



**CITY OF MOUNT VERNON  
CITY COUNCIL MEETING  
AGENDA  
August 14, 2019 7:00 p.m.  
(Police Court Campus)**

**I. OPENING CEREMONIES**

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

**II. CONSENT AGENDA**

- A. Approval of July 17, 2019 Study Session Minutes
- B. Approval of July 24, 2019 Regular Council Meeting Minutes
- C. Approval of August 5, 2019 payroll checks numbered 109443 - 109493 direct deposit checks numbered 72444 - 72684, and wire transfers numbered 759 – 763 in the amount of \$974,034.05
- D. Approval of August 14, 2019 Claims numbered 4888 – 4927, 4939 – 4948 and 4950 - 5161 in the amount of \$1,628,664.34

**III. REPORTS**

- A. Committees
  - 1. Public Works and Library
  - 2. Development Services
- B. Community Comments  
(An opportunity for Mount Vernon residents to address their City Council. Please limit comments to 3 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. Closed Record Public Hearing – Dryden Request for Special Permission  
(This is a closed record public hearing to consider a request for an expansion of a non-conforming structure. Staff is requesting that Council approve a resolution denying the request. )  
*(required action – resolution)*  
*(staff contact – Rebecca Lowell)*
- B. Bid Award – Bakerview Park Entrance Road Improvements Project  
(Staff is requesting that Council award the bid for the Bakerview Park Entrance Road Improvements Project to PNW Civil, Inc. of Bellingham in the amount of \$228,784.50 and to authorize the Mayor to enter into the agreement.)  
*(required action – motion)*  
*(staff contact – William King)*

- C. **Bid Award – 2019 Sanitary and Storm Sewer Lining Project**  
(Staff is requesting that Council award the bid for the Sanitary and Storm Sewer Lining Project to Insituform Technologies of Chesterfield, MO and to authorize the Mayor to enter into the agreement.)  
(required action – motion)  
(staff contact – Darin Christen)
- D. **2019 TIB Agreement for Complete Streets Grant**  
(Staff is requesting that Council authorize the Mayor to enter into an agreement with Washington State Transportation Improvement Board to receive \$350,000 for the construction and/or improvement of curb ramps.)  
(required action – motion)  
(staff contact – Darin Christen)
- E. **Project Acceptance – 2018 Curb Ramp Improvements**  
(Staff is requesting that Council accept the work completed by Trinity Contractors for this project in the amount of \$312,596.28.)  
(required action – motion)  
(staff contact – Darin Christen)
- F. **Approval of Agreement with Skagit County**  
(Staff is requesting that Council authorize the Mayor to enter into an agreement with Skagit County which allows for the design and construction of the Maddox Creek culvert removal and stream enhancement project.)  
(required action – motion)  
(staff contact – Blaine Chesterfield)
- G. **Approval of Agreement with Paul Schissler Associates, Inc.**  
(Staff is requesting that Council authorize the Mayor to enter into an agreement with Paul Schissler Associates, Inc. to assist in the preparations, corrections, revisions, and coordination of the City's CDBG responsibilities.)  
(required action – motion)  
(staff contact – Peter Donovan)
- H. **Approval of Agreement with Community Action of Skagit County for CDBG Funds**  
(Staff is requesting that Council authorize the Mayor to enter into an agreement with Community Action of Skagit County for the Community Action Housing and Resource Center Program.)  
(required action – motion)  
(staff contact – Peter Donovan)
- I. **MOU with Home Trust of Skagit for CDBG Funds**  
(Staff is requesting that Council authorize the Mayor to enter into an MOU with Home Trust of Skagit to assist with the Buyer Assistance Program for qualifying clients.)  
(required action – motion)  
(staff contact – Peter Donovan)

**COMMITTEE MEETINGS**

Public Works and Library

6:00 p.m.

Next Ordinance 3789

Next Resolution 969



**DATE:** August 14, 2019

**TO:** Mayor Boudreau and City Council

**FROM:** Rebecca Lowell, Development Services

**SUBJECT:** CLOSED RECORD PUBLIC HEARING FOR DRYDEN REQUEST FOR SPECIAL PERMISSION, PLAN19-0063

**RECOMMENDED ACTION:**

Staff recommends that Council hold a closed record public hearing and make a motion to authorize the Mayor to sign the accompanying resolution Denying the Dryden expansion of a non-conforming structure.

**INTRODUCTION/BACKGROUND:**

The Applicant seeks to expand a single family residence that in its existing condition does not comply with required front yard setbacks. The expansion proposed by the Applicant would allow a deck a pergola (that were built without benefit of any permits) to have a 0-foot front yard setback.

MVMC Chapter 17.102 has a process by which the City Council (upon recommendation by the Hearing Examiner) can grant special permission to enlarge or expand an existing non-conforming structure and/or use so long as certain criteria are met.

The proposal property has an address of 425 South 10<sup>th</sup> Street, and its parcel number is P52768.

**FINDINGS/CONCLUSIONS:**

On June 27, 2019 an open record hearing was held before the Hearing Examiner. The Examiner recommends Denial of the application in a report accompanying this memo dated July 13, 2019. No request for reconsideration of the Examiner's recommendation of approval was received by the department.

The Hearing Examiner's recommendation is submitted together with the attached proposed Resolution, 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 a resolution Denying the expansion of a non-conforming building.

**ATTACHED:**

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



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Bill King, Director, Parks & Enrichment Services  
**SUBJECT:** BID AWARD: BAKERVIEW PARK ENTRANCE ROAD IMPROVEMENTS PROJECT

**RECOMMENDED ACTION:**

Staff recommends a motion be made by Council authorizing the Mayor to award the construction contract for the Bakerview Park Entrance Road Improvement project to PNW Civil, Inc. of Bellingham, WA in the amount of \$228,784.50.

**INTRODUCTION/BACKGROUND:**

This project includes spot and pothole repair of existing asphalt, installation of 765 LF of new curb, gutter, and sidewalk, new catch basins, replacement speed bumps, and overlay of 842 LF of the entrance roadway.

Construction funding is provided through the Park Capital Project Fund 115.

**FINDINGS/CONCLUSIONS:**

Two bids were received July 22, 2019, with the low bid provided by PNW Civil, Inc.. The bids range in price from \$228,784.50 to \$268,086.75. The low bid was responsive and prepared in accordance with the contract documents. The construction cost estimate for the project was \$207,570.

**RECOMMENDATION:**

Staff recommends Council award the construction bid to PNW Civil, Inc. to allow the City to proceed with construction of this parks improvement project.

**ATTACHED:**

Bid Tabulation



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Darin Christen, Senior Engineer   
**SUBJECT:** AWARD OF BID FOR PROJECT # SS-2019-007: 2019 Sanitary and Storm Sewer Lining

**RECOMMENDED ACTION:**

Staff recommends a motion be made by Council to award the 2019 Sanitary and Storm Sewer Lining Project to Insituform Technologies, LLC for the bid amount of \$699,406.77.

**INTRODUCTION/BACKGROUND:**

On July 23, 2019, bids were opened and read for the 2019 Sanitary and Storm Sewer Lining project. The project includes lining approximately 4,454 feet of sanitary sewer pipe and approximately 895 feet of storm sewer pipe with a cured in place pipe (CIPP) liner system. A total of three bids were received and considered.

**FINDINGS/CONCLUSIONS:**

After reviewing the bids, staff determined that the bid submitted by Insituform for \$699,406.77 was the lowest bid from a responsible bidder.


**RECOMMENDATION:**

To contract for this work, the bid must be awarded by Council in accordance with MVMC Chapter 2 and RCW 39.04.

**ATTACHED:**

Bid Tabulation  
Vicinity Map



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Darin Christen, Senior Engineer   
**SUBJECT:** 2019 TIB AGREEMENT FOR COMPLETE STREETS GRANT

**RECOMMENDED ACTION:**

Authorization for the Mayor to enter into an agreement with the Washington State Transportation Improvement Board to receive \$350,000.00 for the construction and or improvement of curb ramps.

**INTRODUCTION/BACKGROUND:**

The City of Mount Vernon passed a Complete Streets Ordinance in 2017 to promote the safe and efficient use of the public right of way for pedestrians, bicycles, and public transportation. The ordinance allows the City eligible to receive TIB Complete Streets grants to support this goal. This is the first time the City has received a Complete Streets grant award.

**FINDINGS/CONCLUSIONS:**

On March 22, 2019, TIB notified the City that Mount Vernon has been selected for a Complete Streets Award to construct curb ramps. The grant is for an amount not to exceed \$350,000.


**RECOMMENDATION:**

In order for the City to receive and use the funds, the agreement must signed and returned to TIB. Staff recommends Council authorize the Mayor to enter into an agreement with the Washington State Transportation Improvement Board to receive \$350,000 for the construction and or improvement of curb ramps.

**ATTACHED:**

Agreement  
Project map



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Darin Christen, Senior Engineer   
**SUBJECT:** PROJECT COMPLETION FOR TS-2018-001: 2018 CURB RAMP IMPROVEMENTS

**RECOMMENDED ACTION:**

Staff recommends Council authorize the mayor to accept the work completed by Trinity Contractors, Inc., on the 2018 Curb Ramp Improvements Project.

**INTRODUCTION/BACKGROUND:**

Trinity Contractors has completed the 2018 Curb Ramp Improvements Project. The project included demolishing existing sidewalk, curb and gutter, and replacing them with accessible curb ramps, sidewalks, and curb and gutter. The project was awarded on May 9, 2018, for \$252,362.50.

**FINDINGS/CONCLUSIONS:**

Project completion was achieved on December 26, 2018, in accordance with the plans and specifications. The final adjusted contract amount was \$312,596.28.

**RECOMMENDATION:**

Staff recommends accepting the work performed by Trinity Contractors, Inc., for the 2018 Curb Ramp Improvements Project.

**ATTACHED:**

None



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Blaine Chesterfield, Engineering Manager *BAC*  
**SUBJECT:** INTERLOCAL COOPERATIVE AGREEMENT WITH SKAGIT COUNTY FOR THE MADDOX CREEK CULVERT REMOVAL AND STREAM ENHANCEMENT PROJECT.

**RECOMMENDED ACTION:**

Staff recommends council authorize the Mayor to sign an Interlocal Cooperative Agreement and temporary construction easement with Skagit County which allows for the design and construction of the Maddox Creek culvert removal and stream enhancement project. The City's contribution of funds will be in the amount of \$75,000.

**INTRODUCTION/BACKGROUND:**

The purpose of this Agreement is to allow the County and the City to work in cooperation on the Maddox Creek Culvert Removal and Stream Enhancement Project.

The culvert was installed by the County during the 70s as a future 19th Street extension. The culvert is two hundred and ten feet (210') long, perched three feet (3') above Maddox Creek, and is covered by approximately ten thousand (10,000) cubic yards of fill. The 19th Street extension was not built and the culvert has become a fish barrier.

Approximately one third of the culvert is located on City property within Bonnie Rae Park so a temporary construction easement is included in the Interlocal Cooperative Agreement.

The County and City have been awarded a Centennial grant from the Washington State Department of Ecology (DOE) to help pay for the removal of the culvert and restoration of the stream channel. The total cost to the City will be \$75,000 and has been approved under budget code 403.38.531.37.6310.



**FINDINGS/CONCLUSIONS:**

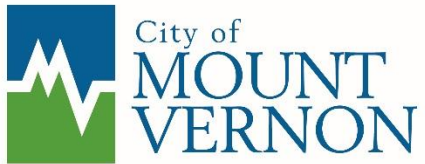
- The culvert was installed during the 70s for a future extension that is no longer needed.
- The culvert is 210 feet long and perched 3 feet above Maddox Creek.
- Past City projects have removed all other barriers along this section of Maddox Creek.
- Removal of this culvert will open up 2 miles of stream for fish habitat.
- The DOE Centennial grant will pay for 75% or up to \$450,647 of the costs.
- The City and County will each match 12.5% or up to \$75,000 each for a total of \$150,000.
- The total cost of the culvert removal and stream enhancement project is estimated at \$600,863

**RECOMMENDATION:**

Staff recommends Council approve the Interlocal Cooperative Agreement and temporary construction easement with Skagit County and authorize the Mayor to execute the agreement.

**ATTACHED:**

Interlocal Cooperative Agreement which includes a Temporary Construction Easement



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Peter Donovan, Project Development Manager  
**SUBJECT:** PROFESSIONAL SERVICES AGREEMENT WITH PAUL SCHISLER ASSOCIATES, INC

**RECOMMENDED ACTION:**

Motion

**INTRODUCTION/BACKGROUND:**

Each year that the City of Mount Vernon has received and distributed CDBG funds, the City has hired a consultant to advise staff and to help navigate the considerable amount of regulations and reporting. 15% of each annual CDBG allotment is allowed to be applied to administrative costs incurred in the program; this allows the City to fund a CDBG consultant without burdening the City's general fund accounts. The 2019-2020 CDBG allotment for the City of Mount Vernon is set at \$390,166; which provides \$58,500 for administrative use.

Mr. Paul Schissler has been the City's consultant for the past three CDBG funding cycles, and along with City staff, has successfully maintained a smooth-running CDBG program.

**FINDINGS/CONCLUSIONS:**

Staff finds that continuing to utilize consulting services for the City's CDBG program is a prudent use of CDBG administrative funds.

**RECOMMENDATION:**

Staff recommends a motion to allow the Mayor to enter into a one-year agreement with Paul Schissler Associates (PSAI), for the 2019-2020 CDBG plan year, in the amount of \$30,000.

**ATTACHED:**

Draft Agreement with PSAI



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Peter Donovan, Project Development Manager  
**SUBJECT:** CDBG AGREEMENT WITH COMMUNITY ACTION

**RECOMMENDED ACTION:**

A Council motion to authorize the Mayor to enter into an agreement with Community Action of Skagit County for Community Development Block Grant (CDBG) funding relative to providing Public Services in an amount not to exceed \$58,525 (see attached agreement).

**INTRODUCTION/BACKGROUND:**

-Community Action will use this funding for their Housing & Resource Center program. This allotment of \$58,525 represents 15% of our 2019-2020 CDBG funding amount of \$390,166.

-HUD has approved this expenditure.

-The attached agreement memorializes all necessary requirements

**FINDINGS/CONCLUSIONS:**

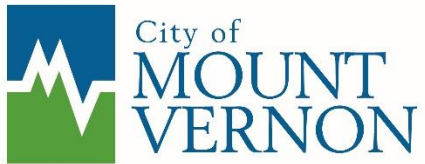
This allotment is consistent with the Council-approved 2019-2020 CDBG Action Plan

**RECOMMENDATION:**

Staff recommends that Council authorize the Mayor to enter into an agreement with Community Action of Skagit County.

**ATTACHED:**

Community Action CDBG Contract



**DATE:** August 14, 2019  
**TO:** Mayor Boudreau and City Council  
**FROM:** Peter Donovan, Project Development Manager  
**SUBJECT:** CDBG MOU WITH HOME TRUST OF SKAGIT

**RECOMMENDED ACTION:**

A motion to authorize the Mayor to enter into a memorandum of understanding with Home Trust of Skagit for CDBG funding for Home Trust of Skagit's Home Buyer Assistance Program in an amount not to exceed \$100,000.

**INTRODUCTION/BACKGROUND:**

- This MOU allows for the carry-over and usage of CDBG funding that was designated to Home Trust of Skagit in the City of Mount Vernon's 2018-2019 CDBG Action Plan
- Home Trust of Skagit will use the funding to assist four qualifying families in obtaining housing in the city of Mount Vernon.
- HUD has approved this expenditure.
- The attached MOU memorializes all necessary requirements

**FINDINGS/CONCLUSIONS:**

The terms and amounts of this MOU are consistent with the Council-approved 2018-2019 CDBG Action Plan

**RECOMMENDATION:**

Staff recommends a Council motion to authorize the Mayor to enter into a memorandum of understanding with Home Trust of Skagit

**ATTACHED:**

Draft MOU