

**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, March 5, 2024
10:40 AM
Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 11:30 A.M., 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 10:40 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 Stremmler

Announcements

Council "Consent Agenda" Items

Galloway moved to recommend approval of Consent Agenda items one through Eight.

Councilmembers discussed the agenda items listed below.

Consent Agenda #4 - AB2024-162

John Thompson, Public Works Department, answered whether Saturna Watershed Sciences, L.L.C. has worked for us in the past and what exactly the group is analyzing. He stated they are going back to the instrument flow recommendations that came out of Utah State University in around 2008 based on modeling that the university did and the 37 sites where they made measurements. Saturna is using methodology provided by the university to take data from a measured site and extend (or extrapolate) it to an unmeasured site and generate flow recommendations for that. But they are not going out and doing field work.

Elenbaas asked whether this information will be available to all the citizens of Whatcom County as they go through the adjudication process and have their day in court, and Thompson stated the work product is all public information.

Gary Stoyka, Public Works Department, answered whether they have already budgeted for this and stated they have. They plan to use some of the \$700,000 for technical study and collaborative process that they got from the State to pay for it.

Consent Agenda #3 - AB2024-150

Galloway thanked staff for putting this together and stated this only deals with one part of the equation which is the public-facing infrastructure, and not the County fleet. She asked if there is a part two coming.

Stoyka stated this study is looking at charging infrastructure needs county-wide and not particularly for County vehicles. There will be another contract coming forward that will be looking for a plan for the Whatcom County fleet and what makes sense for that. He answered who is putting the County fleet plan together and stated he is. He answered who will be involved and stated it will primarily be the ER&R manager. He described what information the consultant will be reviewing.

Stremler stated they need to proceed carefully with the fleet study.

Donovan stated one thing they need to look at is what happens if a vehicle has to be stored at a residence.

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

1. [AB2024-147](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Julota to track and monitor services and care provided to individuals frequently seen by Health and Community Services' Response Systems Division Programs in the amount of \$110,008 for a total amended contract amount of \$278,426

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

2. [AB2024-149](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Everson for reimbursement of expenses for road gates installation in the amount of \$47,534.22

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. [AB2024-150](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Kittelson & Associates to implement an Electric Vehicle Infrastructure Study, in the amount of \$99,994.00

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. [AB2024-162](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Saturna Watershed Sciences LLC to implement a second phase of investigation into the extrapolation of initial recommended extrapolated instream flow information to unmeasured sites in support of watershed and salmon recovery planning, in the amount of \$81,585.00 (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

5. [AB2024-171](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and PROTEC17 for the period January 1, 2024 - December 31, 2025

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

6. [AB2024-174](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Parks and Recreation Commission for Recreation Boating Safety Grant, in the amount of \$17,523.25

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

7. [AB2024-175](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District for Sheriff's Office Substation lease, in the amount of \$69,528

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

8. [AB2024-182](#) Request approval for the County Executive to enter into an Interlocal Cooperative Purchasing Agreement with Snohomish County which will allow reciprocal utilization of competitively bid contracts, pursuant to RCW Chapter 39.34 Interlocal Cooperation Act

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

Committee Discussion and Recommendation to Council

1. [AB2024-151](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Law Group / Rajeev Majumdar for hearing examiner services in the amount of \$5,500 for a total amended contract amount of \$225,820 for the 2-year contract

Byrd moved that the Contract be RECOMMENDED FOR AUTHORIZATION.

Cathy Halka, Council Legislative Analyst, stated there was an ordinance (**AB2024-100**) to assign the Appeals Board's responsibility to the Hearing Examiner and that was not an item that was contemplated in the scope that was approved last year for this contract. This would be funding adding that scope element to the contract.

Galloway asked whether this cost would be to add to the scope but it does not necessarily mean there will be work associated with it. The Appeals Board has not had any action taken in eight years.

Rajeev Majumdar, Hearing Examiner, answered what the money would be going toward. He answered what his experience has been as the Hearing Examiner and whether he enjoys his job. He spoke about recent work to update the Hearing Examiner rules and procedures.

Dana Brown-Davis, Clerk of the Council, answered whether the contract covers Hearing Examiner staff in the Council Office or whether that comes out the Council's budget and stated it is the latter.

Majumdar answered whether he will be billing the \$250 a month even if he does not have any items under this new part of the code, and stated that is true because it is a flat fee contract.

Scanlon stated the Council would like to hear from him about trends he is seeing in the way of proposals regarding the code and whether he thinks the Council should be updating or making any changes to the code. He would like to come up with a more formal process for the Hearing Examiner to be able to share those trends and ideas with the Council and where he thinks they should make changes to the code. Majumdar gave an example of where he sees a hole in the law and spoke about his discussions with the department on what might be good code changes.

Elenbaas spoke about creating a mechanism of feedback from the Hearing Examiner to the Council so Majumdar can tell them where his hand may have been forced by code in a decision, but he sees a better way.

Majumdar stated he makes notes on each case he hears and tries to hold on to them until after the appeal period is run so he can actually have frank two-way conversation with a County about it. He gave an example of doing that already in Island County and stated he could do a similar process here where he talks with the attorneys and the department about what the issues are and what could go to Council to solve the problem.

Donovan stated they are hoping that, within the bounds of the contract and after that process, they could get some periodic updates from him to the Council.

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

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

2. [AB2024-158](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce to fund homelessness crisis response systems in the amount of \$1,801,736 for a total amended agreement amount of \$12,345,115
Chris D'Onofrio, Health and Community Services, briefed the

Councilmembers and stated these are funds that were originally funded back in the fall of 2022. At the time they had an ample supply of other federally funded programs for eviction prevention and they used those first. This grant expired at the end of June 2023 and the Washington State Department of Commerce has reallocated those unspent funds from the prior grant cycle so they are becoming available again. He answered questions about the funding and whether it will be more stable than American Rescue Plan Act (ARPA) funding.

Stremmer asked about the restabilization plan and whether the organizations are doing what they are supposed to do, and D'Onofrio spoke about the plan and that there are a number of complicated challenges associated with providing supportive services for people exiting chronic homelessness who have behavioral health disabilities. They are watching these programs very closely and hope things will continue to improve, but they have seen pretty significant improvement over the last few years.

Galloway moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION.

D'Onofrio answered who operates the eviction prevention programs that this amendment would fund and stated they have a program that is operated through the Opportunity Council. This amendment is to accept funds through the Department of Commerce that will likely move in that direction. He answered how many households this would support this year, and stated they estimate that 145 households will be supported.

Galloway stated she constantly hears how needed rental assistance is and the demand has grown. She is pleased to see this money come back to us.

Galloway's motion that the Interlocal be RECOMMENDED FOR AUTHORIZATION 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 11:14 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Todd Donovan-via email 3/22/2024

Dana Brown-Davis, Council Clerk

Todd Donovan, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE