

PROPOSED BY: Deputy Executive, A. Pennucci
INTRODUCTION DATE: March, 25, 2025

ORDINANCE NO. - -

**AMENDING WHATCOM COUNTY CODE SECTION 3.08.100, COUNCIL
APPROVAL REQUIRED, TO INCREASE THE THRESHOLD FOR CONTRACTS
THAT REQUIRE COUNCIL APPROVAL**

WHEREAS, it has been over seven years since the last significant update to Whatcom County Code (WCC) 3.08; and

WHEREAS, since the last update to WCC 3.08, the County has faced challenges in operating efficiently due to several factors, including increases in the volume and complexity of contracts that has increased the number of contracts requiring council approval by 40%; and

WHEREAS, contracts that require Council approval delays contract execution and subsequent service delivery by as much as three to eight weeks; and

WHEREAS, the number of items and time associated with processing administrative decisions at Council reduces time for policy makers to focus on broader policy discussions and staff time to oversee and report on contract outcomes; and

WHEREAS, increasing the threshold for contracts that require Council approval to \$150,000 would allow for approximately 49% of contracts to be executed more efficiently while retaining approval authority by the Council on 94% of the awarded funds; and

WHEREAS, the Executive is implementing enhancements to the online contract database search options to make information more accessible to the public and to the Council and will report quarterly to the Council on all executed contracts; and

WHEREAS, the Executive will continue to work on a more complete update to WCC 3.08 and will recommend additional changes to the purchasing code to the County Council in the next six to 12 months, which will allow the Council to review and consider if the changes to the thresholds for contracts that require Council approval in this Ordinance should be adjusted;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that WCC Section 3.08.100 is hereby amended as presented in Exhibit A

ADOPTED this ____ day of _____, 2025.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Kaylee Galloway, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Brandon Waldron per email 03/14/25

Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied

Date Signed:

EXHIBIT 'A'
(AMEND WCC SECTION 3.08.100)

3.08.100 Council approval required.

County council approval is required for the following:

- A. Contracts or bid awards exceeding \$~~40,000~~150,000, all interlocal agreements, and all real property leases, except when:
1. Exercising an option contained in a contract or lease previously approved by the council.
 2. Contract is for the design, construction, right-of-way acquisition, professional services, or other capital costs approved by the county council in a capital budget appropriation ordinance.
 3. Contract or bid award is for supplies or for equipment approved in a capital budget appropriation ordinance.
 4. Contract is for technical support and software maintenance from the developer of proprietary software which is currently being used by Whatcom County.
 5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems.
 6. Pursuant to and within the scope of a declaration of emergency made by the county executive under WCC 3.08.060(B). The county executive, pursuant to a declaration of emergency, shall submit the contract to the county council for informational purposes at the council's next regular or special meeting.
- B. All informational materials distributed to more than 20 percent of county residences for the purpose of informing or educating the public on a specific capital project, levy or tax.
- C. The Director of Administrative Services shall provide to the County Council no less than quarterly a written report listing of all contracts signed by the County Executive, including information on the contractor, term of agreement, amount of award, and source of funding.