

**Whatcom County  
Council Finance and Administrative Services Committee**

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



**Committee Minutes - Final**

**Tuesday, March 21, 2023  
10:45 AM  
Hybrid Meeting**

HYBRID MEETING - ADJOURNS BY 11:45 A.M. (PARTICIPATE IN-PERSON AT  
311 GRAND AVENUE SUITE 101, SEE REMOTE JOIN INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360.778.5010)

**COUNCILMEMBERS**

Todd Donovan  
Carol Frazey  
Kathy Kershner

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## **Call To Order**

Committee Chair Kathy Kershner called the meeting to order at 10:45 a.m. in a hybrid meeting.

## **Roll Call**

**Present:** 3 - Todd Donovan, Carol Frazey, and Kathy Kershner

Also Present: Tyler Byrd, Barry Buchanan, Ben Elenbaas, and Kaylee Galloway

## **Announcements**

### **Council "Consent Agenda" Items**

Frazey requested to pull Consent Agenda item number 4 from Consent.

Kershner stated she has questions about Consent Agenda item numbers 6 and 8.

Donovan stated he has a question about Consent Agenda item number 7.

#### **Consent Agenda Item number 6 (AB2023-209)**

Kershner asked that Buchanan give an explanation of some of the goals and more information about what Pyramid Communications is doing for the county as far as communicating to the community, and how that is going.

Satpal Sidhu, County Executive, stated he thinks it is important for them to get the facts to the public.

Buchanan answered whether there would be a “firewall” between getting the facts out and anything that would look like campaigning in an election year. He stated everything they post or that gets sent out gets a review from legal.

#### **Consent Agenda Item number 7 (AB2023-210)**

Tyler Schroeder, Director of Administrative Services, answered whether the Council has seen this before and whether it is additional money. He stated this is just re-appropriating the dollars through the Economic Development Investment (EDI) fund to accomplish these important projects in the City of Blaine.

#### **Consent Agenda Item number 8 (AB2023-215)**

Satpal Sidhu, County Executive, and Tyler Schroeder, Executive's Office, briefed the Councilmembers on why an outside consultant is needed and what the Administration’s plan is in using them.

Steve Oliver, County Treasurer, stated one of the primary things that we want this firm to help us with is just to develop a holistic strategy around the financing of all these projects. Another thing would be to schedule a time with the Council to have a discussion about the process of borrowing and issuing bonds.

Consent Agenda Item number 2 (AB2023-196)

The following people answered questions:

- Elizabeth Kosa, Public Works Department Director
- Sandy Korthuis, Public Works Department

They answered what the protocol is for determining that a vehicle is abandoned and how we are ensuring that they are not being used for dwelling.

*Frazey moved* to approve Consent Agenda items one through three and five through eight. Councilmembers voted on the Consent items (see votes on individual items below).

1. [AB2023-177](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and S. S. Papadopoulos & Associates, Inc. to make refinements and modifications to the Whatcom County Groundwater Model, in the amount of \$210,640 for a total contract amount of \$496,656 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Frazey moved that the Contract (FCZDBS) be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

2. [AB2023-196](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Heston Hauling LLC to provide towing, removal and disposal services for abandoned vehicles that have been declared as junk on the county right of way in the amount of \$32,000

**Frazey moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

Nay: 0

3. [AB2023-198](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Ecology to the 2021-2023 Biennial Stormwater Capacity Grant in the amount of \$25,000.00 for a total amended contract amount of \$75,000.00

**Frazezy moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

4. [AB2023-206](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County, the City of Bellingham and Port of Bellingham for increased cost of joint consultation and government affairs services in the amount of \$48,000 per year

This item was considered separately below.

5. [AB2023-208](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine in support of the Wellfield Pump Station Infrastructure Project in the amount of a \$375,000 grant and a \$125,000 loan

**Frazezy moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

6. [AB2023-209](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pyramid Communications for public communications for the Incarceration Prevention and Reduction Task Force in the amount of \$138,850, for a total amended amount of \$227,650.

**Frazezy moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

7. [AB2023-210](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for the G Street Sewer

improvement project in the amount of a \$1,875,000 grant and a \$625,000 loan

**Frazezy moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazezy, and Kershner

**Nay:** 0

8. [AB2023-215](#) Request authorization for County Executive to enter into a contract with PFM Financial Advisors, LLC for financial advisor services in the amount of \$39,000

**Frazezy moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazezy, and Kershner

**Nay:** 0

### **Council "Consent Agenda" Items Considered Separately**

4. [AB2023-206](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County, the City of Bellingham and Port of Bellingham for increased cost of joint consultation and government affairs services in the amount of \$48,000 per year

Frazezy stated this has been a ten-year contract but the Council has not seen it before because it has been under the cost threshold to come to Council until now. Maybe we should review the costs and put out a Request for Proposal (RFP) to see what is out there and what kind of services we can get. One concern she has is that, according to the contract, the Council is supposed to be getting an update every January and she does not think there has ever been one. There are things the Council should be informed about when the State Legislature starts their session.

Tyler Schroeder, Director of Administrative Services, gave a background of the contract and stated the consultant is planning to come and give a presentation to Council on April 11 to walk through the effort that they have done over the last couple years. It has been an effective effort with the three parties associated with it but they have talked a lot about capital and capital budget and less about bills. If we do decide to do a little bit more of that moving forward, maybe it would be time to take a look at the framework and consider whether it should remain the three parties or just be separate with the County.

Frazezy stated again she would like the County to put out another RFP just to see what is out there.

Galloway stated she hopes they can schedule a follow-up conversation around broader strategy and discuss the pros and cons of having a joint contract versus having our own, and she would welcome a review of the scope of work to make sure the original one is being followed through on and to see if it needs to be changed or enhanced in any way.

Frazezy stated the contract is dated and the Council is not getting the services that were expected so it would be good to review it.

Satpal Sidhu, County Executive, asked Schroeder if this amendment is extending the contract for the next 10 years or just for one year and Schroeder stated he believes it is one year but he does not see it in the contract. Sidhu stated there is no harm in looking at it again, and he believes that working with the City and Port helps the County lower our cost, but we can look at working alone. Taking a year and going through this process of evaluating with the Council would not be a bad idea.

They answered whether McBride and Associates works with the administrative team and establishes their work around the goals the Administration is setting, whether the Administration is reaching out to Councilmembers to include them in this process of determining the County's Legislative priorities, and whether that could be more formalized. Sidhu described the process and stated they do include the Council by sending them a letter.

Kershner asked that it be scheduled in one of the Council's committee meetings so that they can have a discussion and it does not get lost in all their emails.

Buchanan suggested that the Council be involved in determining the priorities before it goes out to get agreement from the City.

Schroeder acknowledged the work of Councilmember Galloway in formulating letters from the Council and then having Council conversation and he stated the Executive's Office has more resources now to help support this process.

Donovan spoke about doing this process earlier. If it comes to Council a month before the Legislative session starts it may be too late to have any impact on what the Legislature might be doing.

**Donovan moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 2 - Donovan, and Kershner

**Nay:** 1 - Frazey

### **Committee Discussion and Recommendation to Council**

1. [AB2023-149](#) Ordinance amending the project budget for the Academy Road Stormwater Improvements Project Fund, request no. 3  
Kraig Olason, Public Works Department, briefed the Councilmembers.

**Donovan moved that the Ordinance be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

2. [AB2023-155](#) Ordinance amending Whatcom County Code 2.128, Business and Commerce Advisory Committee, to revise membership

***Kershner moved*** that the Ordinance be RECOMMENDED FOR ADOPTION and stated the Business and Commerce Advisory Committee requested the Council to add two new positions, one in construction and one at large (reflected in the Proposed Ordinance on file).

***Donovan moved*** to amend Section 2.128.040 Subsections C of Exhibit A so that it would read:

C. The county council shall appoint one member representing for-profit entities in each of the following industries:

1. Internet technology;
2. Manufacturing;
3. Food processing;
4. Recreation;
5. Retail;
6. Marine trades;
7. Commercial real estate;
8. Agriculture;
9. Energy industry; ~~and~~
10. Health care; ~~and~~
11. Construction; and
12. Three voting representatives, one each, from three of the

four largest employers in Whatcom County

Donovan answered whether he has a definition for largest employers and stated it is defined by Western Washington University's Center of Economic and Business Research, and Councilmembers discussed the motion, non-profits being added as voting members, and getting feedback first from the Business and Commerce and Advisory Committee.

The motion to amend carried by the following vote:

**Aye:** 2 - Frazey and Donovan

**Nay:** 1 - Kershner

Dana Brown-Davis, Clerk of the Council stated a substitute Ordinance could be prepared for tonight so Council could vote on that version. She asked about where the added language should be added to the Exhibit.

Donovan agreed that the added language would be more appropriate as a new Subsection D (which would change D to E and E to F...).

Kershner asked whether the amendment was adding four members or three members. Donovan stated it would be adding three members that could be picked from the four largest employers.

Galloway asked about the impact of adding three of the top four employers versus current membership since some seem to be represented and Donovan stated the Western representative cannot vote and the health care person can be from all sorts of industries and not necessarily from the largest employer.

Brown-Davis asked whether they need to add into the Ordinance where they are going to be choosing the top four employers from.

Jill Nixon, Council Office Staff, stated she pulled this information from a report produced by Western Washington University Center of Economic and Business Research entitled Whatcom County Top Employers.

***Donovan moved*** to amend the Ordinance to add the following additional language into the new Subsection D of the Ordinance:

D. The county council shall also appoint three voting representatives, one each, from three of the four largest employers in Whatcom County, based on the latest report of Whatcom County Top



Employers by Western Washington University Center of Economic  
and Business Research.

The motion to amend carried by the following vote:

**Aye:** 2 - Frazey, Donovan, and Kershner

**Nay:** 0

*Clerk's note:* See further discussion on this item under Other Business.

**Kershner's motion that the Ordinance be RECOMMENDED FOR  
ADOPTION WITH PROPOSED AMENDMENT(S) carried by the following  
vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

This item was discussed further under Other Business.

3. [AB2023-185](#) Ordinance amending the 2023 Whatcom County Budget, request no. 4, in the amount of \$7,015,999

**Frazey moved** that the Ordinance be RECOMMENDED FOR ADOPTION.

Chris D'Onofrio, Health and Community Services, answered what the housing specialist position would be responsible for, and what percentage of the work for housing programs is done by the Health Department and how much is outsourced to the Opportunity Council and other Non-Government Organizations (NGOs).

**Frazey's motion that the Ordinance be RECOMMENDED FOR ADOPTION  
carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

4. [AB2023-186](#) Ordinance amending the project based budget for the Courthouse Improvement Fund, request no. 4

**Donovan moved that the Ordinance be RECOMMENDED FOR  
ADOPTION. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

5. [AB2023-189](#) Request for motion to approve the Criminal Justice Treatment Account (CJTA) Plan 2023-2025 Update

*Frazey moved* that the Request for Motion be RECOMMENDED FOR APPROVAL.

Perry Mowery, Health and Community Services, answered how this fund fits in with our Incarceration Prevention and Reduction Task Force (IPRTF), our Stakeholder Advisory Committee (SAC), our Law Enforcement Assisted Diversion (LEAD) programs, and other programs we have set up for this. He answered whether it is all integrated or whether this is a completely separate program that we are using to fund separate services.

**Frazey's motion that the Request for Motion be RECOMMENDED FOR APPROVAL carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

6. [AB2023-195](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to support operations at the permanent supportive housing facility 22 North in the amount of \$25,000 for a total amended contract amount of \$268,950

*Donovan moved* that the Contract be RECOMMENDED FOR AUTHORIZATION.

Chris D'Onofrio, Health and Community Services, answered whether this is adding \$25,000 and also a requirement for an onsite behavioral health specialist, whether there are requirements for what that person will be required to do or any outcome-based contract amendments, whether clients are required to participate with a behavioral health specialist or whether it is voluntary, what other services we are requiring at Opportunity Council around supportive living, whether clients are allowed to stay there if they refuse to participate in those services, whether the County's contribution to 22 North is only \$268,950 if Council approves this \$25,000 amendment, whether the Opportunity Council is using other funds to manage and maintain staff at the facility and offer services, and whether this extra \$25,000 is adding a 24/7 behavioral health person that is not currently there.

**Donovan's motion that the Contract be RECOMMENDED FOR AUTHORIZATION carried by the following vote:**

**Aye:** 2 - Donovan, and Frazey

**Nay:** 0

**Abstain:** 1 - Kershner

### Items Added by Revision

There were no agenda items added by revision.

### Other Business

Frazeley asked about making sure both contract information sheets and actual contracts are being uploaded to the Legislative Information Center.

Tyler Schroeder, Director of Administrative Services, answered a question about the upcoming discussion on using American Rescue Plan Act (ARPA) money (**AB2023-203** scheduled for Committee of the Whole) and whether it would be a supplemental budget request that comes back to this committee.

Galloway spoke about the Business and Commerce Advisory Committee (**AB2023-155**) and whether the amendments made today had been vetted with that committee, whether the four largest employers have been engaged to determine if they are interested in serving on the committee, and whether this amendment triggers any requirements to re-introduce the Ordinance.

Dana Brown-Davis, Clerk of the Council, stated the Ordinance would not need to be re-introduced.

Donovan answered the other two questions and stated that the committee was set up without asking any of the groups that the Council put on it and they did not discuss setting up the committee with people who are on the committee. His amendment is populating the committee the same way it was populated originally when it was established.

Byrd stated the categories were not selected at the whim of the Council but selected by the Port of Bellingham and through their research. It was targeted at for-profit businesses because it was supposed to determine how we bring more for-profit businesses to Whatcom County.

Galloway stated she is not ready to vote on the amendment tonight. They might consider pushing this out another week to talk it through. One alternative to consider would be adding one non-voting member representing the county's k-12 system or finding other ways to go about this.

Donovan stated he would be willing to support a motion to hold this over until our next committee meeting, but Kershner stated they would need to do that in Council tonight since the item was already voted on in committee.

**Adjournment**

The meeting adjourned at 11:58 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

**Kathy Kershner-via email 3/24/2023**

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Kathy Kershner, Committee Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription

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