

Whatcom County Council Committee of the Whole

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



Committee Minutes - Final

Tuesday, March 5, 2024

2:10 PM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 4:30 P.M., MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA
REVISED 3/1/2024 (NEW MEETING START TIME OF 2:10 P.M.)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremmler

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Council Chair Barry Buchanan called the meeting to order at 2:58 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

Announcements

Committee Discussion

1. [AB2024-156](#) Discussion regarding a proposed ordinance amending Whatcom County Code 12.24, Franchise Requirements, to update procedures for processing applications

Andrew Hester, Public Works Department, briefed the Councilmembers and stated this proposed code amendment changes how we process franchise applications and shifts a lot of the responsibility of some of the administrative tasks to the Public Works Department. There is also a section on franchise terminations. The ordinance is up for introduction tonight.

He answered questions about whether franchises would still come to Council committees for discussion, and about the termination language. He stated the language about termination is not necessarily about the term, but refers to termination for certain specific causes. He answered whether this covers all types of franchises that the County has jurisdiction over or just certain type of franchises, and stated it would be for any utility wishing to utilize county rights of way. He answered whether the transfer of ownership section changed or whether it was just moved, and a question about the language regarding surety bonds.

Galloway asked about language they have started putting in franchise agreements around coordination of construction and shared excavations and whether it would be appropriate to also add that to the code. Hester stated they try to keep the code as general as they can just to make it more flexible but he is fine with holding this if they want to put that in there.

This agenda item was DISCUSSED.

2. [AB2024-163](#) Discussion regarding the 2024 forecasted shortfall of the Ferry Operating Fund

The following people read from the documents titled "Ferry Council notes (updated) 3.5.2024," and "Ferry Fund Balance Information (updated) 3.4.2024" (on file):

- Elizabeth Kosa, Public Works Department Director
- Randy Rydel, Public Works Department

Kosa spoke about a general overview of the recent Ferry code (10.34) history and options for a path forward to address the deficit, and Rydel spoke about the shortfall in revenue collection, a decline in ridership, and the forecasted ferry fund balance with and without mitigation measures including an infusion of \$358,000 of American Rescue Plan Act (ARPA) funds and a 15 percent fare revenue increase. The current code says that fare punch cards purchased before the increase can be used for six months so even though a 15 percent fare increase would equate to about \$200,000, we would only see about \$80,000 of it this year.

Donovan stated it would be beneficial to hear from staff, the Administration, and the Advisory Committee on what they think should be done in the short-term. He stated he is hesitant to use ARPA funds until he knows the other pieces are going to be done. So, he asked how close the Executive, Public Works Department, and Ferry Advisory Committee are in their recommendations, and whether they can do a fare increase while the other discussions are still going on. He would like to get a discussion going now about what code changes are being considered and how far apart the different recommendations are from each other. As for the long-term, we have a problem because some of the options listed today have already been non-starters with previous councils.

Kosa spoke about how a fare increase could potentially be initiated through the Executive then she continued to present on a tentative schedule going forward. If a new fare is initiated, it would be six months from that time, at the earliest, until it would be implemented due to the current code. But if it is done after code changes are adopted, depending on what those looks like, it could be as quick as three months.

Rydel and Kosa answered whether other ferry counties are seeing declines in ferry deficit reimbursement and motor vehicle tax, whether the projections are based on the latest data, and how they can maintain the level of service while figuring out long-term solutions.

Satpal Sidhu, County Executive, stated we need to do the fare increase quickly and if we can do it through the Unified Fee Schedule that would be the fastest. If we wait for the code changes, it will be fall before a fare increase could be implemented. They have tried to look at every idea for the long-term and he suggests that the advisory committee should do the same, but the most urgent part is the fares.

Councilmembers and the speakers discussed whether they should look at service cuts and how that might affect personnel, doing a fare increase now and codifying future annual increases, drafting a Council resolution to request the Executive to institute a fare increase, why there has been a decline in ridership and whether that trend will support a bigger boat, doing a study here similar to the one done in Peirce County, how the legislature might help, what fund projections would be if they move quickly on a fare increase, and looking at the three-month pass discount and whether that discount percentage is too high.

Diane Harper, Whatcom County Ferry Advisory Committee Vice Chair, stated the Ferry Advisory Committee is ready, on March 14, to consider and send forward some recommendations on code changes to the Council. Then the hope would be that, between March 14 and their next meeting on April 11, they could reach out to the community and communicate the needs of the County, then form a recommendation on fares on April 11. She spoke about code amendments and a timeline for a fare increase, and about higher than usual drydock costs and how they affect the fund decline. She answered whether it would be fair to say that people were not opposed to a fare increase but would prefer to rebalance the fares, and stated that is true. She answered whether the committee has come up with balanced adjustments and stated they came up with three versions.

Elenbaas stated would he like to see those options but Rydel stated the advisory committee has not yet voted on them.

Tyler Schroeder, Director of Administrative Services, stated they could bring a resolution in two weeks with some options on fare changes with the committee's and staff's perspective, for Council consideration.

Harper spoke about how much they appreciate Public Works staff and the fact that they can work so closely together, and that they also appreciate the Executive allowing for that time.

This agenda item was DISCUSSED.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:24 p.m.

The County Council approved these minutes on March 19, 2024.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE