

Whatcom County Council Committee of the Whole

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Committee Minutes - Final

Tuesday, October 22, 2024

1:45 PM

Hybrid Meeting

**HYBRID MEETING - MAY BEGIN EARLY - ADJOURNS BY 4:30 PM
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Barry Buchanan called the meeting to order at 2 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

Announcements

Special Presentation

1. AB2024-574 Presentation by Gwynne Gruizenga-Top regarding Whatcom County Search and Rescue

Gwynne Gruizenga-Top, Search and Rescue, read from a presentation (on file) and answered questions. She gave an update on the building project for their new facility in Everson and stated a fire sprinkler designer is the last piece before being able to get the building permit issued, and they are thinking they will be breaking ground next month. She answered whether Search and Rescue gets involved when skiers who go out of bounds need rescuing at Mt. Baker ski area, and whether there are funding models in other areas which tap into revenue from the outdoor recreation industry to help fund Search and Rescue. She stated they are limited in getting public funding because they are a private nonprofit. They do not have a regular funding stream. Byrd spoke about the County contracting with them for services like it does with other nonprofits. She stated they are volunteers and their insurance is covered by the State as volunteers, so the County can pay for things like operating costs, their building, or equipment, but cannot pay them to respond to missions.

Councilmembers discussed calling a meeting with the Prosecuting Attorney's Office to see if there are ways to overcome those challenges, or scheduling something in a Council committee meeting.

This agenda item was PRESENTED.

2. AB2024-671 Presentation by the Whatcom County Ferry Advisory Committee regarding the replacement of the Whatcom Chief ferry

The following people read from a presentation (on file):

- Pam Gould, Whatcom County Ferry Advisory Committee Chair
- David Parker, ad hoc New Ferry and Terminals Committee
- Tom Philpot, ad hoc New Ferry and Terminals Committee Chair

Parker stated they have spent a lot of time talking about revisiting the size of the vessel and whether the replacement could be downsized and the project still retain the \$25 million Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant. They also looked at whether downsizing the ferry could reduce the costs associated with the required retrofitting of the two ferry terminals.

Philpot stated he spoke to Representative Rick Larsen about the shortfall in the project (even with the \$25 million grant) and that Representative Larsen said it was up to Whatcom County to contact the U.S. Department of Transportation and pursue the various options to keep the grant. He stated they would suggest that the Executive prepare a proposal (with Public Works) for the Department of Transportation to adjust the boat size to an approximately 20-car ferry that reduces the National Environmental Policy Act (NEPA) footprint, then reach out to our State and Federal government representatives to explore all the possibilities.

Councilmembers discussed the call in the Lummi Island community to explore a smaller boat and to reduce the cost of the overall project, hearing from Public Works on how a smaller sized boat might affect level of service and labor if it has to take more trips, and the problem of needing the RAISE grant but maybe not being able to afford the design required to get the grant.

Elizabeth Kosa, Public Works Department Director, stated they are looking at a myriad of different options and will come back to Council with those and their recommendations, probably in November, but a smaller vessel is not off the table.

Satpal Sidhu, County Executive, stated they are looking at different options and have reached out to Representative Larsen's office, and things will be more clear after the election. The biggest cost is the terminals, more than the vessel itself.

Scanlon spoke about analysis that looked at level of service which came out of the Whatcom County Ferry Advisory Committee and stated that might be something they could share with Council. It also looked at how a 20-car vessel could meet the level of service.

Gould stated a smaller vessel meeting level of service was also discussed in the original analysis done by KPFF.

Galloway asked whether different designs (that have already been designed in other areas) could be used or adapted, or whether they have done any outreach to local boat builders to fact check some of this.

This agenda item was PRESENTED.

3. AB2024-710 Presentation of the County Executive's proposed 2025-2026 Biennial Budget

Aly Pennucci, Executive's Office, briefed the Councilmembers on the Executive's proposed 2025-2026 Biennial Budget. She stated there are several pending liabilities that are likely to hit during this biennium, as well as costs that will continue to increase. While the budget takes steps toward addressing under-resourcing, it is not enough to catch up with some of the County's departments with expansions that have happened. That is why the recommended budget comes with a commitment to looking at long-term financial planning, introducing fiscal note requirements, and a plan to conduct a budget prioritization exercise in 2025. It also includes taking the banked capacity for the County's General Fund and Road Fund, and applying the one percent allowed annual increase in the other levies, except for the children's initiative. She spoke about the timeframe for making decisions about any areas in which the Council is considering changes.

Buchanan stated the budget work sessions are Tuesday, October 29 at 1 p.m. and Wednesday, October 30 at 9 a.m.

Satpal Sidhu, County Executive, answered whether there is any sense that going into 2025 and beyond the County will get to the level of sales tax they were planning on in the last biennium. He stated the County received \$66 million from the Federal Government over three and a half years, and a lot of community needs were met, but the fundamental flaws still remain. Even if sales tax increases, they cannot depend on that because costs will keep rising. There is no other way to fix that until they take a bold step, and the longer they wait, the worse the situation will become and the harder it will be to catch up.

Pennucci answered whether having to maintain a 15 percent fund balance is in the charter or the code or if it is just an internal policy, and stated it is in their adopted debt management policies. She answered why the decision was made in the proposed budget to end 2026 with a 22 percent fund balance, and stated the 15 percent is not that large of a fund balance, and there may be \$5-10 million of expenses (pending liabilities) that might hit during the biennium that are not really optional, so they wanted to have some buffer. They are trying to avoid an ongoing reliance on the fund balance to support ongoing expenses. She answered whether, in future bienniums, they would likely need to see cuts since they would be limited

to one percent increases after using the banked capacity, and stated that is why they have been saying that taking the banked capacity and then doing an exercise of identifying expenditure reductions from the General Fund in the next year is necessary to start showing a stable future. The budget exercise will also look at all funds beyond the General Fund so that they can understand which programs can be funded from which fund source.

Sidhu stated there is a move in the Legislature to lift the limit of one percent to three percent. He also stated it will take two biennium budgets to fix the structural gaps for the long term in revenue and expense.

Councilmembers and the speakers discussed what the Executive's memo means by this being a status quo budget, why pending liabilities are not just included in the budget instead of being reflected in the fund reserves, and how Councilmembers should communicate prospective budget amendments.

This agenda item was PRESENTED.

Committee Discussion

1. AB2024-647 Discussion relating to population and employment projections for the Birch Bay Urban Growth Area (UGA), Cherry Point UGA, Columbia Valley UGA and areas outside UGAs (Rural areas and Resource Lands) associated with the 2025 Whatcom County Comprehensive Plan Update

Matt Aamot, Planning and Development Services Department, stated this is a continuation of the discussion from October 8 and Planning is looking for direction from the Council on the three Urban Growth Areas (UGAs) and the rural population and employment projections. The cities are working on similar projections for their UGAs and they anticipate getting those by the end of October.

Donovan spoke about the proposal to put 10,000 new residents (455 per year) into rural, unincorporated, non-UGA areas and stated he would recommend lowering it to 300 per year.

Aamot answered how that amendment might affect what Bellingham and the other jurisdictions are going to do. He stated it would be added into a new State planning tool spreadsheet which distributes housing units to different jurisdictions based on their share of population, but the cities can propose what they would like to for accommodating in their UGAs regardless of what the County proposes.

Donovan moved that they lower the 10,000-people estimate, which works

out to about 455 people per year for planning purposes, to 300 people per year.

He stated that assumes then that it would shuffle things around and the planning would go on for those numbers in the UGAs and the incorporated cities.

The motion was seconded by Buchanan.

Councilmembers discussed and Aamot answered questions about how they ensure that the decrease that Donovan's motion is looking for in rural growth is then accounted for in the cities, whether the numbers account for growth that might happen because of people being drawn to the area for major events (such as the World Cup and the Olympics) and subsequently moving here, when Planning would like to have a Council decision on this, the timing for them voting on a resolution, and whether they have time to do a special session on this to give the decision the time it deserves.

Donovan asked how they can give Planning guidance which says that following the status quo, in terms of planning for the amount of people they expect to be moving into the unincorporated, rural areas, and limited areas of more intensive rural development (LAMIRDS), is not good policy. He stated they maybe do not have to pick a number today, but they could say that it is not realistic to plan on 10,000 people and that some number of those should be going somewhere other than in the rural areas.

Donovan withdrew his motion *and moved* that they have Planning and Development Services plan to shift some of those 10,000 that are currently assigned for LAMIRDS and the rural area to other locations.

The motion was seconded by Buchanan.

Councilmembers discussed the motion.

Donovan restated his motion.

The motion carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

Nay: 1 - Elenbaas

Councilmembers and Aamot discussed how they should communicate this to the cities, having to plan for infrastructure to accommodate any shifted growth in the unincorporated UGAs that the County has jurisdiction over (in

addition to the cities maybe accommodating some of it), the need for more time to discuss the implications of that, engaging the City of Bellingham, and adding a special meeting for more discussion.

Galloway moved that they hold a special meeting on Tuesday, October 29, 2024 from 9-9:55 a.m. to further discuss this agenda bill.

The motion was seconded by Donovan.

Aamot answered when the Environmental Impact Statement (EIS) is coming to them, and stated they will have the draft in January and the final EIS would probably be issued by June.

Scanlon asked whether it would be helpful if the Council were to send a letter to the cities about their intentions and suggestions.

The motion carried by the following vote:

Aye: 7 - Byrd, Donovan, Elenbaas, Galloway, Scanlon, Stremler, and Buchanan

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved that they have Planning and Development Services plan to shift some of those 10,000 that are currently assigned for LAMIRDS and the rural area to other locations.

Motion approved that they hold a special meeting on Tuesday, October 29, 2024 from 9-9:55 a.m. to further discuss this agenda bill.

2. AB2024-699 Justice Project update presented by the Executive Office

Kayla Schott-Bresler, Executive's Office, read from a presentation (on file) and answered questions.

Donovan stated it would be good to have ongoing updates on the capital costs and whether capital or services would need to be rescaled if costs go over what is anticipated.

Satpal Sidhu, County Executive, spoke about the first meetings of the Justice Project Oversight and Planning (JPOP) Committee and Finance and Facility Advisory Board and stated they will be very actively working on the justice facility project after November.

Schott-Bresler stated the Facilities Department will be coming to talk about the capital project in two weeks and will be mostly focused on the budget of

the project and where they are at in their project planning. If Council wishes to talk more about financing trade-offs, they should schedule some separate time to work on that. She stated the current projected cost estimate (and they have not designed the facility yet) is \$173.9 million so they think they are still within the bounds of their existing framework.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. AB2024-571 Resolution affirming food security as a public health priority

Buchanan stated they discussed this resolution at the last meeting and one of the things that came up was that they needed to talk to the Agricultural community, so they convened a roundtable discussion with representatives from the Ag community. They also had another roundtable a couple weeks ago with other people that were represented, so they had a great public process in developing the resolution.

Galloway stated there has been a lot of evolution in this resolution as a result of community and councilmember feedback and she hopes they can continue the conversation as they consider the next budget cycle, the next legislative session, and the ongoing efforts to get Congress to pass a farm bill. This is just the beginning of the work.

Scanlon stated he and Councilmember Galloway went to the food security summit and it was a reminder of how real these challenges are in our community.

Donovan moved and Buchanan seconded that the Resolution be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

Nay: 0

Abstain: 1 - Elenbaas

2. AB2024-662 Resolution revising the membership of the Northwest Clean Air Agency by adding San Juan County to the Agency

Donovan briefed the Councilmembers and **moved** that the Resolution be RECOMMENDED FOR APPROVAL. The motion was seconded by Galloway.

He answered questions.

Donovan's motion that the Resolution be RECOMMENDED FOR

APPROVAL carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

Nay: 0

Abstain: 1 - Elenbaas

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:21 a.m.

The County Council approved these minutes on November 6, 2024.

ATTEST:



Cathy Halka, Council Clerk



WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA



Barry Buchanan, Council Chair



Kristi Felbinger, Minutes Transcription