

**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, September 12, 2023

10:20 AM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 11:50 A.M., MAY BEGIN EARLY
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA
REVISED 9.11.2023**

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 10:28 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Frazey moved to approve all of the Consent Agenda items except for number four (**AB2023-542**) because it was withdrawn by the proposer.

Donovan requested to discuss **AB2023-561** (item number 12) separately.

Councilmembers voted on the Consent items 1-3, 5-11, and 13-23 (see votes on individual items below).

1. [AB2023-536](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology for solid waste facility monitoring and code enforcement activities, in the amount of \$237,643

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. [AB2023-537](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology for collection and management of household hazardous waste, in the amount of \$540,857.50

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

3. [AB2023-538](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and Whatcom Dispute Resolution Center to provide youth conflict resolution workshops in the amount of \$35,000 for a total amended contract amount of \$70,000

Frazezy 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. [AB2023-542](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Whatcom County Fire Protection District No. 7 for the additional costs of onboarding a replacement Community Paramedic in the amount of \$32,264 for a total amount of \$232,191

This agenda item was WITHDRAWN.

5. [AB2023-543](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce Office of Crime Victims Advocacy (OCVA) for reimbursement of services relating to advocacy for child victims of abuse or neglect in dependency proceedings, in the amount of \$27,942

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. [AB2023-544](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts for reimbursement of services relating to the Uniform Guardianship Act in the amount of \$54,134 for SFY 2023-2024

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. [AB2023-546](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth and Families for services relating to evidence-based programming such as Coordination of

Services for juvenile offenders under the supervision of Juvenile Court to continue at the SFY2022-2023 reimbursement rate until the State has determined new rates

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

Aye: 3 - Donovan, Frazezy, and Kershner

Nay: 0

8. [AB2023-547](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts for reimbursement of costs related to the Volunteer Guardian Ad Litem (VGAL) Program in the amount of \$87,861

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

Aye: 3 - Donovan, Frazezy, and Kershner

Nay: 0

9. [AB2023-549](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, in the amount of \$14,942

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

Aye: 3 - Donovan, Frazezy, and Kershner

Nay: 0

10. [AB2023-552](#) Resolution requesting authorization to make an application and enter into a grant agreement with the Washington State Recreation and Conservation Office to complete deferred maintenance at several Silver Lake Park cabins

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

Aye: 3 - Donovan, Frazezy, and Kershner

Nay: 0

11. [AB2023-556](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce for a Drug Task Force Justice Assistance Grant (JAG) FFY 2020-2021,

in the amount of \$135,000 for a total amended amount of \$334,375

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

12. [AB2023-561](#) 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

This item was considered separately below.

13. [AB2023-562](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Social and Health Services to provide an advance in funding for DSHS-funded Developmental Disabilities Administration Programs, in an amount authorized up to \$470,230

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

14. [AB2023-564](#) Request for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts for reimbursement of services relating to BECCA cases (Truancy, At-Risk Youth and Child In Need of Services) in the amount not to exceed \$270,876

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

15. [AB2023-572](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Council of Governments for evaluating siting options for electric vehicle charging infrastructure countywide, in the amount of \$5,000

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

16. [AB2023-573](#) Request authorization for the County Executive to enter into a Federal Aid Project Prospectus and Local Agency Agreement between Whatcom County and the Washington State Department of Transportation for the Jackson Road / Terrell Creek Bridge No. 81 Replacement, in the amount of \$625,000

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

17. [AB2023-576](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Department of Ecology to provide funding for the removal of litter and illegally discarded materials from public lands, in the amount of \$112,700

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

18. [AB2023-577](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District to provide funding for a Behavioral/Mental Health Professional, in the amount of \$450,000

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

19. [AB2023-578](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Nooksack Valley School District to provide funding for Mental Health Professional personnel, in the amount of \$300,000

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

20. [AB2023-580](#) Request authorization for the County Executive to award bid #SWBB23-01 and enter into a contract between Whatcom County and Stremler Gravel, Inc. for the Cottonwood Drive Stormwater Inlet Repairs in the amount of \$99,430.03

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

21. [AB2023-581](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority to provide funding for treatment and recovery support services to those involved in the criminal justice system, in the amount of \$651,108

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

22. [AB2023-584](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham School District to provide funding for mental and behavioral health personnel and staff professional development, in the amount of \$1,140,000

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

23. [AB2023-586](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Lynden School District to provide funding for behavioral health and social services personnel, in the amount of \$495,000

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

Council "Consent Agenda" Items Considered Separately

12. [AB2023-561](#) 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

The following people answered questions and discussed with Councilmembers:

- Tyler Schroeder, Executive's Office
- Bill Elfo, Sheriff

Schroeder answered a question about the intent of this agreement and whether it has anything to do with merging the two call centers as discussed in the past, and he stated it is unrelated to that consolidation conversation. It is just the standard four-year agreement for the financial distribution to operate the WHAT-COMM Communications Center.

Councilmembers and the speakers discussed the composition of the Administrative Board, including why the County and City Council representatives are committee chairs as opposed to chairs of each respective Council or not appointees of the Operations Board, and why the fire chief is a non-voting member. They discussed waiting for a couple weeks to get questions answered, whether the Administrative Board could review its membership, whether the membership is determined under the interlocal, and the current make-up of the board.

Donovan moved to forward this to the full Council for approval and to continue the discussion about the composition.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

Special Presentation

1. [AB2023-557](#) Report from the Finance Division

Brad Bennett, Administrative Services Department Finance, stated the second quarter report is out and on the website. He read from a presentation (on file) and answered questions about the current sales tax growth, whether we have something in place if something like in 2008 (see presentation) happens with interest income, and whether current interest income is adding money to the fund balance that was not budgeted for.

This agenda item was REPORTED.

Committee Discussion

1. [AB2023-579](#) Discussion regarding American Rescue Plan Act (ARPA) revenue loss

Kayla Schott-Bresler, Strategic Initiatives Special Programs Manager, briefed the Councilmembers about the Administration's plans for revenue loss. Under the American Rescue Plan Act (ARPA) grants, the County can spend up to \$27 million on revenue loss, or basically any general government service that would typically be funded with the General Fund. The Administration is proposing to spend grant money on General Fund activities (principally salaries and benefits that would typically be funded by the General Fund), then spend the General Fund savings on the original ARPA spending plan activities proposed by Council. She described the reason and the budget pathways for doing this.

Councilmembers, Schott-Bresler and Tyler Schroeder, Executive's Office, discussed what dollar amount from ARPA is unobligated, what they mean by "unobligated," how they would be saving money by following this proposed plan, how it would affect ARPA funds set aside for homeless services, and what the Federal requirements are for spending the grant.

They discussed that if the Council accepts this plan, the Administration will use it as needed and bring forward administrative recommendations through budget supplementals to exercise it at different points between now and the end of 2024.

Kershner requested that they flag those budget supplementals to show they are part of this process so it does not need to be re-hashed each time.

Schroeder stated the idea of this community priority fund was to set up a separate fund specifically for this purpose, tracked outside of the General Fund, so anyone can look to the fund and understand how those dollars got there and how they are going to be used.

This agenda item was **DISCUSSED**.

Committee Discussion and Recommendation to Council

1. [AB2023-507](#) Ordinance amending the project budget for the Jail Improvement Fund, request no. 6
Frazey moved that the Ordinance be **RECOMMENDED FOR ADOPTION**.

Rob Ney, Administrative Services Department Facilities, stated this is a mechanism to allow for the request (in the next agenda item) to fund a replacement of a hot water heater for the Jail kitchen. He answered a question about the request.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

2. [AB2023-509](#) Ordinance amending the 2023 Whatcom County Budget, request no. 12, in the amount of \$2,126,139

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

The following people answered questions:

- Ann Beck, Health and Community Services
- Kathleen Roy, Health and Community Services
- Tyler Schroeder, Director of Administrative Services
- John Gargett, Division of Emergency Management

They answered questions about whether this would be adding positions to the Health Department, whether the Healthy Children's Fund specialist would be funded by the Healthy Children's Fund, the labor pool adjustment for the Opioid Program Specialist position and whether that position would be funded by grants, whether the rescue boats were going to be grant funded and whether this just represents a portion of the cost, and why they were not funded using money given to the County last year that the County was struggling to spend.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

3. [AB2023-531](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department in the amount of \$1,480,000 to support the county's efforts following the November 2021 flood event

Kershner moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

John Gargett, Division of Emergency Management, gave an update on this \$1.48 million and what they were hoping to do with it. He gave a summary on the funds from the Department of Commerce that had to be allocated and spent by June 30th and whether those funds got spent.

He and Tyler Schroeder, Executive's Office, answered why the Request for Proposals (RFP)s for the sandbag machines have not been issued yet and whether that turn around time is typical, especially related to emergency services, what positions (for administration of the grant) the \$800,000 will fund, and the total cost of housing damages from the flood.

Galloway spoke about the cost to repair homes each time there is a flood and how that should be considered in the larger picture of the Comprehensive Plan and places we are going to be growing, while thinking about climate, vulnerability assessments, and the riverine project they heard about earlier this morning.

Kershner stated we need to be making smart decisions about where we plan in our Comprehensive Plan update to make sure we are not building in the floodplain.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

4. [AB2023-533](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Department of Commerce, in the amount of \$1,879,999, to support the county's recovery efforts following the November 2021 flood event

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

5. [AB2023-539](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Department of Ecology to provide a Washington Conservation Corps crew and supervisor, in the amount of \$181,575 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Frazezy moved that the Contract (FCZDBS) be RECOMMENDED FOR AUTHORIZATION.

Gary Stoyka, Public Works Department, answered whether these are temporary positions and whether they will go away if the funding runs out, and stated it is an annual contract with the Department of Ecology and none of these people are employees of the County.

Frazezy's motion that the Contract (FCZDBS) be RECOMMENDED FOR AUTHORIZATION carried by the following vote:

Aye: 3 - Donovan, Frazezy, and Kershner

Nay: 0

6. [AB2023-540](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Commerce to maintain current levels of homeless subsidies and emergency housing services, in the amount of \$2,890,020

Donovan moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION.

Chris D'Onofrio, Health and Community Services, answered whether this is a grant from the Department of Commerce, whether we have been receiving and using these funds for a while, what the plan is in the long-run since we are not seeing a decrease in homelessness and housing insecurity, whether discussions are occurring about solutions to people coming here from other jurisdictions that do not offer the same level of service our county does, whether House Bill 1590 money (\$1 million for affordable housing) will take some pressure off the services we might need to provide for people who are homeless, how we can be confident that the 1590 dollars will go to people who are already here in Whatcom County but not that these dollars will, and whether the requirement for the percentage of local people served can be increased.

Councilmembers discussed thinking about creating our communities to also handle housing issues for senior populations, and having a housing discussion again.

Ann Beck, Health and Community Services, stated they need a list of things the Council would like to know and what would be the most useful information, and Galloway suggested they talk, for example, about emerging projects and where the county will need to provide some funding.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

7. [AB2023-545](#) Request authorization for the County Executive to enter into a project reimbursement agreement between Whatcom County and the Washington State County Road Administration Board in the amount of \$10,000,000

Frazey moved that the Agreement be RECOMMENDED FOR AUTHORIZATION.

James Lee, Public Works Department, stated these dollars are going to be used for the Lummi Island ferry replacement and system modernization project and answered how much money it is per year.

Elizabeth Kosa, Public Works Department Director, stated they are excited that this is one step closer to getting a new vessel and she thanked the Council and staff who helped make this happen.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

8. [AB2023-553](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and City of Bellingham to provide funding for staffing and implementation of the Alternative Response Team (ART) Program in the amount of \$80,000 for a total amended amount of \$570,096

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

9. [AB2023-554](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale Community Services to operate a severe weather shelter, in the amount of \$75,450

Frazey moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

Ann Beck, Health and Community Services, answered what the plan is for funding severe weather shelters when American Rescue Plan Act (ARPA) money runs out, and whether we are in discussions with the cities who would be responsible for their own populations during severe weather. She and Councilmembers discussed the need and plan to find a provider for the Bellingham-based severe weather shelter and not shifting the responsibility of cities to the County.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

10. [AB2023-560](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for mental health support staff embedded at the Bellingham Central Library, in an annual amount not to exceed \$110,000

Frazey moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION.

Malora Christensen, Response Systems Division manager, answered what the funding source is and stated it is from the Behavior Health Fund and is a partnership between the City of Bellingham and Whatcom County. They are splitting the cost of the new position.

Kershner stated she wonders, if we are able to build a new jail and behavioral health center in a different location, if some of the issues at the library would subside a bit.

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

Aye: 3 - Donovan, Frazey, and Kershner

Nay: 0

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 12:02 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Kathy Kershner-via email 9/20/2023

Dana Brown-Davis, Council Clerk

Kathy Kershner, Committee Chair

Kristi Felbinger, Minutes Transcription

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