



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

March 22, 2023, 7:00 p.m.

Police Court Campus, 1805 Continental Place

REVISED 3/22/23

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/UCUob_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 March 22, 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 March 22, 2023.)

III. CONSENT AGENDA

- A. Approval of March 8, 2023, Regular Council Meeting Minutes.
- B. Approval of March 20, 2023, payroll checks numbered 111918 – 111931, direct deposit checks numbered 93017 - 93265, and wire transfers numbered 1195 – 1199 in the amount of \$1,414,252.31
- C. Approval of March 22, 2023, AP Claims numbered 20997 – 21176 in the amount of \$2,109,561.46
- D. Approval of Agreements 4381 - 4386

IV. REPORTS

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

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

- A. Skagit Valley Tulip Festival Poster Presentation
(Skagit Valley Tulip Festival Director Cindy Verge will present the 2023 Tulip Festival poster to Council.)
(required action – none)
(staff contact – Peter Donovan)
- B. Skagit Valley Clean Energy Cooperative Presentation
(Terry Nelson and Greg Whiting from Skagit Valley Clean Energy Cooperative, and Ben Silesky from Olympia Community Solar will present information on the latest opportunities for clean energy partnerships in Mount Vernon.)
(required action – none)
(staff contact – Peter Donovan)
- C. Parks, Recreation, and Open Space (PROS) Plan Update
(Staff and Beckwith Consulting will provide an update on the PROS Plan. Information will include demographics, survey results, demand projections and 5-minute walksheds to parks.)
(required action – none)
(staff contact – Jennifer Berner)
- D. Public Hearing for Street Vacations
(Staff is requesting approval of Ordinance 3867 vacating a portion of an unnamed alley east of West Gates Street and South 2nd Street.)
(required action – ordinance)
(staff contact – Alan Danforth)
- E. Public Defense Contract Renewal with Mountain Law
(Staff is requesting approval of a contract renewal for continued public defense services through March of 2026 with Mountain Law.)
(required action – motion)
(staff contact – Peter Donovan)
- F. HB1590 Funding Agreement with Skagit County
(Staff is requesting approval of a proposed one-year agreement with Skagit County to commit \$500,000 of the City's Affordable Housing Sales and Use Tax (HB1590) funding to Skagit County for Martha's Place operations.)
(required action – motion)
(staff contact – Peter Donovan)

COMMITTEE MEETINGS

Finance and Parks & Enrichment Services 6:00 p.m.

Next Ordinance 3867

Next Resolution 1029



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Kevin Rogerson, City Attorney
SUBJECT: OPIOID ALLOCATION AGREEMENTS

RECOMMENDED ACTION:

Approve the Agreements

INTRODUCTION/BACKGROUND:

Mount Vernon is a party, along with a number of local governments in Washington, engaged in litigation seeking to hold entities within the pharmaceutical supply chain of prescription opioids accountable for the damage caused to local governments reached an agreement settling their claims which included a Settlement Agreement for allocation for use of the proceeds.

In the agreement, if enough Cities sign, the total share for local jurisdictions will be \$217 million dollars (roughly the same amount as the previous settlement which was \$215 million). This agreement contains roughly the same terms as the previous settlement agreement including the City of Mount Vernon's share, which is identical in terms of percentage of the settlement amount to the previous settlement.

The deadline for signing the Agreement is April 18, 2023.

FINDINGS/CONCLUSIONS:

The agreement is acceptable to the City of Mount Vernon.

RECOMMENDATION:

Council moves on consent agenda to approve the agreements- one allocation agreement and five participation forms for each of the following entities: Walgreens, CVS, Walmart, Teva and Allergan.

ATTACHED:

Allocation Agreement including Exhibits 1-5 Participation Forms.



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: TULIP FESTIVAL POSTER PRESENTATION

RECOMMENDED ACTION:

None

INTRODUCTION/BACKGROUND:

None

FINDINGS/CONCLUSIONS:

Tulip Festival Director Cindy Verge will present the 2023 Tulip Festival Poster to City Council

RECOMMENDATION:

None

ATTACHED:

None



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: SKAGIT VALLEY CLEAN ENERGY COOPERATIVE PRESENTATION

RECOMMENDED ACTION:

None

INTRODUCTION/BACKGROUND:

None

FINDINGS/CONCLUSIONS:

Terry Nelson and Greg Whiting from Skagit Valley Clean Energy cooperative, and Ben Silesky from Olympia Community Solar will present information on the latest opportunities for clean energy partnerships in Mount Vernon.

RECOMMENDATION:

None

ATTACHED:

None



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Jennifer Berner, Director, Parks & Enrichment Services
SUBJECT: PARKS, RECREATION, AND OPEN SPACE PLAN UPDATE

RECOMMENDED ACTION:

No Action. Update and discussion on the Parks, Recreation and Open Space Plan.

INTRODUCTION/BACKGROUND:

The Parks, Recreation, and Open Space (PROS) Plan is a 6-year strategic plan for managing and enhancing parks, open spaces, trails, recreation, and event opportunities for the Mount Vernon community. The Plan, when certified by the state, will allow the City to be eligible for RCO State grants. The comprehensive process began September 2022 and should conclude in July 2023. Building the plan consists of community assessments and engagement, understanding demographics, needs assessments, capital project priorities and funding, and updating the Park Impact fee ordinance.

In December Council was updated on the overall process, the City's demographics, and the community survey. Consultant, Tom Beckwith, reviewed Mount Vernon characteristics that showed Mount Vernon has a family-oriented demand for recreation and facilities and programs with a significant portion being income and language stressed. Tom also reviewed population projections and recreation trends.

The update for March 22, 2023, will include information on the following:

1. Demographics with social equity
2. Population and age specific projections
3. Survey results
4. Demand projections
5. 5-minute walkshed
6. Plan proposal graphics

FINDINGS/CONCLUSIONS:

None

RECOMMENDATION:

No Action. Update and discussion on the Parks, Recreation, and Open Space Plan.

ATTACHED:

None



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Alan Danforth, Development Services
SUBJECT: PUBLIC HEARING FOR STREET VACATIONS

RECOMMENDED ACTION:

Staff recommends Council make a motion to authorize the Mayor to sign Ordinance 3867 approving the vacation of a portion of an unnamed alley east of West Gates St and South 2nd St.

INTRODUCTION/BACKGROUND:

An application to vacate portions of an unnamed alley were submitted and processed by the City (the attached ordinance provides legal description and a map identifying the area proposed to be vacated).

FINDINGS/CONCLUSIONS:

Chapter 35.79 of the Revised Code of Washington outlines the process for street right-of-way vacations. Ordinance 3867 documents compliance with State law and the Mount Vernon Municipal Code.

RECOMMENDATION:

Council move to authorize the Mayor to sign Ordinance 3867 approving the proposed vacations.

ATTACHED:

- Proposed Ordinance 3867



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: PUBLIC DEFENSE CONTRACT RENEWAL WITH MOUNTAIN LAW

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

Since 2014, Mountain Law has provided public defense services for the City of Mount Vernon that exceed the standards adopted by the City (Ord. 3556).

The City reviews the provider's performance quarterly to ensure compliance with all prescribed standards.

The most recent 3-year agreement between the City and Mountain Law expired 12/31/2022; and the parties agreed to a 3-month extension to allow additional time for performance review and contract negotiation.

FINDINGS/CONCLUSIONS:

City's outside counsel advised that the City rely on a review of Mountain Law's ongoing performance reports; as well as market salary data to determine fair terms for a potential contract renewal.

The results of the review suggested that adjusting attorney salaries upward would bring the City more in line with cities of similar size and could be beneficial in addressing Mountain Law's challenges in both recruitment and retention of attorneys.

The proposed agreement adjusts the annual contract amount by 10% in Year 1, while allowing for the continuation (for one year) of additional funding to address a backlog of cases created by the COVID-19 pandemic.

In year 2, the City's temporary commitment to additional funding for the case backlog expires.

In year 3, a 2.5% adjustment is made.



DATE: March 22, 2023
TO: Mayor Boudreau and City Council
FROM: Peter Donovan, Special Projects Manager
SUBJECT: HB1590 FUNDING AGREEMENT WITH SKAGIT COUNTY

RECOMMENDED ACTION:

Motion

INTRODUCTION/BACKGROUND:

A number of local human services are provided through Skagit County Public Health and funded with the County's Local Document Recording Fees.

Local Document Recording Fee revenue is down about 50%.

Many social service funding needs have increased, as the area now has an operational year-around shelter.

Skagit cities are participating with Skagit County in the North Star Project, and have an opportunity to direct their HB1590 (Housing Sales and Use Tax) funding toward service operations within their respective communities.

The City of Burlington is considering an agreement which would commit \$300,000 per year, for five years.

The City of Sedro-Woolley has approved a resolution to provide \$100,000 per year, for three years. Martha's Place, the permanent supportive housing facility in Mount Vernon, will open this Spring. With the downturn in the collection of Local Document Recording Fees, additional resources will be needed to fund Martha's Place operations.

FINDINGS/CONCLUSIONS:

The City of Mount Vernon has the opportunity to utilize a portion of its HB1590 funding for the purpose of supporting operations at Martha's Place.

A 1-year agreement with the County for \$500,000 in City HB1590 funds will assist Skagit County Public