

**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, December 3, 2019**

**10:30 AM**

**Council Chambers**

**COUNCILMEMBERS**

Tyler Byrd  
Carol Frazey  
Satpal Sidhu

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## **Call To Order**

Committee Chair Satpal Sidhu called the meeting to order at 10:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

## **Roll Call**

**Present:** 3 - Tyler Byrd, Carol Frazey and Satpal Sidhu

**Absent:** None

Also present: Barbara Brenner, Rud Browne, Barry Buchanan, and Todd Donovan

## **County Executive's Report**

Jack Louws, County Executive, stated this would be his last Executive report and he reported on highlights of the last eight years, including getting the County more updated on Information Technology programs, and various projects completed in each department and in the criminal justice system. Projects included:

- Courthouse exterior project
- The Triage Facility
- Work on the Civic Center
- Phase I of the jail repair
- The recently passed EMS levy
- The Road and Bridge Program in Public Works
- Swift Creek
- Birch Bay Berm
- River and Flood projects
- Water issues
- Comprehensive Plan update
- Customer services improvements in the Planning Department
- Health Department programs
- New judges in the Criminal Justice System
- Keeping low level offenders out of the jail system

Councilmembers thanked him for his service.

## **Special Presentation**

1. [AB2019-610](#) Report from Whatcom County's Information Technology Department  
Perry Rice, Administrative Services Department, gave a presentation (on file). He reported about the County's cyber security efforts and large projects both completed and in process within the various County departments.

He answered questions about a recent ransomware attack on the City of Sammamish and whether their protection measures were the same as Whatcom County's; whether our website vendor's (Civic Plus) redesign of the County's website was free of charge; who is acting as the lead on the implementation of the Juvenile, Prosecutor, and Public Defender case management systems; whether the County has worked with the other city governments to coordinate case management software and possibly do cost sharing with the City of Bellingham on similar software projects; whether the crime statistics module has come before the Council as a budget item; whether a parcel viewer will be available on the new Geographic Information System (GIS); why the County does not operate on a cloud-only based back-up system; what the plans are for using the cloud for back ups in the future; where we are in the process to update the County's back up system; and whether cloud back up could be tested with the current infrastructure still in place.

**This agenda item was REPORTED.**

### **Committee Discussion**

1. [AB2019-615](#) Discussion regarding ordinance amending Whatcom County Code, 16.30, Lake Whatcom Stormwater Utility Funding Mechanism, changing the date for collection of Capital Facility Charges from January 1, 2020 to January 1, 2021

Kraig Olason, Public Works Department, gave a staff report. He stated that for the Planning Department to collect the money it has to be included on the Unified Fee Schedule and the language in the code is not currently clear on situations of expansion as opposed to new projects which require a building permit. They would also like to do additional research to see how other jurisdictions handle this type of fee and run it through a legal review. The extension of the start date would give the Public Works Department time to work through the ordinance to make sure it provides sufficient clarity. He answered questions about whether the extra time is needed to re-write the code language in Whatcom County Code 16.30.120 (Section 11 of Ordinance 2019-053 Exhibit A) or to write a resolution that establishes how the Capital Facilities Charge is collected as stated in the same section, whether there would be any consideration of reducing or eliminating fees for people who show that they have reduced or eliminated run-off from their property, and whether this proposal is just regarding the Capital Facilities Charge.

Tyler Schroeder, Executive's Office, clarified that Whatcom County Code 16.30.120 and Section 11 of Ordinance 2019-053 Exhibit A are the same.

**This agenda item was DISCUSSED.**

2. [AB2019-633](#) Discussion regarding potential loss of childcare spaces in Whatcom County

Tyler Schroeder, Executive's Office, gave a staff report. Councilmembers decided to hold the item until end of the meeting to see if Heather Powell, Boys and Girls Club of

Whatcom County, could be reached by phone.

See Other Business for discussion of this item.

**This agenda item was DISCUSSED.**

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

1. [AB2019-611](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Trantech Engineering, in the amount of \$45,000

**Byrd moved that the Agreement be RECOMMENDED FOR AUTHORIZATION. The motion carried by the following vote:**

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

2. [AB2019-612](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Sargent Engineers, Inc., in the amount of \$45,000

James Lee, Public Works Department, answered questions about how the consultant was chosen and whether selection of the consultant included an open Request for Proposal (RFP) process.

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

3. [AB2019-625](#) Request authorization for the County Executive to sign an attorney engagement and contingency fee agreement between Whatcom County and Keller Rohrback L.L.P.

Karen Frakes, Prosecuting Attorney's Office, answered a question about whether the County will have to pay costs and how costs have to be stated in the contract.

**Byrd moved that the Agreement be RECOMMENDED FOR AUTHORIZATION. The motion carried by the following vote:**

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

4. [AB2019-601](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County Flood Control Zone District and Whatcom Conservation

District to provide outreach and cost-share to support the Pollution Identification and Correction Program (PIC), in the amount of \$55,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

5. [AB2019-590](#) Ordinance amending the 2019 Whatcom County Budget, request no. 15, in the amount of \$49,400

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

6. [AB2019-592](#) Ordinance establishing the Prox Lock Control Panel Replacement Fund and establishing a project based budget for the Prox Lock Control Panel Replacement Project

Rob Ney, Administrative Services Department, answered questions about what would happen if the prox lock control panels are not replaced, which ones failed in the last year, what exactly breaks on a control panel, whether it is feasible and more cost effective to replace them one by one as they fail, whether the hardware that is added will integrate into the same system, and how long it will take to replace all of them.

Tyler Schroeder, Executive's Office, explained that the Council previously passed the budget Additional Service Request (ASR) for this item and the ordinance gives the financial ability to put that money into a fund.

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

7. [AB2019-619](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and Kittitas County for the Housing of Inmates

The following people reported and answered questions:

Wendy Jones, Sheriff's Office  
Jack Louws, County Executive

They both answered questions about the cost of transportation for each trip and how staff time is factored in, whether it's possible for Yakima to transport inmates straight to the new location instead of bringing them here, whether video conferencing will be available in Ellensburg, and whether the City is still taking people to Yakima.

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

8. [AB2019-622](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the Cities of Bellingham, Blaine, Everson, Ferndale, Lynden and Sumas for the purpose of implementing a countywide wayfinding and gateway feature placement program

The following people reported and answered questions:

Tyler Schroeder, Executive's Office  
Jack Louws, County Executive  
Sandy Ward, Whatcom County Tourism

They answered questions about the costs and sources of funding for the program, why the County would want to implement a countywide wayfinding and gateway feature placement program, whether the County could re-engage with Nooksack to see if they would like to be involved, whether the Lodging Tax Fund is the same as the Tourism and Convention Funds, whether the Lummi Nation will be involved in the agreement, whether the County would ever recoup the \$3,000,000 investment and how long that would take, whether a convention center might be a better use of these funds, and whether there has been discussion about using changeable signs as opposed to static signage.

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

**Aye:** 2 - Frazey and Sidhu

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Byrd

9. [AB2019-623](#) Request approval of the Economic Development Investment (EDI) Board's recommendation for additional funding in the amount of \$500,000 and establishment of a \$2.2-million revolving loan fund for the Housing Affordability Through the Workforce Program (HATWF)

The following people spoke:

Tyler Schroeder, Executive's Office

Jack Louws, County Executive

They answered questions about how long the loans last and whether they are used to pay utility impact fees, why the funds are used more outside of the City of Bellingham, and whether the homes built under the program go for regular market rates when they are sold.

**Frazezy moved that the Special Executive Only Item be RECCOMENDED FOR APPROVAL OF REQUEST. The motion carried by the following vote:**

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

10. [AB2019-616](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Michael Bobbink for hearing examiner services

*Frazezy moved* to recommend for authorization.

Cathy Halka, Council Office Legislative Analyst, answered questions about whether Michael Bobbink specified the hours he works and why that information is unknown at this time, the other services he provides for other jurisdictions, how much other jurisdictions pay for comparable services, whether his salary includes benefits, how 24 years of experience figures into a contracted salary and the value it is to the County by potentially averting law suits, whether there are potential conflicts in representing multiple jurisdictions in different functions, whether his other duties for all the jurisdictions might overlap, whether it would be more cost effective to hire a full time employee instead of contracting the position out, and what Island County is paying a law firm to do a similar job.

Browne suggested to hold this item until they get more information including Bobbink's case load and the cost per case in comparable jurisdictions.

Jack Louws, County Executive, stated Bobbink's contracts with the other Whatcom County jurisdictions are public information and it would be valid to look at those as

well as his case load for the County.

**Byrd moved that the Contract be HELD IN COMMITTEE. The motion carried by the following vote:**

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

11. [AB2019-626](#) Request authorization for the County Executive to enter into a contract between Whatcom County and North West Regional Council to provide Nursing Services at the Whatcom County Jail and Juvenile Detention in the amount of \$1,456,501.11

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

12. [AB2019-591](#) Ordinance amending the 2020 Whatcom County Budget, request no. 2, in the amount of \$343,000

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

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

1. [AB2019-598](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide case management and support services to individuals experiencing homelessness, in the amount of \$32,860 for a total amended contract amount of \$213,770

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

2. [AB2019-599](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bellingham Whatcom County Tourism, in the amount of \$290,000, for the purposes of tourism marketing and operations

Jack Louws, County Executive, answered a question about whether less people are coming in to physical tourism information centers and accessing more information online.

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

3. [AB2019-602](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Status Electrical Automation Systems to provide Security Electronics and DVMS System Support & Maintenance, in the amount of \$43,314.53

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

4. [AB2019-613](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and General Teamsters' Local Union 231 Corrections Deputies and Sergeants for the period January 1, 2019 through December 31, 2020

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

5. [AB2019-617](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Summit Food Service to furnish food to inmates at the Whatcom County Jail in the amount of \$540,750.00

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

6. [AB2019-618](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Summit Food Service for Commissary Services to inmates at the Whatcom County Jail

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

7. [AB2019-620](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Birch Bay Chamber of Commerce in support of the Birch Bay Visitor Center operations and promotion of annual multi-day events designed to encourage tourism in the amount of \$100,000

Jack Louws, County Executive, answered questions about insurance requirements for events permits on County property and whether event organizers are aware of the best time frame to schedule public events with the County.

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

8. [AB2019-621](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mount Baker Foothills Chamber of Commerce in support of the Visitor Center operations in the amount of \$100,000

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

**Aye:** 3 - Byrd, Frazey and Sidhu

**Nay:** 0

**Absent:** 0

9. [AB2019-629](#) Request approval for the County Executive to enter into a contract for the purchase, delivery, and installation of a modular building for the Point Roberts Transfer Station, in the amount of \$65,179.75

Frazey moved that the Bid Award be **RECOMMENDED FOR AUTHORIZATION BY CONSENT**.

The following people answered questions:

Tyler Schroeder, Executive's Office

Jack Louws, County Executive

They and councilmembers discussed why the operator does not purchase or pay a monthly rate on the use of the transfer station building, factoring building and maintenance costs into the lease, how this compares to equipment used by regular County employees, how the County protects itself in a contract from an organization that causes damage or puts too much use on a piece of equipment or facility, and what is the current lease amount per month.

**Byrd moved** to hold the item until more information on the lease and the general conditions of the contract are provided.

The motion to hold failed by the following vote:

**Aye:** 1 - Byrd

**Nay:** 2 - Frazey, Sidhu

**Sidhu restated that the Bid Award be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 2 - Frazey and Sidhu

**Nay:** 1 - Byrd

**Absent:** 0

### **Other Business**

Councilmembers discussed the hearing examiner contract. They were informed that if it is not approved, the County would not have a contract in place for a Hearing Examiner for next year so the questions about it need to be answered by the evening meeting.

Cathy Halka, Council Office Legislative Analyst, stated she would gather the information for this evening.

Jack Louws, County Executive, gave more information on the lease of the Point Roberts Transfer Station.

Dana Brown-Davis, Clerk of the Council, spoke about adding **AB2019-633 Discussion regarding potential loss of licensed childcare spaces in Whatcom County** to the Criminal Justice and Public Safety Committee this afternoon.

Tara Sundin, City of Bellingham, reported on the impending closure of 500 childcare slots and a proposed business acquisition by the Boys and Girls Club of Whatcom County in an effort to save the slots. The City of Bellingham and other partners have been asked to help by bridging a funding gap of \$300,000. She answered questions about how urgent the timing is for getting the necessary funding, providing assurance to Heather Powell of the Boys and Girls Club of Whatcom County that there will be partners that intend to contribute by the deadline, and how that could be accomplished.

The following people also answered questions:

Tyler Schroeder, Executive's Office

Jack Louws, County Executive

Michael Waters, Kid's World Executive Director

They answered questions about how the funding might be accomplished and how many families would be affected by the closure.

## **Adjournment**

The meeting adjourned at 1:04 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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

\_\_\_\_\_  
Satpal Sidhu, Committee Chair

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

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