

**Whatcom County
Council Finance and Administrative Services Committee**

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010



Committee Minutes - Draft Minutes

**Tuesday, May 21, 2024
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, OR CALL 360.778.5010)

COUNCILMEMBERS

Tyler Byrd
Todd Donovan
Kaylee Galloway

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Todd Donovan called the meeting to order at 10:50 a.m. in a hybrid meeting.

Roll Call

Present: 3 - Tyler Byrd, Kaylee Galloway, and Todd Donovan

Also Present: Barry Buchanan, Ben Elenbaas, Jon Scanlon, and Mark Stremmer

Announcements

Council "Consent Agenda" Items

Galloway moved to recommend approval of Consent Agenda items one through twelve. Staff answered questions on item numbers three and six.

Consent Agenda Item #3 (AB2024-317)

Ann Beck, Health and Community Services, briefed the Councilmembers and answered why the funding is coming from American Rescue Plan Act (ARPA) funds and not the Healthy Children's Fund. She stated they are still using the ARPA funds because those are time-limited dollars.

Scanlon stated he likes the model and this is business development.

Councilmembers and Beck discussed why the Healthy Children's Fund could not be used so that the ARPA funds could be used somewhere else, and Donovan stated at one point the Council had slated about 50 percent of the ARPA funds to be used on the priority of childcare.

Erika Lautenbach, Health and Community Services Director, stated there was a certain dollar amount of ARPA funds that was Council-directed that they have to use, then they will be able to pick up the Healthy Children's Fund dollars once those funds are spent down.

Consent Agenda Item #6 (AB2024-366)

Byrd stated if you look at the cost per rifle, they are paying more to buy the rifles in bulk than if they bought them individually at retail pricing. The Sheriff's Office was not available at the meeting to answer questions so Councilmembers concurred to go ahead with the recommendation and they can get an answer this evening.

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

1. [AB2024-315](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and U.S. Department of Agriculture, Forest Service for overtime patrols, in the amount of \$21,900

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

2. [AB2024-316](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Northwest Clean Air Agency for reimbursement of materials and distribution of DIY air cleaner kits, in an amount up to \$3,000

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

3. [AB2024-317](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Imagine Institute to assist new home-based childcare providers through the start-up process in order to expand availability of childcare in Whatcom County, in the amount of \$478,910

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

4. [AB2024-318](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to provide funding for the delivery of various public health programs in the amount of \$416,456 for a total amended agreement amount of \$14,310,097

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

5. [AB2024-319](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the City of Lynden to further advance their Mouw Ditch project to address drainage and flooding issues in the Bertrand Creek subbasin, in the amount of \$32,000 for a total amended agreement amount of \$96,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

6. [AB2024-322](#) Request approval for the County Executive to award Bid #24-46 for the purchase of 30 rifles, associated equipment, and accessories from Proforce Law Enforcement, located in Prescott, Arizona, in an amount not to exceed \$60,576.42

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

7. [AB2024-323](#) Request approval for the County Executive to award Bid #24-47 for the purchase of a 360-degree laser scanning system, associated equipment, and accessories from Leica Geosystems, Inc., located in Alpharetta, Georgia, in an amount not to exceed \$154,128.53

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

8. [AB2024-324](#) Request approval for the County Executive to authorize the purchase of vehicle upfit equipment, using the Washington State Contract #02020, in an amount not to exceed \$125,000 in 2024. The state contract is awarded to JR Setina Manufacturing Co., located in Olympia

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

9. [AB2024-327](#) Resolution amending Resolution 2023-048 for Unrepresented County employees

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

10. [AB2024-330](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and North Sound Behavioral Health Administrative Services Organization to provide funds to support substance use disorder assessments in jail, re-entry services and recovery and mental health courts, in the amount of \$101,896 for a total amended contract amount of \$625,684.10

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

11. [AB2024-334](#) Request authorization for the County Executive to enter into an interlocal agreement amendment to increase the compensation for Boundary Review Board services in the amount of \$5,000 for a total amended amount of \$20,000

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

12. [AB2024-339](#) Request authorization for the County Executive to enter into a lease amendment between Whatcom County and Lengoset, LLC to extend the term of the lease through December 31, 2024 for the purposes of a temporary morgue location in the amount of \$250 per autopsy

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

Special Presentation

1. [AB2024-332](#) Report from Facilities Division of Administrative Services Department

Rob Ney, Administrative Services Department Facilities, read from a presentation (on file) about projects that have been completed and how the facilities plan from 2019 has changed. He stated they would like to do a long-term capital facilities plan but it evolves and changes every couple years and redirects the priorities. The jail ballot passed so the jail and 23-hour crisis relief center are on their plate, but he focused on three other priorities. He stated the County is about to acquire a building downtown on Unity Street and there are also discussions about purchasing another building downtown. They also have to figure out how to accommodate the recently awarded fifth Superior Court judge. He spoke about the Northwest Annex, the courthouse impacts due to the Superior Court judge, and how these newly acquired buildings come into play.

For Northwest Annex, they have realized that the storage in the existing out-buildings is necessary so the plan is to build a shell of office building two and use it in the short-term for storage. They are working now on figuring out what the design concept of that would look like and hope to have that and a financial package for Council by the end of this year.

For finding space to accommodate the 5th Superior Court Judge and support staff, they are going to convert part of a fifth-floor courthouse conference room into a temporary water adjudication courtroom for now. Then, the third floor is probably the best place to build a new courtroom, so the plan is to use one of the newly-acquired buildings (probably the newest one) to relocate the I.T. Department. The goal is for the County to be the designer of the courtroom and to get it accomplished by the end of next summer, which is an aggressive timeline.

The plan for the Unity Street building is to remodel it and relocate non-court-essential uses such as the Human Resources and Finance offices. He answered what he sees going into the current HR space (which adjoins the Council Office) and stated they do not know yet, but would guess that it would be some sort of a court function. He stated \$900,000 has already been set aside for the Unity Street project and they will also try to absorb the work with current staff. These projects are on top of the jail and the 23-hour crisis relief center. They would also like to reassemble the Health Department back into one building but they have not figured out how to do that yet.

He answered what the options are for how the second Northwest Annex building would be financed and whether that plays into the bigger picture of how they finance the jail and other projects going forward. He stated it will probably be woven into the bonding for other items to get a better rate.

Kayla Schott-Bresler, Executive's Office, stated they have the bond consultant on board and have been focusing their energy, over the last six months, on the jail financing packages. Now that the interlocal agreement is wrapped up with the cities, they will be working with them on optimizing the bond package for Northwest Annex and the jail.

Satpal Sidhu, County Executive, stated their aim is to combine the jail bond and the Northwest Annex bond to hopefully get a better rate, though the payment sources will be different. The ferry is another thing on their plate for financing but that may or may not go with this package. They will soon know the exact cost of the Northwest Annex once the design is complete, and the cost of the jail will be known around mid to later 2025.

This agenda item was REPORTED.

Committee Discussion and Recommendation to Council

1. [AB2024-303](#) Ordinance amending the project budget for the Lake Whatcom Park Trail Development Fund, request no. 3

Christ Thomsen, Parks and Recreation Department, stated this request is to provide some additional funding for the design and permitting of the Lake Whatcom trailhead in Lake Whatcom Park. It will specifically provide additional funding to expand their public engagement.

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

2. [AB2024-302](#) Ordinance amending the 2024 Whatcom County Budget, request no. 7, in the amount of 1,605,662

Galloway moved that the Ordinance be RECOMMENDED FOR ADOPTION.

Scanlon stated there is an item here regarding American Rescue Plan Act (ARPA) funding for which they may need to take an additional step. The code that was recently adopted (WCC 10.34.005 in **AB2024-238**) states:

"Fare Box Considered Revenue" means the revenue from Ferry User Fees. Revenue from other funding sources will be only be included as Fare Box Considered Revenue if designated by resolution of the Whatcom County Council.

He stated that the resolution asking the Executive to make fare changes and to eventually bring in ARPA (**AB2024-209**) was not specific enough. Public Works has suggested language for a potential resolution for this evening. He stated they may need to go back and change the code.

Elizabeth Kosa, Public Works Department Director, stated the code language is good and the resolution is an additional step but it is a good thing for them to be aware of and to have additional discussion on.

Randy Rydel, Public Works Department, stated this can happen in tandem with the budget amendment as a resolution whereby they state that the money that is coming through the budget amendment right now (this \$358,000 transferred from the Community Priorities Fund to the Ferry Fund) will be included in the fare box considered revenue. He stated it would be good if it could be considered today but it could also happen at the next meeting.

Galloway asked about the previous resolution regarding appropriating American Rescue Plan Act (ARPA) funds and why it would not be sufficient for the language that is now in code, and Donovan asked if the issue is that it does not specify that it counts toward the fare box.

George Roche, Prosecuting Attorney's Office, stated the problem is that the prior resolution may not be specific enough and the new proposed language, would be a more appropriate resolution.

Schott-Bresler stated the resolution would be a separate action from this ordinance and Scanlon stated he thinks they should consider the new resolution this evening.

Dana Brown-Davis, Clerk of the Council, spoke about the option of waiting for two weeks and stated generally Council has wanted items to be on an agenda so the public knows they are coming up.

Councilmembers and staff discussed whether they would have to re-do this supplemental budget request as a different item if they are not doing this

part now, whether this ordinance and a new resolution need to be in tandem tonight, the fact that pulling the related item out of this ordinance would challenge the fare fund, the preference to pass this budget ordinance as it is, and the plan to share the proposed resolution language with staff and Councilmembers to determine whether they need to consider it this evening.

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

Aye: 3 - Byrd, Galloway, and Donovan

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 11:32 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Todd Donovan, Committee Chair

Kristi Felbinger, Minutes Transcription