

**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, April 25, 2023

10:25 AM

Hybrid Meeting

HYBRID MEETING - ADJOURNS BY NOON, MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA
REVISED 4.25.2023

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 10:16 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

Donovan moved to approve Consent Agenda items one through eleven.

Kershner stated she had a question on Consent Agenda item number one (AB2023 236). She asked whether this fire district got missed when they did this for all the fire districts last year.

Satpal Sidhu, County Executive, stated this may be money that was requested from the new funding after the passing of the levy. But Kershner stated the memo says that this is for expenses between May 24, 2022 and December 21, 2022 so that would have been last year's expenses that cannot be covered by the levy. Staff was not available to answer the question at the time, but Kershner stated they will find out the answer (see more information below).

Kershner stated she also had a question on Consent Agenda item number nine (AB2023-291) regarding the \$4.294 million that we are potentially receiving from Washington State Department of Commerce to support the recovery from the floods in 2021. She asked whether we are going to be able to capture this money because of the systems in place for how we go about purchasing services and whether we have any mechanisms in place where we could expedite this process so we do not lose the opportunity to have this additional funding.

The following people spoke and answered questions:

- Doug Chadwick, Undersheriff, stated they understand it is a tight timeframe but if they can get at least some of the equipment, that is a step forward for community safety.
- John Gargett, Division of Emergency Management, stated the funds and line item expenditures have been approved by the State, the

vendors have been selected, and it has been in the County Finance Department for review for the last two weeks. However, a number of the items are on State contract but they have not heard anything yet. He gave an example of a repair needed for the radio systems for all the law enforcement agencies in Whatcom County that they lost last night on Sumas Mountain and spoke about why this is so critical. He answered whether we have researched if we can get the State to budge on letting us allocate the dollars rather than spend them by the end of June 2023 and stated it is a no-go from the Department of Commerce.

Satpal Sidhu, County Executive, stated the Administration is exploring whether they can use part of the money and return what is unspent but they do need to accept the grant.

Kershner stated she is interested in how they can see this money be spent as efficiently and quickly as possible so we do not end up losing it, and if there is any mechanism within the County structure to expedite the process, she would ask that the Administration look at that very carefully. If something has to come back to the Council, she asked to let Council know.

Mike Hilley, Emergency Medical Services (EMS) Manager, answered Kershner's first question about Consent Agenda item number one regarding Fire Protection District No. 5's allocation of \$61,755.39 for basic life support services and why it is on its own here when they had approved what she thought were all the other fire districts last year for their life support. He stated this is a remnant. Fire District 5 has a different first responder contract than the others dating from 1984 and they did not meet the deadline for signature to do the amendment on that particular contract. He answered whether there are any other fire districts they are working on and stated there are not. They are talking with the district (5) and an attorney is looking at the contract to determine if they can update it to more recent times.

Councilmembers voted on all of the Consent Agenda items (see votes on individual items below).

1. [AB2023-236](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Whatcom County Fire Protection District No. 5 for the provision of a one-time distribution of EMS Levy Funds in support of Basic Life Support services in the amount of \$61,755.39

Donovan 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

2. [AB2023-251](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Phoenix Counseling, LLC to provide domestic violence evaluations and treatment for defendants processed through Whatcom County District Court and Bellingham Municipal Court in the amount of \$80,000.01 for a total amended contract amount of \$120,000

Donovan 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. [AB2023-278](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Snohomish County to utilize State Homeland Security Program (SHSP) funding to sustain and enhance Division of Emergency Management programs, in the amount of \$42,081

Donovan 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

4. [AB2023-281](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lynden Tribune and Print Co. to provide print and mail services, in the amount of \$60,000.00

Donovan 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

5. [AB2023-283](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Snohomish County for Health Officer coverage when either County's Health Officer is physically unavailable or is absent and Health Officer advice and authority is necessary

Donovan 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. [AB2023-285](#) Request authorization for the County Executive to award bid #23-20 and enter into a contract between Whatcom County and Granite Construction Company for the Hot Mix Asphalt Pre-Level at various locations in an amount not to exceed \$564,790

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

7. [AB2023-288](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Port of Bellingham for the lease extension for the Williamson Way land, in the amount of \$91,362.67

Donovan 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

8. [AB2023-290](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and USDA Forest Service to provide a part-time deputy to patrol roads in Mt. Baker-Snoqualmie National Forest, within Whatcom County boundaries, in the amount of \$56,760.00

Donovan 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

9. [AB2023-291](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Department of Commerce to support essential community services and recovery assistance after a state declared disaster, in the amount of \$4,294,850

Donovan 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

10. [AB2023-292](#) Request authorization for the County Executive to award Bid #22-63 and enter into a contract between Whatcom County and Andgar Mechanical LLC to add heat pumps to the Sun House in the amount of \$97,429.31

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

11. [AB2023-296](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Executive Office of the President, Office of National Drug Control Policy (ONDCP) to implement the strategy of the Northwest High Intensity Drug Trafficking Area (HIDTA), in the amount of \$159,354.00

Donovan 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

Special Presentation

1. [AB2023-305](#) Presentation and discussion regarding the National Center for Public Lands
Wes McCart, Stevens County Commissioner, National Association of Counties (NACo) Western Interstate Region 2nd Vice President, and Payment Subcommittee of the Public Land Steering Committee Chair, briefed the Councilmembers and gave a history behind the request for a one-time assessment equaling one percent of the county's Local Assistance and Tribal Consistency Funds (LATCF) to support the National Center for Public Lands Counties ("The Center"). He answered whether a direct ask to the Council will be coming, whether the LATCF was part of the American Rescue Plan Act (ARPA) package, whether it will be an ongoing ask, whether the whole nation is being asked and this will be one fund for a nationwide study group for public lands as it relates to how counties interact with them, and which Washington State county does not have public

lands. He stated the LATCF were part of an ARPA package and this is a one-time ask.

Satpal Sidhu, County Executive, stated Whatcom County received \$2.7 million (under the category of Local Assistance and Tribal Consistency Fund) and Whatcom County's share of the contribution would be about \$27,000. The funds are represented as a line item in the "Remaining Decisions and Executive Recommendations" document that they will be discussing later in the Committee of the Whole (AB2023-203).

McCart answered a question about The Center's mission and stated it would be able to do research on any subject related to public lands. The hope is that the research will continue, the \$15 million will be invested, and they will be working off of the income of that investment so that they can continue to have a pot of money to do the research efforts that are needed as it relates to public lands.

Councilmembers thanked Commissioner McCart for his leadership, his presentation, and the work he has done on supporting public lands.

This agenda item was PRESENTED.

2. [AB2023-276](#) Report from Facilities Division of Administrative Services Department

Rob Ney, Administrative Services Department Facilities, reported on the following projects:

- NW Annex redevelopment project: They have received a mitigated determination of non-significance (DNS) which means they can move forward with certain conditions. The deadline for the appeal process has passed and, to their knowledge, there has not been an appeal so they are hopeful that they can now begin designing that building.
- The Way Station: The final funding package is being introduced today and is the most complex funding package he has had to work with. The Way Station is on the ground floor of the (1500 N. State Street) building so they thought it would be a good time to update the whole building. The scope is expanded to the entire building as well as some improvements on the Champion Street parking lot which is associated with this project.

He answered whether the building with the Way Station houses the morgue and whether the remodel of the building is going to consider that the morgue is staying there and being upgraded. He stated at this point the morgue is being slightly upgraded to meet Leadership in Energy and

Environmental Design (LEED) requirements. They are converting the building from gas to electric and need to upgrade the heating system for the whole building, including the morgue.

He updated about the following:

- The elevator replacement program: They did not go forward with funding in the budget because they did not know what the costs were but they now have a cost plan and will be bringing a funding package forward over the next couple of months so they can start replacing our elevators that are from the 1940s to the 1990s.
- Staffing needs for the Facilities Department: They will be bringing forward a budget authorization in the next couple of months for an additional project manager to help them with some of these bigger projects.

This agenda item was REPORTED.

Committee Discussion

1. [AB2023-306](#) Discussion of work project topics to recommend to the Business and Commerce Advisory Committee

Kershner stated she put this on the agenda to request that the Council think about what they would like this committee to be working on. She stated the advisory committee has worked on housing and the Council has seen the recommendations they have submitted. The Administration submitted a response to the committee with many things that Whatcom County is already doing to help mitigate the housing crisis. Council has not responded. Currently the committee is looking at programs in higher education and staffing issues that the business community has had. They are also getting updates from community members on jail and jail alternative programs.

Donovan asked whether the housing report was from a couple of years ago and Kershner stated it was a couple of years ago and then they sent it again in January of this year.

Donovan stated it would be good to look at the establishing Ordinance to see if there are things the Council spelled out there that the committee was tasked with. Kershner stated there are but they were vague.

Satpal Sidhu, County Executive, stated the Business and Commerce Advisory Committee did send the County and City a memo more than two years ago, but when the Council discussed it they thought most of the things

were for the City. So then the committee went back to the drawing board and took another year or more and then sent two separate memos to the City and to the County. The Administration has made a reply to that County memo and the City has explained what they are trying to do with their memo. The Administration can forward to the Council both the memo and the response to the committee.

Galloway stated it would be interesting to have the committee come and present to Council on housing and give a broad update, and she would be interested in hearing about living wages and impacts of the forthcoming initiative for the City of Bellingham on raising the minimum wage versus Whatcom County.

Donovan stated they will have to thread the needle though on not taking a position on a ballot initiative and not appearing to be advocating for or against it in a public building.

Kershner stated it could be that they not ask them to weigh the pros and cons of that particular initiative but ask them to look at living wages in Whatcom County as a whole and staffing issues.

Galloway stated they have talked to the Forest Advisory Committee about doing an economic analysis and industry profile of the broader timber industry in Whatcom County, understanding that there are some downstream impacts of the wood products industry such as affordable housing. She wonders if there is opportunity to cross-collaborate between the two committees on that request.

Kershner stated if anyone has additional items for this they should forward them to her and she, as the representative, can take them back to the Business and Commerce Advisory Committee and let them know what the Council is interested in.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. [AB2023-264](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 3

Donovan moved that the Ordinance be RECOMMENDED FOR ADOPTION.

The following people briefed the Councilmembers:

- Tyler Schroeder, Director of Administrative Services
- John Gargett, Division of Emergency Management

Gargett answered whether this is related to the repair he was talking about earlier (see Consent Agenda) of the radio systems for all the law enforcement agencies in Whatcom County that they lost last night on Sumas Mountain, and stated it was not. This is the transfer and the Ordinance approval to go ahead and use the \$300,000 that we received from the Community Oriented Policing Services (COPS) grant last year.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

2. [AB2023-269](#) Ordinance authorizing an interfund loan for the purchase of flood response equipment

Donovan moved that the Ordinance be RECOMMENDED FOR ADOPTION.

John Gargett, Division of Emergency Management, answered whether this has anything to do with the almost \$4.3 million Emergency Rapid Response (ERR) Grant and stated it is the Ordinance approving the loan.

Tyler Schroeder, Director of Administrative Services, answered what kind of process this grant award is going to go through and described the related Ordinances and contracts.

Donovan asked whether there would be a time where it would be advantageous to have a special Council meeting and not wait two weeks for another regular Council meeting. Schroeder stated if Council is amenable to that they will work through that, and Kershner stated she thinks Council is amenable to making sure we spend all this money on flood victims and not send any back just because they have two weeks between meetings.

Schroeder stated they are working hard to get it accomplished and they will keep the Council informed.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

3. [AB2023-270](#) Ordinance amending the 2023 Whatcom County Budget, request no. 6, in the amount of \$6,245,264

Donovan moved that the Ordinance be RECOMMENDED FOR ADOPTION.

Kershner stated this is the budget request that has the \$4.3 million in it as well.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

4. [AB2023-271](#) Resolution amending the 2023 Flood Control Zone District & Subzones Budget, request no. 1, in the amount of \$12,096,245 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Donovan moved that the Resolution (FCZDBS) be RECOMMENDED FOR APPROVAL.

Paula Harris, Public Works Department, answered whether this is just carrying over the previous year's budget and stated it is not, but is supplementing the budget in anticipation of two FEMA grants we are getting (one for acquisition and one for elevation). She answered whether the grant in Exhibit A is from Homeland Security and stated there are two grants from FEMA so it is Homeland Security.

Donovan's motion that the Resolution (FCZDBS) be RECOMMENDED FOR APPROVAL carried by the following vote:

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

5. [AB2023-279](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Collins Woerman to continue assistance in planning, facilitation, and technical support of Floodplain Integrated Planning (FLIP) team meetings, in the amount of \$100,000.00 for a total contract amount of \$140,000.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Donovan moved that the Contract (FCZDBS) be RECOMMENDED FOR AUTHORIZATION.

Galloway stated it looks like our Floodplain Integrated Planning (FLIP) got

pretty significant funding in the State operating budget and asked how that money will be spent and what the impacts will be.

Paula Harris, Public Works Department, stated they got a supplemental budget after the flood of a half million dollars that they are currently spending to support this facilitation work as well as the technical work to do all the modeling and conceptual design of alternatives, and when that funding runs out, the additional funding that just got approved will enable us to continue this work moving forward. She answered whether she has any estimated timeline as to when the FLIP process will conclude with some recommendations, and when people can expect actions on the ground.

Tyler Schroeder, Director of Administrative Services, spoke about Galloway's comments about the funding from the State budget. The Administration is working internally to recap the outcomes of the capital and operation budget from the State and will send that list to Council. It would be a great opportunity to walk through that to give an understanding and background.

Kershner stated maybe it should be scheduled for the next Finance and Administrative Services Committee.

Schroeder stated they can bring that list back to Finance when they are ready. He also said June would be a great time to come back to Council in a work session to talk through the outcomes of the meeting with the FLIP team on Friday as well as the next steps and actions.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

6. [AB2023-282](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to support childcare stabilization in Whatcom County, in the amount of \$498,732.72

Donovan moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

Ann Beck, Health and Community Services, answered whether this is coming out of the Healthy Children's Fund and stated these are American Rescue Plan Act (ARPA) dollars that are set aside.

Kershner stated the reason she is asking is because the Healthy Children's Fund requires that our county money is spent with no vaccine mandate required and the Opportunity Council had a vaccine mandate. In order to use the childcare dollars those mandates need to be looked at, but American Rescue Plan Act (ARPA) dollars are different.

Donovan stated the vaccine rule in the children's plan might be something the Council needs to revisit.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

7. [AB2023-293](#) Request authorization from the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to support operations at the Ground Floor Day Use Center in the amount of \$34,148 for a total amended contract amount of \$194,148

Donovan moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

He stated the memo says something about American Rescue Plan Act (ARPA) money running out and that these grant funds are going to be replacing some of the personnel that are being funded by ARPA. He asked whether that is sustainable.

Kershner stated that is for the next agenda item, but said it is a good question, and asked what our plan is for backfilling positions or programs we funded.

There were no questions specific to this agenda item.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

8. [AB2023-300](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center in the amount of \$1,113,813 for a total amended contract amount of \$5,128,564

Donovan moved that the Contract be RECOMMENDED FOR

AUTHORIZATION.

Chris D'Onofrio, Health and Community Services, answered Donovan's previous question about the memo and whether we are losing positions because the American Rescue Plan Act (ARPA) money is going away or whether this grant money is backfilling those support positions.

Donovan asked whether we might be in a position in 2024 where there is a reduction in services as the ARPA money goes away and D'Onofrio stated yes, and there are also some other funds that are phasing out or are being replenished for the upcoming State fiscal year at a lower amount.

Donovan stated the reason he was asking is that one the big school districts in the county is sending out layoff notices because they hired with ARPA or Coronavirus Aid, Relief, and Economic Security Act (CARES) money and it is quite a blow and happening pretty suddenly.

Kershner stated it sounds like they are trying to maximize the use of the grant dollars, spend the ones they need to spend first, and then use the others to fill in later.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

Items Added by Revision

1. [AB2023-315](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Sourcewell Cooperative to take advantage of existing Sourcewell bids and requests for proposal

Donovan moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION.

Kershner stated this is the authorization that Tyler Schroeder was talking about (see AB2023-269 above) in order to get that \$4.3 million out as quickly as possible.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

Other Business

There was no other business.

Adjournment

The meeting adjourned at 11:22 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Kathy Kershner-via email 4/28/2023

Dana Brown-Davis, Council Clerk

Kathy Kershner, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE