

**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 24, 2023  
10:50 AM  
Hybrid Meeting**

HYBRID MEETING - ADJOURNS BY NOON, MAY BEGIN EARLY  
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360.778.5010), AGENDA  
REVISED 10.23.2023

**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 10:58 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**

*Frazey* requested that they consider Consent Agenda item number three (AB2023-669) separately and *moved* to approve Consent Agenda items one, two, and four through twelve.

Tyler Schroeder, Director of Administrative Services, answered questions.

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

1. [AB2023-641](#) Request authorization from the County Executive to enter into a contract between Whatcom County and the Administrative Office of the Courts in the amount of \$66,373

**Frazey 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. [AB2023-663](#) Request authorization for the County Executive to sign an agreement between Whatcom County and WA Recreation and Conservation Office (RCO) to secure matching funds for the Jacoby Agricultural Conservation Easement through the RCO Farmland Preservation grant program in the amount of \$169,650

**Frazey 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. [AB2023-669](#) Resolution approving the 2024 recommended convention center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816

This item was considered separately (see below).

4. [AB2023-670](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Traffic Safety Commission for High Visibility Enforcement (HVE) patrols, in the amount of \$15,000.00

**Frazezy 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. [AB2023-671](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to jointly fund a winter shelter, in an amount not to exceed \$250,000

**Frazezy 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. [AB2023-673](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to jointly fund an interim shower program, in an amount not to exceed \$137,500

**Frazezy 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

7. [AB2023-674](#) Request authorization for the County Executive to enter into a memorandum of understanding between Whatcom County and Birch Bay Village Community Club to coordinate stormwater capital improvement projects

**Frazezy moved that the Memorandum of Agreement be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:**

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

8. [AB2023-681](#) Request authorization for the County Executive to award bid #23-59 and enter into a contract between Whatcom County and CIMA Construction, Inc for roof and siding replacement at Lighthouse Marine Park, in the amount of \$203,755.93

**Frazey 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

9. [AB2023-683](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Washington State Parks & Recreation Commission to provide additional funding for providing an instructor for the State Parks Recreational Boating Safety (RBS) program in the amount of \$5,000 for a total amended amount of \$23,476.57

**Frazey 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. [AB2023-687](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice for Organized Crime Drug Enforcement Task Forces (OCDETF), in the amount of \$5,000

**Frazey 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

11. [AB2023-688](#) Request approval for the County Executive to award Bid #23-71 for the purchase of five (5) automated sandbagging machines to The Bag Lady, Inc., located in Puyallup, Washington, in an amount not to exceed \$209,190.75

**Frazey 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

12. [AB2023-689](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Remote Medical Training in the amount of \$53,675.16

**Frazey 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

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

3. [AB2023-669](#) Resolution approving the 2024 recommended convention center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816

**Donovan moved** that the Resolution be RECOMMENDED FOR APPROVAL.

The following people discussed the item with Councilmembers:

- Tyler Schroeder, Director of Administrative Services
- Satpal Sidhu, County Executive

They discussed how people know about the \$150,000 of contingency money that is set aside for later in the year and how that is an equitable process, whether someone would have to “know somebody” in order to know that money is out there and available, whether people are automatically told there is money available when they submit an application to the County for an event, an option that they could give notice in the spring that there is money available for summer events and request community members to come in to the office to see what the allocation is, whether they have a goal for what they want the fund balance to be, a conversation at the Lodging Tax Advisory Committee (LTAC) about where the committee would be interested in taking this fund collection into the future and how the County should manage the fund, how much money the County and other jurisdictions have put forward for the Wayfinding Project, thinking ahead with this funding source to the possibility of Bellingham deciding in the future to incorporate their urban growth area (UGA) and Whatcom County losing the hotel by the airport which is its biggest revenue generator, whether revenues generated within city limits go into this fund, and whether Bellingham, Lynden, and Ferndale have their own tourism funds

in light of the fact that Whatcom County is funding a lot of things in those cities through this fund.

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

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

**Nay:** 1 - Frazey

### **Special Presentation**

1. [AB2023-684](#) Report from Facilities Division of Administrative Services Department  
Rob Ney, Administrative Services Department Facilities, read from a presentation (on file) and answered a question about the use of stucco in in the Williamson Way building.

**This agenda item was REPORTED.**

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

1. [AB2023-637](#) Ordinance Establishing a New Whatcom County Healthy Children's Fund

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

Kershner stated it looks like this specific item is designed to take any interest that the Healthy Children's Fund generates and put it back in the Healthy Children's Fund rather than into the General Fund. She asked whether there is any thinking about the costs the Healthy Children's Fund is taking on the General Fund, such as administration, that could be reimbursed if the interest were to go back into the General Fund. She stated she would be interested in taking the roughly \$500,000 of interest, doing something broader than what the Healthy Children's Fund Ordinance allows, and using it to expand other services in the community.

The following people answered questions and discussed the item with Councilmembers:

- Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager
- Brad Bennett, Administrative Services Department Finance
- Tyler Schroeder, Director of Administrative Services
- Satpal Sidhu, County Executive
- Erika Lautenbach, Health and Community Services Director
- Ann Beck, Health and Community Services

They discussed whether the original ordinance specifies that the interest collected would stay in the fund, that the funds being collected would have to be consistent with what the original ordinance regarding Healthy Children's Fund allows it to be so Council could have a policy conversation and review the uses of the fund, an administrative provision in Ordinance 2022-045 that allows a certain amount of the fund for administration, whether the actual initiative was much broader than just children and included other categories, whether interest from any other funds go to the General Fund or stay in their respective funds, and where in the Ordinance it says the interest generated would go into the Healthy Children's Fund.

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

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

**Nay:** 1 - Kershner

2. [AB2023-651](#) Ordinance amending the project budget for the E. Smith/Hannegan Road Intersection Improvements Fund, Request No. 3

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

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

3. [AB2023-652](#) Ordinance amending the project based budget for the North Lake Samish Road Bridge No. 107 Replacement Fund, request No. 3

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

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

4. [AB2023-657](#) Ordinance amending the 2023 Whatcom County Budget, request no. 14, in the amount of \$13,162,440

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

Councilmembers asked questions about various requested expenditures and revenues in the "Proposed Ordinance."

\$5.1 million revenue in the Sheriff's Department to fund ARPA Revenue Loss - General Government Services (#4245- page 28 of the Supplemental

Requests)

Donovan asked about the \$5.1 American Rescue Plan Act (ARPA) transfer to the General Fund and stated they did not talk as a Council about what they should do with the money. This ordinance shows that it all goes to the Sheriff's Department. He asked the Council whether there are other needs or other departments it should go to, whether it would be a one-off funding for the Sheriff, and why all of it is going to one department.

Tyler Schroeder, Director of Administrative Services, stated this is connected to the next agenda item establishing a Community Priorities Fund (**AB2023-659**). Some of the Council priorities for using ARPA funds can be funded with General Funds and might extend beyond 2024, so the idea has been to create a Community Priorities Fund, to utilize ARPA funds for General Fund salaries and wages, and then have a corresponding transfer to the Community Priorities Fund to accomplish the Council priorities in the future. The budget supplemental of \$5.1 million to cover Sheriff's Department wages does not add new FTEs or revenue specifically for the Sheriff's Department. It is used to move the \$5.1 million of unused General Fund that they had budgeted this year into the Community Priorities Fund for the future ARPA priorities.

Brad Bennett, Administrative Services Department Finance, and Schroeder answered questions about why the \$5.1 is going into a particular department and out of the Executive budget. Bennett stated they are just paying for the Sheriff's Office expenditures using ARPA funds but not adding more to the Sheriff's Office budget. Less of the general revenues of the county would be going to support the Sheriff's Office and the County would support that department using the ARPA money that is available. They answered why the expense cannot show that \$5.1 will then be taken *out* of the Sheriff's Department to go into the Community Priorities Fund as opposed to it coming out of "Executive" so that it is clear that the Sheriff's Office is not just adding that money to their budget. Schroeder stated the Administration could consider how the money is noted in this ordinance before tonight's meeting.

Satpal Sidhu, County Executive, stated at the end of 2020 Council did something similar with revenue loss from the Coronavirus Aid, Relief, and Economic Security (CARES) Act dollars which had the same provision as the ARPA Fund.

Request to fund Emergency Preparedness position in the Health Department with grant proceeds (#4302- page 7 of the Supplemental



Requests) [Approximate Timestamp: 53:56](#)

Erika Lautenbach, Health and Community Services Director, answered whether we are creating two silos of emergency management in our community (with these two positions and the Emergency Operations Center (EOC) and whether we need the EOC to be staffed at the level it is staffed if we are having some of these emergency positions in the Health Department, or vice versa. Lautenbach stated this is dedicated and allocated funding for this purpose and cannot be used any other way.

Lynette Bennett, Health and Community Services, spoke about the new position and what it would be involved in.

Lautenbach and Bennett answered how the Department of Emergency Management and staff at the EOC interact with the Health Department and whether there is coordination or a vision for how those departments manage emergencies, whether this position is funded with grant proceeds, and whether those funds are expected to go into future.

Request to fund vulnerable children initiatives (#4315- page 43 of the Supplemental Requests) [Approximate Timestamp: 1:01:15](#)

The following people answered questions:

- Ann Beck, Health and Community Services
- Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager

Galloway asked whether there was a way to up the funding on this request to capture some funding to our food banks to provide diapers and other basic needs to families with children who utilize those services.

Kershner asked about the two budget requests from the Healthy Children's fund totaling \$500,00 and asked about a comprehensive plan for using the money, what requests they have received, what Requests for Proposals they have seen, which are being approved, and why they picked these two areas (vulnerable children initiatives- #4315, and early learning and care- #4316) to start with. She would like a broader vision and does not want to piecemeal this money out.

Beck stated they do not have the whole picture at this point but gave examples of programs they anticipate they will be able to get going this year. She answered how they decided on the top three priorities (in #4315) to start with since there is funding in other funds for similar services, and

why we are putting more money behind these services and not looking at other things that do *not* have funding.

Frazezy stated she would support Galloway's idea for funding things like diapers and would also like to fund reproductive feminine products too.

Kershner stated she is looking for funding childcare slots so people can go back to work.

Request to fund Water Rights Adjudication with grant proceeds (#4385- page 31 of the Supplemental Requests) [Approximate Timestamp: 1:12:55](#)  
Judge Lee Grochmal, Superior Court, spoke about the request to help the court effectively manage the adjudication and thanked the Council for their support.

Schroeder answered whether there are also facility needs for adjudication and whether we are building a new courtroom, whether there are additional resources for this, and whether any of this money is going toward litigant support.

Elenbaas stated it has been his personal experience that there are no lawyers in the state willing to take on water rights claims at this time. He has not been able to find one.

**Frazezy's motion that the Ordinance be RECOMMENDED FOR ADOPTION failed by the following vote:**

**Aye:** 1 - Frazezy

**Nay:** 1 - Kershner

**Abstain:** 1 - Donovan

5. [AB2023-659](#) Ordinance Establishing a Community Priorities Fund and Establishing an Initial Budget for the Community Priorities Fund

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

Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager, answered whether the Local Assistance and Tribal Consistency Fund (LATCF) money is included in this \$5.1 million or whether it is just the American Rescue Plan Act (ARPA) dollars, how much of this they have spent or already have plans for, whether some of the Community Priorities Funds have already been prioritized and identified, and whether this does not mean we have \$5.1 million that are now freed up.

Tyler Schroeder, Director of Administrative Services, answered whether there is some money that is still unallocated, whether the Council is losing its ability to make decisions about how the money is spent by moving it into this Community Priorities Fund, whether there are still LATCF funds that could potentially be used for funding positions, and when the Council can expect to have the mid-biennium budget discussion.

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

**Aye:** 3 - Donovan, Frazey, and Kershner

**Nay:** 0

### **Items Added by Revision**

1. [AB2023-702](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and State Street Creamery, LLC to lease commercial space for use as a winter weather shelter, in the amount of \$50,000

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

Ann Beck, Health and Community Services, answered what the need is for this shelter on top of the one at Civic Field run by Road2Home. She stated this one is weather-dependent and is for severe weather. She answered whether this is the one they are thinking that County staff is going to operate, and what the size and monthly amount is for this building that is set to be torn down.

Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager, answered whether they will have to put any more money into getting it up to operating standards, and stated it will be move-in ready once they start paying the lease.

Beck answered how many people it will serve and stated they are looking to serve about 45 people.

Kershner stated it seems like a lot of money for an on-call winter shelter and Beck stated this is the last year they have ARPA funding to pay for this and it has put quite a strain on her colleagues in Health and Community Services. She would welcome a larger conversation with Council.

Kershner stated she thinks we need to talk to the Cities about developing their own severe weather winter shelters.

**Frazey's motion that the Contract 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 12:30 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

**Kathy Kershner-via email 11/8/2023**

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Kathy Kershner, Committee Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE