



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

July 28, 2021, 7:00 p.m.

Police Court Campus

(Masks and required for unvaccinated guests)

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 July 14, 2021 Regular Council Meeting Minutes
- B. Approval of July 20, 2021 payroll checks numbered 110838 - 110860, direct deposit checks numbers 83188 - 83416, and wire transfers numbered 995 - 999 in the amount of \$1,210,333.13
- C. Approval of July 28, 2021 Claims numbered 14536 - 14537 and 14575 - 14708 in the amount of \$960,029.71

III. REPORTS

- A. Committees
 1. Finance & Parks and Enrichment Services
 2. Development Services
- B. 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 July 28, 2021.)
 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.)
- C. Councilmember Comments
- D. Mayor's Report
- E. Committee Agenda Requests

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

A. Public Hearing – Local Government IT Security Assessment

(This is a public hearing to allow testimony regarding the Local Government IT Security Assessment conducted by the Washington State Auditor)

(required action – none)

(staff contact – Kim Kleppe)

B. Executive Session

(The meeting will convene into Executive Session to consider, if in compliance with any required data security breach disclosure under RCW 19.255.010 and 42.56.590 with legal counsel available, information regarding the infrastructure and security of computer and telecommunications networks, security and service recovery plans, security risk assessments and security test results to the extent that they identify specific system vulnerabilities, and other information that if made public may increase the risk to the confidentiality, integrity, or availability of agency security or to information technology infrastructure or assets, pursuant to RCW 42.30.110(a)(ii).)

C. Approval of Agreement with Johnston Group

(Staff is requesting approval of an agreement with Johnston Group to assist with securing federal funding and support for the Library Commons Project)

(required action – motion)

(staff contact – Peter Donovan)

D. Closed Record Public Hearing – Site Specific Rezone for Parcel P119008

(This is a closed record Public Hearing where staff is requesting approval of an Ordinance to change the zoning designation of parcel P119008 from Public (P) to Single Family Residential (R-1, 4.0).)

(required action – ordinance)

(staff contact – Rebecca Lowell)

E. Approval of Agreement with Public Sector Personnel Consultants

(Staff is requesting approval an agreement Public Sector Personnel Consultants to conduct a classification and compensation study for non-represented employees)

(required action – motion)

(staff contact – Erin Keator)

F. Approval of Funding Proposal and Amendment of the 2021 City Budget

(Staff is requesting approval the American Rescue Plan Act funding proposal and an ordinance to amend the 2021 city Budget to account for this funding.)

(required action – ordinance)

(staff contact – Doug Volesky)

COMMITTEE MEETINGS

Finance & Parks and Enrichment Services

6:00 p.m.

Next Ordinance 3834
Next Resolution 1000



DATE: July 28, 2021
TO: Mayor Boudreau and City Council
FROM: Kim Kleppe, Information Services Director
SUBJECT: PUBLIC HERARING FOR CYBERSECURITY AUDIT

RECOMMENDED ACTION:

None

INTRODUCTION/BACKGROUND:

Governments depend on information technology (IT) systems to deliver an array of critical functions. The security of IT systems and related data underpins the stability of government operations, and the safety and well-being of residents.

Protecting these systems is paramount to public confidence, as the public expects governments to protect these systems from IT security incidents that could disrupt government services.

Government IT systems present a particularly tempting target to cyber criminals.

Government organizations across the United States and around the world have been and continue to be critically affected by cybercrime. In addition to harming governments' ability to access their data and carry out operations, hackers have managed to disable telephone systems, email, water utility pumps, emergency dispatch centers, online tax and utility payment systems, and even open jail cell doors remotely.

FINDINGS/CONCLUSIONS:

To help the City of Mount Vernon protect its IT systems and secure the data it needs to operate, the Office of the Washington State Auditor conducted a performance audit designed to identify opportunities to improve IT security. This audit answered the following questions:

- Does the City have vulnerabilities in its IT environment that could lead to increased risk from external or internal threats?
- Do the city's IT security practices align with selected security controls?

The State Auditor found that, while the city's IT policies and practices partially align with industry

leading practices, there are areas where it can make improvements. The city has taken steps to address issues that were identified, and is continuing to make improvements.

The State Auditor's Office recognizes the City of Mount Vernon's willingness to volunteer to participate in this audit, demonstrating its dedication to making government work better. It is apparent the city's management and staff want to be accountable to the citizens and good stewards of public resources. Throughout the audit, they fostered a positive and professional working relationship with the State Auditor's Office.

RECOMMENDATION:

A public hearing for the presentation of the City of Mount Vernon's cybersecurity audit report; presented by members of the Washington State Auditor's Office. No Council action afterward.

ATTACHED:

Performance Audit, Office of the Washington State Auditor (July 19, 2021)



DATE: July 28, 2021
TO: City Council
FROM: Mayor Boudreau
SUBJECT: GOVERNMENT RELATIONS SERVICES PROPOSAL

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

The City of Mount Vernon has embarked on an exciting multi-use infrastructure project to create the Mount Vernon Library Commons. This project will be an economic development catalyst for downtown Mount Vernon and fill a number of unmet community needs and priorities. The City has identified \$33.3 million of the total \$45 million project budget and is seeking federal funding to help fill the outstanding funding balance.

Simultaneously, a new Congress and new Federal Administration are providing numerous funding opportunities for Mount Vernon. The City has already presented the project for earmark funding from its Congressional delegation with Rep. Suzan DelBene putting in a request for \$2 million in the House appropriations process. The Senate's project lists are expected to be made public by the middle of July. The City is recognized by its congressional delegation as a trusted partner and a responsible steward of public investments. The City's work on the FEMA floodplain and the engagement of locally elected officials on a variety of issues gives the City a strong foundation to seek funding support.

FINDINGS/CONCLUSIONS:

The Johnston Group's work would be focused on supporting the funding requests that have already been made and to identify and secure funding for the Mount Vernon Library Commons project.

Potential Funding Opportunities for Mount Vernon would include: Federal Appropriations, American Rescue Plan Funding, Federal RAISE Grant, Transportation and Infrastructure Bills, Broadband Funding,

Opportunity Zone Tax Credit programs, Restoration of federal income tax deduction for State and Local Taxes, and Community Development Block Grant funding.

The Johnston Group proposes to complete the scope of services outlined in this proposal for a fixed monthly retainer of **\$3,000** starting upon execution of a contract.

Either the City of Mount Vernon or the Johnston Group may terminate this contract with 30 days written notice at any time for any reason. Both parties may modify the scope and terms of this engagement upon mutual agreement at any time.

RECOMMENDATION:

Motion to authorize the Mayor to enter into an agreement with The Johnston Group for government relations services

ATTACHED:

The Johnston Group proposal
Draft Professional Services Agreement



DATE: July 28, 2021

TO: Mayor Boudreau and City Council

FROM: Rebecca Lowell, Development Services

SUBJECT: CLOSED RECORD PUBLIC HEARING FOR GLENMOOR, LLC (DEOL) REZONE, PLAN21-0263

RECOMMENDED ACTION:

Staff recommends that Council hold a closed record public hearing and make a motion to authorize the Mayor to sign the accompanying ordinance approving the subject rezone.

INTRODUCTION/BACKGROUND:

On June 21, 2021 an open record hearing was held before the Hearing Examiner for the subject rezone. The applicant Glenmoor, LLC (this LLC is governed by Subedar Deol) proposes to rezone approximately 22.5-acres from Public (P) to Single-Family Residential with a maximum density of 4.54 du/acre (R-1, 4.0). The proposed zoning designation is consistent with the site's Comprehensive Plan designation of Single-Family Medium Density (SF-MED).

The proposal property (P119008) is located on the on the north side of Division Street, east of 30th Street within a portion of the NE ¼ of Section 21, Township 34 North, Range 04 E, WM in Skagit County, Washington.

FINDINGS/CONCLUSIONS:

The Hearing Examiner recommended approval of the application in a report dated July 3, 2021. No request for reconsideration of the Hearing Examiner's recommendation of approval was received by this department.

The Hearing Examiner's recommendation is submitted together with the attached proposed Ordinance, the Staff Report, and all of the Exhibits that the Examiner relied upon in making his recommendation.

RECOMMENDATION:

Staff recommends that Council move to adopt an Ordinance approving the subject rezone.

ATTACHED:

- Proposed Ordinance
- Hearing Examiner Recommendation
- Staff Report and its associated Exhibits



DATE: July 21, 2021
TO: Mayor Boudreau and City Council
FROM: Erin Keator, Human Resources Director
SUBJECT: CLASSIFICATION AND COMPENSATION STUDY PROFESSIONAL SERVICES AGREEMENT

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to enter into a Professional Services Agreement with Public Sector Personnel Consultants to conduct a classification and compensation study for non-represented and Teamster represented positions.

INTRODUCTION/BACKGROUND:

The City has not conducted a comprehensive classification and compensation study in over 20 years. Non-represented positions either have out-of-date job descriptions, or do not have a job description. FLSA status has not been reviewed in the recent past. Salary schedules are not equitable, or consistent. Human Resources sent out an RFP on June 1st, 2021. Six companies responded with proposals. When reviewing the proposals, we looked at 1) responsiveness to our request and the consultant's ability to provide a clear and concise proposal that met the criteria set forth in the RFP; 2) the consultant's ability, and history, of successfully completing contracts of this type; 3) the consultant's proposal to assist the City in maintaining the classification and compensation program into the future; and 4) cost.

FINDINGS/CONCLUSIONS:

We found that the Public Sector Personnel Consultants had the most comprehensive proposal that met the City's needs. The cost will be \$75,000 to conduct the study and to provide continued support to Human Resources through installation of their EZComp program and one year of warranty support.

RECOMMENDATION:

Staff recommends that Council authorize the Mayor to enter into a Professional Services Agreement with Public Sector Personnel Consultants for the purpose of conducting a Classification and Compensation Study.

ATTACHED:

Professional services agreement with scope of services.



DATE: July 28, 2021

TO: Mayor Boudreau and City Council

FROM: Doug Volesky, Finance Director

SUBJECT: AMERICAN RESCUE PLAN ACT (ARPA) FUNDING PROPOSAL AND AMENDMENT TO THE 2021 CITY BUDGET

RECOMMENDED ACTION:

Staff is requesting Council approval of the American Rescue Plan Act funding proposal and an ordinance to amend the 2021 City Budget to account for this funding.

INTRODUCTION/BACKGROUND:

The City of Mount Vernon is grateful to the federal government for prioritizing local government allocations in the ARPA. The Mayor suggests the following guiding principles for this one-time Federal funding based on criteria outlined by the US Department of the Treasury.

- The effects of the pandemic will not be over this year and have highlighted the toll disasters can take on a community. Funds should be used to build resiliency.
- City services have been impacted or delayed due to the pandemic. Funds should be used to support an expedited return to a pre-pandemic level of customer services.
- ARPA funding should be used to improve systems or issues that have been exacerbated or revealed due to the pandemic, most specifically an underinvestment in the Information Services department and general facilities.
- Other spending allowed: Broadband, Water systems, Sewer systems

Currently Skagit County, Mount Vernon, Anacortes, Burlington, Sedro-Woolley, LaConner, Hamilton, Lyman, and Concrete are meeting monthly to share draft proposals in the respective jurisdictions. The effort in collaboration is to avoid duplication of investments, allow coordination of investments, and share information about needs in the community.

The Chamber of Commerce and EDASC have been consulted on the needs of the business community. Currently, businesses are indicating minimal need of grants. Finding employees to recover is the most pressing issue.

Community Action has been consulted regarding rental assistance. They have not been able to deploy the \$100,000 allocated by City Council in December 2020. The City staff are currently engaging with property management companies and networks to assess need of rental assistance.

After reviewing several sources of guidance information, the Mayor makes the following draft proposal to City Council for use of ARPA funding. Keep in mind that this is a beginning of allocations for a 3-year period. Things will change as we spend this funding, and the City must remain flexible to meet needs presented. It is anticipated that City Council could adopt an ARPA budget within the overall City budget for years 2022, 2023, and 2024.

Staff salary devoted to COVID 19 pandemic effects

Staff in a variety of departments are still spending time devoted to COVID 19 pandemic effects and are tracking their work time for reimbursement. Potential departments for reimbursement from ARPA include:

1. Mayor's Office (overall administration, briefings, planning, community communication, staff communication and policy)
2. Human Resources (employee benefits, leave policies, hiring, risk analysis)
3. Fire (support to Skagit County Public Health, vaccination)
4. Finance (budgeting, audit, rehiring 1 staff)
5. Police (mental health impact response)
6. Parks (re-opening planning, recovery, re-hiring 15 staff)
7. Library (re-opening planning, recovery, re-hiring 14 staff)
8. Development Services (general facilities management and planning, re-hiring 2 staff)
9. Information Services (evaluation, planning)

Revenue replacement

Accounting for revenue that was lost compared to pre-pandemic budget. For example, revenue that would have been collected for park facility rentals & recreation offerings.

Information Services and technology

The Mayor and staff believe that the pandemic exposed significant issues in the Information Services department that requires substantial investment for foundational infrastructure reorganization, resiliency, cyber security, efficiency, responding to a mix of virtual and in-person operations post- pandemic. "The American Rescue Plan Act gives cities the chance to invest in hardware and software to continue these hybrid operations..." (NLC article, May 26, 2021.) In addition, it is vital that the City of Mount Vernon ensure the most comprehensive cyber security practices. The ARPA supports short- and long-term investment in cyber security. Funding can be spent on upgrading equipment, cloud applications and data storage, training, and staff.

The proposal being made for funding would include overhaul of 75% of the City's aging servers and licensing; continued replacement of aged workstations to portable laptop set ups; financial software and enterprise resource planning system allowing for cloud solutions in finance, asset planning and tracking, payroll, A/R, A/P, utilities, and human resources; and software for

administration and operations of the fiber optic system.

In addition to equipment and software, the addition of 2 FTE is included in this plan. The tentative classification request is for one implementation manager position, and one network or server engineer. In contemplating one-time revenues of the ARPA, the implementation manager position would be phased out with succession prior to the end of the funding cycle. This would leave decisions in 2024 budget to continue an FTE in the Information Services Department budget. At this time, the Department does not have enough manpower to institute the organizational structural changes which are needed, leaving the City at risk.

Fiber Optic system

The Mayor and staff believe the ARPA funding provides an opportunity to advance the City of Mount Vernon Fiber Optic system to provide increased opportunity for business and residential connections. Currently the system is managed by 1.5 FTE, responding reactively to connection requests. There has been no work completed on expansion planning, residential services expansion planning, and the system is managed by antiquated spreadsheets. The ARPA allows the City to invest in resiliency measures such as software, expansion planning, staff succession, training, and equipment, all resulting in a proactive deployment model resulting in more connections to reliable and fast broadband connections for the business community and residents of Mount Vernon.

The draft funding proposal includes 1.5 more FTE through 2023. The strategy of using one-time funds for staffing is to give 2 full years to plan and execute expansion, resulting in increased revenue, and allowing the staffing to pay for itself by 2024.

The draft includes funding for a major capital project of the restoration of Stokely Tower to allow a public private partnership that would provide high-speed public WIFI to residents and businesses in the area.

TV10

Significant equipment upgrades have been needed and continue to be needed for TV10 operations for the ability to livestream City Council meetings, provide conference call-in capability, deploy closed captioning in recordings, and provide for hybrid City Council meetings.

General Facilities

The City used CARES funding in 2020 to provide safe work areas for staff with appropriate social distancing, equipment, and hospital grade HEPA filtration. The ARPA allows the City to replace 25-year-old HVAC systems that are frequently in need of repair and highly inefficient with modern systems that can filter out unhealthy air.

In addition, the effects of the pandemic will result in additional staffing who will need workspace. The public works administration building will be modestly renovated to allow for 4 more employee workstations, providing a safe work environment for future resiliency.

Touchless systems are also an eligible investment. The Mayor and staff propose citywide keyless access system installation.

Court system

Due to the suspension of jury trials, the City Prosecuting Attorney's office is experiencing a significant backlog of cases to be adjudicated in Municipal Court. This backlog requires an additional prosecutor (estimated through 2022), and potentially increasing legal assistant staff time from part time to full time.

Staff is also asking for budgeting to allow for increased public defender expenses due to the backlog, community court expenses, and increased court administration costs from the contract with Skagit County District Court.

Human Resources

The Human Resources department was overwhelmed during the pandemic to say the least. Director Erin Keator operated as a one-person Department for 50% of 2020. Proactive work was severely impacted by the sheer reaction needed for multiple Federal and State benefits, leaves, documentation, policies, layoffs, furloughs, and staff communication. The impact in 2021 continues with the momentous re-hiring efforts in multiple departments. To build resiliency in Human Resources and avoid risk, the Mayor is proposing a 3-year HR analyst position be retained with ARPA funding allowing for the Human Resources department to set up resilient safety, training, risk management, and succession plans.

Communications to our residents

The City produced a magazine in December of 2020 called "In Our City" to communicate information to every household in the City of Mount Vernon. This magazine is a one-of-a-kind way to ensure that residents at all addresses are afforded information about City services as recovery from the effects of the pandemic linger for the foreseeable future. A proposal of funding to allow a twice a year magazine through 2022 is included in the draft ARPA investment proposal.

Service level restoration

During 2020 the Parks and Enrichment services department lost all seasonal employees and 2 full time positions. The 2021 growing season is upon us, and the staff are not able to keep up with basic maintenance and repairs caused by the lack of labor in 2020. Funding would be used for a 1-time contract for labor to assist in park clean up.

Unallocated

The draft proposal does not budget the full allocation from the Federal government. This allows greater discussion of other City Council interests, flexible balance for unknown expenses, and balance for opportunities that may arise during the grant cycle.

FINDINGS/CONCLUSIONS:

The City is required to submit a budget amendment for the receipt and expenditures of these ARPA funds. To better account and track these funds, the City would like to create a new special revenue fund entitled the “American Rescue Plan Act Fund” which will be Fund 121. The 2021 budget amendment would create this new fund and establish revenue and expenditure budgets in the amount of \$4,526,524 which is the amount that the City received this year.

The expense budget would be itemized as follows:

	2021
Staff salary devoted to COVID 19 pandemic effects	\$ 250,000
Revenue Replacement	
Library Fund	\$ 80,521
Parks and Enrichment Services Fund	\$ 119,479
Information Services and Technology	
Website redesign	\$ 25,000
IS servers and equipment	\$ 300,000
IS applications for efficiency	\$ 200,000
Open Gov - financial software, enterprise resource planning (ERP)	\$ 71,000
Cybersecurity	\$ 150,000
1.00 FTE Implementation Manager for IS	\$ 65,000
1.00 FTE Network or Server Engineer	\$ 50,000
Remodel of Public Works admin building for employee workstations	\$ 100,000
Fiber Optic System	
1.50 FTE Fiber Technicians	\$ 80,000
Fiber equipment	\$ 50,000
TV10	
Tv10 tech upgrades	\$ 50,000
General Facilities	
City Hall HVAC	\$ 522,000
Court HVAC	\$ 100,000
Court System	
Prosecuting Attorney	\$ 60,000
Public Defender Contract Increase - Mountain Law	\$ 30,000
Legal Assistant	\$ 25,000
Court operations	\$ 40,000
Communications to our residents	
Community information magazine	\$ 10,000
Service level restoration	
Service level restoration for Parks and PW Right-of-Way	\$ 35,000
Reserve Fund Balance	\$ 2,113,524
Total year	\$ 4,526,524

As described in the narrative and the budget chart above, the following new Full-Time Equivalents (FTE) are being requested:

- Information Services Division
 - 1.0 FTE – Implementation Manager
 - 1.0 FTE – Network/Server Engineer
- Fiber Optics
 - 1.5 FTE – Fiber Technicians

RECOMMENDATION:

Staff is requesting Council approval of the American Rescue Plan Act funding proposal and an ordinance to amend the 2021 City Budget to account for this funding.

ATTACHED:

Ordinance to Amend the 2021 Budget.