

**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 10, 2023
10 AM
Hybrid Meeting**

HYBRID MEETING - ADJOURNS BY 10:55 A.M., MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)

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 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 eight.

Frazey stated she had a question about Consent Agenda item number six (AB2023-647).

Brad Bennett, Administrative Services Department Finance, answered why this procurement process is happening and whether it has been done before, and stated it has a very limited application but could be very handy in the case of an emergency.

Byrd stated he would like to consider item number eight (AB2023-662) separately.

Donovan amended his motion *and moved* to approve Consent Agenda items one through seven. Councilmembers voted on the Consent items (see votes on individual items below).

1. [AB2023-621](#) Request authorization for County Executive to enter into an Interlocal Agreement between Whatcom County and Public Utility District No. 1 of Whatcom County in support of the Broadband infrastructure and implementation project located in Point Roberts in the amount of \$350,000

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. [AB2023-628](#) Request authorization for the County Executive to enter into a contract between Whatcom County and US Imaging, Inc. to create digital images to be imported into

the Historic Film Viewer from direct and indirect grantor grantee volumes, in the amount of \$85,000.00

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

3. [AB2023-630](#) Request authorization for the County Executive to enter into a contract amendment between Code Publishing, LLC and Whatcom County for legal code publishing services, in the amount of \$15,000

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

4. [AB2023-638](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District to provide funding for behavioral health services, in the amount not to exceed \$498,000

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

5. [AB2023-643](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the State of Washington Department of Ecology to fund administrative support and action projects for the Whatcom County Marine Resources Committee, in the amount of \$249,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

6. [AB2023-647](#) Resolution to authorize procurement from or through the US General Services

Administration (GSA) cooperative schedules

Donovan moved that the Resolution be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

7. [AB2023-653](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and United States Geological Survey (USGS) to fund 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 \$169,470 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

8. [AB2023-662](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Law Group / Rajeev Majumdar for hearing examiner services through the end of 2023

This item was considered separately (see below).

Council "Consent Agenda" Items Considered Separately

8. [AB2023-662](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Law Group / Rajeev Majumdar for hearing examiner services through the end of 2023

Rajeev Majumdar, introduced himself and spoke about the proposed Hearing Examiner contract. He answered a question about being paid with a flat fee versus being on a per-hearing basis with the potential next year of more hearings.

Cathy Halka, Council Legislative Analyst, clarified that the contract is through the end of this year and the Request for Proposal (RFP) for Hearing Examiner services for 2024 will go out tomorrow and will close on November 7, 2023.

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

Committee Discussion and Recommendation to Council

1. [AB2023-655](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Family YMCA to preserve childcare slots in Whatcom County, in the amount of \$1,500,000

Eric Chambers, Health and Community Services, answered what the \$1.5 million will go to, whether it is coming from the American Rescue Plan Act (ARPA) funds that the County has set aside for capital projects, whether this is part of the Proposition Five Healthy Children's Fund at this point, how much the lease is going up, whether they are adding 20 slots and preserving 84, and whether we will consider the Y.M.C.A stabilized after this.

Councilmembers discussed that by buying the building, that is money that can then go toward operating costs and services to children or potentially more slots, and the fact that not every child in Whatcom County under the age of five will need a childcare slot, so it would be good to find out what the actual need is.

Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager, stated she could send the Councilmembers the results of a childcare demand study done in 2021, and Kershner stated she would like to see that and see it incorporated into these memos in the future so the information is more accurate.

Byrd spoke about an article he read regarding how another state is working to fix childcare issues by changing and implementing new laws and rules. Anyone who works for a childcare facility in that state will get free childcare. He suggested maybe Whatcom County should look at something like that and help get our State representatives on board.

Frazey moved that the Contract be RECOMMENDED FOR AUTHORIZATION. The motion carried by the following vote:

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

2. [AB2023-656](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to consolidate previous

amendments and extend the term date for the WHAT-COMM Communications Center

Kershner answered who they heard from on the requested changes to the composition of the board and gave an update on the recent What-Comm meeting.

The following people spoke:

- Satpal Sidhu, County Executive, answered whether we have a shortened timeline to delve into this so we do not lose our contract by the end of the year and stated that it true.
- Rebecca Mertzig, Chief of Police for the City of Bellingham, spoke about removing her as a voting member of the What-Comm Board and gave reasons why she is concerned with that.

Councilmembers discussed what the original intent was for having this conversation, pushing this interlocal forward but with a request that the Admin Board consider its membership and consider the alternative response systems representation, getting an update to Council on what topics the What-Comm board is considering right now, and whether their proposed changes to the makeup of the board included having more or fewer elected officials. Kershner stated they proposed removing non-elected people from the board giving elected officials more capacity on the board, and the concern is that elected officials are more transient, as opposed to people who serve in a position for a long time and understand the issues.

Tyler Schroeder, Director of Administrative Services, answered what the term is for the interlocal, and stated the board is open to discussing recommended amendments to the interlocal at future meetings. His expectation was that Council would reconsider the existing interlocal and then have dialogue about policy considerations around board membership early next year. That could occur in the Criminal Justice and Public Safety Committee and then they could get additional input from the What-Comm board. He answered whether those discussions with the board and potential amendments could happen during the five-year term of the interlocal.

Sidhu spoke about the issue of the transient nature of elected officials and stated it is not fair to use that as a reason that people who have been in the job a long time should be the only ones who should make decisions. He also addressed the argument that this is how we have been doing it for 50 years, and stated our organizational structures should keep up with societal

changes. But he recognized that elected officials depend on the expertise of staff in making decisions, so he sees both sides.

Councilmembers discussed the recommendations they made for the board and why, continuing the discussion to see if there can be agreement with the City of Bellingham by the end of the year, the possibility of having the County take over the 9-1-1 system and having all municipalities and jurisdictions pay a rate based on the number of calls they have, and finding out what other jurisdictions do across the state.

Sidhu answered how much time the Council has to discuss this particular agreement and stated there is one more What-Comm board meeting before the end of the year. He suggested they continue the agreement right now and then make changes into the next year. He stated maybe we should see what the needs are today since the cities have grown.

Kershner moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION.

Kershner moved to amend to adjust the interlocal to expire at the end of 2024.

Donovan stated that would be with the understanding that they will continue the discussion in the Criminal Justice and Public Safety Committee.

The motion to amend carried by the following vote:

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

Councilmembers discussed the motion to recommend approval as amended.

Kershner's motion that the Interlocal be RECOMMENDED FOR AUTHORIZATION WITH PROPOSED AMENDMENT(S) carried by the following vote:

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

3. [AB2023-666](#) Request approval for the County Executive to enter in to a beneficiary agreement between Whatcom County and the Boys and Girls Clubs of Whatcom County to mitigate COVID-19 pandemic impacts and stabilize childcare services

Donovan moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager, answered what happened to the \$1 million that was previously allocated to Kid's World which was acquired by the Boys and Girls Club in March of 2020. She stated the proposed grant is to Boys and Girls Club to stabilize the operations of their Kid's World branch to mitigate the COVID-19 impacts they experienced. She answered whether some of the initial money helped them actually purchase a facility or just helped them purchase a business, and stated she did not have that information but this money is going to support their operation. She answered how the organization will use this money, whether their balance is still suffering from the facility acquisition, whether other childcare providers have received a stabilization grant, and whether this is American Rescue Plan Act (ARPA) money that Council set aside for childcare.

Tyler Schroeder, Director of Administrative Services, spoke about the background of past contracts that the County and the City of Bellingham have had with Boys and Girls Club.

Byrd spoke about how much money the County has given to Boys and Girls Club, that the organization did not do a financial analysis to determine how much it would cost to operate this type of facility, and that this giving of funds is not sustainable for the County.

Schott-Bresler answered whether they would be eligible for some of the Proposition Five money, whether the County is looking at a cost of \$5 million to stabilize all childcare slots in the county, and whether it is coming out of ARPA funding that they set aside.

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

Aye: 2 - Donovan, and Frazey

Nay: 0

Abstain: 1 - Kershner

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 11:07 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Kathy Kershner-via email 10/18/2023

Dana Brown-Davis, Council Clerk

Kathy Kershner, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE