

Whatcom County Council Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, January 10, 2023

2:15 PM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 3:25 P.M.; MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kaylee Galloway
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Council Chair Barry Buchanan called the meeting to order at 2:16 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, and Kathy Kershner

Absent: None

Announcements

Special Presentation

1. [AB2022-722](#) Presentation from Gina Stark, Economic Development and Broadband Manager from the Port of Bellingham regarding the status of the county broadband project

The following people presented on the Mainland Project (Port of Bellingham) and the Point Roberts Project (Public Utility District) and related funding:

- Gina Stark, Port of Bellingham Economic Development Project Manager
- Chris Heimgartner, Whatcom PUD General Manager
- Rob Fix, Port of Bellingham Executive Director
- Andrew Entrikin, Whatcom PUD Broadband Manager

They answered questions about the value of the homes on the first map in the presentation (on file), whether they are asking homeowners to contribute anything to the infrastructure being built for them, sending Council the financial modeling of the grant before this evening, whether the funding amounts listed on the first presentation slide titled “Projects for 2023” include being able to get fiber to buildings of those who want to hook up (unless they have a really long driveway), why one project is about five times more expensive while both projects have about the same number of homes, and whether the majority of the funding is Federal.

Dana Brown-Davis, Clerk of the Council, answered whether there was a related agenda item on the Council’s agenda tonight and stated she did not think there was.

The speakers stated they need action tonight or they do not qualify for the grant.

Tyler Schroeder, Director of Administrative Services, suggested that Stark walk through what they are looking for, which is a recommendation of support to submit a letter to the Washington State Broadband Office for a grant application and a commitment to the \$4 million.

The speakers stated their impression was that the Council would have a motion to authorize the County Executive to sign a letter to the Washington State Broadband Office stating they are in support of this and would provide the matching funds. They answered whether there is a draft letter, how much the County has already committed to broadband projects, whether the total \$7 million (this and the past request) has been budgeted in the County for broadband expansion, where the first \$2.7 million that they previously approved came from, and whether it is 1.2 million (a ten percent match) or \$4 million that the Port is asking from the County.

Schroeder stated he confirms that the County does have the \$4 million in the budget for American Rescue Plan Act (ARPA) for this purpose and it is just about getting Council direction to utilize it in this manner. He answered whether the whole \$4 million has to come from ARPA or whether they could designate part of it from ARPA and part of it from Economic Development Investment (EDI) funds.

Galloway spoke about a concern about using the whole \$4 million of ARPA funds and then not having any match money if another project comes along.

Kershner moved that the Council ask the Executive to support this project as presented today through a letter. The motion was seconded by Donovan.

Michael Shepard, Port of Bellingham Commissioner, thanked the Councilmembers for their partnership and stated the team has been working on the charge put forth by the County Council and both the Port and Public Utility District (PUD) commissions. He stated he would like to invite a representative that the County Council identifies to partner on their steering committee in order to have a staff person that represents the County and makes sure the Council has a direct conduit of information.

Councilmembers and the speakers discussed the common goal for everyone in America to be able to have internet access and to be able to interact and compete on a global level, whether this Indefeasible Right of Use (IRU) will be the same as the last project in that the entity will own the infrastructure after 25 years as opposed to the Port, whether they are voting today that the money is coming from ARPA or whether they will be looking at different funds, that today's motion would be a recommendation for the

Executive to send the letter of support and also a funding commitment for the projects as proposed today, that there is currently \$4 million committed in the 2023-2024 budget out of ARPA funds, that today's business would be a commitment and if the Council wants to have a conversation in the future about how the County accomplishes that commitment they can have that conversation, whether the Port was paying the company \$25 a month or whether it was the company paying the Port \$25 a month per house and whether that will go into a separate fund, whether the \$25 a month is to pay for maintenance on the infrastructure and how long the Internet Service Provider (ISP) will pay that to the Port, making sure they put aside the \$350,000 for the PUD's project so that the PUD leaves today with a secured matching grant and how that should be done, where the additional \$350,000 would come from, how many homes were served with the first contract, and what the \$25 a month goes to.

Kershner restated her motion to ask the Executive's Office to submit a letter in support of the broadband projects presented today and a commitment of \$4 million.

Councilmembers discussed how the PUD will get their requested \$350,000, whether the \$350,000 has been through an EDI request process and whether it would be out of order for the Council to take the money from EDI without a process, whether there is a deadline for the PUD, and whether there would be time to go to EDI if the Council writes the letter with \$4 or \$4.3 million.

Kershner amended her motion ***and moved*** to include the \$4 million plus the \$350,000, and then Council can ask the EDI board to review and approve the \$350,000 for the PUD.

The motion carried by the following vote:

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion summary: Motion approved to ask the Executive's Office to submit a letter in support of the broadband projects presented today and a commitment of \$4 million (for the Port) plus \$350,000 (for the PUD), then the Council can ask the EDI Board to review and approve the \$350,000 for the PUD.

2. [AB2022-708](#) Presentation from the Washington State Department of Revenue regarding the Working Families Tax Credit

Perla Gamboa, Washington State Department of Revenue, presented and answered whether applying for this tax credit has to be done simultaneously with filing Federal taxes and by April 15, what the Individual Taxpayer Identification Number (ITIN) is and why it was highlighted as being different than under the Federal Earned Income Tax Credit (EITC) program, whether people have to file taxes in order to qualify for this tax credit, and whether people have to actually pay into the tax system in order to be eligible.

This agenda item was PRESENTED.

Committee Discussion

1. [AB2023-020](#) Discussion regarding Council Office internship pilot program

Cathy Halka, Council Legislative Analyst, briefed the Councilmembers and read from a memo (on file).

Kershner stated she thinks they should have at least two interns so that one can be chosen by the minority of the Council, she does not know that college is a necessary requirement, she would like to look at having the opportunity to extend longer than ten weeks if the person is available and is working out, and she is not sure about running all projects through staff except for maybe major projects that need to be coordinated.

Byrd asked whether it would be one intern or multiple interns, whether this would be a replacement to Councilmembers having individual interns, whether interns would have access to the Council Office and tools, and whether individual Councilmembers could have their own dedicated intern as well if they wanted.

Dana Brown-Davis, Clerk of the Council, stated interns for individual Councilmembers would require additional funding and answered what the dollar amount was that was approved (\$30,000 in each year). She stated there is an option for unpaid interns.

Byrd spoke about not having a requirement for an intern to have a college degree, and stated his preference would be that each Councilmember could have an intern that was dedicated to them, who could use the Council Office and help Councilmembers with things they are working through, and who would report to and work directly with the Councilmembers.

Elenbaas stated his vote for funding support for this was under the assumption that Councilmembers would have their own interns. Hearing that the intern will be working for staff, he might want to revisit his yes vote.

Donovan stated he was also rethinking his support for the program because he did not expect it to be a partisan position and that there would be a minority intern or a majority intern or that they would be doing constituency service. If that is the expectation of the Council he would be willing to just end it. He does not understand why Councilmembers would be picking the interns either.

Brown-Davis stated if Council wants to move in a different direction we should take a pause and have a work session to discuss it further. What was discussed during the budget and what was approved in the Additional Service Request (ASR) was a pilot program to test the waters. She spoke about why staff in the Council Office would be in charge of interns.

Galloway stated she thinks it is important for an intern to have one point of contact and for staff to serve as a manager of the intern. She would be in favor of one or two interns.

Halka spoke about why they wanted the intern to have a point of contact.

Elenbaas stated he would like a work session if they are going to move forward so they can all have the same understanding of what they are going to do. Councilmember Donovan referred to it as partisan, but he would like to think of it more as someone who would share their passion and be engaged in helping in a trusted manner on projects. He would also prefer to choose the person he was going to work with.

Donovan stated he understood that how the program would work would be to add legislative capacity for them as a body and he would like to have more discussion about it.

Donovan moved to move this into a work session in two weeks. The motion was seconded by Elenbaas.

Councilmembers discussed whether the discussion would be in Committee of the Whole.

The motion carried by the following vote:

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 3:45 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription