

# **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, October 22, 2024**

**9:20 AM**

**Hybrid Meeting - Council Chambers**

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN  
INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL  
360.778.5010)

### **COUNCILMEMBERS**

Tyler Byrd  
Todd Donovan  
Kaylee Galloway

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## **Call To Order**

Committee Chair Todd Donovan called the meeting to order at 9:20 a.m. in a hybrid meeting.

## **Roll Call**

**Present:** 3 - Tyler Byrd, Kaylee Galloway, and Todd Donovan

Also Present: Barry Buchanan, Ben Elenbaas, Jon Scanlon, and Mark Stremmer

## **Announcements**

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

Councilmembers asked questions about Consent Agenda item numbers 2 and 17.

#### **Consent Agenda Item #2 (AB2024-665)**

Erika Lautenbach, Health and Community Services Director, answered how much the County is paying to lease facilities from Peace Health and whether the County can also get a break on their end if they are only charging Peace Health \$10 for this lease. Lautenbach stated she believes the County pays about \$800 a month for the Chestnut facility where the Response Systems Division is currently located.

#### **Consent Agenda Item #17 (AB2024-701)**

Kayla Schott-Bresler, Executive's Office, answered whether the County has an out if they decide later that they want to redevelop this property and stated the County does retain that ability. She answered whether there is a notice period for the lease and stated it is through October 2026 with the option to extend, and she does not anticipate that the County would seek to redevelop prior to the end of 2026.

Donovan stated there was some understanding that this was going to be a short term run out of the current business, but he was surprised to see it for two years.

Scanlon stated he thinks there is potentially, in the future, a better use for that site.

Byrd stated he would like to consider Consent Agenda item numbers 7 and 8 separately and would like to discuss Consent Agenda item numbers 4 and 5.

Consent Agenda Item #4 (AB2024-674) and Consent Agenda Item #5 (AB2024-675)

Mike Hilley, Emergency Medical Services (EMS) Manager, answered why the County does not make the process more efficient and just have a rate on the fee schedule for jurisdictions to pay instead of each reimbursement having to be approved by Council. He stated they have different rates because of how the agencies are set up, but he would appreciate if they can find a better way to process these and will work with Finance.

***Byrd moved*** to recommend approval of Consent Agenda item numbers 1-6 and 9-17. Councilmembers voted on the Consent items (see votes on individual items below).

1. [AB2024-636](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts where the states will reimburse the County for eligible interpreter expenses up to \$90,326

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

2. [AB2024-665](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and PeaceHealth to lease Suite 103 at the Way Station located at 1500 N State Street, in the amount of \$10

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

3. [AB2024-668](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Birch Bay Water and Sewer District for renewal of a 5-year interlocal agreement, in the amount of \$0 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

**Aye:** 3 - Byrd, Galloway, and Donovan

Nay: 0

4. [AB2024-674](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Marysville Fire District to reimburse the EMS Levy for the paramedic training program, in the amount of \$66,750

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

5. [AB2024-675](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Camano Fire and Rescue to reimburse the EMS Levy for the paramedic training program, in the amount of \$29,356

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

6. [AB2024-677](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts for Pretrial Services Reform, in the amount of \$99,500

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

7. [AB2024-678](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Fire Protection District 7 for the paramedic training costs associated with program administration, student wages and benefits, preceptor training, and class supplies, in the amount of \$167,225

This item was considered separately below.

8. [AB2024-679](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham Fire Department for costs associated with the 2024-2026 Paramedic Training Program, in the amount of \$1,144,274

This item was considered separately below.

9. [AB2024-681](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Brigid Collins Family Support Center to expand mental health services to children ages 0-5, in the amount of \$452,907

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

10. [AB2024-683](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District to expand mental health services to children ages 3 - 5, in the amount of \$271,817

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

11. [AB2024-684](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Generations Early Learning to expand licensed infant childcare capacity, in the amount of \$67,000

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

12. [AB2024-685](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Bellingham Towers LLC to lease Suite 110 at Bellingham Towers located at 119 N Commercial Street, in the amount of \$10

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

13. [AB2024-686](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale Community Services to operate an overnight severe weather shelter, in the amount of \$120,000

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

14. [AB2024-687](#) Request authorization for the County Executive to enter into an interlocal joint funding agreement between Whatcom County and United States Geological Survey (USGS) for the ongoing operation and maintenance of the County's 11 stream gages within the Nooksack River early flood warning system, Jones Creek, and the Sumas River, in the amount of \$167,292 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

15. [AB2024-688](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Insight Public Sector, using the State of WA contract, to provide Neogov Insight recruitment software in the amount of \$50,204.89 through December 31, 2026

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

16. [AB2024-690](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Military Department to receive pass through funding from the Washington State Military Department for What-Comm equipment

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

17. [AB2024-701](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Best Chopsticks c/o of Yan Hua Chen Cheng for lease of space at 121 Unity Street, Bellingham, in the amount of \$42,099.72

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

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

7. [AB2024-678](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Fire Protection District 7 for the paramedic training costs associated with program administration, student wages and benefits, preceptor training, and class supplies, in the amount of \$167,225

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

Byrd spoke about the discrepancy in paramedic training costs between other colleges in the state and here, and asked why students are paid a salary as they go through the program.

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

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

**Nay:** 1 - Byrd

8. [AB2024-679](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham Fire Department for costs associated with the 2024-2026 Paramedic Training Program, in the amount of \$1,144,274

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

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

**Nay:** 1 - Byrd

### **Committee Discussion**

1. [AB2024-640](#) Discussion regarding Habitat for Humanity's housing proposal and potential Economic Development Investment program recommendation

The following people spoke and answered questions:

- Kayla Schott-Bresler, Executive's Office
- Chris van Staaldin, Whatcom County Habitat for Humanity Construction Director

Schott-Bresler stated this is the first application they have received for direct investment in a homeownership project. The application was for a loan/grant combination to assist with land acquisition for a project tied to the Telegraph Townhomes and it is a proposal for Habitat for Humanity to purchase land from Kulshan Community Land Trust (KCLT). They are hoping for a head nod from Council today. Also, the Economic Development Investment (EDI) application does not currently accommodate this type of request so they are in the process of updating the formal application and County code to allow it. If the Council decides to fund the project, they will bring a contract forward after they complete the code updates.

van Staaldin stated their goal, as well as that of KCLT, is that this property stays in affordable housing and he spoke about the project.

Councilmembers and the speakers discussed why KCLT was wanting to sell the property, the timeline and cost of the acquisition, the fact that Habitat for Humanity has not used EDI to purchase land before because it has been restricted but that EDI is working on updating code to restate the purpose and include these types of things, what Area Median Income (AMI) this project may serve, how this \$700,000 will help with passing savings on to each homeowner, and the fact that when an original homeowner moves, the house has to go to someone who meets the same income qualifications.

**This agenda item was DISCUSSED.**

2. [AB2024-698](#) Discussion on ferry fares

Elizabeth Kosa, Public Works Department Director, read from the staff memo (on file). She answered whether punch cards would still work or would have to be re-issued as the fares increase, and stated there is code language right now that allows the use of previous punch cards for a period of time and for card holders to get credits for them after an increase. She spoke about the pros and cons of options 3C and 3D, that exchanging punch cards has taken quite a bit of staff time, the fact that bringing on an



automated fare system would help them to eventually eliminate punch cards, and that Public Works does pre-scheduled punch card sales about once a month.

Councilmembers and Kosa discussed ideas for rules around using punch cards after a fare increase.

Kosa and Julia Green, Public Works Department, answered why there is such a difference in the farebox fund projection (in TABLE 2: Farebox Fund Projections) between options 3C and 3D in 2025.

Kosa answered whether this will come to Council as a proposal for the Unified Fee Schedule, and stated it is included in the Executive's budget, and the option included there is option 3D which took in the community feedback and the desire to keep the punch card.

Laura Frolich, Public Works Department, answered whether this would be presented to the Ferry Advisory Committee tomorrow night to get feedback, and Scanlon stated it would be helpful if this conversation was on their agenda.

Aly Pennucci, Executive's Office, explained what the increase would ultimately be for people who have punch cards, and stated they are either getting a 30 percent increase on their current punch card prices or they would lose their 20 percent discount, plus see a 10 percent increase, if punch cards were eliminated, so either way, those users would see about a 30 percent increase in their costs. What they are trying to balance are the tradeoffs of administrative challenges and benefits to users.

Kosa continued reading from the memo about service reductions and future services.

**This agenda item was DISCUSSED.**

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

1. [AB2024-642](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 6, in the amount of \$11,350 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Galloway moved that the Resolution (FCZDBS) be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:**

**Aye:** 3 - Byrd, Galloway, and Donovan

Nay: 0

2. [AB2024-654](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale School District to purchase and install an ADA-compliant playground, in the amount of \$700,000

Eric Chambers, Health and Community Services Department, stated they would ask that Council not take any action on this for another two weeks. They have a substitute contract coming but did not have time to finalize it before this meeting today.

**Donovan moved that the Contract be RECOMMENDED TO HOLD IN COMMITTEE for two weeks or until the Health Department staff is ready to bring it back. The motion carried by the following vote:**

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

Motion approved to recommend to hold in Committee for two weeks or until Health Department staff is ready to bring it back.

3. [AB2024-657](#) Ordinance amending the project budget for the Plantation Rifle Range Lead Reclamation & Capital Improvement Fund, request no. 2

Bennett Knox, Parks and Recreation Department Director, briefed the Councilmembers on why they are requesting to use Real estate excise tax (REET) funds and not the Department of Ecology (DOE) grant funds they received. He answered whether it would be reallocating REET funds from other Parks potential uses to the lead reclamation project, and stated they are not reallocating.

Donovan stated he has been voting on funding elements regarding the range without knowing the full picture of what the long-term costs are going to be for this facility and he cannot do it anymore.

Knox answered whether they are having to use REET money because they could not spend the grant money, and stated they had to use the grant money before June of 2023 and the funds did expire.

Christ Thomsen, Parks and Recreation Department, answered how they make sure they have a good financial plan if they move forward on this. He stated the grant funds were brought to the table in May of 2023 to be expended by the end of June 2023 on very explicit tasks. They were for preliminary investigation to give them a sense of the contamination level. So, even if they had those funds, they would not be applicable to the work

they are doing today and could not be utilized for that. The funds that were available through the grant were more than what the County was able to utilize for the given task. This amendment removes the remaining grant funds from the budget so it does not look like those funds are available. It also takes 2025's REET I allocation and puts it into the project budget so they can do a contract amendment for the next phase of work which is the feasibility study for the cleanup and the cleanup plan itself. As they get more information, it is going to refine the cost estimate.

Councilmembers and the speakers discussed being asked for funding without any sense of what the long-term plan is for the lead or the facility, the fact that it will cost the County more if they do not remediate per the agreement it has established with the DOE, and having a conversation about the long-term plan and getting creative with ways to fund this project.

Aly Pennucci, Executive's Office, stated the Administration is also interested in coming to Council with a long-term plan but they are obligated to continue this cleanup work in the short-term. This is on track with what their initial plans were, but they will come back to Council with more background and longer-term options, and they can discuss the future use of the site as well.

Thomsen answered what the total cleanup liability of \$13,830,000 represents, and stated it is a cost estimate from their consultant. If they were to be in violation of the green order and the State moved forward with it, they could expect to pay three times that amount.

Donovan stated that it seems like this is REET money that could be spent on parks.

Knox answered why they are not giving access to the indoor range right now, and stated that is a separate track. They had some delays on the HVAC project but are now at the end stages and anticipate opening at the beginning of the year. Parks is also looking to meet with the Sheriff's Office on site within a few weeks to discuss their involvement in future operation of the indoor range.

Satpal Sidhu, County Executive, stated the range is on a leased property and the lease ends in 2035. They thought if they bought and cleaned up the property, the County would have a long-term asset, so they have reached out to the owner, but the County has to clean it up either way. He stated the owner has said they would be interested in taking another 30 acres of land,

if the County can buy it or owns the land, and gives it to them. Otherwise, the County will have to renew, or do something with, the lease. The Administration will come up with some long-term options, will work with the Parks Department, and then share that with the Council.

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

**Aye:** 2 - Byrd, and Galloway

**Nay:** 1 - Donovan

4. [AB2024-658](#) Ordinance amending the project budget for the Hovander Park Building Improvements Fund, request no. 2

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

5. [AB2024-660](#) Ordinance amending the 2024 Whatcom County Budget, request no. 13, in the amount of \$2,122,735

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

Kayla Schott-Bresler, Executive's Office, answered whether the request to fund additional 2024 insurance premium costs paid to the risk pool (#4773) is because the County has had a lot more payouts, and stated she believes the risk pool premiums are set at a standard rate for all users and they are not charged individual rates based on usage.

George Roche, Prosecuting Attorney's Office, stated it would take too long to explain the details of rate calculation, but the top factors are probably hurricanes and wildfires. The County gets charged based on the market for insurance which includes every insurance loss in the country all compiled into one.

Aly Pennucci, Executive's Office, answered whether the additional premium costs are just for 2024, and spoke about the timing of paying premiums.

Roche stated this is for the October premium and is only the first of two different payments.

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

**Aye:** 3 - Byrd, Galloway, and Donovan

**Nay:** 0

6. [AB2024-704](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacifica Law Group, LLP for legal services for the Whatcom County Council for the appeals process regarding Initiative 2024-01 for an amended amount not to exceed \$100,000

***Byrd moved*** not to recommend.

The motion failed by the following vote:

**Aye:** 1 - Byrd

**Nay:** 2 - Galloway and Donovan

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

Galloway stated she would like to know what the process would be for seeking reasonable attorney fees and expenses associated with this appeal and Councilmembers discussed that.

They discussed that this extends contract authority. Council had already authorized \$100,000 in budget authority, but this amends the contract from \$60,000 to the full \$100,000.

Byrd stated, regardless of what Council does, this will move forward with or without them, even if they do not spend this money, so he does not know why they are spending more taxpayer money.

Galloway stated her understanding is the prevailing arguments were theirs, and so, in order for them to defend the Charter, they would have to be a party in the appeal process.

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

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

**Nay:** 1 - Byrd

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 10:40 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

**Todd Donovan-via email 11/18/2024**

\_\_\_\_\_  
Cathy Halka, Council Clerk

\_\_\_\_\_  
Todd Donovan, Committee Chair

Meeting Minutes prepared by Kristi Felbinger

SIGNED COPY ON FILE