

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

COUNTY COURTHOUSE  
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Bellingham, WA 98225-4038  
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**Committee Minutes - Final**

PL MEETING - MAY BEGIN EARLIER/LATER THAN 10 A.M.; AGENDA REVISED 9

**Tuesday, September 15, 2020**

**10 AM**

**Virtual Meeting**

**COUNCILMEMBERS**

Rud Browne  
Tyler Byrd  
Kathy Kershner

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## **Call To Order**

Committee Chair Tyler Byrd called the meeting to order at 10:01 a.m. in a virtual meeting.

## **Roll Call**

**Present:** 3 - Rud Browne, Tyler Byrd and Kathy Kershner

**Absent:** None

Also present: Barry Buchanan, Carol Frazey, Ben Elenbaas, and Todd Donovan

## **Announcement**

### **Special Presentation**

1. [AB2020-348](#) Presentation from Rob Ney, Project & Operations Manager, regarding Capital Facilities 2020 Update

Rob Ney, Administrative Services Department, gave a presentation (on file) then he and the following people answered questions:

- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

Questions included whether Hellmuth, Obata, and Kassabaum, Inc. (HOK) is still working on the jail project, how much the County is paying them to analyze the jail work center and whether the contract for that came before the Council, how the proposed facilities projects should be funded and how bonding capacity should be used, what improvements would be included in the Civic Center remodel, looking at what it would take to move the Sheriff's office to the emergency command center, what it would look like to close the work release program and juvenile detention center to create more jail space, and relocating women in the jail to a different space.

Councilmembers discussed possible alternatives for the jail and related facilities and the need to revisit this issue as a discussion item at a later time.

**This agenda item was PRESENTED AND DISCUSSED.**

2. [AB2020-327](#) Report on Criminal Justice Case Management Systems Project

**This agenda item was WITHDRAWN.**

3. [AB2020-374](#) Report and request for a motion of support from the Whatcom County Council in

acknowledgement and support of distributing these CARES Act dollars to our very valuable childcare businesses as recommended by the countywide Childcare review team comprised of representatives from Whatcom County, City of Bellingham, Opportunity Council, Health Department, United Way, and Mt. Baker Foundation Tyler Schroeder, Executive's Office, briefed the Councilmembers.

**Browne moved** to forward a recommendation of support for this item.

Frazey recommended that the Committee make a motion to reallocate the funds for The Firs Bible After School Adventure (The Firs) to other childcare facilities because of discriminatory hiring practices.

**Browne moved** to approve the allocations listed then **added a friendly amendment** to withhold the dollars from The Firs and reconsider the matter if The Firs withdraws its discriminatory policies.

Satpal Sidhu, County Executive, and Schroeder discussed with Councilmembers whether Council approval is needed for the cumulative total or just the individual allocation amounts over the \$40,000 threshold, whether The Firs should be handled separately, the scoring mechanism used to award the funds and why the YMCA amount is higher than the others, not allocating Council's authority to make the final decision on where the money goes, and whether there is more information about concerns about the YMCA charging families for holding childcare in schools.

**Browne restated** his original motion to support the allocations. The motion was seconded by Kershner.

**Browne** restated the amendment to his motion and **moved** to exclude The Firs from the allocations until they are in full compliance with the 14th Amendment Equal Protection Clause.

Byrd recommended that instead of a motion to support they make a motion of approval.

**Browne amended** his main motion and **moved** to forward a recommendation to the Council to approve the main list. The motion was seconded by Kershner.

**Browne restated his motion to amend** to exclude The Firs grant until such time they are in full compliance with the 14th Amendment to the U.S. Constitution which is the Equal Protection Clause.

Councilmembers discussed the motion to amend.

The motion to amend failed by the following vote:

**Aye:** 1 - Browne

**Nay:** 2 - Kershner, Byrd

**Browne's motion that the Report be FORWARDED TO COUNCIL WITH RECOMMENDED MOTION to approve the list carried by the following vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

4. [AB2020-385](#) Report and request for a motion of support from the Whatcom County Council in acknowledgement and support of distributing these CARES Act dollars to our very valuable businesses as recommended by the countywide business review team comprised of representatives from Whatcom County, City of Bellingham, and Small Cities, Port of Bellingham Regional Economic Partnership, WWU small Business Development Center, Whatcom Community Foundation and Bellingham Regional Chamber of Commerce

Dana Brown-Davis, Clerk of the Council, clarified that this is the next item on the agenda.

Tyler Schroeder, Executive's Office briefed the Councilmembers and answered questions about how many applicants there were and the total funding amount.

Satpal Sidhu, County Executive, stated the money was pooled with the Cities but the Council is only approving the County's amount.

Councilmembers and staff discussed whether there are additional funds left unallocated and the specific allocation to the Spice Hut.

Byrd *moved* to forward a recommendation to the Council to approve the list of "County Funded" organizations. The motion was seconded by Browne.

**Byrd's motion that the Report be FORWARDED TO COUNCIL WITH RECOMMENDED MOTION to approve the list of County funded organizations carried by the following vote:**

**Aye:** 2 - Browne and Byrd

**Nay:** 1 - Kershner

**Absent:** 0

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

1. [AB2020-316](#) Ordinance amending the 2020 Whatcom County Budget, request no. 16, in the amount of \$987,509

**Browne moved** that the Ordinance be recommended for adoption.

The following staff reported to Councilmembers and answered questions:

- Barbara Johnson-Vinna, Health Department
- Tyler Schroeder, Executive's Office

Councilmembers requested more information from the Auditor's Office about how many ballot boxes the County is planning to buy, where those would be located, and whether the small ones that are being replaced could be repositioned to new locations. They discussed the motion and requested a presentation and more information about homeless assistance money such as where it is going, where it is coming from, who it is helping and what kind of effect it is having.

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

**Aye:** 2 - Browne and Kershner

**Nay:** 1 - Byrd

**Absent:** 0

2. [AB2020-376](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Commerce for funding to develop and expand shelter programs, in the amount of \$1,194,211

*Clerk's note:* Todd Donovan joined the meeting.

**Browne moved** that the Interlocal be recommended for authorization.

Anne Deacon, Health Department, gave a staff report.

She answered questions about what kind of programs they envision for the money that is not going to the Lighthouse Mission "Base Camp" Shelter; whether the money can be used for the actual shelter as well as operational support; whether there is a breakdown by percentage in costs for what can

be used toward the shelter and toward services; how Base Camp is going and whether there are problems with its location; and having a presentation about where homeless assistance money is coming from, where it is going, over what period of time it can be used, who it is helping, and what kind of effect it is having.

Deacon and Satpal Sidhu, County Executive, spoke about the timeline of the funding and how the money can be used.

Councilmembers and staff discussed the motion and the requests for staff.

**Browne's motion that the Interlocal be RECOMMENDED FOR AUTHORIZATION carried by the following vote:**

**Aye:** 2 - Browne and Kershner

**Nay:** 1 - Byrd

**Absent:** 0

3. [AB2020-389](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire Protection District #7 to provide COVID-19 testing

Cathy Halka, Council Office, and Dana Brown-Davis, Clerk of the Council, clarified the agenda item and answered a question about how to find the paperwork for his items since it was added as an agenda revision.

***Kershner moved*** that the Contract be recommended for authorization.

The following people briefed the Councilmembers:

- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

Byrd asked that the paperwork be sent to the Council because the link to the paperwork is not working and requested that they wait to vote on it until tonight.

Kershner ***withdrew*** her motion.

**Byrd moved that the Contract be FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION. The motion carried by the following vote:**

**Aye:** 2 - Byrd and Kershner

**Nay:** 0

Absent: 0

Temp Absent: 1 - Browne

**Council "Consent Agenda" Items**

1. [AB2020-335](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Skagit County Sheriff's Office for use of the Plantation Rifle Range to train personnel, in the amount of \$15,134.81

Mike McFarlane, Parks and Recreation Department Director, briefed the Councilmembers.

*Clerk's note:* They took a vote but did not have a motion, then came back to this item after reading AB2020-336 with a formal motion and vote.

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

Aye: 2 - Byrd and Kershner

Nay: 0

Absent: 0

Temp Absent: 1 - Browne

2. [AB2020-336](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Marysville Police Department for use of the Plantation Rifle Range to train personnel, in the amount of \$12,716.30

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

Aye: 2 - Byrd and Kershner

Nay: 0

Absent: 0

Temp Absent: 1 - Browne

3. [AB2020-337](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Bellingham Police Department for use of the Plantation Rifle Range to train personnel, in the amount of \$26,476.80

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

**vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

4. [AB2020-338](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Anacortes Police Department for use of the Plantation Rifle Range to train personnel, in the amount of \$6,422.23

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

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

5. [AB2020-339](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Sedro-Woolley Police Department for use of the Plantation Rifle Range to train personnel, in the amount of \$7,414.23

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

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

6. [AB2020-342](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Mount Vernon Police Department for use of the Plantation Rifle Range to train personnel, in the amount of \$6,783.04

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

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

7. [AB2020-343](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Skagit Valley College for use of the Plantation Rifle



Range to train personnel, in the amount of \$22,498.85

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

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

8. [AB2020-349](#) Request authorization for the County Executive to enter into an interlocal lease agreement between Whatcom County and the City of Bellingham for use of a County owned road and right-of-way at Boulevard Park to build a restroom building

**Browne moved** that the Interlocal be recommended for authorization by consent.

Mike McFarlane, Parks and Recreation Department Director, briefed the Councilmembers. He answered whether we use that parcel for anything and why we don't sell it the City of Bellingham, how the County ended up with the piece of property in the first place, and whether the County is keeping it in case they want to develop a boat launch.

Byrd stated he would be interested in pursuing a permanent sale to the City to lessen bureaucracy and paperwork.

**Browne's motion that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT carried by the following vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

9. [AB2020-357](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Department of Ecology 2020-2021 Washington Conservation Corps Crew Agreement (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Browne moved** that the Contract (FCZDBS) be recommended for authorization by consent.

John Thompson, Public Works, briefed the Councilmembers and answered questions about whether there is a timeline for the renewal of the contract,

Byrd stated he would like to hold the item until the September 29, 2020

meeting.

Kershner asked whether it should be approved by the Council acting as the Flood Control Zone District Board of Supervisors (FCZDBS).

**Byrd moved** that the Contract be held in Committee and brought back as a FCZD item.

**Byrd's motion that the Contract (FCZDBS) be HELD IN COMMITTEE and brought back as a FCZDBS item carried by the following vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

10. [AB2020-378](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Washington State Department of Commerce for a grant in the amount of \$60,461.00 for provision of victim-witness advocacy services in District Court matters

**Browne moved** that the Agreement be recommended for authorization by consent.

Vanessa Martin, Prosecuting Attorney's Office, briefed the Councilmembers and answered whether this is a new position, whether the \$20,000 that the County would be responsible for is outside of the grant, whether the County has gotten a grant for this position in the past, and whether they think the County will receive the grant for the next two years as well.

**Browne's motion that the Agreement be RECOMMENDED FOR AUTHORIZATION BY CONSENT carried by the following vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

11. [AB2020-341](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Elliot Bay Design Group, LLC to provide engineering services for the annual dry dock for the Whatcom Chief ferry along with the other on-call services, as needed, for the Lummi Island Ferry system during the year, in the amount of \$10,000 for a total amended contract amount of \$170,000

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

**vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

12. [AB2020-346](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide outreach and engagement of youth and young adults designed to reduce risk of opioid use disorder, in the amount of \$160,000

**Browne moved** that the Contract be recommended for authorization by consent.

Perry Mowery, Health Department, briefed the Councilmembers and answered questions about the history of funding the 22 North building and whether one hundred percent of the \$160,000 is coming from a grant.

Byrd stated he would like to tour the building and Browne commented on his tour.

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

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

13. [AB2020-353](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lake Whatcom Residential & Treatment Center to provide reimbursement for COVID-19 related operations expenditures, in the amount of \$100,000

**Browne moved** that the Contract be recommended for authorization by consent.

Anne Deacon, Health Department, briefed the Councilmembers. She and Tyler Schroeder, Executive's Office, and answered questions about whether this one organization is getting one hundred percent of the available funds, whether loss in revenue counts as costs incurred in response to COVID-19 in order to receive CARES Act dollars, and whether they have gotten feedback from the State that the use of the funds will be acceptable and approved.

**Browne's motion that the Contract be RECOMMENDED FOR**

**AUTHORIZATION BY CONSENT carried by the following vote:**

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

14. [AB2020-356](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Conservation District to amend the 2019 Interlocal and Subrecipient Agreement for the Pollution Identification and Correction Program Non-Dairy Agricultural Technical Assistance in the amount of \$223,932.00 for a total amended contract amount of \$530,182.00 (Council acting as the Flood Control Zone District Board of Supervisors)

**Browne moved** that the Contract be recommended for authorization by consent.

Gary Stoyka, Public Works Department, briefed the Councilmembers.

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

**Aye:** 3 - Browne, Byrd and Kershner

**Nay:** 0

**Absent:** 0

**Kershner moved** that the remaining agenda items be forwarded to Council without a recommendation in the interest of time (see motions and votes on individual agenda items below).

15. [AB2020-359](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Tetra Tech Inc to amend Whatcom County Contract 2019-06008-2 in the amount of \$23,268 for a total amended contract amount of \$61,553

**Kershner moved that the Contract be FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION. The motion carried by the following vote:**

**Aye:** 2 - Byrd and Kershner

**Nay:** 1 - Browne

**Absent:** 0

16. [AB2020-364](#) Request authorization for the County Executive to enter into a five-year lease agreement, using the National Association of State Procurement Officials ValuePoint Master Agreement #ADSP016-00006328 and State of Washington Participating

Addendum #05515, between Whatcom County and Pitney Bowes for a replacement Pitney Bowes Connect+ SendPro mail machine, in the amount of \$50,887.25

**Kershner moved that the Contract be FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION. The motion carried by the following vote:**

**Aye:** 2 - Byrd and Kershner

**Nay:** 1 - Browne

**Absent:** 0

17. [AB2020-365](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Family YMCA for operational losses incurred at their child care facilities as a result of COVID-19 impacts, in the amount of \$292,221

**Kershner moved that the Contract be FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION. The motion carried by the following vote:**

**Aye:** 2 - Byrd and Kershner

**Nay:** 1 - Browne

**Absent:** 0

18. [AB2020-367](#) Request authorization for the County Executive to enter into a contract between Whatcom County and MORE Smiles Learning Center to provide funding to cover operational losses incurred at their child care facilities as a result of COVID-19 impacts, in the amount of \$50,000

**Kershner moved that the Contract be FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION. The motion carried by the following vote:**

**Aye:** 2 - Byrd and Kershner

**Nay:** 1 - Browne

**Absent:** 0

19. [AB2020-361](#) Request authorization for the County Executive to award bid #20-48 and enter into a contract between Whatcom County and Henifin Construction LLC for the Leeward Way Drainage Improvement Project CRP 920015 in the amount of \$229,270

**Kershner moved that the Bid Award be FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION. The motion carried by the following vote:**

**Aye:** 2 - Byrd and Kershner

**Nay:** 1 - Browne

**Absent:** 0

**Other Business**

Byrd stated the last update on the financials and tax revenue was in June. It would be nice to get an update about where we are at with July and August revenue and expenses as it relates to what we were budgeting.

**Adjournment**

The meeting adjourned at 12:40 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

**Tyler Byrd-via email 9/18/2020**

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

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Tyler Byrd, Committee Chair

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Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE