

**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, December 6, 2022

11:05 AM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 1 P.M. (PARTICIPATE IN-PERSON AT 311
GRAND AVENUE SUITE 105, 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 11:06 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, and Kaylee Galloway

Announcements

Special Presentation

1. [AB2022-712](#) Report from the Finance Division
Dana Brown-Davis, Clerk of the Council, stated this item had been removed from the agenda.

This agenda item was WITHDRAWN.

Committee Discussion and Recommendation to Council

1. [AB2022-657](#) Ordinance amending the Silver Beach Creek Stormwater Improvements Project Fund, request No. 1
Craig Olason, Public Works Department, briefed the Councilmembers.
**Frazey moved that the Ordinance be RECOMMENDED FOR ADOPTION.
The motion carried by the following vote:**
Aye: 3 - Byrd, Frazey, and Kershner
Nay: 0
Absent: 0
2. [AB2022-659](#) Ordinance amending the 2023 Whatcom County Budget, request no. 1, in the amount of \$9,737,304

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

Jim Karcher, Public Works Department, briefed the Councilmembers.

Randy Rydel, Public Works Department, answered why this is being amended if it is already in the budget.

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. [AB2022-660](#) Ordinance amending the project based budget for the North Lake Samish Road Bridge No. 107 Replacement Fund, request no. 2

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

4. [AB2022-662](#) Ordinance amending the 2022 Whatcom County Budget, request no. 16, in the amount of \$636,513

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

5. [AB2022-675](#) Request authorization for the County Executive to enter into a contract between Whatcom County and World Relief Western Washington to facilitate distribution of refugee relief funds, in the amount of \$150,000

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

Jed Holmes, Administrative Services Community Outreach Facilitator, briefed the Councilmembers and answered whether the reduction in funds is why it was pulled from the last meeting and put on this meeting instead and whether the \$150,000 is just pass through and the County is managing those funds for someone else.

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

6. [AB2022-677](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to support the Positive Adolescent Development Program in the amount of \$115,000

Frazey moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

Ann Beck, Health Department, briefed the Councilmembers.

Chris D'Onofrio, Health Department, answered what reporting requirements have changed between the last contract and this one, what the guidelines and rules are for being a participant of this program, whether there is a requirement to participate in education or other forms of self-betterment, and what percentage of youth in the program are electing to take part in educational opportunities.

Kershner moved that the Contract be RECOMMENDED TO HOLD IN COMMITTEE until they can have Northwest Youth Services come and answer questions.

The speakers answered questions about whether holding this would be a detriment to timelines, whether the Council could request some type of community engagement plan or process to ensure that community concerns are being addressed, data on the Positive Adolescent Development (PAD) Program and any other contract with Northwest Youth Services, whether the PAD program is moving locations, and whether anyone from Northwest Youth Services was present to speak to the Councilmembers.

Kershner's motion that the Contract be RECOMMENDED TO HOLD IN COMMITTEE carried by the following vote:

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

7. [AB2022-681](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$607,235 for a total amended contract amount of \$1,456,130

Frazey moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

Ann Beck, Health Department, answered whether the Opportunity Council will be providing staff to work full time with homeless veterans and case management, whether this is a new program, whether the Opportunity Council is doing this program for any other jurisdiction, and whether this program existed before this contract.

Byrd spoke about looking for other organizations to contract with since this is a new program and experience is not as much of an issue.

Beck stated the Opportunity Council is really well-versed in working with veteran's programming but she would whole-heartedly welcome building more capacity in this community. She stated they struggle with veterans programming in our community. There is a veteran's service officer they have been trying to contract with through a Request for Proposal (RFP) process but have not found anybody, so it has been challenging to find that capacity.

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

Aye: 2 - Frazey, and Kershner

Nay: 1 - Byrd

Absent: 0

8. [AB2022-678](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to provide housing case management services in the amount of \$482,572 for a total amended contract amount of \$1,053,814

Kershner moved that the Contract be RECOMMEND TO HOLD IN COMMITTEE until they have a report from Northwest Youth Services. The motion carried by the following vote:

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

Council "Consent Agenda" Items

Frazey requested to vote separately on Consent Agenda item number 30 (AB2022-718) and *moved* to approve Consent Agenda items 1 through 29 and 31 and 32 (all of the Consent Agenda items except AB2022-718). Councilmembers voted on the Consent items (see votes on individual items below).

Councilmembers also discussed **AB2022-720** further after the vote (see that discussion below after the Consent Agenda).

1. [AB2022-667](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for outreach, education and technical assistance with BBWARM stormwater programs, in the amount of \$93,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

2. [AB2022-668](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for education and outreach assistance with Lake Whatcom stormwater utility stormwater programs, in the amount of \$64,600

Frazezy 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

3. [AB2022-676](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to support operations at the permanent supportive housing facility known as Heart House in the amount of \$63,000 for a total amended contract amount of \$120,145

Frazezy 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

4. [AB2022-679](#) Request authorization for the County Executive to enter into a contract amendment

between Whatcom County and Julota to integrate data among various data storage platforms used to track and monitor services and care provided to individuals frequently seen by the Health Department's Response Systems Division Programs in the amount of \$85,207 for a total amended contract amount of \$168,418

Frazezy 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

5. [AB2022-680](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sun Community Services for emergency shelter operations at Sun House, in the amount of \$482,755

Frazezy 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

6. [AB2022-683](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Thomson Reuters for legal research purposes, in the amount of \$87,234.19

Frazezy 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

7. [AB2022-684](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Domestic Violence & Sexual Assault Services to operate emergency domestic violence shelters, in the amount of \$50,000

Frazezy 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

8. [AB2022-685](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to provide funding to support the GRACE Program in the amount of \$392,000 annually

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

9. [AB2022-686](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Acme Water District No. 18 (Water District) for inclusion of the Water District's utility improvements into the Jones Creek Debris Flow Risk Reduction Project, for a cost share amount of \$33,000.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

10. [AB2022-687](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the U.S Department of Justice for the FY 2022 Community Oriented Policing Services (COPS) Technology and Equipment Program Grant, in the amount of \$300,000.00

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

11. [AB2022-689](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District (WCD) for continued technical assistance for Flood Project Implementation, in the amount of \$40,000.00 over two years (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

12. [AB2022-690](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Regional Council to extend Nursing Services in the Jail and increase the maximum annual compensation by \$128,382.00 for a total of \$1,782,522

Frazezy 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

13. [AB2022-691](#) 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 \$8,250.00

Frazezy 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

14. [AB2022-692](#) 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 to address road safety for pedestrians and bicyclists, in the amount of \$14,000.00

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

15. [AB2022-693](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Drug Enforcement Administration for Cooperative State and Local Task Force Agreement FY2023

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

16. [AB2022-697](#) Request authorization for the County Executive to enter into a Local Agency Standard Consultant Agreement Supplemental No. 1 between Whatcom County and KPFF, Inc. to provide on-call professional mechanical engineering support for the Whatcom County ferry program in the amount of \$40,000

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

17. [AB2022-698](#) Request authorization for the County Executive to enter into a Local Agency Standard Consultant Agreement Supplemental No. 1 between Whatcom County and KPFF, Inc. to provide on-call professional structural engineering support for the Whatcom County bridge program

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

18. [AB2022-699](#) Request authorization for the County Executive to enter into a Local Agency Standard Consultant Agreement Supplement No. 1 between Whatcom County and Trantech Engineering, LLC to provide on-call professional structural engineering support for the Whatcom County bridge program in the amount of \$40,000

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

19. [AB2022-700](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the Washington State Department of Health for the delivery and funding of various public health services in the amount of \$109,206, for a total amended agreement amount of \$8,487,174

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

20. [AB2022-701](#) Request authorization for the County Executive to enter in to a Collective Bargaining Agreement between Whatcom County and the Washington State Nurses Association for the period of January 1, 2023 - December 31, 2025

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

21. [AB2022-702](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Office of Public Defense for the purpose of improving the quality of public defense services in the amount of \$200,639.00

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

22. [AB2022-703](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mount Baker Foothills Chamber of Commerce in the amount of \$125,000

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

23. [AB2022-704](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Birch Bay Chamber of Commerce in the amount of \$130,000

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

24. [AB2022-705](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Bellingham Whatcom County Tourism in the amount of \$250,000

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

25. [AB2022-709](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Northwest Regional Council in support of the Meals on Wheels Program in the amount of \$120,000

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

26. [AB2022-711](#) Request authorization for the County Executive to enter into a lease/contract between Whatcom County and Unity-Flora Development LLC, to lease space at 104 Unity Street, Bellingham, in the amount of \$88,512

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

Aye: 3 - Byrd, Frazezy, and Kershner

Nay: 0

Absent: 0

27. [AB2022-714](#) Request authorization for the County Executive to enter into a contract with Midwest Employer Casualty renewal for insurance protection for the self-insured workers compensation program in the amount of \$107,590 for calendar year 2023

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

28. [AB2022-715](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Summit Law Group to provide legal services for matters related to collective bargaining, in the amount not to exceed \$89,076 annually through December 31, 2023

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

29. [AB2022-716](#) Request authorization for the County Executive to enter into interlocal agreement amendment between Whatcom County and the Whatcom Council of Governments for provision of Boundary Review Board administration

Frazezy 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

30. [AB2022-718](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Habitat for Humanity for their purchase of a property in Everson for construction of 30 homes in the amount of \$449,256

This item was considered separately (see below after the Consent Agenda).

31. [AB2022-719](#) Request approval for the County Executive to award Bid #22-58 Medical Outreach Van Modifications and enter into a contract between Whatcom County and North Point Metalworks, in the amount of \$45,096.15

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

32. [AB2022-720](#) Resolution certifying Whatcom County's property tax levies for collection in 2023 to the County Assessor

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

Aye: 3 - Byrd, Frazey, and Kershner

Nay: 0

Absent: 0

This item was discussed after the Consent Agenda Vote (see below).

Council "Consent Agenda" Items Discussed Separately

30. [AB2022-718](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Habitat for Humanity for their purchase of a property in Everson for construction of 30 homes in the amount of \$449,256

Frazey moved that the SUBSTITUTE Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT.

Councilmembers discussed the item with the following people:

- Tyler Schroeder, Director of Administrative Services
- Chris Van Staalduinen, Habitat for Humanity
- Elizabeth Kosa, Public Works Department Acting Director
- Ann Beck, Health Department

They discussed whether they are going to continue building in these areas that are flooding and part of which is in the 100-year flood zone, whether this particular property is in the floodplain, whether it is something they should consider wisely whether or not they are building homes there, the plan to build two feet above the base flood elevation, whether they feel comfortable putting low-income housing there based on that and on analysis of current and proposed flood maps, whether the Public Works Department is Okay with it as well, what notification and disclosure they are providing potential home buyers or renters about past and potential flooding, what we can do to add additional disclosure so residents are prepared and can make a decision, whether this project would be a land trust model where the nonprofit would retain ownership of the land, having more conversations so Council can have a good understanding of how they are selecting projects and how they are appropriating American Rescue Plan Act (ARPA) funds, what the process was for applying for these funds, the effort by the Health Department to hire an affordable housing specialist, whether this property is located in the city limits of Everson, and whether the Everson City Mayor has weighed in on this.

Dana Brown-Davis, Clerk of the Council, stated for the record that this is a substitute contract and that there is another item on the Consent Agenda that they will need to circle back to after this item.

Frazey stated she has a difficult time putting homes on this land since it was under water a year ago.

Councilmembers voted on the item (see motion and vote below).

Kershner stated her yes vote includes a hardy endorsement from the City of Everson. She knows they have not voted yet, but hopes that they are considering the floodplain in their deliberations and that they will be as supportive of this as Council has been told by staff.

Byrd stated he would not mind seeing this come back if there was more disclosure and a good process for making sure people were very well aware of what the situation was and could be.

Frazey's motion that the SUBSTITUTE Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT failed by the following vote:

Aye: 1 - Kershner

Nay: 2 - Byrd, and Frazey

Absent: 0

32. [AB2022-720](#) Resolution certifying Whatcom County's property tax levies for collection in 2023 to the County Assessor

Dana Brown-Davis, Clerk of the Council, stated there were a couple substitute versions for this file.

Cathy Halka, Council Legislative Analyst, briefed the Councilmembers on the substitute versions of the Resolution. Version A includes the \$8.2 million Children's initiative levy and needs to coordinate with Version A of the Ordinance and Version B needs to correspond to the Version B of the Ordinance with the \$.19 per \$1000 of valuation.

Byrd stated this is dependent on the Council's decision tonight. The document we have in the current agenda is in line with the agenda item we have on for tonight. He asked Committee members whether they would like to make a specific recommendation or leave it to the Council tonight. Councilmembers concurred to wait and leave it up to the Council.

ACTION SUMMARY: This item was discussed after the vote but no further action was taken.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 12:06 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Tyler Byrd-via email 1/3/2023

Dana Brown-Davis, Council Clerk

Tyler Byrd, Committee Chair

Kristi Felbinger, Minutes Transcription

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