

**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, May 24, 2022
10:30 AM
Hybrid Meeting**

HYBRID MEETING - ADJOURNS BY NOON (PARTICIPATE IN-PERSON OR SEE
REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil OR
CALL 360.778.5010)

COUNCILMEMBERS

Tyler Byrd
Carol Frazey
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Tyler Byrd called the meeting to order at 10:30 a.m. in a hybrid meeting.

Roll Call

Present: 3 - Tyler Byrd, Carol Frazey, and Kathy Kershner

Absent: None

Also Present: Barry Buchanan, Todd Donovan, Ben Elenbaas, and Kaylee Galloway

Announcements

Committee Discussion

1. [AB2022-308](#) Discussion of proposed investment of ARPA funds to support housing projects in 2022

Ann Beck, Health Department, briefed the Councilmembers. She and Councilmembers discussed how certain the “potential” is for building more than 80 affordable homes on the Ferndale property, what 1590 development funds are and why they are not just using those, who would own the Evergreen Ridge building in Bellingham, and whether the Kulshan Community Land Trust project in Ferndale is similar to the Habitat for Humanity model.

Tyler Schroeder, Executive's Office, answered how much the County has left of the American Rescue Plan Act (ARPA) funds, how much would be left in the housing allocation after this project and whether that amount is unallocated or just unspent. He stated they are also continuing to look further at the Everson property to secure affordable housing.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. [AB2022-260](#) Ordinance amending the project budget for the Sudden Valley Stormwater Improvements Fund, request no. 1
Frazey moved that the Ordinance be RECOMMENDED FOR ADOPTION.

Kraig Olason, Public Works Department, briefed the Councilmembers.

Kershner moved to adopt the Ordinance but there was already a motion on the floor.

Olason answered questions about where the project is in relation to Lake Louise, how much funding Sudden Valley is putting up for the project, an interest in doing projects like this but doing them similar to how the Homeowner Incentive Program (HIP) works, what credit or benefit Sudden Valley would get if they put up funding on their own, when it is that the County decides to use Real Estate Excise Tax (REET) II money instead of the utility money, and what cartridge vaults they are using.

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

2. [AB2022-274](#) Ordinance amending the project based budget for the 2010 Jail Improvements Fund, request no. 5

Kershner moved that the Ordinance be RECOMMENDED FOR ADOPTION.

Rob Ney, Administrative Services Department Facilities, briefed the Councilmembers and answered questions about the elevator manufacturer and whether a full replacement includes the elevator room.

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

3. [AB2022-275](#) Ordinance amending the 2022 Whatcom County Budget, request no. 8, in the amount of \$11,498,022

Frazey moved that the Ordinance be RECOMMENDED FOR ADOPTION.

Mike Hilley, Emergency Medical Services (EMS) Manager, gave a review of the EMS requests and answered whether the \$5 million requested in the supplemental only applies to the first of the four requests listed on page five of the "EMS Supporting Documentation" (to "Allocate five million dollars countywide immediately to help mitigate the BLS funding gap").

Kershner moved to pull the \$1.5 conservation easement for the Stewart

Mountain forest purchase from the budget supplemental, but the discussion with EMS was not complete so she *held her motion* till later.

Councilmembers continued the discussion regarding EMS and Hilley answered questions about how much of the \$5 million is covering increased costs versus lost revenue versus increased demand and how much new staff we would potentially be getting, whether there would still be a fund balance, how much of this will become a permanent process, the reason for the request to “Earmark EMS levy funding for EMS purposes only,” and the \$1.4 million cost associated with the PowerLoad gurney lift.

Kershner moved to pull the \$1.5 from the Conservation Futures Fund to purchase the Stewart Mountain conservation easement from the supplemental budget.

Councilmembers discussed the motion and Kershner stated she would like to pull this item until Councilmembers and residents in the area get more information.

Chris Elder, Public Works Department, answered whether this request is time sensitive.

Councilmembers discussed whether individual items can be removed from the Ordinance.

Byrd read from an email from Chris Hatch about the cost of the easement being a majority of the purchase price and asked Elder to speak to that.

Elder also answered whether any of the \$4.35 million Puget Sound Acquisition and Restoration (PSAR) grant and local match (approved under AB2022-272) would go toward the purchase price of this property and then reimburse the Conservation Futures Fund for our easement, what the difference is between the appraised value and the final purchase price, and where the money goes when the timber is harvested if the County only owns the easement.

The motion to recommend to the full Council to remove this item from the Ordinance carried by the following vote:

Aye: 2 - Kershner and Byrd

Nay: 1 - Frazey

Frazey's motion that the Ordinance be RECOMMENDED FOR ADOPTION WITH PROPOSED AMENDMENT(S) carried by the following vote:

Aye: 2 - Frazey, and Kershner

Nay: 0

Absent: 0

Abstain: 1 - Byrd

4. [AB2022-280](#) Ordinance amending Whatcom County Code Section 3.08.095, Small Works Roster Contract Award process, to update requirements for Bids and Proposals

Brad Bennett, Administrative Services Department Finance, briefed the Councilmembers and answered questions about how this would change the process and what the Federal indirect rate is.

Ann Beck, Health Department, gave examples of the kind of work this is talking about. She and Bennett answered how we ensure that the quality of services is being provided and that the contractor is qualified to provide them, and why it is limited to non-profits.

Kershner moved to amend the Ordinance to strike the non-profit.

Byrd started to take the vote but allowed Donovan to ask another question.

Bennett answered whether it is still workable if they strike non-profit.

Kershner withdrew her motion to amend.

Kershner moved to recommend the Ordinance for adoption.

Kershner moved to amend line G of Exhibit A as follows:

Unless required by law, Ccontract is for services from an ~~an non-profit~~ organization and contract terms limit payment to the reimbursement of direct wages and benefits, supplies and overhead at the greater of 10% or the approved federal indirect overhead rate.

Bennett and Councilmembers discussed what the process would be to get on the roster if a new vendor comes in and concerns that the County would get locked in to certain vendors and new ones would not have an opportunity, that for-profit vendors may be able to inflate their wage expense, and not accepting Requests for Proposals (RFPs) might limit other organizations from working here.

Kershner restated her motion.

Satpal Sidhu, County Executive, asked if there is a way to put an upper limit on it and Bennett responded.

Beck spoke about the process to get on the roster.

Bennett continued to answer questions.

The motion to amend carried by the following vote:

Aye: 2 - Kershner and Byrd

Nay: 1 - Frazey

Councilmembers discussed the main motion, the need for more information, holding the item to get concerns addressed, and whether holding this would hold anything back that might be coming up.

Byrd moved to hold the item till the next meeting. He requested that if there are any Councilmembers that have any concerns they would like addressed in the next version they should send that to Bennett.

Councilmembers discussed the motion and that the next time they would consider this it would be an amended version.

Byrd's motion that the Ordinance be FORWARDED TO COUNCIL WITH RECOMMENDED MOTION(S) to hold it until the next meeting carried by the following vote:

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

Council "Consent Agenda" Items

Brad Bennett, Administrative Services Department Finance, answered a question about Consent Agenda item number nine (AB2022-297) and whether there are any goods or services that the County is interested in that Kitsap County has available or whether this is about the County contracting for jail beds there, what the Auditor's Office imaging contract is, and whether the company we are contracted with is ok with them "piggy-backing" onto our contract.

Wendy Jones, Sheriff's Office, answered a question about Consent Agenda item number five (AB2022-287) and whether this allows us to hire an additional nurse or whether it covers the current contract that we have with

Northwest Regional Council.

Frazey moved to approve Consent Agenda items one through eleven. Councilmembers voted on those items (see votes on individual items below).

1. [AB2022-252](#) Request authorization for the County Executive to enter into a grant contract between Whatcom County and Washington State Health Care Authority for financial assistance to expand the MOUD (Medication for Opioid Use Disorder) Program in the Jail in the amount of \$149,839.00

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

2. [AB2022-284](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and U.S. Department of Agriculture (USDA), Forest Service, for a part time Sheriff's Office Deputy to patrol Mt. Baker-Snoqualmie National Forest, in the amount of \$21,773.14

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

3. [AB2022-285](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and U.S. Department of Agriculture (USDA), Forest Service, for a part-time Sheriff's Office Deputy to patrol Mt. Baker-Snoqualmie National Forest, in the amount of \$34,986.86

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

4. [AB2022-286](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Agriculture (USDA), Forest Service, for overtime patrols, in the amount of \$21,900.00

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

Aye: 3 - Byrd, Frazzey, and Kershner

Nay: 0

Absent: 0

5. [AB2022-287](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Regional Council (NWRC) for Medication for Opioid Use Disorder (MOUD) Nursing Services at the Whatcom County Jail and Work Center in the amount of \$54,748.00

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

Aye: 3 - Byrd, Frazzey, and Kershner

Nay: 0

Absent: 0

6. [AB2022-289](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and Local 114-PD of the Washington State Council of County and City Employees (WSCCCE) Council 2, American Federation of State, County & Municipal Employees (AFSCME) effective date of adoption through December 31, 2024

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

Aye: 3 - Byrd, Frazzey, and Kershner

Nay: 0

Absent: 0

7. [AB2022-290](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Action Research to develop an outreach program to foster behavior changes related to proper disposal of moderate-risk hazardous waste in the amount of \$74,340

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

Aye: 3 - Byrd, Frazezy, and Kershner

Nay: 0

Absent: 0

8. [AB2022-293](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Western Washington University for support of the construction of a Longhouse in the amount of \$75,000

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

Aye: 3 - Byrd, Frazezy, and Kershner

Nay: 0

Absent: 0

9. [AB2022-297](#) Request approval for the County Executive to enter into an Interlocal Cooperative Purchasing Agreement with Kitsap County which will allow reciprocal utilization of competitively bid contracts, pursuant to RCW Chapter 39.34 Interlocal Cooperation Act

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

Aye: 3 - Byrd, Frazezy, and Kershner

Nay: 0

Absent: 0

10. [AB2022-298](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to support operations of an overnight shelter for young adults experiencing homelessness in the amount of \$165,000 for a total amended contract amount of \$250,018

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

Aye: 3 - Byrd, Frazezy, and Kershner

Nay: 0

Absent: 0

11. [AB2022-299](#) Request approval of the 2022 Economic Development Infrastructure Project list for funding from the EDI Fund and approval for the County Executive to enter into the required interlocals

Frazezy moved that the Request for Motion be RECOMMENDED FOR APPROVAL OF REQUEST. The motion carried by the following vote:

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

Items Added by Revision

There were no agenda items added by revision.

Other Business

Byrd and Donovan said they would not be present in person for the meetings today.

Satpal Sidhu, County Executive, thanked the Council for passing the EDI initiative.

Adjournment

The meeting adjourned at 12:10 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Tyler Byrd-via email 6/14/2022

Dana Brown-Davis, Council Clerk

Tyler Byrd, Committee Chair

Kristi Felbinger, Minutes Transcription

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