

**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

Wednesday, November 6, 2024

9:10 AM

Hybrid Meeting - Council Chambers

HYBRID MEETING (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

Cathy Halka, AICP, CMC

Call To Order

Committee member Kaylee Galloway called the meeting to order at 9:11 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 Stremler

Announcements

Council "Consent Agenda" Items

Byrd moved to recommend approval of Consent Agenda items one through 16.

The following people briefed the Councilmembers and answered questions:

- Aly Pennucci, Executive's Office
- Elizabeth Kosa, Public Works Department Director
- Brett Piepel, Public Works Department
- Ann Beck, Health and Community Services
- Brad Bennett, Administrative Services Department Finance

Stremler stated he has questions on item number four.

Consent Agenda item #4 (AB2024-715)

Kosa answered whether the City of Bellingham gives the County access to the brine 24 hours a day, and stated Bellingham has been responsive and she does not anticipate that there will be any delay in being able to pick up the material. Piepel answered questions about how much the County has been buying and whether it has another source for the brine, and stated they do not have another source for that, but they have alternative methods they could use.

Consent Agenda item #16 (AB2024-740)

Beck answered whether there are training opportunities for those who would like to volunteer for the severe winter shelter, and spoke about those. She also gave an update on the YWCA contract and stated it is still at Finance for their review.

Bennett updated on the contract approval process and why a few contracts seem to be stuck. He stated contracts are backed up because they are down a

couple people and are trying to deal with the budget, but they can get on contracts first that are communicated as being a high priority.

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

1. [AB2024-682](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bellingham and Whatcom County Housing Authorities to develop a licensed child care facility in the Samish Commons affordable housing complex, in the amount of \$1,093,637

Byrd 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

2. [AB2024-709](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lake Whatcom Water and Sewer District to provide emergency management services to Lake Whatcom Water and Sewer District in the amount of \$50,000

Byrd 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

3. [AB2024-711](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Elizabeth Boyle Consulting to provide meeting facilitation services in the amount of \$23,000, for a total amended contract amount of \$46,000

Byrd 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. [AB2024-715](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the purchase of brine at a cost of \$.63 per gallon

Byrd 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. [AB2024-716](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sanitary Service Company, Inc. to collect waste along Birch Bay Drive in the amount of \$15,000, for a total contract amount of \$43,000

Byrd 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

6. [AB2024-717](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Elliot Bay Design Group, LLC, to provide engineering services for the annual dry dock of the MV Whatcom Chief ferry along with other on-call services as needed for the Lummi Island Ferry System, in the amount of \$75,000

Byrd 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

7. [AB2024-720](#) Request authorization for the County Executive to enter into a three year subscription agreement with West Publishing for legal research databases in the amount of \$151,672.68

Byrd 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

8. [AB2024-721](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the What-Comm Communications Center in support of reimbursement for E911 capital equipment expenses in the amount of \$43,747

Byrd 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

9. [AB2024-726](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire Protection District 5 (Point Roberts) for Basic Life Support Services in Whatcom County, in the amount of \$21,869.16

Byrd 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

10. [AB2024-727](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Department of Commerce to examine the potential for an Office of Healthy Housing in the amount of \$190,000

Byrd 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

11. [AB2024-734](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation # PA-WAW-0376, in the amount of \$5,000

Byrd 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. [AB2024-735](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation # PA-WAW-0385, in the amount of \$5,000

Byrd 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

13. [AB2024-736](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation PA-WAW-0386, in the amount of \$5,000

Byrd 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

14. [AB2024-737](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation # PA-WAW-0387, in the amount of \$5,000

Byrd 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

15. [AB2024-738](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington Traffic Safety Commission for High Visibility Emphasis (HVE) patrols, in the amount of \$28,000

Byrd 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

16. [AB2024-740](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lutheran Community Services Northwest to lease a facility intended for use as the 2024-2025 winter shelter, in the amount of \$66,625

Byrd 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. [AB2024-702](#) Report from the Facilities Division of the Administrative Services Department Rob Ney, Administrative Services Department Facilities, read from a presentation (on file) about the Williamson Way facility water intrusion repair, progress on the Way Station, the Northwest Annex redevelopment project, and contracting for a project manager for the Justice Project.

He answered questions about the cost estimates for the NW Annex project, and whether they will be breaking the Justice Project into smaller projects to allow for more competitive bidding and to include local contractors as much as possible. He answered how the Justice Project cost got from \$150 million to \$174 million before even going out to bid and whether they would need to start thinking about building the facility with fewer beds to stay in that cost range if bids come in higher than expected, and he answered when construction would start and finish. He stated construction should finish late in 2028 and spoke about how they are determining these costs by using some of the square footage data from 2016 as a baseline. Right now, they are projecting a \$173 million construction cost estimate if they use the same square footage as they used before. If they wanted to, they could make it bigger and it would probably cost more, but they also have the ability to scale it.

Donovan stated what they put before the voters was a very different facility than what was in the data for 2016, so if they are going to build what they actually told the voters they are going to build, it will be even more than the current estimate. He asked how they fulfill the promise that the tax is going to be bringing in all these monies for services, and at what point do they get to a cost where they cannot build the facility and have the services that the voters were told about.

Kayla Schott-Bresler, Executive's Office, stated he is on track with the policy questions that are going to come if the budget and cost escalation get too high. They do have a number of tools embedded in the interlocals with the cities to absorb some cost increases, and she spoke about those.

Donovan stated they need to be talking now about the potential need for trade-offs if the cost escalation goes too high.

Ney answered whether the \$37 million for the Sheriff's Office is on top of the \$173,939,000, and stated it is an outside cost. He answered whether it is possible to waive some of the permitting costs and stated they have been in constant communication with Ferndale.

Schott-Bresler answered whether Economic Development Investment (EDI) money could be used for infrastructure costs and, since EDI cannot be used for the jail, whether the Sheriff's Office would be considered a jail for that purpose.

Galloway stated she is nervous that they may not get everything that was on their wish list and would like to have a conversation about that to make sure the County is building within their means.

Ney stated this is just a guesstimate because they do not have information right now to tell the Council how much the jail is going to cost. They do not have any designs, so the only concrete thing they have is what they knew from before. Additionally, they also know they are not building that same facility, so they are making cost assessments based on a program they know they are not going to build. With that in mind, he would not hang his hat on that dollar amount because it will change since the design will change. That is why the next six months of this programming are critical as they determine what size the core facility should be.

Galloway stated this shows the need for Council discussion on what would be living within the County's means for this project.

Clerk's note: Donovan had to leave the meeting at 9:58 a.m. He stated for the next item, he hopes people will think about the number of positions the Port of Bellingham and the small cities will have on the EDI board and the clause about the Charter.

This agenda item was REPORTED.

Committee Discussion

1. [AB2024-757](#) Discussion regarding the Economic Development Investment (EDI) Board recommendations in response to the County Council's request to update the EDI policies consistent with changes to RCW 82.14.370

Kayla Schott-Bresler, Executive's Office, stated she would like for

Councilmember Donovan to be here since he originated much of this policy discussion. They have the draft code on the agenda for introduction this evening and they could discuss it then.

Galloway stated she has questions about membership, and particularly around that of the Port of Bellingham and the Associate Development Organization (ADO) given they are the same, whether the membership of the Port and the PUD would be staff or a commissioner, whether the Council representative would be the Council chair, and a potential change on page one of the exhibit in section 2.130.020 (a) from citizens to residents.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. [AB2024-654](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale School District to purchase and install an ADA-compliant playground, in the amount of \$700,000

Eric Chambers, Health and Community Services, briefed the Councilmembers and stated this is a revised (substitute) contract, with the revision made to the source of funding.

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

Aye: 2 - Byrd, and Galloway

Nay: 0

Temp Absent: 1 - Donovan

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 10:05 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Todd Donovan, Committee Chair

Kristi Felbinger, Minutes Transcription