute' your phone, if possible, to minimize distractions)
2. **Watch the meeting live on TV10:** Comcast/Xfinity Channel 10
3. **Watch the meeting live, online:**
https://www.youtube.com/channel/UCUob_hcQUmd4S93YkletdrA

I. OPENING CEREMONIES

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

II. CONSENT AGENDA

- A. Approval of January 26, 2022 Regular Council Meeting Minutes
- B. Approval of February 5, 2022 payroll checks numbered 111147 - 111170, direct deposit checks numbered 86281 - 86522, and wire transfers numbered 1060 - 1064 in the amount of \$1,034,177.18
- C. Approval of February 9, 2022 Claims numbered 16499 – 16502, 16509 and 16517-16637 in the amount of \$700,961.26
- D. Approval of Dark Fiber Lease agreement with NoaNet

III. REPORTS

- A. Committees
 1. Public Works and Library
 2. Public Safety
- B. Department
 1. Library Update
- C. Community Comments
 1. Review of Emails from the Public
(Public comments may be sent via email to council@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 February 9, 2022.)
 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.)

- D. Councilmember Comments
- E. Mayor's Report
- F. Committee Agenda Requests

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

A. Public Hearing – Community Development Block Grant (CDBG) 2022-2023 Action Plan

(This is an open record public hearing to obtain the views of residents and other interested parties on the housing and non-housing community development needs of the City prior to preparing a draft CDBG 2022-2023 Action Plan.)

(required action – none)

(staff contact – Peter Donovan)

B. Authorization to Purchase Cyber Security Services

(Staff is requesting authorization to purchase cyber security services from Critical Insight.)

(required action – motion)

(staff contact – Kim Kleppe)

C. Approval of Agreement with PH Consulting

(Staff is requesting approval of Amendment No. 2 to agreement #3624 with PH Consulting for the N. 4th Street/Riverside Drive Railroad Crossing Project.)

(required action – motion)

(staff contact – Bill Bullock)

D. Approval of Agreement with Washington State Department of Ecology

(Staff is requesting approval of an agreement with Washington State Department of Ecology for the FY2021-2023 Water Quality Stormwater Capacity Grant.)

(required action – motion)

(staff contact – Blaine Chesterfield)

E. Approval of Agreement with Transpo Group

(Staff is requesting approval of Amendment No.1 to agreement #4081 for Right of Way services on the Hoag/LaVenture Intersection Improvements Project.)

(required action – motion)

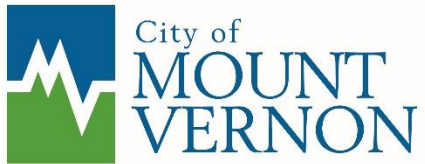
(staff contact – Blaine Chesterfield)

COMMITTEE MEETINGS

Public Works and Library

6:00 p.m.

Next Ordinance 3844
Next Resolution 1007



DATE: February 9, 2022
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Project Development Manager
SUBJECT: OPEN RECORD PUBLIC HEARING FOR 2022-2023 CDBG ACTION PLAN

RECOMMENDED ACTION:

None

INTRODUCTION/BACKGROUND:

- This is an Open Record Public Hearing to obtain the views of citizens and other interested parties on the housing and non-housing community development needs of the City before a draft Community Development Block Grant (CDBG) 2022-23 Action Plan is prepared.
- Each year, the City invites public input on how the City's CDBG funding should be directed.
- The amount of the City's 2022 CDBG allotment has not yet been determined by HUD. In previous years the City's allocation has been:
 - 2021: \$369,122
 - 2020: \$383,000
 - 2019: \$390,000
 - 2018: \$400,488

FINDINGS/CONCLUSIONS:

None

RECOMMENDATION:

None

ATTACHED:

Public Notice of Hearing for 2022 CDBG Action Plan



DATE: February 9, 2022
TO: Mayor Boudreau and City Council
FROM: Kim Kleppe, IS Director
SUBJECT: Purchase of Cyber Security Services

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to purchase services from Critical Insight

INTRODUCTION/BACKGROUND:

- The city is in need of additional support for Cyber Security to help to be in compliance with the State of Washington to have managed services.
- After having the audit done by the State of Washington last June we have been working on ways to tighten things up
- Current staffing is backlogged and to really have good Cyber Security you need dedicated staff just to handle this
- After reviewing seven companies over the last five months that provide these services and based on the current staffing and needs we have selected Critical Insight.
- As the volume, variety, and sophistication of cybersecurity threats increase exponentially, organizations struggle to maintain security operations centers staffed with highly skilled personnel and resources. An ESG survey reveals 72% of SOCs report analytics are more difficult than two years ago. Cybersecurity talent is not keeping up with organizational demands. The same survey cites 58% of organizations cite employee skills as a key security effectiveness gap. As a result, Managed Detection and Response vendors provide a cost-effective menu of services designed to improve an enterprise's cybersecurity defenses and minimize risk without an upfront cybersecurity investment.

FINDINGS/CONCLUSIONS:

- After reviewing seven companies over the last five months that provide these services and based on the current staffing and needs, we have selected Critical Insight as our MDR (Managed Detection and Response),

-MDR services provide higher skill-level analysts utilizing cutting-edge security tools and up-to-the-minute global databases beyond the reach and cost effectiveness of most enterprise budgets, skill levels, and resources. Thus, helping keep pace with continually evolving adversarial tactics and techniques.

- MDR services are not limited to greater detection and response capabilities. They also provide proactive defense intelligence and insight of advanced threats to potentially overwhelmed security teams. Detection levels are improved while dwell time of breaches are reduced. Compliance challenges also can be met using MDR services providing full stakeholder reporting and log retention on a wide range of regulations and standards.

- Critical Insight meets the requirements as a qualified MDR

- Annual cost for services \$40,105.81 which includes tax. ARPA funding available for this expense.

-The contract can also be purchase on the WSIPC SECURITY CONTRACT #: 18-03

-The cost of this serve is less than half the cost of an employee and with a greater skillset, since it brings multiple employees with more skillsets and knowledge

RECOMMENDATION:

Staff recommends approval to purchase services with Critical Insight for the amount of \$40,105.81 for MDR services with Critical Insight.

ATTACHED:

Service Quote



DATE: February 9, 2022

TO: Mayor Boudreau and City Council

FROM: William Bullock, PE – City Engineer

SUBJECT: PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 2: N 4TH STREET/RIVERSIDE DRIVE RAILROAD CROSSING IMPROVEMENTS

RECOMMENDED ACTION:

Staff recommends amending the Professional Services Agreement with PH Consulting to provide additional services required to finalize the N 4th Street/Riverside Drive Railroad Crossing Improvements project.

INTRODUCTION/BACKGROUND:

This project installs two new concrete at grade crossing systems on Riverside Drive and ADA compliant crossings, and improved roadway alignment. This project began construction in 2019 and surface improvements were substantially complete in summer of 2020. A variety of issues impacted construction schedule but primarily began when BNSF elected to relocate the control bungalow to the west side of Riverside Drive contrary to the design plans. This required a redesign effort to the wayside horn (which connects to the bungalow) and new right of way easements from BNSF to the City and Puget Sound Energy. Intermixed with the challenges of COVID, this effort was the primary delay in project completion. Currently, there are two corrective actions to ADA ramps that will be resolved in the next weather window and a final inspection from the UTC before final project closeout.

FINDINGS/CONCLUSIONS:

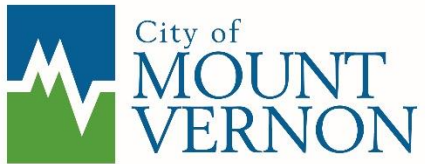
Despite these delays, the project is still within its overall budget. The construction contract with JAG Corporation (Construction Contractor) was for \$479,961.75; total amount expended to date is \$411,371.49 (surplus of \$68,590.26). The additional expenses incurred by PH Consulting to continue managing/coordinating the low-level project activity over the last year and a half and finalize project closeout is \$49,200 (see attached). Shifting the remaining construction budget to construction management will cover the additional costs incurred by PH Consulting.

RECOMMENDATION:

Motion to authorize the Mayor to amend the contract with PH Consulting to provide additional services required to finalize the N 4th Street/Riverside Drive Railroad Crossing Improvements project for an additional amount of \$49,200 for a new contract amount not to exceed \$279,035.32.

ATTACHED:

1. Draft Contract Supplement No. 2



DATE: February 9, 2022

TO: Mayor Boudreau and City Council

FROM: Blaine Chesterfield, Engineering Manager

SUBJECT: FY2021-23 WATER QUALITY STORMWATER CAPACITY GRANT AGREEMENT

RECOMMENDED ACTION:

Staff requests that Council authorize the Mayor to sign the FY 2021-23 Water Quality Stormwater Capacity Grant agreement. Execution of the agreement with the State Department of Ecology (Ecology) is required to use the \$50,000 of grant funds, which has been awarded to the City, for the implementation of the City's National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit

INTRODUCTION/BACKGROUND:

The U.S. Environmental Protection Agency's (EPA's) Stormwater Phase II Final Rule requires Cities whose population is less than 100,000 to obtain and fulfill the requirements of the NPDES Phase II Municipal Stormwater Permit.

The latest NPDES Municipal Stormwater Permit became effective on August 1, 2019. The City of Mount Vernon continues to remain in compliance by implementing the NPDES Municipal Stormwater Permit requirements and submitting the annual report to Ecology by March 31st of every year.

FINDINGS/CONCLUSIONS:

- The City has been in compliance with the permit since the effective date in February 2007.
- The City has been awarded the Capacity Grant for \$50,000 of funding for continuing NPDES Phase II Municipal Stormwater Permit implementation.
- These grant funds will be administered by Ecology.
- Approval of this grant agreement with Ecology is a requirement in order to obtain the awarded funds.
- The City is required to implement the NPDES permit whether Ecology provides funding or not.
- Once the agreement is fully signed any eligible costs incurred between July 1, 2021, to March 31, 2023, may be reimbursed to the City.

RECOMMENDATION:

Approval of the grant agreement is recommended and is an important step for the continued implementation of the City's NPDES Municipal Stormwater Permit.

ATTACHED:

Agreement



DATE: February 9, 2022

TO: Mayor Boudreau and City Council

FROM: William Bullock, P.E. - City Engineer

SUBJECT: PROFESSIONAL SERVICES AGREEMENT: HOAG/LAVENTURE INTERSECTION IMPROVEMENTS PROJECT – AMENDMENT NO. 1

RECOMMENDED ACTION:

Staff recommends amending the Professional Services Agreement with Transpo Group to provide additional services required to finalize right of way acquisition for the Hoag/Laventure Intersection Improvements Project.

INTRODUCTION/BACKGROUND:

The main objectives of this project are to signalize this intersection with protected left turn lanes on each leg, eliminate the sidewalk gaps leading to the intersection, upgrade all the ADA ramps and approaches, and rehabilitate the pavement. The signal improvement will increase capacity (from LOS E/F to LOS B) by allowing long queues to empty in a controlled fashion rather than cross one at a time. The City was awarded a \$1.3 million Urban Arterial Program grant from TIB with a \$348,000 City match. The Right of Way portion of the TIB grant is \$140,000.

FINDINGS/CONCLUSIONS:

Initial Right of Way acquisition efforts have been conducted as part of the design work; design is now 60% complete. At the beginning of the project there were ten properties potentially requiring right of way. As the design proceeded, Transpo has been able to pare that number down to six parcels that need either a strip purchase or an easement; substantially reducing acquisition effort. This contract amendment covers \$47,629 in consulting fees for the remaining right of way process and the estimated acquisition cost is estimated at \$71,000, well under the grant budget. Therefore, this amendment will not require a project budget increase.

RECOMMENDATION:

Motion to authorize the Mayor to amend the contract with Transpo Group for the remaining right of way acquisition services on the Hoag/Laventure Intersection Improvements Project for an additional amount of \$47,629 for a new contract amount not to exceed \$254,267.

ATTACHED:

Draft Contract Amendment No. 1
Right of Way acquisition estimate