

**CLERK OF THE COUNCIL**  
Dana Brown-Davis, C.M.C.  
  
**COUNTY COURTHOUSE**  
311 Grand Avenue, Suite #105  
Bellingham, WA 98225-4038  
(360) 778-5010



**COUNCILMEMBERS**  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

**WHATCOM COUNTY COUNCIL**

# **COMBINED AGENDA PACKET FOR APRIL 6, 2021**

## **INCLUDES INFORMATION FOR THE FOLLOWING MEETINGS:**

**9 A.M. – COMMITTEE OF THE WHOLE – EXECUTIVE SESSION  
(ENDS NO LATER THAN 10:30 A.M.)**

**10:40 A.M. – NATURAL RESOURCES COMMITTEE  
(ENDS NO LATER THAN 11:10 A.M.)**

**11:20 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE  
(ENDS NO LATER THAN 12:40 P.M.)**

**1:30 P.M. – PUBLIC WORKS AND HEALTH COMMITTEE  
(ENDS NO LATER THAN 2:30 P.M.)**

**2:40 P.M. – PLANNING AND DEVELOPMENT COMMITTEE  
(ENDS NO LATER THAN 3:10 P.M.)**

**3:20 P.M. – COMMITTEE OF THE WHOLE  
(ENDS NO LATER THAN 5 P.M.)**

**6 P.M. - COUNCIL**

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## **PARTICIPATE IN VIRTUAL COUNCIL MEETINGS**

**THE COUNCIL IS CURRENTLY HOLDING ALL MEETINGS REMOTELY**

**VIEW MEETING SCHEDULES, AGENDAS, MINUTES, VIDEOS, AND ARCHIVES AT  
[WWW.WHATCOM.LEGISTAR.COM](http://WWW.WHATCOM.LEGISTAR.COM)**

**FOR INSTRUCTIONS ON HOW TO WATCH OR PARTICIPATE IN COMMITTEE AND  
COUNCIL MEETINGS, PLEASE VISIT  
[WWW.WHATCOMCOUNTY.US/3415/PARTICIPATE-IN-VIRTUAL-COUNCIL-MEETINGS](http://WWW.WHATCOMCOUNTY.US/3415/PARTICIPATE-IN-VIRTUAL-COUNCIL-MEETINGS)  
OR CONTACT THE COUNCIL OFFICE AT 360.778.5010**

# **COMMITTEE AGENDAS**

**COUNCIL COMMITTEE OF THE WHOLE – EXECUTIVE SESSION**  
**9:00 A.M. TUESDAY, April 6, 2021 (ENDS NO LATER THAN 10:30 A.M.)**  
**Virtual Meeting**

## **Call To Order**

## **Roll Call**

## **Committee Discussion**

1. AB2021-156 Discussion of pending litigation with Civil Deputy Prosecutor Chris Quinn: Ericksen v. Whatcom County Flood Control Zone District, Whatcom County Superior Court Cause No. 20-2-00650-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)] (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)  
**Page 1**
2. AB2021-213 Discussion regarding a potential sale of county owned surplus property [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(c)]  
**Page 2**
3. AB2021-220 Discussion with Chief Civil Deputy Prosecutor Karen Frakes of the adoption of a moratorium on the acceptance and processing of applications and permits for new or expanded recreational cannabis growing and/or processing facilities [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]  
**Page 3**

## **Items Added by Revision**

## **Other Business**

## **Adjournment**

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**COUNCIL NATURAL RESOURCES COMMITTEE**  
**10:40 A.M. TUESDAY, April 6, 2021 (ENDS NO LATER THAN 11:10 A.M.)**  
**Virtual Meeting**

## **Call To Order**

## **Roll Call**

## **Special Presentation**

1. AB2021-200 Report from Parks and Recreation Department  
**Page 4**

## **Items Added by Revision**

## **Other Business**

## **Adjournment**



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**COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**  
**11:20 A.M. TUESDAY, April 6, 2021 (ENDS NO LATER THAN 12:40 P.M.)**  
**Virtual Meeting**

**Call To Order**

**Roll Call**

**Committee Discussion and Recommendation to Council**

1.     AB2021-163     Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$253,034 for a total amended contract amount of \$2,491,357.90  
**Pages 5 - 10**
2.     AB2021-173     Ordinance amending the 2021 Whatcom County Budget, request no. 5, in the amount of \$1,220,565  
**Pages 11 - 19**
3.     AB2021-191     Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide funding for rental assistance and emergency shelter in motels in the amount of \$618,121 for a total amended contract amount of \$1,514,822  
**Pages 20 - 34**
4.     AB2021-199     Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Whatcom Fire & Rescue for a paramedic training class, in the amount of \$236,000  
**Pages 35 - 43**
5.     AB2021-201     Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Camano Island Fire and Rescue to participate in the 2021 paramedic training class, in the amount of \$41,900  
**Pages 44 - 52**
6.     AB2021-216     Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Fire Department to operate the 2021 Paramedic Training Program and to support two eligible BFD firefighter EMTs' participation in the course, in the amount of \$579,153  
**Pages 53 - 63**
7.     AB2021-217     Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Technical College for costs associated with the Medical Program Director/Training Physician and sponsoring and accrediting the 2021 Paramedic Training class, in the amount of \$42,200  
**Pages 64 - 72**

**Council "Consent Agenda" Items**

1.     AB2021-189     Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the North Sound Accountable Communities of Health to supervise Whatcom Unified Command's (WUC) Volunteer Branch in the amount of \$15,000 for a total amended contract amount of \$55,000  
**Pages 73 - 78**

2. AB2021-194 Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Parks and Recreation Commission for FY2021 Recreational Boating Safety Federal Financial Assistance Grant, in the amount of \$19,290.64  
**Pages 79 - 88**
3. AB2021-203 Request approval for the County Executive to authorize the purchase of vehicle body repair services, using the Washington State Contract #05015, in an annual amount not to exceed \$80,000  
**Pages 89 - 91**
4. AB2021-211 Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide housing case management services in the amount of \$68,692 for a total amended contract amount of \$965,759  
**Pages 92 - 103**
5. AB2021-214 Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Whatcom County Water District 7 to lease tower access at the Toad Mountain Water Tower Site for four years and seven months for a total amount of \$5,715.02  
**Pages 104 - 122**

#### **Items Added by Revision**

#### **Other Business**

#### **Adjournment**

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**COUNCIL PUBLIC WORKS AND HEALTH COMMITTEE**  
**1:30 P.M. TUESDAY, April 6, 2021 (ENDS NO LATER THAN 2:30 P.M.)**  
**Virtual Meeting**

#### **Call To Order**

#### **Roll Call**

#### **Special Presentation**

1. AB2021-179 Report by the Whatcom County Food System Committee on protecting the food system and discussion of committee recommendations  
**Pages 123 - 170**

#### **Committee Discussion and Recommendation to Council**

1. AB2021-204 Consideration of citizen appeals of road name change due to correction of address number sequence.  
**Pages 171 - 175**

#### **Items Added by Revision**

#### **Other Business**

#### **Adjournment**

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**COUNCIL PLANNING AND DEVELOPMENT COMMITTEE**  
**2:40 P.M. TUESDAY, April 6, 2021 (ENDS NO LATER THAN 3:10 P.M.)**  
**Virtual Meeting**

**Call To Order**

**Roll Call**

**Committee Discussion**

1. AB2021-161 Discussion regarding request received from the Planning Commission for Council to establish a citizen advisory group to review local government public participation issues and recommend improvements  
**Pages 176 - 177**

**Items Added by Revision**

**Other Business**

**Adjournment**

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**COUNCIL COMMITTEE OF THE WHOLE**  
**3:20 P.M. TUESDAY, April 6, 2021 (ENDS NO LATER THAN 5:00 P.M.)**  
**Virtual Meeting**

**Call To Order**

**Roll Call**

**Committee Discussion**

1. AB2020-219 Discussion and update on strategies and other items related to COVID-19 (Council and Health Board)  
**Pages 178 - 179**
2. AB2021-222 Discussion regarding schedule for review of proposed Cherry Point Comprehensive Plan and County Code amendments  
**Page 180**

**Committee Discussion and Recommendation to Council**

1. AB2021-209 Resolution regarding permanent affordability of childcare in Whatcom County  
**Pages 181 - 183**

**Items Added by Revision**

**Other Business**

**Adjournment**

# **COUNCIL AGENDA**

**REGULAR COUNCIL MEETING**  
**6:00 P.M. TUESDAY, April 6, 2021**  
**Virtual Meeting**

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **ANNOUNCEMENTS**

The Council is currently holding all meetings remotely. View meeting schedules, agendas, minutes, videos, and archives at [www.whatcom.legistar.com](http://www.whatcom.legistar.com). For instructions on how to watch or participate in this meeting, please visit us at [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) or contact the Council Office at 360.778.5010.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website at [www.co.whatcom.wa.us](http://www.co.whatcom.wa.us), or call the County Council office or County Executive's Office.

## **COUNTY EXECUTIVE'S REPORT**

1. AB2021-212 County Executive Satpal Sidhu will present the "State of the County" to Council and County citizens  
**Page 184**

## **MINUTES CONSENT**

1. MIN2021-027 Committee of the Whole Executive Session for March 23, 2021 **Pages 185 - 188**
2. MIN2021-028 Committee of the Whole for March 23, 2021 **Pages 189 - 198**
3. MIN2021-029 Regular County Council for March 23, 2021 **Pages 193 - 209**

## **PUBLIC HEARINGS**

To participate, please see instructions at [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) or contact the Council Office at 360.778.5010. All speakers should state their name for the record and optionally include city of residence. Speakers will be given three minutes to address the Council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

1. AB2021-128 Resolution to sell county tax title property by public auction  
**Pages 210 - 213**
2. AB2021-168 Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Emerson Road (Council Acting as the Flood Control Zone District Board of Supervisors)  
**Pages 214 - 221**

3. AB2021-169 Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Dahlberg Road (Council Acting as the Flood Control Zone District Board of Supervisors)  
**Pages 222 - 229**
4. AB2021-184 Ordinance amending Whatcom County Code 9.08.020 Unlawful Exposure to include an exception for breastfeeding  
**Pages 230 - 242**
5. AB2021-190 Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded outdoor recreational cannabis growing and/or processing facilities  
**Pages 243 - 247**

#### **OPEN SESSION (20 MINUTES)**

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#### **CONSENT AGENDA**

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

#### **(From Council Finance and Administrative Services Committee)**

1. AB2021-189 Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the North Sound Accountable Communities of Health to supervise Whatcom Unified Command's (WUC) Volunteer Branch in the amount of \$15,000 for a total amended contract amount of \$55,000  
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**Pages 79 - 88**
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**Pages 104 - 122**

## **OTHER ITEMS**

### **(From Council Finance and Administrative Services Committee)**

1. AB2021-163 Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$253,034 for a total amended contract amount of \$2,491,357.90  
**Pages 5 - 10**
2. AB2021-173 Ordinance amending the 2021 Whatcom County Budget, request no. 5, in the amount of \$1,220,565  
**Pages 11 - 19**
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**Pages 35 - 43**
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**Pages 64 - 72**

### **(From Council Public Works and Health Committee)**

8. AB2021-204 Consideration of citizen appeals of road name change due to correction of address number sequence.  
**Pages 171 - 175**

## **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. AB2021-192 Request confirmation of the County Executive's appointment of Erich Kleinknecht to the Development Standards Technical Advisory Committee  
**Pages 248 - 250**
2. AB2021-218 Request confirmation of the County Executive's reappointment of Stephen Gockley to the Housing Authority of Whatcom County  
**Pages 251 - 256**

## **ITEMS ADDED BY REVISION**

### **INTRODUCTION ITEMS**

**Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.**

1. AB2021-193 Ordinance establishing a speed limit on Northshore Road  
**Pages 257 - 260**
2. AB2021-195 Ordinance establishing a speed limit on several roads in the Wiser Lake Area  
**Pages 261 - 264**
3. AB2021-206 Ordinance closing Law Library/Elections Remodel Fund 376  
**Pages 265 - 266**
4. AB2021-207 Ordinance closing the East Whatcom Regional Resource Center Construction Fund 334  
**Pages 267 - 268**
5. AB2021-215 Ordinance amending the 2021 Whatcom County Budget, request no. 6, in the amount of \$583,944  
**Pages 269 - 284**

## **COMMITTEE REPORTS**

## **OTHER ITEMS**

## **COUNCIL MEMBER UPDATES**

## **ADJOURN**



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-156

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<b>File ID:</b>	AB2021-156	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/04/2021	<b>Entered by:</b>	TAdrian@co.whatcom.wa.us		
<b>Department:</b>	Prosecuting Attorney's Office	<b>File Type:</b>	Discussion		
<b>Assigned to:</b>	Council Committee of the Whole-Executive Session	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: tadrian@co.whatcom.wa.us

### **TITLE FOR AGENDA ITEM:**

Discussion of pending litigation with Civil Deputy Prosecutor Chris Quinn: Ericksen v. Whatcom County Flood Control Zone District, Whatcom County Superior Court Cause No. 20-2-00650-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)] (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Discussion of pending litigation with Civil Deputy Prosecutor Chris Quinn: Ericksen v. Whatcom County Flood Control Zone District, Whatcom County Superior Court Cause No. 20-2-00650-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)] (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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## HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council Committee of the Whole-Executive Session	DISCUSSED	

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# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-213

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<b>File ID:</b>	AB2021-213	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/24/2021	<b>Entered by:</b>	THelms@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Discussion		
<b>Assigned to:</b>	Council Committee of the Whole-Executive Session				<b>Final Action:</b>
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: Tschroed@co.whatcom.wa.us

### **TITLE FOR AGENDA ITEM:**

Discussion regarding a potential sale of county owned surplus property [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(c)]

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Discussion regarding potential sale of county owned surplus property [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(c)]

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### **HISTORY OF LEGISLATIVE FILE**

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Date:	Acting Body:	Action:	Sent To:
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Attachments:



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-220

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<b>File ID:</b>	AB2021-220	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/29/2021	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Discussion		
<b>Assigned to:</b>	Council Committee of the Whole-Executive Session	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: KFrakes@co.whatcom.wa.us

### **TITLE FOR AGENDA ITEM:**

Discussion with Chief Civil Deputy Prosecutor Karen Frakes of the adoption of a moratorium on the acceptance and processing of applications and permits for new or expanded recreational cannabis growing and/or processing facilities [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Discussion of the adoption of a moratorium re the acceptance and processing of applications and permits for new or expanded recreational cannabis growing and/or processing facilities with Chief Civil Deputy Prosecutor Karen Frakes pursuant to RCW 42.30.110(i).

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## HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
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**Attachments:**



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-200

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<b>File ID:</b>	AB2021-200	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	SKorthui@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Report		
<b>Assigned to:</b>	Council Natural Resources Committee				<b>Final Action:</b>
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: MMcFarla@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Report from Parks and Recreation Department

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Parks and Recreation Director Mike McFarlane will present a department report to Council

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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Attachments:



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-163

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<b>File ID:</b>	AB2021-163	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/09/2021	<b>Entered by:</b>	ckahle@wsu.edu		
<b>Department:</b>	WSU Extension	<b>File Type:</b>	Memorandum of Agreement		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: mwallace@wsu.edu

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$253,034 for a total amended contract amount of \$2,491,357.90

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See attached Memo.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Proposed contract amendment



## MEMORANDUM

**TO:** Satpal Singh Sidhu, County Executive  
**FROM:** Michael Wallace, Director  
**RE:** Memorandum of Agreement Amendment  
**DATE:** March 16, 2021

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Enclosed is the necessary paperwork for an amendment of this year's MOA with Washington State University.

▪ **Background and Purpose**

Continue to share costs of faculty and educator positions in Whatcom County Extension serving Whatcom County.

Continue cost sharing in Water Resource, Strengthening Families and Community Horticulture programs through agreements with Health Department and Public Works.

**Funding Amount and Source**

2021 Whatcom County General Fund budget for Whatcom County WSU Extension, along with \$65,000 from the Health Department, Solid Waste Division, \$40,000 from the Natural Resources Flood Grant, and \$41,034 for the Strengthening Families program from the Health Department.

▪ **Differences from Previous Contract**

The increase comes from money that will provide for one year to cover the water resource coordinator's benefits. This was agreed upon by Gary Stoyka and Satpal Sidhu earlier this year. It is a one-year appropriation while we continue to seek permanent funding.

We greatly appreciate the partnership we share with Whatcom County. Please contact me at extension 5813, or via email at [mlwallace@wsu.edu](mailto:mlwallace@wsu.edu), if you have any questions or concerns regarding the terms of this agreement.

Encl.

# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. \_\_\_\_\_

Originating Department: _____	
Division/Program: <i>(i.e. Dept. Division and Program)</i> _____	
Contract or Grant Administrator: _____	
Contractor's / Agency Name: _____	
<p>Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes    No</p> <p>Yes    No    If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p> <p>Does contract require Council Approval?    Yes    No    If No, include WCC: _____</p> <p>Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement?</p> <p>Yes    No    If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded?</p> <p>Yes    No    If yes, Whatcom County grant contract number(s): _____</p> <p>Is this contract the result of a RFP or Bid process?    Contract</p> <p>Yes    No    If yes, RFP and Bid number(s): _____ Cost Center: _____</p> <p>Is this agreement excluded from E-Verify?    No    Yes    If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below:</p> <p><input type="checkbox"/> Professional services agreement for certified/licensed professional.</p> <p><input type="checkbox"/> Contract work is for less than \$100,000.    <input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</p> <p><input type="checkbox"/> Contract work is for less than 120 days.    <input type="checkbox"/> Work related subcontract less than \$25,000.</p> <p><input type="checkbox"/> Interlocal Agreement (between Governments).    <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p>	
<p>Contract Amount:(sum of original contract amount and any prior amendments):</p> <p>\$ _____</p> <p>This Amendment Amount:</p> <p>\$ _____</p> <p>Total Amended Amount:</p> <p>\$ _____</p>	<p>Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b>, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b></p> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
Summary of Scope: _____	
Term of Contract: _____	
Expiration Date: _____	

Contract Routing:	1. Prepared by: _____	Date: _____
	2. Attorney signoff: _____	Date: _____
	3. AS Finance reviewed: _____	Date: _____
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: _____
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____

Whatcom County Contract No.

9909009-

Amendment No. 23  
Whatcom County Contract No. 9909009  
CONTRACT BETWEEN WHATCOM COUNTY AND  
WASHINGTON STATE UNIVERSITY

THIS AMENDMENT is to the Contract between Whatcom County and Washington State University dated September 22, 1999 and designated "Whatcom County Contract No.9909009". In consideration of the mutual benefits to be derived, the parties agree to the following:

Appendix A to this agreement is amended as set forth in the Amended Appendix A

Unless specifically amended by this agreement, all other terms and conditions of the original contract shall remain in full force and effect.

This Amendment takes effect: January 1, 2021, regardless of the date of signature.

IN WITNESS WHEREOF, Whatcom County and Washington State University have executed this Amendment on the date and year below written.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**CONTRACTOR:**

Washington State University

\_\_\_\_\_  
Daniel Nordquist, AVPRA  
Office of Research Support and Operations

STATE OF WASHINGTON     )  
                                      ) ss.  
COUNTY OF WHITMAN     )

On this \_\_\_ day of \_\_\_\_\_, 2021, before me personally appeared \_\_\_\_\_ to me known to be  
the \_\_\_\_\_ of the \_\_\_\_\_ and who executed the above instrument and  
who acknowledged to me the act of signing and sealing thereof.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington, residing at

\_\_\_\_\_. My commission expires \_\_\_\_\_.

**WHATCOM COUNTY:**

Approved as to form:

\_\_\_\_\_  
Prosecuting Attorney                      Date

**Approved:**

Accepted for Whatcom County:

By: \_\_\_\_\_  
Satpal Singh Sidhu,  
Whatcom County Executive

STATE OF WASHINGTON    )  
                                          ) ss  
COUNTY OF WHATCOM    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me personally appeared Satpal Singh Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington, residing at  
\_\_\_\_\_. My commission expires \_\_\_\_\_.

**CONTRACTOR INFORMATION:**

Daniel G. Nordquist  
AVPRA  
Office of Research Support and Operations  
Washington State University

Mailing Address:  
ORSO  
Washington State University  
Pullman, WA 99164-1060

Contact Name: Dan Nordquist  
Contact Phone: (509)335-9661  
Contact FAX: (509)335-0890  
E-mail: orso@wsu.edu







# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-173

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<b>File ID:</b>	AB2021-173	<b>Version:</b>	1	<b>Status:</b>	Substitute Introduced
<b>File Created:</b>	03/11/2021	<b>Entered by:</b>	MCaldwel@co.whatcom.wa.us		
<b>Department:</b>	Finance Division	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: [mcaldwel@co.whatcom.wa.us](mailto:mcaldwel@co.whatcom.wa.us)

### TITLE FOR AGENDA ITEM:

Ordinance amending the 2021 Whatcom County Budget, request no. 5, in the amount of \$1,220,565

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Supplemental #5 requests funding from the Countywide Emergency Medical Services Fund:

1. To appropriate \$863,821 to fund 2021 paramedic training class.  
From the Covid-19 Emergency Response Fund:
2. To appropriate \$300,000 for Health to fund additional motel vouchers.  
From the Administrative Services Fund:
3. To appropriate \$57,172 for AS-Facilities to convert contract custodians to county employee labor.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	SUBSTITUTE INTRODUCED	Council Finance and Administrative Services Committee

---

**Attachments:** Substitute Ordinance, Substitute Summary Schedule, Substitute Requests

**ORDINANCE NO.  
AMENDMENT NO. 5 OF THE 2021 BUDGET**

**WHEREAS**, the 2021-2022 budget was adopted November 24, 2020; and,

**WHEREAS**, changing circumstances require modifications to the approved 2021-2022 budget;  
and,

**WHEREAS**, the modifications to the budget have been assembled here for deliberation by the  
Whatcom County Council,

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the 2021-2022  
Whatcom County Budget Ordinance #2020-068 is hereby amended by adding the following additional  
amounts to the 2021 budget included therein:

Fund	Expenditures	Revenues	Net Effect
Countywide Emergency Medical Services Fund	863,393	(41,900)	821,493
COVID-19 Emergency Response Fund	300,000	-	300,000
Administrative Services Fund - Facilities	57,172	-	57,172
Total Supplemental	1,220,565	(41,900)	1,178,665

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Chair of Council

APPROVED AS TO FORM:

( ) Approved ( ) Denied

\_\_\_\_\_  
Approved by email/C Quinn/M Caldwell  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, County Executive

Date: \_\_\_\_\_

WHATCOM COUNTY				
Summary of the 2021 Supplemental Budget Ordinance No. 5				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
Countywide Emergency Medical Services Fund	To fund 2021 paramedic training class.	863,393	(41,900)	821,493
COVID-19 Emergency Response Fund	To fund additional motel vouchers.	300,000	-	300,000
Administrative Services Fund - Facilities	To fund conversion of contract custodians to county employee labor.	57,172	-	57,172
Total Supplemental		1,220,565	(41,900)	1,178,665

# Supplemental Budget Request

Status: Pending

## Non-Departmental

Suppl ID # 3154	Fund 130	Cost Center 130110	Originator: T. Helms
Year 1 2021	Add'l FTE <input type="checkbox"/>	Priority 1	

Name of Request: Paramedic Training Class Budget

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	<b>Object</b>	<b>Object Description</b>	<b>Amount Requested</b>
	4369.9001	Miscellaneous Revenues	(\$41,900)
	6610	Contractual Services	\$6,040
	7210	Intergov Prof Svcs	\$857,353
	<b>Request Total</b>		<b>\$821,493</b>

### 1a. Description of request:

The 2021 class will afford training for 4 Whatcom County paramedic students who have met the requirements as stated below:

Eligible Firefighter/EMT's from Whatcom County participating Fire Department/District employees who meet the admission requirements as set forth in RCW 18.71.205 and WAC 246.976.041, will be considered for the program upon recommendation of the Department and County. Enrollment is not open to the public.

Additionally two eligible firefighter EMTs have been accepted to the program from an outside fire agency. The Camano Island Fire Department will reimburse Whatcom County for their equipment, preceptor and evaluation fees as well as a small Administration fee. This is a small, but important first step in opening up a paramedic training program for the region. As the training program is established with final accreditation and expands to serving 12 students per class more of the program costs to the EMS Levy can be covered by the students participating from outside departments.

On Thursday, February 25, 2021 the EMS Finance Committee reviewed the proposed Paramedic Training Budget and recommended moving the proposed budget to the Technical Advisory Board (TAB). This recommendation was made with the understanding that the paramedic class must be active for three consecutive years to gain full accreditation. The TAB recommended moving the proposed budget request to the EMS Oversight Board (EOB) for recommendation to Council. On March 10th the EOB reviewed the recommendation for the 2021 paramedic training class and approved the recommendation to bring the budget request to the County Council. Additionally, both the EMS Finance Committee and the EOB approved the recommendation for the 2021 Paramedic Training budget with the caveat that a comprehensive paramedic training plan be finalized for review and consideration of the Finance Committee before additional classes are recommended.

### 1b. Primary customers:

Whatcom County EMS will secure the number of paramedics needed to support the County EMS system that serves all of Whatcom County.

### 2. Problem to be solved:

This class will allow for the recruitment of 4 new paramedics for the Whatcom County ALS providers. Sustaining the paramedic class through one more year will ensure final accreditation for the program. Without an ongoing annual class the program has to begin its accreditation efforts anew. This will secure the accreditation as the program evolves into a cohesive regional program.

## Supplemental Budget Request

Status: Pending

### Non-Departmental

Suppl ID # 3154

Fund 130

Cost Center 130110

Originator: T. Helms

With the recommendation of the EMS Finance Committee, the Technical Advisory Board (TAB) and the EMS Oversight Board (EOB) this budget request is now prepared for the council review and action. Both the Finance Committee and the EOB made their recommendations with the caveat that the agencies and TAB work to bring forward a Paramedic Training plan that works towards greater cost efficiencies before requesting funding for another paramedic training class.

#### 3a. Options / Advantages:

Paramedic training is an essential component of the EMS system. As paramedics retire and move on these important vacancies must be filled to fulfill the contractual obligations for providing ALS services. The training program ensures all ALS units are adequately and appropriately staffed meeting all contractual obligations.

#### 3b. Cost savings:

none

#### 4a. Outcomes:

In the fall of 2021, six paramedic students are prepared to graduate from the 2021 paramedic class. Four of the six students will be elevated in the WCEMS system and available for rotation on ALS units. The two Camano Island paramedics will serve as ambassadors for the Whatcom County paramedic training program as it evolves into a regional program. Larger classroom attendance will help to reduce the cost to the EMS Levy as outside agencies participate and compensate for tuition costs.

#### 4b. Measures:

This 2021 class will help to mitigate anticipated vacancies in the ALS system and help to secure accreditation of the Whatcom County Paramedic training program.

#### 5a. Other Departments/Agencies:

n/a

#### 5b. Name the person in charge of implementation and what they are responsible for:

#### 6. Funding Source:

EMS Levy Fund

EMS SCHOOL COSTS - Proposed Supplemental

BELLINGHAM FIRE DEPARTMENT - 2 STUDENTS			
Wages	107,000	2	214,000
Preceptor Fees	5,000	2	10,000
Evaluation Fees	1,100	2	2,200
Supplies	6,350	2	12,700
SUBTOTAL BFD STUDENTS			238,900
NORTH WHATCOM FIRE - 2 STUDENTS			
Wages	107,000	2	214,000
50% Sick Leave Transfer	11,000	2	22,000
Preceptor Fees	5,000	2	10,000
Evaluation Fees	1,600	2	3,200
Supplies	6,350	2	12,700
SUBTOTAL NORTH WHATCOM STUDENTS			261,900
CAMANO ISLAND FIRE - 2 STUDENTS			
Preceptor Fees	5,000	2	10,000
Evaluation Fees	1,600	2	3,200
Supplies	6,350	2	12,700
SUBTOTAL CAMANO STUDENTS			25,900
COMMON COSTS			
BFD			
Lead Instructor (Paramedic Captain)			184,453
CoAEMSP fee			33,000
Program Instructors			56,000
Facilities			15,000
			288,453
BELLINGHAM TECH COLLEGE			
Administration/Accreditation			26,200
Dr Weiche-Medical Program Director			16,000
			42,200
Other Contracts			
Janice Lapsanski LOA			6,040
SUBTOTAL COMMON COSTS			336,693
			6 56,116 per student
TOTAL COSTS FOR NEW SCHOOL SESSION			
TOTAL REVENUE FROM CAMANO			863,393
			(41,900)
			821,493
			4 205,373 per Whatcom County student

# Supplemental Budget Request

Status: Pending

Health

Communicable Disease & Epidemiology

Suppl ID # 3181 Fund 134 Cost Center 134210 Originator: Anne Deacon

Expenditure Type: One-Time Year 1 2021 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Motel Stay Support

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6610	Contractual Services	\$300,000
	Request Total		\$300,000

## 1a. Description of request:

The Health Department is requesting expenditure authority to support motel stays for households who have lost housing during COVID.

## 1b. Primary customers:

Whatcom County Families with Children

## 2. Problem to be solved:

Families with children have faced housing challenges as a result of the COVID pandemic to include experiencing homelessness. Children are faced with living unsheltered if access to temporary motel stays is not available.

## 3a. Options / Advantages:

Motel stays facilitate engagement of families with Case Managers who can work with the family to identify housing options and facilitate relocation to permanent housing solutions.

## 3b. Cost savings:

Motel stays offer a temporary option to keep families with children safe and sheltered. Cost savings are experienced as Case Managers have immediate access to families to work with them on procuring permanent housing.

## 4a. Outcomes:

Families with children who are homeless will have suitable shelter.

## 4b. Measures:

Number of families with children who are temporarily housed in motels; number of families who are receiving case management services

## 5a. Other Departments/Agencies:

N/A

## 5b. Name the person in charge of implementation and what they are responsible for:

N/A

## 6. Funding Source:

Covid Response Fund fund balance



# Supplemental Budget Request

Status: Pending

## Administrative Services

## Facilities Management

Suppl ID # 3173 Fund 507 Cost Center 50790 Originator: Rob Ney

Expenditure Type: Ongoing Year 1 2021 Add'l FTE ☒ Add'l Space ☐ Priority 1

Name of Request: Conversion - Contract Custodians to Inhouse Labor

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$81,706
	6210	Retirement	\$10,600
	6230	Social Security	\$6,250
	6245	Medical Insurance	\$34,981
	6255	Other H&W Benefits	\$3,084
	6259	Worker's Comp-Interfund	\$8,337
	6269	Unemployment-Interfund	\$214
	6610	Contractual Services	(\$88,000)
	<b>Request Total</b>		<b>\$57,172</b>

### 1a. Description of request:

Since 2009, custodial services for most buildings other than the Courthouse have been by an outside contractor. This request is to convert these services to in-house County labor under Facilities Management. This request was presented to Council at the February 9th Finance committee and received a recommendation to move forward converting the effort from Contracted to in-house employees.

There is still a need to increase the budget to cover the delta between the existing budget and the cost of the new employees. Facilities Management is requesting 3 new employees to perform these services. This is a cost savings of approximately \$193,000 over a five year period.

### 1b. Primary customers:

Departments in outlier buildings, and their customers.

### 2. Problem to be solved:

Facilities Management solicited bids for custodial services. All bids exceeded the County's current budget amount, and the recommended bid was substantially more than the current budget. Facilities analyzed to cost of these services "in-house" and determined that it could be considerably less expensive to self-perform these services.

Even though this is a significant cost savings, the new employees are still greater than the current budget within the Facilities budget for these services.

### 3a. Options / Advantages:

Continue to contract with an outside vendor at a substantially increased cost to the County.  
This option saves the County nearly \$193,000 over a five year period

### 3b. Cost savings:

This option saves the County nearly \$193,000 over a five year period.

### 4a. Outcomes:

It is the belief of the Facilities Manager that these services can be provided at a higher quality level for less

## Supplemental Budget Request

*Status:* Pending

### Administrative Services

### Facilities Management

Suppl ID # 3173

**Fund** 507

**Cost Center** 50790

**Originator:** Rob Ney

cost to the County when performed in house.

**4b. Measures:**

Once all staff has been hired to fulfil these functions.

Facilities Management Customers recognize an increase in level of service.

**5a. Other Departments/Agencies:**

The impacts would be positive and immediate. The service is anticipated to be better and a reduced cost to the County.

All County departments receiving custodial services from Facilities Management would be impacted in a positive manner.

**5b. Name the person in charge of implementation and what they are responsible for:**

Rob Ney, Project & Operations Manager

**6. Funding Source:**

Administrative Services Fund and current contractual service budget



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-191

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<b>File ID:</b>	AB2021-191	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/19/2021	<b>Entered by:</b>	JThomson@co.whatcom.wa.us		
<b>Department:</b>	Health Department	<b>File Type:</b>	Contract		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: ADeacon@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide funding for rental assistance and emergency shelter in motels in the amount of \$618,121 for a total amended contract amount of \$1,514,822

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See attachments

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
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**Attachments:** Staff Memo, Proposed Amendment



## MEMORANDUM

**TO:** Satpal Sidhu, County Executive

**FROM:** Erika Lautenbach, Director

**RE:** Opportunity Council – Whatcom Homeless Service Center Contract  
Amendment #2

**DATE:** March 19, 2021

---

Attached is a contract amendment between Whatcom County and Opportunity Council for your review and signature.

▪ **Background and Purpose**

The Whatcom Homeless Service Center (WHSC) provides coordinated entry for the homeless housing system. The WHSC makes referrals to partner agencies for housing case management services, cultivates and maintains relationships with local landlords, and serves as liaison for homeless housing activities to the network of service providers and other community stakeholders. The purpose of this amendment is to increase funding by \$300,000 from County COVID response funds to support emergency shelter in motels for 71 families with children, \$31,810 from the Consolidated Homeless Grant for rental assistance to support chronically homeless families with children, and \$250,000 in funding from local sales tax revenue for rental assistance under HB 1406 for housing services to 70-80 families with children. The subsequent increase in indirect costs will be funded by Local Document Recording Fees. This amendment will also correct miscalculated indirect costs reflected in amendment #1.

▪ **Funding Amount and Source**

Funding for this contract, in an amount not to exceed \$1,514,822, is provided by the Washington State Department of Commerce Consolidated Homeless Grant, the federal Emergency Solutions-CV Grant (CFDA 14.231), HB 2060 Low-Income Housing Funds, local document recording fees, the Veteran's Assistance Fund, HB 1406, and Whatcom County's COVID Response Fund. These funds are included in the 2021 budget. Council approval is required as additional funding will exceed 10% of the approved budget.

Please contact Kathleen Roy at extension #6007 if you have any questions regarding this agreement.

Encl.

**WHATCOM COUNTY  
CONTRACT INFORMATION SHEET**

Whatcom County Contract Number:  
202012017 – 2

Originating Department:		85 Health	
Division/Program: (i.e. Dept. Division and Program)		8550 Human Services / 855040 Housing Program	
Contract or Grant Administrator:		Barbara Johnson-Vinna	
Contractor's / Agency Name:		Opportunity Council	
Is this a New Contract?	If not, is this an Amendment or Renewal to an Existing Contract?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:		202012017
Does contract require Council Approval?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If No, include WCC:	
Already approved? Council Approved Date:		(Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement?	If yes, grantor agency contract number(s):		CFDA#: 14.231
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Is this contract grant funded?	If yes, Whatcom County grant contract number(s):		202008014 / 201907017
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
Is this contract the result of a RFP or Bid process?	Sole Source	Contract Cost Center:	122200 / 122300 / 124112 / 114 / 121100 / 122400 / 122800 / 134 / 129100
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If yes, RFP and Bid number(s):		
Is this agreement excluded from E-Verify?	No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>		
If YES, indicate exclusion(s) below:			
<input type="checkbox"/> Professional services agreement for certified/licensed professional.			
<input type="checkbox"/> Contract work is for less than \$100,000.		<input type="checkbox"/> Contract for Commercial off the shelf items (COTS).	
<input type="checkbox"/> Contract work is for less than 120 days.		<input type="checkbox"/> Work related subcontract less than \$25,000.	
<input type="checkbox"/> Interlocal Agreement (between Governments).		<input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments):		Council approval required for: all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>	
\$ 896,701			
This Amendment Amount:			
\$ 618,121			
Total Amended Amount:			
\$ 1,514,822			
Summary of Scope: This contract provides funding for the Whatcom Homeless Service Center (WHSC), a centralized point of entry for homeless prevention and re-housing services for Whatcom County residents.			
Term of Contract:	6 months	Expiration Date:	06/30/2021
Contract Routing:	1. Prepared by:	JT	Date: 02/24/2021
	2. Health Budget Approval	KR/JG	Date: 03/18/2021
	3. Attorney signoff:	RB	Date: 03/18/2021
	4. AS Finance reviewed:	M Caldwell	Date: 3/19/21
	5. IT reviewed (if IT related):		Date:
	6. Contractor signed:		Date:
	7. Submitted to Exec.:		Date:
	8. Council approved (if necessary):	AB2021-191	Date:
	9. Executive signed:		Date:
	10. Original to Council:		Date:

## WHATCOM COUNTY CONTRACT AMENDMENT

### PARTIES:

**Whatcom County**  
**Whatcom County Health Department**  
**509 Girard Street**  
**Bellingham, WA 98225**

**AND CONTRACTOR:**  
**Opportunity Council**  
**1111 Cornwall Avenue**  
**Bellingham, WA 98225**

### CONTRACT PERIODS:

**Original:** 01/01/2021 – 06/30/2021  
**Amendment #1:** 01/01/2021 – 06/30/2021  
**Amendment #2:** 01/01/2021 – 06/30/2021

**THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO**

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### DESCRIPTION OF AMENDMENT:

1. Replace Exhibit A – Scope of Work, to reflect revised performance measures and outcomes as a result of increased funding.
2. Replace Exhibit B – Compensation, to reflect an increase in funding as follows:
  - a. \$300,000 to support emergency shelter in motels for 71 families with children out of the County COVID Relief Fund.
  - b. \$250,000 in HB 1406 funding for rental assistance for 70-80 families with children.
  - c. \$38,500 in subsequent administrative costs for funding described in (a.) and (b.) above, funded by Local Document Recording Fees.
  - d. \$31,810 (\$28,402 + \$3,408 in administrative costs) from the Consolidated Homeless Grant to support rental assistance for chronically homeless families with children.

Total funding in this amendment also reflects a correction (-2,738) to miscalculated indirect costs of line items funded by document recording fees, the Consolidated Homeless Grant, and Veteran's funds in amendment #1.

3. Funding for the total contract period (01/01/2021 – 06/30/2021) is not to exceed \$1,514,822.
4. All other terms and conditions remain unchanged.
5. The effective start date of the amendment is 01/01/2021.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

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APPROVAL AS TO PROGRAM: \_\_\_\_\_  
Anne Deacon – Human Services Manager Date

DEPARTMENT HEAD APPROVAL: \_\_\_\_\_  
Erika Lautenbach, Health Department Director Date

APPROVAL AS TO FORM: \_\_\_\_\_  
Royce Buckingham, Prosecuting Attorney Date

FOR THE CONTRACTOR:

Greg Winter, Executive Director		
Contractor Signature	Print Name and Title	Date

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FOR WHATCOM COUNTY:

Satpal Singh Sidhu, County Executive	Date
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**CONTRACTOR INFORMATION:**

Opportunity Council  
1111 Cornwall Avenue  
Bellingham, WA 98225  
360-734-5121  
[Greg.Winter@oppco.org](mailto:Greg.Winter@oppco.org)

**EXHIBIT “A” – Amendment #2**  
**(SCOPE OF WORK)**

**I. Background**

According to the annual Point in Time Count of homeless adults conducted in January 2020, 707 people in Whatcom County were homeless. Throughout the year, hundreds more face the prospect of losing their homes. The Whatcom Homeless Service Center (WHSC) was established in 2008 to serve as a centralized point of entry for homelessness prevention and re-housing services for Whatcom County residents. The WHSC implements programs and services identified in Whatcom County’s Plan to End Homelessness. The WHSC authorizes and coordinates service delivery among partner agencies.

The WHSC is modeled upon evidence-based approaches to homelessness diversion, permanent supportive housing and rapid re-housing (RRH). WHSC housing services work to shift the focus from reliance upon emergency shelters and costly institutional facilities in meeting the needs of those experiencing or at risk of homelessness to diversion and permanent housing. By serving as a centralized coordinating system of access to homeless services and by transitioning homeless individuals and families as quickly as possible to permanent housing, WHSC will improve outcomes for homeless individuals and families and ensure more efficient use of public resources.

WHSC programs include both rental assistance and case management components. WHSC staff manages the Housing Pool list, authorizes and distributes rent subsidies to local landlords on behalf of participating clients, makes referrals to partner agencies for housing case management services, manages the Homeless Management Information Services (HMIS) data collection and reporting requirements, cultivates and maintains relationships with local landlords, and serves as liaison for homeless housing activities to the network of service providers and other community stakeholders.

Services will be provided to low-income and/or homeless individuals and households residing in Whatcom County. Individuals and households served must meet the eligibility requirements of the program funding sources as further referenced in Section IV. – Program Requirements.

**II. Definitions**

Diversion	Diversion can be the first response to resolving a homelessness episode by focusing on re-housing without a family entering a longer-term housing program. Diversion starts with problem-solving conversations to identify a household’s own strengths and resources, and services are tailored to meet each family’s most critical needs to quickly move into housing. Diversion services can include short-term/one-time financial support (i.e., deposit assistance, flex funding, etc.).
Housing Pool	Quasi wait list that serves clients waiting for housing services based on their needs and available resources instead of a first come, first served basis.
HMIS	Washington’s Homeless Management Information Services – A database used by housing service providers to collect and manage data gathered during the course of providing housing assistance to homeless people or households at risk of losing their housing.
Partner Agencies	Agencies that contract with Whatcom County for the delivery of housing case management services, in connection with the WHSC.
Permanent Supportive Housing Population	Chronically homeless individuals/households with significant barriers to permanent housing; will receive deep rent subsidies and intensive housing case management. Chronically Homeless Families (CHF) have one head of household that meets the definition of chronic homelessness (as stated in CHG Guidelines), and one or more dependents defined as minor children, disabled dependents, or full time students. Household income may not exceed 50% of area median gross income as defined by HUD.
ESG-CV Prevention	An intervention providing financial assistance including rent, utilities, and case management, for households at imminent risk of or at-risk of, homelessness.
Rapid Re-housing (RRH)	An intervention in which families and individuals experiencing homelessness are rapidly connected to permanent housing through a tailored package of assistance that may include the



	use of time-limited financial assistance including rent and utilities, and targeted supportive services including case management.
ESG-CV Rapid Rehousing and Prevention; Other Financial Assistance	Inclusive of: rental application fees charge by the owner to all applicants; security deposits; last month's rent; moving costs; utility deposits; utility payments; landlord and volunteer incentives.
SHB 1406	SHB 1406 legislation passed in 2019 provides the ability for local communities to retain a portion of sales tax collections to use for rental assistance, operations of new units of supportive and affordable housing, and acquiring, rehabilitating, or construction of affordable housing, for residents with an income of 60% or less of the area median income.
Whatcom Homeless Service Center (WHSC)	WHSC programs provide (1) centralized coordinated system of access (2) re-housing of those who become homeless (3) supportive services promoting housing stability and self-sufficiency, and (4) data management and tracking information for people receiving homeless housing services in Whatcom County and according to the Washington State Department of Commerce HMIS data collection requirements. WHSC works in conjunction with Partner Agencies to operate all activities necessary to operate as a system.

### III. Statement of Work

The Contractor will be responsible for programmatic and administrative services associated with the operation of the Whatcom Homeless Service Center. Administrative and programmatic services include all activities necessary to operate the WHSC as set forth in Sections 1 and 2, below:

#### 1. **Administrative Responsibilities**

The Contractor will:

- A. Provide all Human Resource and administrative services to WHSC employees (e.g., payroll, office supplies and equipment, space rental, IT support, etc.).
- B. Perform all disbursement, accounting, financial management, and reporting functions necessary to manage the funds allocated to WHSC operations. Contractor will maintain a strong internal control system over rental subsidy disbursements to assure funds are used as intended by this contract. Contractor will maintain written policies and procedures describing how these transactions are processed.
- C. Support WHSC in the management of the HMIS, providing troubleshooting and technical assistance, as needed.
- D. Maintain all client financial and eligibility documentation as described/referenced in Exhibit E.
- E. Maintain all financial documentation as required in Exhibits B and E.
- F. Ensure that the processes and internal controls are operating as planned and make policy adjustments, as needed.
- G. Conduct program evaluation as directed by the Whatcom County Health Department to ensure WHSC programs are meeting the Whatcom County Plan to End Homelessness and subsequent Local Plan Updates.
- H. Send staff to trainings, conferences, and technical assistance events related to carrying out the functions of WHSC and the goals of Whatcom County's Plan to End Homelessness and subsequent Local Plan Updates.

## **2. Programmatic Services**

The Contractor will:

- A. Manage a coordinated, centralized homeless housing intake system working collaboratively with Opportunity Council's Community Service Division and Northwest Youth Services intake staff.
- B. Maintain a Housing Pool, which includes prioritizing households for services according to need and available resources and managing a wait list.
- C. Determine and document client eligibility for WHSC rent subsidies and case management services based on funding source requirements.
- D. Refer eligible clients to partner agencies for housing case management services.
- E. Administer rental assistance – authorize and disburse subsidies based on housing assessment and determination of need and eligibility. Authorize and disburse emergency assistance per procedures as outlined in the WHSC Policies and Procedures Manual.
- F. Develop the local permanent housing inventory component of the homeless housing system – Search out new housing stock, cultivate and maintain relationships with participating landlords; provide housing search assistance to partner agencies as needed; work to create innovative housing models using best and promising practices as identified by the National Alliance to End Homelessness or other nationally recognized homeless housing organization.
- G. Manage the community-wide HMIS data system in compliance with the standards set forth by the Washington Department of Commerce.
- H. Provide guidance to the partner agency staff to ensure effective operations of the WHSC system; keeping partner agencies updated in policies and procedures, HMIS requirements, research and best practices related to homeless housing, specific program requirements, and confidentiality laws.
- I. Provide leadership to community stakeholders regarding activities focused on homelessness and housing stability.
- J. Compile and keep up-to-date WHSC Policies and Procedures Manual consistent with the Washington State Department of Commerce Consolidated Homeless Grant and the Emergency Solutions Grant-CV.
- K. Chair Whatcom County Coalition to End Homelessness meetings and sponsored activities in partnership with Whatcom County Health Department.
- L. Complete the Whatcom County Coalition to End Homelessness Annual Report (Point In Time Count Report). This annual report shall be completed and ready for distribution no later than June 1. An exception to this will be made in extenuating circumstances when the annual Point in Time Count is not required by the WA State Department of Commerce.

## **IV. Program Requirements**

**Under the terms of this contract, the Contractor will:**

- 1. Comply with all Washington State Department of Commerce Consolidated Homeless Grant requirements, policies and procedures in the Consolidated Homeless Grant Guidelines including periodic updates to the Guidelines which can be accessed at: <http://www.commerce.wa.gov/serving-communities/homelessness/consolidated-homeless-grant/>

2. Comply with all of the Department of Housing and Urban Development (HUD) coordinated entry requirements as per the HUD Notice Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System regarding the development and implementation of coordinated entry. This Notice, under the authority of 24 CFR 578.7(a)(8), establishes new requirements that Continuums of Care (CoC) and recipients of CoC Program and Emergency Solutions Grant (ESG) Program funding must meet and relate to development and use of a coordinated entry system. This Notice can be accessed at:  
<https://www.hudexchange.info/resource/5208/notice-establishing-additional-requirements-for-a-continuum-of-care-centralized-or-coordinated-assessment-system/>
3. Comply with relevant State of Washington, Department of Commerce Emergency Solutions COVID-19 Grant guidelines, including periodic updates to the guidelines which can be accessed at:  
<https://deptofcommerce.app.box.com/s/s2w7o65zm4buhz2bk7t0n3femanl7tml> and  
<https://www.commerce.wa.gov/serving-communities/homelessness/emergency-solutions-grant/>
4. Commit to ending homelessness in Whatcom County by:
  - a. Prioritizing unsheltered homeless households for services (as per CHG Guidelines)
  - b. Assessing each household's housing needs and facilitating housing stability with the goal of obtaining or maintaining a permanent housing (as per CHG Guidelines)
  - c. Employing a progressive engagement service model (as per CHG Guidelines)
  - d. Prioritizing households that are literally homeless when using diversion rent assistance
5. Comply with eligibility requirements for serving veterans as set forth in Whatcom County Code 2.150 and 2.152, and RCW 73.08.005 and incorporated into this contract by reference. Contractor shall determine eligibility based on Items A and B of WCC 2.150.025 and shall not have utilization of Item C for determining veteran eligibility. The point of contact for the Veteran's Assistance Fund is:  
  
Elizabeth Harmon-Craig, Veterans Specialist  
Whatcom County Health Department  
360-778-6050  
[EHarmonC@co.whatcom.wa.us](mailto:EHarmonC@co.whatcom.wa.us)
6. Comply with eligibility requirements for serving people with rental assistance that are at risk of homelessness as set forth in Substitute House Bill 1406, and RCW 82.14.540, to include an area median income of 60% or less for those served.
7. Comply with Special Conditions of Commerce Grants incorporated herein as Exhibit E.
8. Comply with Business Associate Agreement incorporated herein as Exhibit D.
9. Comply with state confidentiality laws and regulations.
10. Ensure that all costs incurred comply with CHG Guidelines as specified in Section IV.(A.) and IV.(C.) above and Exhibit E.
11. Commit to reporting complete quality data that is timely, truthful and accurate (as per CHG Guidelines and HMIS User Agreement).
12. Consequences of non-compliance with CHG and ESG-CV Guidelines as per the WA State Department of Commerce:
  - a. If Commerce determines that a Grantee is failing to comply with Guidelines, Terms and Conditions, Commerce will notify Grantee that Grantee will receive technical assistance and be required to respond to a corrective action plan to address and remedy the non-compliance.

- b. If the Grantee is still out of compliance after the technical assistance, Commerce may move the Grantee into a probationary period with a second corrective action plan and may reduce the grant total by 20%.
- c. If the Grantee remains out of compliance after the probation period, Commerce may terminate the grant per the General Terms and Conditions TERMINATION FOR CAUSE.

1406 Rental Assistance Guidelines:

1. Funding is to be used to in accordance with the recommendations of the Whatcom County Housing Advisory Committee to pay rent on behalf of families with children who are experiencing homelessness or are at-risk of homelessness. Households with the inability to pay their rent due to the COVID-19 outbreak can also be served.
2. Households must have an income of 60% or less of the area median income.
3. If currently in housing, households must provide a balance due letter or 14-day notice from a landlord, or verbal verification by the landlord. A recent bank statement verifying inadequate funds must be provided.
4. Rental assistance can be provided for up to 3 months per households, with the option to request extensions.
5. Households will be screened for eligibility by phone and there will be no requirement for in-person appointments due to the COVID-19 outbreak
6. Case management may be offered if capacity and need exist, and the household chooses to participate in case management services. Case management services are not an allowable expense of this funding.

**V. Program Outcomes**

The following are the expected outcomes of WHSC in conjunction with its partner agencies. These outcomes are for a calendar year period. The WHSC must ensure rental subsidies are available to support the expected numbers of households served as follows:

**A. Re-Housing**

1. At least 150 new households that have become homeless receive short term rent subsidies and case management.
2. Fewer than 15% of re-housing households will re-enter homelessness one year after stable exit from the program.

**B. Permanent Supportive Housing Population**

1. At least 62 households receive housing subsidies and case management.
  - a. Two units will be from Opportunity Council owned housing units.
2. At least five to six chronically homeless (CH) families with children (FWC) will receive housing subsidies funded by a special category of CHG funding designated specifically for permanent supportive housing for CH FWC. Case management for these families will be provided by the Opportunity Council Community Services Program.
3. At least 85% retain their housing for six months.

**C. Emergency Shelter**

1. At least 50 households will receive emergency shelter assistance.
2. At least 50% of those households are placed in permanent housing after receiving shelter services.

**D. Veterans**

1. At least 110 Veterans will receive housing subsidies and case management support. These outcomes will be achieved by leveraging additional funding resources.

2. Fewer than 15% of Veterans served will re-enter homelessness one year after stable exit from the program.

**E. 1406 Funds**

1. At least 70 – 80 FWC will receive rental assistance to prevent or end homelessness.

**F. COVID Response Fund**

1. At least 71 families with children will receive emergency shelter in motels.

**VI. Reporting Requirements**

1. The Contractor shall submit two quarterly reports in formats approved by the County showing the Contractor's progress toward achieving the outcomes identified above. Quarterly reports are due on April 30<sup>th</sup>, July 31<sup>st</sup>, October 31<sup>st</sup>, and January 31<sup>st</sup>.

The quarterly fund reports will include:

**A. Re-Housing:**

- i. # of households that have received short term rent subsidies and case management this quarter and year to date
- ii. # of households who re-enter homelessness after stably exiting from re-housing services
- iii. # of households that are Veterans
- iv. # and % of households who re-enter homelessness within one year after stably exiting from re-housing services

**B. Permanent Supportive Housing Assistance**

- i. # of households receiving housing subsidies and case management this quarter and year to date
- ii. # of units will be from Opportunity Council owned housing units
- iii. # and % who retain their housing for six months

**C. Permanent Supportive Housing for Chronically Homeless Families with Children**

- i. # of households receiving housing subsidies and case management this quarter and year to date
- ii. # and % who retain their housing for six months
- iii. # of households who re-entered homelessness after receiving PSH for CH FWC subsidies

**D. Emergency Shelter**

- i. # of households who received emergency shelter assistance this quarter and year to date
- ii. # and % of households who received emergency shelter were placed in permanent housing

**E. Veterans**

- i. # of Veterans who received housing assistance this quarter and year to date
- ii. # of Veterans who re-enter homelessness one y
- iii. ear after stably exiting the program
- iv. # of honorably discharged Veterans with at least 180 days of service provided housing assistance
- v. # of honorably discharged Veterans with less than 180 days of service provided housing assistance

- vi. # of general or under-honorably discharged Veterans with at least 180 days of service provided housing assistance

2. The quarterly coordinated entry reports will include the following measures and targets:

- A. Number of households (HHs) added to Housing Pool (HP): Annual Target 600
- B. Number of households (HHs) added to Housing Pool (HP) this quarter:
- C. Number of HHs removed from HP due to successful project referral: Annual Target 450
- D. Number of HHs removed from HP due to inactivity: Annual Target 150
- E. Of all HHs removed from HP over reporting quarter, the percent that accepted a project referral: Annual Target 75%
- F. Number of partner agency referral requests made for households that included minors: Annual Target 150
- G. Number of partner agency referral requests made for households that did not include minors: Annual Target 200
- H. Number of partner agency referral requests made during this quarter (total): Annual Target 350
- I. Mean number of days to complete referral requests for households that include minors: 3
- J. Median number of days to complete referral requests for households that include minors: 1
- K. Mean number of days to fill referral for households that do not include minors: 4
- L. Median number of days to fill referral for households that do not include minors: 1
- M. Number of new staff trained to conduct intake assessments: 20
- N. Number of multi-agency housing partner meetings to improve function of local homeless/housing system with participation from WHSC staff: 36
- O. Number of community stakeholder meetings with participation from WHSC staff: 36
- P. Amount of rental assistance money dispersed on behalf of partner agency's low-income households: \$700,000
- Q. Number of motel stays for homeless households coordinated by WHSC staff: 30
- R. Dates and descriptions of community or partner meetings with significant input from WHSC staff

Additionally, projects falling under specific intervention types and funded by the Consolidated Homeless Grant (CHG) will be expected to meet or make progress meeting the System Performance Measures and benchmarks as required by the Washington State Department of Commerce. System-wide performance measures and benchmarks specific to intervention type (HMIS Project type) are provided on the CHG System Performance Measures Chart on our website at: [http://www.whatcomcounty.us/910/Housing\\_Program](http://www.whatcomcounty.us/910/Housing_Program). Changes to the CHG System-wide Mandatory Performance Measures may be made without contract amendment. In the event of an update, the County will provide email notification with a link to the current chart on the County's website. CHG Grantees must meet or demonstrate progress towards established performance measure targets by meeting the indicated benchmarks. Targeted Prevention performance measures are exempted from the Department of Commerce's "Consequences of Non-Compliance" listed in IV.(K.) above wherein "Grantee" refers to the County being the CHG recipient.

**EXHIBIT "B" – Amendment #2  
(COMPENSATION)**

- I. **Budget and Source of Funding:** The source of funding for this contract, in an amount not to exceed \$1,514,822 is HB 2060, local document recording fees, Washington State Department of Commerce Consolidated Homeless and Emergency Solutions COVID-19 (CFDA 14.231) Grants, the Veterans Assistance Fund, HB 1406, and Whatcom County's COVID Response Fund. COMMERCE and the State of Washington are not liable for claims or damages arising from Subcontractor's performance of this contract. The budget for this contract period (01/01/21 – 06/30/21) is as follows:

Document Recording Fees, Veteran's and Consolidated Homeless Grant Funding			
Line Item		Documentation Required with Invoice	Budget
Project Manager		Expanded GL report for the period	\$18,696
HMIS Coordinator			\$12,875
Housing Retention Manager			\$20,236.50
Housing Resource Coordinator			\$34,428.50
50% Fringe Benefits Rate		Expanded GL based on federally approved fringe rate	\$50,118
Direct Program Space Costs		Expanded GL Report for the period	\$4,900
Direct Program Supplies, Telephone, Postage and Printing			\$2,700
Travel & Training		Ground transportation, coach airfare, and ferries will be reimbursed at cost when accompanied by receipts. Reimbursement requests for allowable travel must include name of staff member, dates of travel, starting point and destination, and a brief description of purpose. Receipts for registration fees or other documentation of professional training expenses. Lodging and meal costs for training are not to exceed the U.S. General Services Administration Domestic Per Diem Rates ( <a href="http://www.gsa.gov">www.gsa.gov</a> ), specific to location. Receipts for meals are not required. For mileage Include name of traveler, dates, start & end point, and purpose. Receipts required for transportation costs, registration fees, etc. Lodging & meal costs follow federal guidelines ( <a href="http://www.gsa.gov">www.gsa.gov</a> ).	\$1,000
Rental Assistance		Expanded GL Report for the period plus documentation including client ID, payee, and amount of payment	\$85,623
CHG PSH CH FWC Rental Assistance			28,402
Document Recording Fees& CHG Subtotal:			\$258,979
Veteran's Funding			
Rental Assistance – Veteran's Funds		Expanded GL Report for the period plus documentation including client ID, payee, and amount of payment	34,151
Veteran's Fund Total			\$34,151
ESG COVID-19 Funding			
RRH & Prevention Rental Assistance:		Expanded GL Report for the period plus documentation including client ID, payee, purpose and amount of payment.	\$310,000
Rental assistance, rental arrears, late fees			
RRH & Prevention Other Financial Assistance (excludes volunteer incentives):			
Rent fees, security deposits, last month's rent	\$40,000		
Moving costs	\$10,000		
Utility deposits & payments	\$40,000		
Landlord incentives	\$10,000		
Total RRH & Prevention Other Financial Assistance			\$100,000

<b>Housing Stability Case Management:</b>					
Case Manager	\$6,667				
50% Fringe Benefit Rate	\$3,333				
<b>Total Housing Stability Case Management</b>				\$10,000	
<b>HMIS Coordination:</b>					
HMIS Coordinator	\$2,667				
50% Fringe Benefit Rate	\$1,333				
<b>Total HMIS Coordination</b>					\$4,000
<b>Emergency Shelter Operations:</b>					
Motel Vouchers				\$29,853	
<b>ESG COVID-19 Funding Subtotal</b>				<b>\$453,853</b>	
<b>2060 Funding</b>					
Emergency Shelter Motel Assistance	Expanded GL Report for the period plus documentation including client ID, payee, and amount of payment.		\$11,066		
<b>2060 Funding Subtotal:</b>			<b>\$11,066</b>		
<b>1406 Funding</b>					
Rental Assistance for Families with Children	Expanded GL Report for the period plus documentation including client ID, payee, and amount of payment		\$250,000		
<b>1406 Funding Subtotal:</b>			<b>\$250,000</b>		
<b>County COVID Response Fund – Indirect Expenses are Ineligible</b>					
Emergency Shelter Motel Assistance (no Indirect provided)	Expanded GL Report for the period plus documentation including client ID, payee, and amount of payment		\$100,000		
Emergency Shelter Motel Assistance (7% Indirect represented below)			\$300,000		
<b>COVID Response Fund Subtotal:</b>			<b>\$400,000</b>		
<b>Indirect and Admin. Expenses</b>					
DRF & CHG Funding (12%)			\$31,077		
2060 Admin (12%)			\$1,328		
ESG-CV Funding (Admin. 7%)			\$31,770		
Veteran's Fund (Admin. 12%)			\$4,098		
1406 & COVID Response Fund Indirect (Paid by local document recording fees @ 7%)			\$38,500		
<b>TOTAL BUDGET:</b>			<b>\$1,514,822</b>		

\*\* During this contract period, a minimum of 36% of Rental Assistance – CHG Funds - must be paid out to for-profit or nonprofit private landlords, as required by the Washington Department of Commerce.

All allocated direct costs must be based on approved cost allocation plan.

Changes to the line item budget that exceed 10% of the line item amount must be approved in writing by the County. Indirect and fringe benefit cost rates shall not the current federally approved rates.



## II. Invoicing

1. The Contractor shall submit itemized invoices on a monthly basis in a format approved by the County. Monthly invoices must be submitted by the 15<sup>th</sup> of the month following the month of service. Invoices submitted for payment must include the items identified in the table above. Send invoice-related communication to Barbara Johnson-Vinna.
2. The Contractor shall submit the following monthly deliverables on time with truthful, accurate information:
  - a. 2019-2021 Report from HMIS included with the Invoice (section 2.3.3.1 of the CHG Guidelines)
3. The Contractor shall submit invoices to (include contract/PO #) [HL-BusinessOffice@co.whatcom.wa.us](mailto:HL-BusinessOffice@co.whatcom.wa.us).
4. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this contract.

This is not research and development.

5. Invoices must include the following statement, with an authorized signature and date:

**I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.**

6. Duplication of Billed Costs or Payments for Service: The Contractor shall not bill the County for services performed or provided under this contract, and the County shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-199

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<b>File ID:</b>	AB2021-199	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	THelms@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Interlocal		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee				<b>Final Action:</b>
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: Mhilley@co.whatcom.wa.us

### **TITLE FOR AGENDA ITEM:**

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Whatcom Fire & Rescue for a paramedic training class, in the amount of \$236,000

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Whatcom Fire & Rescue for a paramedic training class, in the amount of \$236,000

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### **HISTORY OF LEGISLATIVE FILE**

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Memo, Routing Form, Agreement



## MEMORANDUM

**TO:** Whatcom County Council

**FROM:** Mike Hilley, EMS Manager

**RE:** North Whatcom Fire & Rescue Paramedic Training

**DATE:** 03/22/2021

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Enclosed is a contract between North Whatcom Fire & Rescue (NWFR) and Whatcom in support of two eligible firefighter EMTs to participate in the Whatcom County paramedic training course.

▪ **Background and Purpose**

On February 25, 2021 the EMS Finance committee reviewed the proposed paramedic training budget and recommended it for review by the Technical Advisory Board (TAB) and The EMS Oversight Board (EOB). On March 10<sup>th</sup> the EOB reviewed and recommended the paramedic training budget for council approval. Both the Finance and EOB approved the 2021 training budget, inclusive of the NWFR, for recommendation to the council with the caveat that a comprehensive paramedic training plan be finalized for review and consideration of the Finance Committee before additional classes are recommended.

Upon graduation, these students will be transferred to Bellingham Fire Department to begin their careers as paramedics serving on ALS units.

▪ **Funding Amount and Source**

Funding in the amount of \$236,000 will be provided through the EMS Levy Fund.

▪ **Differences from Previous Contract**

There are no significant changes to the first agreement as the scope and compensation are very similar.

Please contact Mike Hilley, EMS Manager at (360) 927-1155, if you should have any questions or concerns regarding the terms of this agreement.

# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. \_\_\_\_\_

Originating Department: _____	
Division/Program: <i>(i.e. Dept. Division and Program)</i> _____	
Contract or Grant Administrator: _____	
Contractor's / Agency Name: _____	
<p>Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes    No</p> <p>Yes    No    If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p> <p>Does contract require Council Approval?    Yes    No    If No, include WCC: _____</p> <p>Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement?</p> <p>Yes    No    If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded?</p> <p>Yes    No    If yes, Whatcom County grant contract number(s): _____</p> <p>Is this contract the result of a RFP or Bid process?    Contract</p> <p>Yes    No    If yes, RFP and Bid number(s): _____ Cost Center: _____</p> <p>Is this agreement excluded from E-Verify?    No    Yes    If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below:</p> <p><input type="checkbox"/> Professional services agreement for certified/licensed professional.    Goods and services provided due to an emergency</p> <p><input type="checkbox"/> Contract work is for less than \$100,000.    <input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</p> <p><input type="checkbox"/> Contract work is for less than 120 days.    <input type="checkbox"/> Work related subcontract less than \$25,000.</p> <p><input type="checkbox"/> Interlocal Agreement (between Governments).    <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p>	
<p>Contract Amount:(sum of original contract amount and any prior amendments):</p> <p>\$ _____</p> <p>This Amendment Amount:</p> <p>\$ _____</p> <p>Total Amended Amount:</p> <p>\$ _____</p>	<p>Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b>, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b></p> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
Summary of Scope: _____	
Term of Contract: _____	
Expiration Date: _____	

Contract Routing:	1. Prepared by: _____ 2. Attorney signoff: _____ 3. AS Finance reviewed: _____ 4. IT reviewed (if IT related): _____ 5. Contractor signed: _____ 6. Submitted to Exec.: _____ 7. Council approved (if necessary): _____ 8. Executive signed: _____ 9. Original to Council: _____	Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____
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**INTERAGENCY AGREEMENT**  
**Between**  
**North Whatcom Fire and Rescue**  
**And**  
**Whatcom County Emergency Medical Services/Whatcom County**  
**Paramedic Training Program**

Whatcom County Emergency Medical Services, (hereinafter the "County"), and North Whatcom Fire and Rescue, (hereinafter the "District"), in consideration of the mutual covenants herein, agree as follows:

- I. **Purpose:** This Agreement is meant to provide paramedic training for up to two (2) North Whatcom Fire and Rescue Firefighter/EMT's in the 2021 Paramedic Training class administered by the Bellingham Fire Department (BFD), accreditation affiliation with Bellingham Technical College (College), funded by the Whatcom County EMS Levy.
- II. **Program Administration:** It is understood that the County and the District shall be responsible for the direct supervision of their respective employees and that nothing in this Agreement will interfere with the employer/employee relationship or the functioning of the District or County herein named. In compliance with applicable law and State records guidelines, both parties will maintain documentation and/or records relevant to the program in this Agreement.
- III. **Financial Responsibility:** The 2021 Paramedic Training Program is paid for by the Whatcom County Countywide Emergency Medical Services Fund. The County shall reimburse District for the wages and benefits of the paramedic students while they are in the training class and up to 50% of the eligible sick leave accruals banked at the time of graduation and the employee is transferred to the ALS agency. County will provide reimbursement to District not to exceed \$236,000, as presented in Exhibit A "Budget". District will invoice the County monthly for actual wages and benefits of the students, supported by general ledger detail.
- IV. **Program Sponsorship:** The College shall be the sponsoring institution and, as such, the program will operate within the College's appropriate policies and procedures.
- V. **Program Approval:** The paramedic training program is approved through the Washington State Board for Community and Technical Colleges and the Washington State Department of Health. Accreditation is granted through the Commission on Accreditation of Allied Health Education Programs (CAAHEP).
- VI. **Responsibilities of the District:**
  - A. Provide recommendation for enrollment of student into Paramedic Training by the

Fire Chief and the respective Department's Medical Program Director.

- B. Obtain concurrence from the College, County, Paramedic Training Medical Program Director and BFD for the selection of qualified EMT's for enrollment in the Paramedic Training program.
- C. Provide weekly or monthly, depending on need, direct leadership liaison with Paramedic Training Lead Instructor for the purposes of monitoring student progress and activities.

**VII. Responsibilities of the County:**

- A. Secure budget authority from the Whatcom County Council to fund the 2021 program costs for paramedic training as presented in Exhibit A.
- B. Participate as a member of the Paramedic Program Advisory Committee.

**VIII. Objectives of Paramedic Training Course:**

- A. Paramedic Training will provide the pre-requisite (60-hour/ 5 Credit) Anatomy and Physiology Course through a combination of online and laboratory learning.
- B. Paramedic Training will provide approximately 1300 clinical hours to the Paramedic Candidate which includes working on Whatcom County ALS units under the supervision of experienced paramedics known as "preceptors." Students generally see about 500 patients when working on the ALS units. In addition, these clinical hours include training with the hospital emergency department, operating room, intensive care unit & maternity units, along with observation days at Children's Hospital and Harborview Medical Center as part of the learning experience. Students average about 150 IV's and about 20 Intubations during this time.
- C. Paramedic Training will provide 650 classroom hours for both didactic and simulation lab learning.
- D. Provide weekly or monthly, depending on need, progress reports to the District liaison. North Whatcom Fire and Rescue:  
Chief Jason Vanderveen, P.O. 286 Lynden, WA 98264 (360) 318-9933  
[jvanderveen@nwfrs.com](mailto:jvanderveen@nwfrs.com)
- E. Provide Paramedic Student Evaluations (Approximately 20).
- F. Provide Physician-Level Evaluations for certification.
- G. Prepare the student for National Registry of EMT's (NREMT) testing and certification.

**IX. Paramedic Training Program admission requirements:**

- A. Eligible Advanced Life Support Departments and Whatcom County Fire Departments or District employees meeting admission requirements as set forth in RCW 18.71.205 and WAC 246.976.041, will be considered for the program upon recommendation of the Paramedic Training Course Director. Enrollment is not open to the public.
  - B. All students accepted for admission must have current Emergency Medical Technician (EMT) certification and a high school diploma or equivalent as per Washington State Department of Health (DOH) guidelines.
- X. Program Administration:**
- College Supervisor: Julie Samms, Associate Dean, Bellingham Technical College, 3028 Lindbergh Ave., Bellingham, WA, 98225, (360) 752-8316, [jsamms@btc.edu](mailto:jsamms@btc.edu)
- Paramedic Training Medical Program Director: Dr. Ralph Weiche, 1800 Broadway, Bellingham, WA 98225 (360) 778-8413 [rweiche@cob.org](mailto:rweiche@cob.org)
- Whatcom County EMS Paramedic Training Course Director: Steven Cohen, MS, EMS Training Specialist; 800 E. Chestnut St. Bellingham, WA 98225 (360) 820-6157 [scohen@co.whatcom.wa.us](mailto:scohen@co.whatcom.wa.us)
- Bellingham Fire Department Coordinator: Div. Chief Scott Ryckman, Medical Services Officer, Bellingham Fire Department, 1800 Broadway, Bellingham, WA, 98225, (360) 778-8413, [sryckman@cob.org](mailto:sryckman@cob.org)
- Paramedic Lead Instructor: Capt. Rob Stevenson, 1800 Broadway, Bellingham, WA 98225. [rstevenson@cob.org](mailto:rstevenson@cob.org)
- XI. Nondiscrimination:** There will be no discrimination against any participant covered under the Agreement because of race, color, religion, national origin, sex (including pregnancy and parenting status), disability, age, veteran status, sexual orientation, gender identity or expression, marital status or genetic information in programs or activities including employment, admissions, and educational programs.
- XII. Liability:** Each party to this Agreement will be responsible for the negligent or willful acts or omissions of its own employees, officers, volunteers or agents in the performance of this Agreement. Neither party will be considered the agent of the other, nor does either party assume any responsibility to the other party for the consequences of any act or omission of any person, firm, or corporation not a party to this Agreement. Each party shall insure its own employees.
- XIII. Term of the Agreement:** This Agreement will become effective upon date of final signature and will terminate upon completion of paramedic training. Completion of training is determined after all requirements for graduation and certification have been

met. Termination of this Agreement shall be effective thirty (30) days following written notice of termination provided by either party in the case a student is unable to complete or is academically terminated from Paramedic Training. If modifications to this Agreement are deemed necessary, such changes shall be approved by the Department and the County unless such modifications are required based on State, Federal or Local law.

- XIV. Entire Agreement:** This Agreement constitutes the entire agreement between the parties, and supersedes all prior oral or written agreements, commitments, or understandings concerning the matters provided for herein.



**Authority:** The parties represented and covenant that they are authorized to sign as authorized agents of their respective college/agency.

ACCEPTED, agreed, and signed as of the date first set forth below

**EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for North Whatcom Fire and Rescue**

**District Approval:**

\_\_\_\_\_  
Jason Vanderveen, Fire Chief

**EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for Whatcom County:**

\_\_\_\_\_  
Satpal Sidhu, County Executive

**Approved as to Form:**

Christopher Quinn per email 03/22/21  
Office of Prosecuting Attorney, Civil Division

## Exhibit 'A'

### BUDGET

#### Student Tuition Costs

	DESCRIPTION	COST PER STUDENT
Student Wages and Benefits	Preceptor, Classroom and Lab Hours	\$107,000
50% Sick Leave Transfer	Employer Transfer of Sick Leave based on actuals	\$11,000 (year-end estimate)
<b>Total per student</b>		<b>\$118,000</b>
<b>GRAND TOTAL</b>	<b>Two Students</b>	<b>\$236,000</b>



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-201

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<b>File ID:</b>	AB2021-201	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	THelms@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Interlocal		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee				<b>Final Action:</b>
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: Mhilley@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Camano Island Fire and Rescue to participate in the 2021 paramedic training class, in the amount of \$41,900

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Camano Island Fire and Rescue to participate in the 2021 paramedic training class, in the amount of \$41,900

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Routing Form, Agreement



## MEMORANDUM

**TO:** Whatcom County Council  
**FROM:** Mike Hilley, EMS Manager  
**RE:** Camano Island Fire & Rescue Paramedic Training  
**DATE:** 03/22/2021

---

Enclosed is a contract between Camano Island Fire & Rescue and Whatcom County in support of two eligible firefighter EMTs' participation in the Whatcom County paramedic training course.

▪ **Background and Purpose**

On February 25, 2021 the EMS Finance committee reviewed the proposed paramedic training budget and recommended it for review by the Technical Advisory Board (TAB) and The EMS Oversight Board (EOB). On March 10<sup>th</sup> the EOB reviewed and recommended the paramedic training budget for council approval. This budget proposal includes the participation of two out county fire fighters. A portion of their costs will help to defray some of the common costs of the program. Both the Finance and EOB approved the 2021 training budget for recommendation to the council with the caveat that a comprehensive paramedic training plan be finalized for review and consideration of the Finance Committee before additional classes are recommended.

▪ **Funding Amount and Source**

Funding in the amount of \$41,900 will be provided through the EMS Levy Fund.

▪ **Differences from Previous Contract**

This is a first-time agreement.

Please contact Mike Hilley, EMS Manager at (360) 927-1155, if you should have any questions or concerns regarding the terms of this agreement.

# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. \_\_\_\_\_

Originating Department: _____	
Division/Program: <i>(i.e. Dept. Division and Program)</i> _____	
Contract or Grant Administrator: _____	
Contractor's / Agency Name: _____	
<p>Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes    No</p> <p>Yes    No    If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p> <p>Does contract require Council Approval?    Yes    No    If No, include WCC: _____</p> <p>Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement?</p> <p>Yes    No    If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded?</p> <p>Yes    No    If yes, Whatcom County grant contract number(s): _____</p> <p>Is this contract the result of a RFP or Bid process?    Contract</p> <p>Yes    No    If yes, RFP and Bid number(s): _____ Cost Center: _____</p> <p>Is this agreement excluded from E-Verify?    No    Yes    If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below:</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Professional services agreement for certified/licensed professional.  <input type="checkbox"/> Contract work is for less than \$100,000.  <input type="checkbox"/> Contract work is for less than 120 days.  <input type="checkbox"/> Interlocal Agreement (between Governments).         </div> <div> <input type="checkbox"/> Goods and services provided due to an emergency  <input type="checkbox"/> Contract for Commercial off the shelf items (COTS).  <input type="checkbox"/> Work related subcontract less than \$25,000.  <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.         </div> </div>	
<p>Contract Amount:(sum of original contract amount and any prior amendments): \$ _____</p> <p>This Amendment Amount: \$ _____</p> <p>Total Amended Amount: \$ _____</p>	<p>Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b>, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b></p> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
Summary of Scope: _____	
Term of Contract: _____	Expiration Date: _____

Contract Routing:	1. Prepared by: _____ 2. Attorney signoff: _____ 3. AS Finance reviewed: _____ 4. IT reviewed (if IT related): _____ 5. Contractor signed: _____ 6. Submitted to Exec.: _____ 7. Council approved (if necessary): _____ 8. Executive signed: _____ 9. Original to Council: _____	Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____ Date: _____
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**INTERAGENCY AGREEMENT**  
**Between**  
**Camano Island Fire and Rescue**  
**And**  
**Whatcom County Emergency Medical Services/Whatcom County**  
**Paramedic Training Program**

Whatcom County Emergency Medical Services, (hereinafter the “County”), and Camano Island Fire and Rescue, (hereinafter the “Department”), in consideration of the mutual covenants herein, agree as follows:

- I. **Purpose:** This Agreement is meant to provide paramedic training for up to two (2) Camano Island Firefighter/EMT’s in the 2021 Paramedic Training class administered by the Bellingham Fire Department (BFD), accreditation affiliation with Bellingham Technical College (College), funded by the Whatcom County EMS Levy.
- II. **Program Administration:** It is understood that the County and the Department shall be responsible for the direct supervision of their respective employees and that nothing in this Agreement will interfere with the employer/employee relationship or the functioning of the Department or County herein named. In compliance with applicable law and State records guidelines, both parties will maintain documentation and/or records relevant to the program in this Agreement.
- III. **Financial Responsibility:** The 2021 Paramedic Training Program is paid for by the Whatcom County Countywide Emergency Medical Services Fund. The Department is responsible for all wages, benefits and insurance coverage for its participants.
- IV. **Financial Agreement:** The Department will pay the County for direct costs of student participation and a portion of common costs for the 2021 Paramedic Training Program as described in **Exhibit A - Detail of Student Costs**. One-half of the agreed total student cost will be paid when the paramedic training program is half-complete and the remaining second half is paid once the program has been completed.
- V. **Program Sponsorship:** The College shall be the sponsoring institution and, as such, the program will operate within the College’s appropriate policies and procedures.
- VI. **Program Approval:** The paramedic training program is approved through the Washington State Board for Community and Technical Colleges and the Washington State Department of Health. Accreditation is granted through the Commission on Accreditation of Allied Health Education Programs (CAAHEP).

**VII. Responsibilities of the Department:**

- A. Provide recommendation for enrollment of student into Paramedic Training by the Fire Chief and the respective Department's Medical Program Director.
- B. Obtain concurrence from the College, County, Paramedic Training Medical Program Director and BFD for the selection of qualified EMT's for enrollment in the Paramedic Training program.
- C. Provide weekly or monthly, depending on need, direct leadership liaison with Paramedic Training Lead Instructor for the purposes of monitoring student progress and activities.
- D. Reimburse the County for agreed expenses as described in Exhibit A.

**VIII. Responsibilities of the County:**

- A. Secure budget authority from the Whatcom County Council to fund the 2021 program costs for paramedic training as presented in Exhibit A.
- B. Participate as a member of the Paramedic Program Advisory Committee.

**IX. Objectives of Paramedic Training Course:**

- A. Paramedic Training will provide the pre-requisite (60-hour/ 5 Credit) Anatomy and Physiology Course through a combination of online and laboratory learning.
- B. Paramedic Training will provide approximately 1300 clinical hours to the Paramedic Candidate which includes working on Whatcom County ALS units under the supervision of experienced paramedics known as "preceptors." Students generally see about 500 patients when working on the ALS units. In addition, these clinical hours include training with the hospital emergency department, operating room, intensive care unit & maternity units, along with observation days at Children's Hospital and Harborview Medical Center as part of the learning experience. Students average about 150 IV's and about 20 Intubations during this time.
- C. Paramedic Training will provide 650 classroom hours for both didactic and simulation lab learning.
- D. Provide weekly or monthly, depending on need, progress reports to the Department liaison. Camano Fire Department:  
MSO Anthony Smith, 811 Sunrise Blvd. Camano Island WA, 98282 (360) 387-1512  
[tsmith@camanofire.com](mailto:tsmith@camanofire.com)

- E. Provide Paramedic Student Evaluations (Approximately 20).
- F. Provide Physician-Level Evaluations for certification.
- G. Prepare the student for National Registry of EMT's (NREMT) testing and certification.

**X. Paramedic Training Program admission requirements:**

- A. Eligible Advanced Life Support Departments and Whatcom County Fire Departments or District employees meeting admission requirements as set forth in RCW 18.71.205 and WAC 246.976.041, will be considered for the program upon recommendation of the Paramedic Training Course Director. Enrollment is not open to the public.
- B. All students accepted for admission must have current Emergency Medical Technician (EMT) certification and a high school diploma or equivalent as per Washington State Department of Health (DOH) guidelines.
- C. Out-of-County students must be affiliated with an Advanced Life Support Agency and will have the recommendation of the Fire Chief and the respective Out of County Medical Program Director or Supervising Physician to enroll in the Paramedic Training Program.

**XI. Program Administration:**

College Supervisor: Julie Samms, Associate Dean, Bellingham Technical College, 3028 Lindbergh Ave., Bellingham, WA, 98225, (360) 752-8316, [jsamms@btc.edu](mailto:jsamms@btc.edu)

Paramedic Training Medical Program Director: Dr. Ralph Weiche, 1800 Broadway, Bellingham, WA 98225 (360) 778-8413 [rweiche@cob.org](mailto:rweiche@cob.org)

Whatcom County EMS Paramedic Training Course Director: Steven Cohen, MS, EMS Training Specialist; 800 E. Chestnut St. Bellingham, WA 98225 (360) 820-6157 [scohen@co.whatcom.wa.us](mailto:scohen@co.whatcom.wa.us)

Bellingham Fire Department Coordinator: Div. Chief Scott Ryckman, Medical Services Officer, Bellingham Fire Department, 1800 Broadway, Bellingham, WA, 98225, (360) 778-8413, [sryckman@cob.org](mailto:sryckman@cob.org)

Paramedic Lead Instructor: Capt. Rob Stevenson, 1800 Broadway, Bellingham, WA 98225. [rstevenson@cob.org](mailto:rstevenson@cob.org)

- XII. Nondiscrimination:** There will be no discrimination against any participant covered under the Agreement because of race, color, religion, national origin, sex (including pregnancy and parenting status), disability, age, veteran status, sexual orientation,



gender identity or expression, marital status or genetic information in programs or activities including employment, admissions, and educational programs.

- XIII. Liability:** Each party to this Agreement will be responsible for the negligent or willful acts or omissions of its own employees, officers, volunteers or agents in the performance of this Agreement. Neither party will be considered the agent of the other ,nor does either party assume any responsibility to the other party for the consequences of any act or omission of any person, firm, or corporation not a party to this Agreement.
- XIV. Term of the Agreement:** This Agreement will become effective upon date of final signature and will terminate upon completion of paramedic training. Completion of training is determined after all requirements for graduation and certification have been met. Termination of this Agreement shall be effective thirty (30) days following written notice of termination provided by either party in the case a student is unable to complete or is academically terminated from Paramedic Training. If modifications to this Agreement are deemed necessary, such changes shall be approved by the Department and the County unless such modifications are required based on State, Federal or Local law.
- XV. Entire Agreement:** This Agreement constitutes the entire agreement between the parties, and supersedes all prior oral or written agreements, commitments, or understandings concerning the matters provided for herein.

**Authority:** The parties represented and covenant that they are authorized to sign as authorized agents of their respective college/agency.

ACCEPTED, agreed, and signed as of the date first set forth below

**EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for Camano Island Fire and Rescue:**

**Department Approval:**

\_\_\_\_\_  
Levon Yengoyan, Fire Chief

**EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for Whatcom County:**

\_\_\_\_\_  
Satpal Sidhu, County Executive

**Approved as to Form:**

Christopher Quinn per email 03/22/21  
Office of Prosecuting Attorney, Civil Division

## Exhibit 'A'

### Student Tuition Costs

#### FEE SCHEDULE FOR OUTSIDE AGENCIES

	DESCRIPTION	COST PER STUDENT
Preceptor Fee	Assigned Student Paramedic Preceptors	\$5,000.00
Evaluation Fee	Formal Evaluation Reports	\$1,600.00
Student Equipment	Books, Stethoscopes, calipers, IV supplies, Disposable mannequin supplies, physiology training, anatomy dissection parts, Platinum Program, PALS/NRET testing, CAAHEP, Clinical Training Site visit, Safety Clothing for clinical	\$6,350.00
Common Costs	Course MPD Fees, BTC Fees, A&P Pre-Course, Program Instructors, accreditation fees and facilities.	\$8,000.00
<b>Total per student</b>		<b>\$20,950.00</b>
<b>GRAND TOTAL</b>	<b>Two Students</b>	<b>\$41,900.00</b>



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-216

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<b>File ID:</b>	AB2021-216	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/25/2021	<b>Entered by:</b>	THelms@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Interlocal		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee				<b>Final Action:</b>
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: Mhilley@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Fire Department to operate the 2021 Paramedic Training Program and to support two eligible BFD firefighter EMTs' participation in the course, in the amount of \$579,153

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Fire Department to operate the 2021 Paramedic Training Program and to support two eligible BFD firefighter EMTs' participation in the course

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Routing Form, Agreement



## MEMORANDUM

**TO:** Whatcom County Council  
**FROM:** Mike Hilley, EMS Manager  
**RE:** Bellingham Fire Department Paramedic Training  
**DATE:** 03/22/2021

---

Enclosed is a contract between Bellingham Fire Department (BFD) and Whatcom County to operate the 2021 Paramedic Training Program and to support two eligible BFD firefighter EMTs' participation in the course.

▪ **Background and Purpose**

On February 25, 2021 the EMS Finance committee reviewed the proposed paramedic training budget and recommended it for review by the Technical Advisory Board (TAB) and The EMS Oversight Board (EOB). On March 10<sup>th</sup> the EOB reviewed and recommended the paramedic training budget for council approval. This budget proposal includes the participation of six fire fighter EMTs, two from Bellingham Fire Department and the remaining four from other fire agencies. The budget also includes the costs for training administration through Bellingham Fire Department as outlined in Exhibit A, Program Budget. Both the EMS Finance Committee and EOB approved the 2021 training budget for recommendation to the county council with the caveat that a comprehensive paramedic training plan be finalized for review and consideration of the Finance Committee before additional classes are recommended.

▪ **Funding Amount and Source**

Funding in the amount of \$579,153 will be provided through the EMS Levy Fund.

▪ **Differences from Previous Contract**

Costs are consistent with the previous class respective to the number of students participating.

Please contact Mike Hilley, EMS Manager at (360) 927-1155, if you should have any questions or concerns regarding the terms of this agreement.

# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. \_\_\_\_\_

Originating Department: _____	
Division/Program: <i>(i.e. Dept. Division and Program)</i> _____	
Contract or Grant Administrator: _____	
Contractor's / Agency Name: _____	
<p>Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes    No</p> <p>Yes    No    If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p> <p>Does contract require Council Approval?    Yes    No    If No, include WCC: _____</p> <p>Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement?</p> <p>Yes    No    If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded?</p> <p>Yes    No    If yes, Whatcom County grant contract number(s): _____</p> <p>Is this contract the result of a RFP or Bid process?    Contract</p> <p>Yes    No    If yes, RFP and Bid number(s): _____ Cost Center: _____</p> <p>Is this agreement excluded from E-Verify?    No    Yes    If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below:</p> <p><input type="checkbox"/> Professional services agreement for certified/licensed professional.    Goods and services provided due to an emergency</p> <p><input type="checkbox"/> Contract work is for less than \$100,000.    <input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</p> <p><input type="checkbox"/> Contract work is for less than 120 days.    <input type="checkbox"/> Work related subcontract less than \$25,000.</p> <p><input type="checkbox"/> Interlocal Agreement (between Governments).    <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p>	
<p>Contract Amount:(sum of original contract amount and any prior amendments):</p> <p>\$ _____</p> <p>This Amendment Amount:</p> <p>\$ _____</p> <p>Total Amended Amount:</p> <p>\$ _____</p>	<p>Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b>, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b></p> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
Summary of Scope: _____	
Term of Contract: _____	
Expiration Date: _____	

Contract Routing:	1. Prepared by: _____ Date: _____ 2. Attorney signoff: _____ Date: _____ 3. AS Finance reviewed: _____ Date: _____ 4. IT reviewed (if IT related): _____ Date: _____ 5. Contractor signed: _____ Date: _____ 6. Submitted to Exec.: _____ Date: _____ 7. Council approved (if necessary): _____ Date: _____ 8. Executive signed: _____ Date: _____ 9. Original to Council: _____ Date: _____
-------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**INTERAGENCY AGREEMENT  
Between The  
City of Bellingham  
and  
Whatcom County**

The City of Bellingham, a Washington State municipal corporation operating through the Bellingham Fire Department, (hereinafter the "Department"); Whatcom County, a Washington State municipal corporation operating through its Department of Emergency Medical Services, (hereinafter the "County") in consideration of the mutual covenants herein, agree as follows:

- I. **Purpose:** This agreement regarding paramedic training (hereinafter "Agreement") sets forth the organization, responsibilities, and administration of a program of paramedic training (hereinafter the "Program") conducted as a cooperative effort between the Department and the County.
- II. **Program Administration – Independent Municipal Entities:** It is understood that the parties shall remain independent governmental entities in carrying out their responsibilities as set forth herein, that the parties shall remain responsible for the direct supervision of their respective employees, and that nothing in this Agreement will interfere with the employer/employee relationships of the parties. In compliance with applicable law and State records guidelines, both parties will maintain documentation and records relevant to the Paramedic Training Program. The Program shall be administered in accordance with the terms of this Agreement as set forth below and as detailed in Exhibit B which is incorporated herein.
- III. **Financial Responsibility for Program:** Financial responsibility for the Program shall be that of the County, using the Whatcom County Emergency Medical Services (EMS) Levy which provides funding for the program. County will provide reimbursement to the City, not to exceed \$579,153, as presented in Exhibit A "Program Budget". City will invoice the County monthly for actual costs of the program, supported by general ledger detail
- V. **Nondiscrimination:** There will be no discrimination against any participant covered under the Agreement because of race, color, religion, national origin, sex (including pregnancy and parenting status), disability, age, veteran status, sexual orientation, gender identity or expression, marital status or genetic information in programs or activities including employment, admissions, and educational programs.
- VI. **Liability:** Each party to this Agreement will be responsible for the negligent or willful acts or omissions of its own employees, officers, volunteers, or agents in the performance of this Agreement. Neither party will be considered the agent of the other nor does neither party assume any responsibility to the other party for the consequences of any act or

omission of any person, firm, or corporation not a party to this Agreement. Each party shall insure its own employees.

**VII. Term of the Agreement:** This Agreement will be in effect for the 2021 class cycle for a class of six students.

**VIII. Entire Agreement:** This Agreement constitutes the entire agreement between the parties, and supersedes all prior oral or written agreements, commitments, or understandings concerning the matters provided for herein.

Authority: The parties represented and covenant that they are authorized to sign as authorized agents of their respective college/agency.

**ACCEPTED**, agreed, and signed as of the date first set forth below

**EXECUTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for City of Bellingham:

**Department Approval:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Department Head

**Attest:**

**Approved as to Form:**

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Office of the City Attorney

**EXECUTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for Whatcom County:

**Department Approval:**

\_\_\_\_\_  
Satpal Singh Sidhu, County Executive

\_\_\_\_\_  
Department Head

**Approved as to Form:**

Christopher Quinn per email 03/24/2021  
Office of Prosecuting Attorney, Civil Division



**EXHIBIT "A" "PROGRAM BUDGET"**

**PARAMEDIC TRAINING COSTS/REIMBURSEMENT**

**2021**

**BELLINGHAM FIRE DEPARTMENT EMPLOYEES (2)**

	<b>DESCRIPTION</b>	<b>COST PER STUDENT</b>
Preceptor Fee	Assigned Student Paramedic Preceptors	\$5,000.00
Evaluation Fee	Formal Evaluation Reports	\$1,100.00
Student Equipment	Books, Stethoscopes, calipers, IV supplies, Disposable mannequin supplies, physiology training anatomy dissection parts, Platinum Program, PALS/NRET testing, CAAHEP, Clinical Training Site visit, Safety Clothing for clinical	\$6,350.00  <b>Sub-Total (\$24,900.00)</b>
Candidate Wages	Student class & patient contact hours	\$107,000.00 (\$214,000.00)
<b>TOTAL</b>	<b>Two Students</b>	<b>\$238,900.00</b>

**NORTH WHATCOM FIRE DEPARTMENT EMPLOYEES (2)**

	<b>DESCRIPTION</b>	<b>COST PER STUDENT</b>
Preceptor Fee	Assigned Student Paramedic Preceptors	\$5,000.00
Evaluation Fee	Formal Evaluation Reports	\$1,600.00
Student Equipment	Books, Stethoscopes, calipers, IV supplies, Disposable mannequin supplies, physiology training anatomy dissection parts, Platinum Program, PALS/NRET testing, CAAHEP, Clinical Training Site visit, Safety Clothing for clinical	\$6,350.00  <b>Sub Total Each (\$12,950.00)</b>
	<b>Two Students</b>	<b>\$25,900.00</b>

### CAMANO ISLAND FIRE EMPLOYEES (2)

	DESCRIPTION	COST PER STUDENT
Preceptor Fee	Assigned Student Paramedic Preceptors	\$5,000.00
Evaluation Fee	Formal Evaluation Reports	\$1,600.00
Student Equipment	Books, Stethoscopes, calipers, IV supplies, Disposable mannequin supplies, physiology training anatomy dissection parts, Platinum Program, PALS/NRET testing, CAAHEP, Clinical Training Site visit, Safety Clothing for clinical, Student class & patient contact hours	\$6,350.00
		<b>Sub Total Each</b> (\$12,950.00)
	<b>Two Students</b>	<b>\$25,900.00</b>

### ANNUAL PROGRAM COSTS

	DESCRIPTION	COST PER YEAR
Lead Instructor	Training Coordinator	\$184,453.00
Administrative Costs	COAEMP Required Fee & Site Visit, Admin support- class schedules, software set-up/data entry/student training, program supply/equip ordering, assistance with CAEHEP accreditation process.	\$33,000.00
Program Instructors	Physicians, College Instructors, Paramedic Instructors	\$56,000.00
Facilities	Classroom and office space	\$15,000.00
<b>TOTAL</b>		<b>\$288,453.00</b>

### Total BFD Reimbursement

	DESCRIPTION	COST PER YEAR
Bellingham FD	Two (2) Students	\$238,900.00
North Whatcom	Two (2) Students (Preceptor/Tuition)	\$25,900.00
Camano Island	Two (2) Students (Preceptor/Tuition)	\$25,900.00
		<b>Sub Total (\$51,800.00)</b>
Annual Program Costs	Physicians, College Instructors, Paramedic Instructors, Classroom/Office Rental	\$288,453.00
<b>TOTAL</b>	Reimbursement	<b>\$579,153.00</b>

## **EXHIBIT B “SCOPE OF WORK”**

The Department will operate the 2021 Paramedic Training Program in accordance with Washington State Department of Health and Commission on Accreditation of Allied Health Education Programs (CAAHEP) standards and requirements. Oversight will be provided by the County’s Paramedic Training Course Director. Program will be managed by the Paramedic Lead Instructor. Department will be responsible to:

- A. Obtain concurrence from the County on selection of the person to be appointed as the Paramedic Lead Instructor. Duties of the Lead Instructor are further detailed below.
- B. Develop and maintain agreements with all physicians, college instructors, and paramedic instructors as needed.
- D. Manage the accreditation process and develop the self-study for accreditation required by the State of Washington Department of Health and the Commission on Accreditation of Allied Health Education Programs (CAAHEP) for ongoing accreditation support. Coordinate the Committee on Accreditation of Educational Programs for the Emergency Medical Services Profession (COAEMP) COAEMSP site visit and pay the related fee.
- E. Select Department sponsored students for admission to the Program. Provide appropriate admission and registration information and maintain copies of Program records.
- J. Facilitate clinical agreements between the Department and those sites participating in clinical oversight of the paramedic students. Coordinate and schedule all classes, field experience and training activities. Provide preceptors and evaluations for all paramedic students.
- F. Develop and maintain Program curriculums in accordance with state and national standards.
- I. Provide classroom, equipment, and storage space as necessary to support the program as outlined in Exhibit A.
- K. Complete Washington State Department of Health training program and course applications and student completion forms.
- L. Participate as a member of the Paramedic Program Advisory Committee.

### **The County**

- A. The County will appoint and supervise a Paramedic Training Course Director, who will provide oversight to ensure the Program is being operated in accordance with Washington State Department of Health and Commission on Accreditation of Allied Health Education Programs standards and requirements.
- B. Ensure contracts with Bellingham Technical College and pre-course anatomy & physiology instructor are in place and current prior to the start date of the class.
- C. Secure budget authority from the Whatcom County Council to fund the 2021 Program costs for paramedic training as presented in Exhibit A.
- D. Support the accreditation process as needed.
- E. Provide any records and program information required from the County as needed for ongoing Program accreditation support.
- F. Participate as a member of the Paramedic Program Advisory Committee.

### **Paramedic Lead Instructor**

The Program Lead Instructor will be a certified Department Paramedic, who has earned an Associate's degree or higher from an accredited institution, and will meet all requirements for vocational instructor certification as defined in WAC 131.16.070-095. Lead Instructor will be responsible, under the oversight of the Paramedic Training Course Director, to operate the 2021 Paramedic Training Class and manage the accreditation process. Duties include but are not limited to the following:

- A. Develop and implement the class schedule and ensure that all program objectives are met.
  - 1. The class schedule shall be submitted to the Medical Services Officer (MSO), Medical Program Director/Training Physician, and College supervisor for approval.
- B. Coordinate and supervise all class presentations, instructors and field exercises.
- C. Develop examinations based on the Program curriculum and ensure Medical Program Director and Training Physician approval for all examination content.
- D. Review and obtain approval for textbooks and supplemental educational materials used as part of the Program.
- E. Coordinate the COAEMP site visit and manage the accreditation process.
- F. Other duties as assigned.

### **Paramedic Training Course Director**

The Paramedic Training Course Director will be a certified Paramedic, who has earned a Bachelor's degree or higher from an accredited institution. Director will provide oversight of the 2021 Paramedic Training Class and accreditation process. Duties include but are not limited to the following:

- A. Assist Lead Instructor with class development and operation as needed.
- B. Serve as Program liaison between the Department and Bellingham Technical College.
- C. Review class schedules, student progress, and other program maintenance schedules as needed.
- D. Select pre-course anatomy and physiology instructor and maintain required documentation related to the course.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-217

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<b>File ID:</b>	AB2021-217	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/25/2021	<b>Entered by:</b>	THelms@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Interlocal		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: Mhilley@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Technical College for costs associated with the Medical Program Director/Training Physician and sponsoring and accrediting the 2021 Paramedic Training class, in the amount of \$42,200

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See memorandum

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Routing Form, Agreement



## MEMORANDUM

**TO:** Whatcom County Council  
**FROM:** Mike Hilley, EMS Manager  
**RE:** Bellingham Technical College  
**DATE:** 03/22/2021

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Enclosed is a contract between Bellingham Technical College (BTC) and Whatcom County to sponsor and facilitate accreditation 2021 Paramedic Training Program.

▪ **Background and Purpose**

On February 25, 2021 the EMS Finance committee reviewed the proposed paramedic training budget and recommended it for review by the Technical Advisory Board (TAB) and The EMS Oversight Board (EOB). On March 10<sup>th</sup> the EOB reviewed and recommended the paramedic training budget for council approval.

This interlocal agreement includes the cost of the Medical program Director/Training Physician and accreditation of the paramedic training course through Bellingham Technical College, as outlined in Exhibit A, Program Budget.

▪ **Funding Amount and Source**

Funding in the amount of \$42,200 will be provided through the EMS Levy Fund.

▪ **Differences from Previous Contract**

Costs are consistent with the previous class with a reduction in the cost for accreditation and off site training.

Please contact Mike Hilley, EMS Manager at (360) 927-1155, if you should have any questions or concerns regarding the terms of this agreement.



# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. \_\_\_\_\_

Originating Department: _____	
Division/Program: <i>(i.e. Dept. Division and Program)</i> _____	
Contract or Grant Administrator: _____	
Contractor's / Agency Name: _____	
<p>Is this a New Contract?    If not, is this an Amendment or Renewal to an Existing Contract?    Yes    No</p> <p>Yes    No    If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p> <p>Does contract require Council Approval?    Yes    No    If No, include WCC: _____</p> <p>Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)</p> <p>Is this a grant agreement?</p> <p>Yes    No    If yes, grantor agency contract number(s): _____ CFDA#: _____</p> <p>Is this contract grant funded?</p> <p>Yes    No    If yes, Whatcom County grant contract number(s): _____</p> <p>Is this contract the result of a RFP or Bid process?    Contract</p> <p>Yes    No    If yes, RFP and Bid number(s): _____ Cost Center: _____</p> <p>Is this agreement excluded from E-Verify?    No    Yes    If no, include Attachment D Contractor Declaration form.</p> <p>If YES, indicate exclusion(s) below:</p> <p><input type="checkbox"/> Professional services agreement for certified/licensed professional.    Goods and services provided due to an emergency</p> <p><input type="checkbox"/> Contract work is for less than \$100,000.    <input type="checkbox"/> Contract for Commercial off the shelf items (COTS).</p> <p><input type="checkbox"/> Contract work is for less than 120 days.    <input type="checkbox"/> Work related subcontract less than \$25,000.</p> <p><input type="checkbox"/> Interlocal Agreement (between Governments).    <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.</p>	
<p>Contract Amount:(sum of original contract amount and any prior amendments):</p> <p>\$ _____</p> <p>This Amendment Amount:</p> <p>\$ _____</p> <p>Total Amended Amount:</p> <p>\$ _____</p>	<p>Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b>, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b></p> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance.</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
Summary of Scope: _____	
Term of Contract: _____	Expiration Date: _____

Contract Routing:	1. Prepared by: _____ Date: _____ 2. Attorney signoff: _____ Date: _____ 3. AS Finance reviewed: _____ Date: _____ 4. IT reviewed (if IT related): _____ Date: _____ 5. Contractor signed: _____ Date: _____ 6. Submitted to Exec.: _____ Date: _____ 7. Council approved (if necessary): _____ Date: _____ 8. Executive signed: _____ Date: _____ 9. Original to Council: _____ Date: _____
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**INTERAGENCY AGREEMENT**  
**between**  
**Bellingham Technical College**  
**and**  
**Whatcom County Emergency Medical Services/Whatcom County**

The Whatcom County Emergency Medical Services, (hereinafter the “County”), and Bellingham Technical College, (hereinafter the “College”), in consideration of the mutual covenants herein, agree as follows:

- I. **Purpose:** This Agreement outlines the organization, responsibilities, and administration of the EMT-Paramedic Training Program conducted as a cooperative agreement between the County and the College.
- II. **Program Administration:** It is understood that the College, and County shall be responsible for the direct supervision of their respective employees and that nothing in this Agreement will interfere with the employer/employee relationship or the functioning of the College or County herein named. In compliance with applicable law and State records guidelines, both parties will maintain documentation and/or records relevant to the program in this Agreement.
- III. **Financial Responsibility:** Financial responsibility for the Paramedic Training Program shall be that of the County who manages the funding for the program. The County will provide reimbursement to the College, not to exceed \$42,200 as presented in Exhibit A “Budget”. College will invoice the County when the Paramedic Training Program is half-complete and the remaining second half when the program has been completed for services rendered in accordance with the Agreement.
- IV. **Program Sponsorship:** The College shall be the sponsoring institution and, as such, the program will operate within the College’s appropriate policies and procedures.
- V. **Program Approval:** The program is approved through the Washington State Board for Community and Technical Colleges and the Washington State Department of Health. Accreditation is granted through the Commission on Accreditation of Allied Health Education Programs (CAAHEP).

**VI. Responsibilities of the College:**

- A. Provide oversight in verifying that the instructional process is conducted according to all required educational standards set forth by CAAHEP and Washington State Department of Health.
- B. Obtain concurrence from the County on the selection of the person to be appointed as the Medical Program Director/Training Physician. The Medical Program Director will be a licensed physician under RCW 18.71, and must meet all requirements of a Medical Program Director as defined in WAC 246-976-920.
- C. The program will be operated within the parameters, policies, and procedures of the College. Students will receive all rights and privileges of College's students and will be subject to all College procedures and policies.
- D. Provide instructional evaluation of program faculty per CAAHEP requirements. The process will include evaluative data collected from student evaluations, the Medical Program Director/Training Physician, Advanced Life Support Programs Medical Services Officer, and the College Supervisor.
- E. Per State Vocational requirements, the College will approve the Paramedic Lead Instructor and faculty as vocational instructor(s).
- F. Issue Certificates of Completion in Paramedic Training, to students who are deemed as successfully completing the program in accordance with CAAHEP standards.
- G. Provide access to the College's CANVAS eLearning tool.
- H. Assist with application to CAAHEP for program accreditation within the following parameters:
  - i. Request accreditation services;
  - ii. Assist with self-study development;
  - iii. Assist with syllabi development; and
  - iv. Assist with required documentation to be kept by both College and Department.
- I. Assign College supervisor to provide program oversight.
- J. Facilitate meetings of the Paramedic Program Advisory Committee, meeting State Board guidelines.
- K. Provide permanent repository for program records.
- L. Maintain required student malpractice insurance when program is in session.

N. Complete Washington State Department of Health training program and course applications.

**VII. Responsibilities of the County:**

- A. The County will appoint and supervise a Paramedic Training Course Director (PTCD), who will provide oversight to ensure the Program is being operated in accordance with Washington State Department of Health and Commission on Accreditation of Allied Health Education Programs standards and requirements.
- B. Ensure contracts with Bellingham Fire Department (BFD) and pre-course anatomy & physiology instructor are in place and current prior to the start date of the class. PTCD will act as liaison between College and (BFD) and anatomy & physiology instructor.
- C. Develop and maintain budget for the Program expenses. Provide financial support to College as outlined in Section IV.
- D. Provide any records and program information required from the County as needed for ongoing Program accreditation support.
- E. Approve students selected for the Paramedic program and provide College with appropriate admission and registration information and forms as needed.
- F. Participate on a regular basis, as a member of the Paramedic Program Advisory Committee reviewing the program's goals and progress, and make recommendations of needed changes, if any, to help insure its success.

**VIII. EMT-Paramedic Program Admission Procedures:** The EMT-Paramedic Program admission process will include two steps:

- i. Eligible Advanced Life Support Departments and Whatcom County Fire Departments or Districts employees, meeting admission requirements as set forth in RCW 18.71.205 and WAC 246.976.041, will be considered for the program upon recommendation of the Paramedic Training Course Director. Enrollment is not open to the public.
- ii. All students accepted for admission must have current Emergency Medical Technician (EMT) certification and a high school diploma or equivalent as per Washington State Department of Health (DOH) guidelines.

**IX. Program Administration:**

College Supervisor: Julie Samms, Dean, Bellingham Technical College, 3028 Lindbergh Ave., Bellingham, WA, 98225, (360) 752-8339 [jsamms@btc.edu](mailto:jsamms@btc.edu)

Whatcom County EMS Paramedic Training Course Director: Steven Cohen, MS, EMS Training Specialist; 800 E. Chestnut St. Bellingham, WA 98225 (360) 820-6157  
[scohen@co.whatcom.wa.us](mailto:scohen@co.whatcom.wa.us)

Bellingham Fire Department Coordinator: Div. Chief Scott Ryckman, Medical Services Officer, Bellingham Fire Department, 1800 Broadway, Bellingham, WA, 98225, (360) 778-8413 [sryckman@cob.org](mailto:sryckman@cob.org)

Paramedic Lead Instructor: Capt. Rob Stevenson, 1800 Broadway, Bellingham, WA 98225 [rstevenson@cob.org](mailto:rstevenson@cob.org)

- X. **Nondiscrimination:** There will be no discrimination against any participant covered under the Agreement because of race, color, religion, national origin, sex (including pregnancy and parenting status), disability, age, veteran status, sexual orientation, gender identity or expression, marital status or genetic information in programs or activities including employment, admissions, and educational programs
- XI. **Liability:** Each party to this Agreement will be responsible for the negligent or willful acts or omissions of its own employees, officers, volunteers or agents in the performance of this Agreement. Neither party will be considered the agent of the other nor does neither party assume any responsibility to the other party for the consequences of any act or omission of any person, firm, or corporation not a party to this Agreement. Each Party shall insure its own employees.
- XII. **Term of the Agreement:** This Agreement will be in effect for the 2021 class cycle for a class of six students.
- XIII. **Entire Agreement:** This Agreement constitutes the entire agreement between the parties, and supersedes all prior oral or written agreements, commitments, or understandings concerning the matters provided for herein.

**Authority:** The parties represented and covenant that they are authorized to sign as authorized agents of their respective college/agency.

**ACCEPTED**, agreed, and signed as of the date first set forth below

**EXECUTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for Bellingham Technical College:

**Approved as to Form:**

\_\_\_\_\_  
Chad Stiteler for  
Walter Hudsick, Interim College President

\_\_\_\_\_  
Kerena Higgins, Assistant Attorney General  
Assigned to Bellingham Technical College

EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, for Whatcom County:

\_\_\_\_\_  
Satpal Sidhu, County Executive

**Approved as to Form:**

Christopher Quinn per email 03/29/21  
Office of Prosecuting Attorney, Civil Division

**Exhibit 'A'**  
**Budget**

<b>BELLINGHAM TECHNICAL COLLEGE CONTRACT SERVICES – PARAMEDIC PROGRAM</b>	
Administration/Accreditation	(\$25,000 per cohort)
Medical Program Director	(\$16,000 per cohort)
A&P cohort support	(\$500.00 per cohort)
Complio (drug and background)	(\$700.00 per cohort)
<b>TOTAL</b>	<b>\$42,200</b>



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-189

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<b>File ID:</b>	AB2021-189	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/18/2021	<b>Entered by:</b>	JThomson@co.whatcom.wa.us		
<b>Department:</b>	Health Department	<b>File Type:</b>	Contract		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: KRoy@co.whatcom.wa.us

### **TITLE FOR AGENDA ITEM:**

Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the North Sound Accountable Communities of Health to supervise Whatcom Unified Command's (WUC) Volunteer Branch in the amount of \$15,000 for a total amended contract amount of \$55,000

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

See attachments

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### **HISTORY OF LEGISLATIVE FILE**

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Proposed Amendment





## **MEMORANDUM**

**TO:** Satpal Sidhu, County Executive

**FROM:** Erika Lautenbach, Director

**RE:** North Sound Accountable Communities of Health (ACH) – COVID-19  
Whatcom Unified Command (WUC) Support Services Amendment #2

**DATE:** March 18, 2021

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Attached is a contract amendment between Whatcom County and North Sound ACH for your review and signature.

▪ **Background and Purpose**

The North Sound ACH has provided volunteer and strategic planning support services to Whatcom County Unified Command during the COVID-19 pandemic. ACH's staff have provided supervision of WUC's Volunteer Branch and coordinated COVID-19 modeling and strategic planning efforts between WUC and the Health Department. The Health Department took over administration of this contract in January and extended it through June 30<sup>th</sup> without adding additional funds. Once all of the invoices were reconciled by Finance, a need to increase funding for the extended contract period was identified. The purpose of this amendment is to increase funding by \$15,000 and revise invoicing requirements.

▪ **Funding Amount and Source**

Funding for this contract is not to exceed \$55,000. Funds under this contract are made available by grants awarded by the US Department of Treasury and subject to Section 601(a) of the Social Security Act, as amended by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and Title V and VI of the CARES Act, passed through the Washington State Department of Health COVID-19 Local Cares Grant (CFDA 21.019). These funds are included in the 2021 budget. Council approval is required as funding exceeds \$40,000.

Please contact Kathleen Roy at extension #6007 if you have any questions regarding this agreement.

Encl.



**WHATCOM COUNTY  
CONTRACT INFORMATION SHEET**

Whatcom County Contract Number:  
202007047 – 2

Originating Department:		85 Health	
Division/Program: (i.e. Dept. Division and Program)		8510 Administration / 851000 Administration	
Contract or Grant Administrator:		Erika Lautenbach	
Contractor's / Agency Name:		North Sound Accountable Communities of Health	

Is this a New Contract?	If not, is this an Amendment or Renewal to an Existing Contract?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:		

Does contract require Council Approval?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If No, include WCC:
Already approved? Council Approved Date:		(Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement?	If yes, grantor agency contract number(s):	CFDA#:	21.019
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			

Is this contract grant funded?	If yes, Whatcom County grant contract number(s):	201801023
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Is this contract the result of a RFP or Bid process?	If yes, RFP and Bid number(s):	Contract Cost Center:	660430
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			

Is this agreement excluded from E-Verify?	No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>
-------------------------------------------	---------------------------------------------------------------------

If YES, indicate exclusion(s) below:

<input type="checkbox"/> Professional services agreement for certified/licensed professional.	<input type="checkbox"/> Contract for Commercial off the shelf items (COTS).
<input checked="" type="checkbox"/> Contract work is for less than \$100,000.	<input type="checkbox"/> Work related subcontract less than \$25,000.
<input type="checkbox"/> Contract work is for less than 120 days.	<input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.
<input type="checkbox"/> Interlocal Agreement (between Governments).	

Contract Amount:(sum of original contract amount and any prior amendments):	<p>Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b>, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b></p> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
\$ 40,000	
This Amendment Amount:	
\$ 15,000	
Total Amended Amount:	
\$ 55,000	

Summary of Scope: This contract provides funding for Whatcom Unified Command strategic planning support and volunteer supervision services.

Term of Contract:	13 Months	Expiration Date:	06/30/2021
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Contract Routing:	1. Prepared by:	JT	Date:	03/05/2021
	2. Health Budget Approval	KR/JG	Date:	03/18/2021
	3. Attorney signoff:	RB	Date:	03/18/2021
	4. AS Finance reviewed:	M Caldwell	Date:	3/18/21
	5. IT reviewed (if IT related):		Date:	
	6. Contractor signed:		Date:	
	7. Submitted to Exec.:		Date:	
	8. Council approved (if necessary):	AB2021-189	Date:	
	9. Executive signed:		Date:	
	10. Original to Council:		Date:	

## WHATCOM COUNTY CONTRACT AMENDMENT

### PARTIES:

**Whatcom County**  
**Whatcom County Health Department**  
**509 Girard Street**  
**Bellingham, WA 98225**

### AND CONTRACTOR:

**North Sound Accountable Communities of Health**  
**PO Box 4256**  
**Bellingham, WA 98227**

### CONTRACT PERIODS:

**Original:** 06/01/2020 – 12/31/2020  
**Amendment #1:** 01/01/2021 – 06/30/2021  
**Amendment #2:** 02/01/2021 – 06/30/2021

**THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO**

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### DESCRIPTION OF AMENDMENT:

1. Add Exhibit C – Additional Compensation, to reflect additional funding for the budget for the contract period (02/01/2021 – 06/30/2021) and to revise invoicing requirements.
2. Funding for the total contract period (06/01/2020 – 06/30/2021) is not to exceed \$55,000.
3. All other terms and conditions remain unchanged.
4. The effective start date of the amendment is 02/01/2021.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

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DEPARTMENT HEAD APPROVAL: \_\_\_\_\_  
Erika Lautenbach, Health Department Director Date

APPROVAL AS TO FORM: \_\_\_\_\_  
Royce Buckingham, Prosecuting Attorney Date

FOR THE CONTRACTOR:

	Elizabeth Baxter, CEO	
Contractor Signature	Print Name and Title	Date

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FOR WHATCOM COUNTY:

Satpal Singh Sidhu, County Executive	Date
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**CONTRACTOR INFORMATION:**

North Sound Accountable Community of Health  
PO Box 4256  
Bellingham, WA 98227  
[Liz@northsoundach.org](mailto:Liz@northsoundach.org)

**EXHIBIT “C” – Amendment #2**  
**(ADDITIONAL COMPENSATION)**

- I. **Budget and Source of Funding:** Additional funding for the contract period (02/01/2021 – 06/30/2021) may not exceed \$15,000. Funds under this contract are made available and are subject to Section 601(a) of the Social Security Act, as amended by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and Title V and VI of the CARES Act. This project was supported by a grant awarded by the US Department of the Treasury. Grant funds are administered by the Washington State Department of Health Emergency Preparedness & Response COVID-19 Local CARES Grant (CFDA 21.019).

Task	Documents Required Each Invoice	Total Budget
WUC Support: Volunteer Branch Director – Erica Littlewood	Composite billing rate worksheet and timesheet for the period. Time must be documented by quarter hour.	\$15,000
TOTAL		\$15,000

**II. Invoicing**

1. The Contractor shall submit invoices to (include contract/PO #) [HL-BusinessOffice@co.whatcom.wa.us](mailto:HL-BusinessOffice@co.whatcom.wa.us).
2. The Contractor shall submit itemized invoices on a monthly basis in a format approved by the County. Monthly invoices must be submitted by the 15<sup>th</sup> of the month following the month of service. Invoices submitted for payment must include the items identified in the table above.
3. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this contract.
4. Invoices must include the following statement, with an authorized signature and date:

**I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.**

5. Duplication of Billed Costs or Payments for Service: The Contractor shall not bill the County for services performed or provided under this contract, and the County shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-194

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<b>File ID:</b>	AB2021-194	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	DDuling@co.whatcom.wa.us		
<b>Department:</b>	Sheriff's Office	<b>File Type:</b>	Contract		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: dduling@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Parks and Recreation Commission for FY2021 Recreational Boating Safety Federal Financial Assistance Grant, in the amount of \$19,290.64

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Attachment

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo 3-17-21, Contract

**WHATCOM COUNTY  
SHERIFF'S OFFICE**


**BILL ELFO**  
SHERIFF



PUBLIC SAFETY BUILDING  
311 Grand Avenue  
Bellingham, WA 98225-4038  
(360) 778-6600

**MEMORANDUM**

To: Satpal Sidhu, County Executive

From: Bill Elfo, Sheriff 

Date: March 17, 2021

Subject: Washington State Parks and Recreation Commission  
Recreational Boating Safety Federal Financial Assistance Grant 2021  
Recreational Boating Safety Federal Financial Assistance Grant 2021- Subsequent  
Award

Enclosed for your review and signature are two (2) original agreements between Whatcom County and Washington State Parks and Recreation Commission for grant period March 1, 2021 through September 30, 2021

**Background and Purpose**

The Whatcom County Sheriff's Office operates a state approved boating safety program under WAC 352-65 and provides recreational boating safety patrols and enforcement of both county code and state law.

**Funding Amount and Source**

The Washington State Parks and Recreation Commission awarded Recreational Boating Safety Federal Financial Assistance Grant Funds of \$14,290.64 to the Whatcom County Sheriff's Office for 2021. The subsequent award is in the amount of \$5,000.00 for a total of \$19,290.64

**Differences from Previous Contract**

A decrease in funding of \$490.00 from the previous award.

Original award in 2020 was \$14,780.64 with a subsequent award of \$5,000.00

Please contact Undersheriff Doug Chadwick at extension 6618 if you have any questions or concerns regarding the terms of this agreement.

Thank you.

enclosure



# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

Originating Department:	Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	3520 Bureau of LE & Investigations / 352060 Boating Program
Contract or Grant Administrator:	Doug Chadwick, Undersheriff
Contractor's / Agency Name:	Washington State Parks and Recreation Commission
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____	
Does contract require Council Approval? Yes <input checked="" type="radio"/> No <input type="radio"/> If No, include WCC: _____ Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: 97.012	
Is this contract grant funded? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process? Contract _____ Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, RFP and Bid number(s): _____ Cost Center: 1003512006	
Is this agreement excluded from E-Verify? No <input type="radio"/> Yes <input checked="" type="radio"/> If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Goods and services provided due to an emergency <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments): \$ 19,290.64 This Amendment Amount: \$ _____ Total Amended Amount: \$ 19,290.64	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when</b> : 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies. 4. Equipment is included in Exhibit "B" of the Budget Ordinance. 5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.
Summary of Scope: _____	
The Sheriff's Office received a Recreational Boating Safety (RBS) Grant from Washington State Parks and Recreation Commission. This is an annual grant awarded to the Sheriff's Office to conduct on-the-water patrols to increase education and enforcement activities, encouraging greater compliance with boating safety laws in an effort to reduce boating related loss of life, personal injury, and property damage. Original grant of \$14,290.64 and a grant increase for instructor support of \$5,000.00.	
Term of Contract: 3/1/21	Expiration Date: 9/30/21

Contract Routing:	1. Prepared by: D.Duling	Date: 3/16/21
	2. Attorney signoff: <u>Approved via email BGL/DD</u>	Date: <u>3/17/21</u>
	3. AS Finance reviewed: <u>Approved via email BGL/DD</u>	Date: <u>3/17/21</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: _____	Date: _____
	7. Council approved (if necessary): _____	Date: _____
	8. Executive signed: _____	Date: _____
	9. Original to Council: _____	Date: _____



Don Hoch  
Director



STATE OF WASHINGTON

## WASHINGTON STATE PARKS AND RECREATION COMMISSION

1111 Israel Road S.W. • P.O. Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500

*TDD Telecommunications Device for the Deaf: 800-833-6388*

[www.parks.wa.gov](http://www.parks.wa.gov)

### **FEDERAL FINANCIAL ASSISTANCE GRANT**

In exchange for grant dollars in the amount of \$14,290.64, Whatcom County Sheriff's Office agrees to the following terms:

- To expend **local funds** in the amount of \$27,909.23 during Federal Fiscal Year 2021 that will satisfy the match requirement of this grant.
- To use funds solely for expenditures limited to the areas outlined in the document "Eligible Expenses of Vessel Registration Fees and Federal Financial Assistance Grants" that can be found at <http://mle.parks.wa.gov/>.
- To use Federal grant funds consistent with the requirements of 2 CFR 200.
- To make at least one instructor available upon request as outlined in the A-300 application.
- To meet all requirements outlined in the annual Vessel Registration Fee Agreement (A-299) with Washington State Parks.
- To follow these procedures to request reimbursement:
  - Use the Marine Law Enforcement Grant Invoice Voucher (form A-19) to invoice State Parks for reimbursement.
  - Submit invoices no more than monthly and no less than quarterly.
  - Submit invoices with the following documents:
    - Officer List Worksheet.
    - Detailed explanations for equipment purchases and maintenance expenditures that occurred during the period in which reimbursement is requested.
    - Maintain records for all allowable expenditures for which grant dollars were spent for a period of six years following the completion of the grant, and provide them to State Parks upon request. This includes vessel log sheets.
  - Submit A-19 Invoice Vouchers by the following dates:
    - For the period March-April-May-June (2nd quarter): by July 15th.
    - For the period July-August-September (3rd quarter): by October 15th.

- If, during any quarter, Whatcom County Sheriff's Office is unable to meet the requirements of the grant it will submit a letter, signed by the police chief or sheriff, along with the reimbursement request explaining the reasons and mitigating circumstances. If requested, Whatcom County Sheriff's Office will submit a plan within 30 days of the end of the quarter that describes steps Whatcom County Sheriff's Office will take to meet minimum requirements. In these cases, reimbursement requests may be deferred until the plan is received and approved by State Parks.
- Consider a "zero tolerance" enforcement policy for violations of:
  - Life jacket requirements, including lifejackets not worn, insufficient lifejackets, and lifejackets found unserviceable or the incorrect size
  - Completion and possession of the mandatory boater education card when operating, for operators required to carry it
  - Boat operation under the influence of alcohol (BUI) rules
  - "Rules of the road" and other operating regulations
- Participate with Washington State Parks in the following campaigns:
  - Operation Dry Water
  - National Safe Boating Week
  - Spring Aboard
  - Paddle Safety Week
- My agency will accomplish the goals stated in the A-300 online application and summarized after the signature in this agreement.

### **AUTHORIZED SIGNATURE**

I certify that I am authorized to obligate the Whatcom County Sheriff's Office listed below, I am authorized to accept such funds, and to guarantee that all grant requirements outlined in this agreement will be met.

<p><u>see attached</u></p> <p>_____          Signing Officer Signature</p> <p>_____          Signing Officer Name (Please Print)</p>	<p>_____          Date</p> <p>_____          Title</p>
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<b>PREVENTION GOALS SUMMARY</b>	
Total Patrol Hour Goal	802.00
Total Inspections Goal	400.00
Count of State Approved Boater Education Classes Planned	2.00
Sum of Hours for State Approved Boater Education Classes	16.00
Sum of State Approved Boater Education Classes Planned Attendance	50.00
Count of Community Events	4.00
Sum of Community Events Hours	196.00
Count of Presentations to Schools	1.00
Sum of Presentation to Schools Hours	0.00
Count of Presentations to Groups	2.00
Sum of Presentations to Groups Hours	5.00
Count of Dealer Visits Planned	9.00
Sum of Dealer Visits Hours	9.00
Count of Rental Sites Planned	5.00
Sum of Rental Site Visits Hours	6.00
Owned Media Posts	16.00
Earned Media Posts	16.00
Count of Partnering Organizations	1.00
Sum of Partnering Organization Hours	4.00

**WHATCOM COUNTY:**

**Recommended for Approval:**

  
\_\_\_\_\_  
Bill Elfo, Sheriff

03-19-21  
\_\_\_\_\_  
Date

**Approved as to form:**

Approved by email BW/BD 3/17/21  
\_\_\_\_\_  
Prosecuting Attorney

\_\_\_\_\_  
Date

**Approved:**

Accepted for Whatcom County:

By: \_\_\_\_\_  
Satpal Sidhu, Whatcom County Executive

\_\_\_\_\_  
Date

STATE OF WASHINGTON     )  
                                          ) ss  
COUNTY OF WHATCOM     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me personally appeared Satpal Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, residing at Bellingham.  
My commission expires \_\_\_\_\_.





Don Hoch  
Director

STATE OF WASHINGTON  
**WASHINGTON STATE PARKS AND RECREATION COMMISSION**

1111 Israel Road S.W. • P.O. Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500  
TDD Telecommunications Device for the Deaf: 800-833-6388  
[www.parks.wa.gov](http://www.parks.wa.gov)

**To:** Whatcom County Sheriff William Elfo

**From:** Washington State Parks Boating Program, Boating Law Administrator

**Subject:** Grant Increase for Instructor Support

**Date:** December 1, 2020

Your agency is a Subrecipient of a federal grant {state number and/or identifying information to the underlying agreement if you can/if you know it}, under the authority of 2CFR 200 and other federal terms and conditions. Under this Sub recipient contractual agreement, your agency supports the function and mission of the Recreational Boating Safety program by providing instructors to the Washington State Parks and Recreation Commission (WSPRC). I am pleased to share that the previous award amount is being increased for this period (see below).

Your agency for providing instructor(s) to the State Parks RBS program will be awarded an additional \$5000.00 to your Federal Financial Assistance Grant, available after May 31. These funds will be based on a commitment of 80 hours of instructor services. For instructor services less than 80 hours, a sum of \$500.00 per day will be awarded. Your current grant amount of \$14,290.64 is increased to \$19,290.64 upon acknowledgement of this notification and as indicated herein. As WSPRC has grown the number and types of boating courses offered it has required much more support and participation from your personnel and your agency.

This increased amount may change from year to year based on multiple factors that may affect the Federal Financial Assistance Grants. However, it is WSPRC intention to compensate your agency for authorized reimbursable expenditures for your efforts in actively supporting Recreational Boating Safety in Washington State. Without your personnel and the support provided to them by your agency, our ability to offer basic and advanced level marine law enforcement training would be severely impacted.

Please do not hesitate to email or call Matt Stowers 360-791-4668 [matt.stowers@parks.wa.gov](mailto:matt.stowers@parks.wa.gov), Marine Law Enforcement Coordinator if there are any questions.

To activate the federal grant reimbursement agreement for this time, please acknowledge your understanding, obligation, and commitment by legibly completing, signing, and dating below and returning the same to WASPRC, Matt Stowers (contact information above).

*See attached*

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Phone

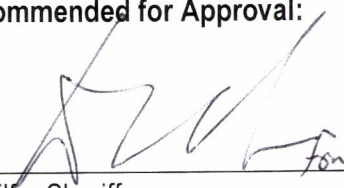
\_\_\_\_\_  
Email

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**WHATCOM COUNTY:**

**Recommended for Approval:**

  
\_\_\_\_\_  
Bill Elfo, Sheriff

03-19-21  
Date

**Approved as to form:**

approved by email BW/BS 3/17/21  
\_\_\_\_\_  
Prosecuting Attorney

\_\_\_\_\_  
Date

**Approved:**

Accepted for Whatcom County:

By: \_\_\_\_\_  
Satpal Sidhu, Whatcom County Executive

\_\_\_\_\_  
Date

STATE OF WASHINGTON     )  
                                          ) ss  
COUNTY OF WHATCOM     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me personally appeared Satpal Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, residing at Bellingham.  
My commission expires \_\_\_\_\_.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-203

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<b>File ID:</b>	AB2021-203	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	SWinger@co.whatcom.wa.us		
<b>Department:</b>	Finance Division	<b>File Type:</b>	Bid Award		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: swinger@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request approval for the County Executive to authorize the purchase of vehicle body repair services, using the Washington State Contract #05015, in an annual amount not to exceed \$80,000

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Per WCC 3.08.100(A), Public Works Equipment Services requests approval for the County Executive to authorize the purchase of vehicle body repair services on an as-needed basis, not to exceed \$80,000 annually, using Washington State Contract #05015. The state contract is currently valid through October 1, 2021. Should the state contract be extended, Public Works would like to continue this approval through the termination of the state contract extension, or December 2022 (current budget biennium), whichever comes first. The state contract is awarded to, and services are coordinated through The CEI Group, and the authorized local vendor is Gitt's Autobody, located in Ferndale. This is a regularly budgeted expenditure and funds exist in the current Equipment Services budget

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
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**Attachments:** Staff Memo





DATE: March 17, 2021  
TO: Tyler Schroeder, Director of Administrative Services  
FROM: Brad Bennett, Administrative Services Finance Manager  
SUBJECT: Approval to Purchase Vehicle Body Repair Services

▪ **Background & Purpose**

Public Works Equipment Services is requesting approval to use the Washington State Contract #05015 (Expires 10/01/2021) to purchase auto body repair services through October 1, 2021. If the current state contract is extended, Public Works would like to continue this approval through the termination of the contract extension, or December 2022 (current budget biennium), whichever comes first.

The state contract is awarded to The CEI Group, and the local authorized vendor is Gitt's Autobody, located in Ferndale.

Repair services are purchased on an as-needed basis. Annual expenditures will not exceed \$80,000.00.

▪ **Funding**

This is a regularly budgeted expenditure and funds exist in the current budget. I concur with this recommendation.

A handwritten signature in blue ink, appearing to read "Brad Bennett", is written over a horizontal line.

AS Finance Manager

Approved as recommended:

\_\_\_\_\_  
Director of Administrative Services

Date of Council Action\_\_\_\_\_

**WHATCOM COUNTY  
PUBLIC WORKS DEPARTMENT**



**EQUIPMENT SERVICES DIVISION**

901 W. Smith Road  
Bellingham, WA 98226-9610  
Phone (360) 778-6400  
Fax (360) 778-6401

**Jon Hutchings**  
Director

**Eric L. Schlehuber, Division Manager**

**MEMORANDUM**

**To:** Brad Bennett, AS Finance Manager  
**Through:** Jon Hutchings, Public Works Director *Erik For PW Dir*  
**From:** Eric L. Schlehuber, PW Equipment Services Manager *ES*  
**Date:** February 23, 2021  
**Re:** Washington State Contract #05015 (Vehicle Accident Management Services)

• **Requested Action**

I am requesting Executive and Council approval to purchase auto body work as needed from the Washington State Bid Procurement List through October 1, 2021. The current state contract term is for the period of 03/10/2016 through 10/01/2021.

VENDOR	STATE CONTRACT	EXPIRATION DATE	ANNUAL EXPENDITURES NOT TO EXCEED
The CEI Group	05015	October 1, 2021	\$80,000

This state contract has been awarded to the CEI Group. Gitt's AutoBody in Ferndale, Washington is the local authorized vendor.

• **Background and Purpose**

The Equipment Services Division of the Public Works Department uses the above local vendor for all body repairs on county vehicles and equipment.

• **Funding Amount and Source**

These are regularly budgeted expenditures for auto body repairs, which is used on an annual basis as needed and has been budgeted during the 2021 - 2022 Budget process. Annual expenditures were \$38,148 for 2018, \$46,906 for 2019 and \$74,840 for 2020.

• **Recommended Action**

Please approve this purchase and forward to the County Executive and the Whatcom County Council for approval at the March 23, 2021 Whatcom County Council Meeting.

Please contact Eric L. Schlehuber at extension 6405 if you have any questions or concerns.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-211

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<b>File ID:</b>	AB2021-211	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/24/2021	<b>Entered by:</b>	JThomson@co.whatcom.wa.us		
<b>Department:</b>	Health Department	<b>File Type:</b>	Contract		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: CDonofri@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide housing case management services in the amount of \$68,692 for a total amended contract amount of \$965,759

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See attachments

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Proposed Amendment



## MEMORANDUM

**TO:** Satpal Sidhu, County Executive  
**FROM:** Erika Lautenbach, Director  
**RE:** Lydia Place – Housing Case Management Contract Amendment #7  
**DATE:** March 24, 2021

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Attached is a contract amendment between Whatcom County and Lydia Place for your review and signature.

▪ **Background and Purpose**

This contract funds the provision of housing case management services in association with the Whatcom Homeless Service Center. The purpose of this contract is to provide case management and supportive services to those individuals experiencing homelessness or who are newly housed, in order to improve housing stability and reduce homelessness in Whatcom County. This amendment adds \$31,242 in Consolidated Homeless Grant funding for permanent supportive housing for chronically homeless families with children. An additional \$37,450 from the Emergency Solutions Grant-CV will support increased case management, motel costs and subsequent indirect costs for families with children experiencing or at-risk of homelessness. This added funding will support case management for 12 families with children and 6 – 7 families will benefit from motel-based emergency shelter.

▪ **Funding Amount and Source**

Funding for this contract, in an amount not to exceed \$227,959 for this contract period (01/01/2021 – 06/30/2021) and \$965,759 for the entire contract period (01/01/2017 – 06/30/2021), is provided by local document recording fees, HB 2060, and the Washington State Department of Commerce Consolidated Homeless and Emergency Solutions COVID-19 Grants (CFDA 14.231). These funds are included in the 2021 budget. Council approval is required as this amendment adds more than 10% in funding to the approved budget.

Please contact Kathleen Roy at extension #6007 if you have any questions regarding this agreement.

Encl.

**WHATCOM COUNTY  
CONTRACT INFORMATION SHEET**

Whatcom County Contract Number:  
201611028 – 7

Originating Department:		85 Health	
Division/Program: (i.e. Dept. Division and Program)		8550 Human Services / 855040 Housing Program	
Contract or Grant Administrator:		Christopher D'Onofrio	
Contractor's / Agency Name:		Lydia Place	

Is this a New Contract?	If not, is this an Amendment or Renewal to an Existing Contract?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #:	201611028	

Does contract require Council Approval?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If No, include WCC:
Already approved? Council Approved Date:		(Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement?	If yes, grantor agency contract number(s):	CFDA#:	14.231
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			

Is this contract grant funded?	If yes, Whatcom County grant contract number(s):	202008014 / 201907017
Yes <input type="checkbox"/> No <input type="checkbox"/>		

Is this contract the result of a RFP or Bid process?	If yes, RFP and Bid number(s):	Contract Cost Center:	122200 / 122800
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	16-47		

Is this agreement excluded from E-Verify?	No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>	If no, include Attachment D Contractor Declaration form.
If YES, indicate exclusion(s) below:		
<input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Interlocal Agreement (between Governments).		
<input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Work related subcontract less than \$25,000. <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.		

Contract Amount:(sum of original contract amount and any prior amendments):	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> <ol style="list-style-type: none"> <li>1. Exercising an option contained in a contract previously approved by the council.</li> <li>2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.</li> <li>3. Bid or award is for supplies.</li> <li>4. Equipment is included in Exhibit "B" of the Budget Ordinance</li> <li>5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.</li> </ol>
\$ 897,067	
This Amendment Amount:	
\$ 68,692	
Total Amended Amount:	
\$ 965,759	

Summary of Scope: This contract provides funding for case management services to individuals receiving rental subsidies through the Whatcom Homeless Service Center in order to improve housing stability and reduce homelessness in Whatcom County.

Term of Contract:	6 Months	Expiration Date:	06/30/2021
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Contract Routing:	1. Prepared by:	JT	Date:	03/03/2021
	2. Health Budget Approval	KR/JG	Date:	03/19/2021
	3. Attorney signoff:	RB	Date:	03/23/2021
	4. AS Finance reviewed:	M Caldwell	Date:	3/22/21
	5. IT reviewed (if IT related):		Date:	
	6. Contractor signed:		Date:	
	7. Submitted to Exec.:		Date:	
	8. Council approved (if necessary):	AB2021-211	Date:	
	9. Executive signed:		Date:	
	10. Original to Council:		Date:	

## WHATCOM COUNTY CONTRACT AMENDMENT

### PARTIES:

Whatcom County  
Whatcom County Health Department  
509 Girard Street  
Bellingham, WA 98225

### AND CONTRACTOR:

Lydia Place  
PO Box 28487  
Bellingham, WA 98228

### CONTRACT PERIODS:

Original:	01/01/2017 – 12/31/2017	Amendment #4:	01/01/2019 – 12/31/2019
Amendment #1:	08/01/2017 – 12/31/2017	Amendment #5:	01/01/2020 – 12/31/2020
Amendment #2:	01/01/2018 – 12/31/2018	Amendment #6:	01/01/2021 – 06/30/2021
Amendment #3:	12/01/2018 – 12/31/2018	Amendment #7:	01/01/2021 – 06/30/2021

THE CONTRACT IDENTIFIED HEREIN, INCLUDING ANY PREVIOUS AMENDMENTS THERETO, IS HEREBY AMENDED AS SET FORTH IN THE DESCRIPTION OF THE AMENDMENT BELOW BY MUTUAL CONSENT OF ALL PARTIES HERETO

### DESCRIPTION OF AMENDMENT:

1. Amend Exhibit A – Scope of Work, IV. Program Outcomes (V) to reflect an increase in the number of households served; revised Exhibit A is attached.
2. Amend Exhibit B – Compensation to add:
  - a. \$28,402 in Consolidated Homeless Grant funding for rental assistance and case management personnel for chronically homeless families with children and \$2,840 in subsequent indirect costs;
  - b. \$15,000 in Emergency Solutions Grant funding for additional case management support, \$20,000 for motel costs and \$2,450 in subsequent indirect costs. This funding will support 6-7 families with children in motel stays and 12 families will receive case management services.
3. Funding for this contract period (01/01/2021 – 06/30/2021) is not to exceed \$227,959.
4. Funding for the total contract period (01/01/2017 – 06/30/2021) is not to exceed \$965,759.
5. All other terms and conditions remain unchanged.
6. The effective start date of the amendment is 01/01/2021.

ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND ANY PREVIOUS AMENDMENTS THERETO REMAIN IN FULL FORCE AND EFFECT. ALL PARTIES IDENTIFIED AS AFFECTED BY THIS AMENDMENT HEREBY ACKNOWLEDGE AND ACCEPT THE TERMS AND CONDITIONS OF THIS AMENDMENT. Each signatory below to this Contract warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the contract and bind the party thereto.

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APPROVAL AS TO PROGRAM: \_\_\_\_\_  
Anne Deacon, Human Services Manager Date

DEPARTMENT HEAD APPROVAL: \_\_\_\_\_  
Erika Lautenbach, Health Department Director Date

APPROVAL AS TO FORM: \_\_\_\_\_  
Royce Buckingham, Prosecuting Attorney Date

FOR THE CONTRACTOR:

Emily O'Connor, Executive Director		
Contractor Signature	Print Name and Title	Date

FOR WHATCOM COUNTY:

Satpal Singh Sidhu, County Executive	Date
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**CONTRACTOR INFORMATION:**

**Lydia Place**  
PO Box 28487  
Bellingham, WA 98228  
[eoconnor@lydiaplace.org](mailto:eoconnor@lydiaplace.org)

**EXHIBIT "A" – Amendment #7**  
**(SCOPE OF WORK)**

**I. Background**

According to the annual point in time count of homeless persons conducted in January of 2019, at least 700 people in Whatcom County were homeless. Throughout the year, more may face the prospect of losing their homes. Whatcom County's Plan to End Homelessness provides a blueprint for how our community will work together to prevent and end homelessness. The provision of housing assistance and case management services are key strategies of the Plan.

Housing case management under WHSC partnership includes both rental subsidy and housing case management components. The WHSC staff determines client eligibility for services and authorizes and distributes rent subsidies to local landlords on behalf of participating clients, makes referrals for case management to partner agencies, and coordinates required data collection efforts. Through this contract, Lydia Place will serve as one of the Whatcom Homeless Service Center (WHSC) partner agencies providing housing case management.

The purpose of this contract is to provide case management for individuals and families experiencing homelessness in order to improve housing stability and reduce homelessness in Whatcom County.

**II. Definitions**

Housing Interest Pool (HIP)	Quasi wait list that serves clients waiting for housing services based on their needs and available resources instead of a first come, first served basis.
HMIS	Washington's Homeless Management Information Services, a data base.
Permanent Supportive Housing Population	Chronically homeless individuals/households with significant barriers to permanent housing; will receive deep rent subsidies and intensive housing case management. Chronically Homeless Families (CHF) have one head of household that meets the definition of chronic homelessness (as stated in CHG Guidelines), and one or more dependents defined as minor children, disabled dependents, or full time students. Household income may not exceed 50% area median gross income as defined by HUD.
Whatcom Homeless Service Center (WHSC)	WHSC programs provide (1) centralized coordinated system of access (2) targeted prevention assistance to reduce the number of households that become homeless, (3) re-housing of those who become homeless, (4) supportive services promoting housing stability and self-sufficiency, and (5) data management and tracking information for people receiving homeless housing services in Whatcom County and according to Washington State Department of Commerce HMIS data collection requirements.

**III. Statement of Work**

The contractor will provide housing case management services. Housing case management includes activities for the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of households and helping them obtain housing stability. Services and activities include: developing, securing, and coordinating services; monitoring and evaluating household progress; assuring that households' rights are protected; developing an individualized housing and service plan, including a path to permanent housing stability subsequent to assistance. Housing case management also includes services or activities designed to assist households in locating, obtaining, and retaining suitable housing such as: tenant counseling, assisting individuals and households to understand leases, securing utilities, making moving arrangements, representative payee



services concerning rent and utilities, and mediation and outreach to property owners related to locating or retaining housing.

Services will be provided to low-income and/or homeless individuals and households residing in Whatcom County. Eligible individuals and households served shall have incomes at or below 50% Area Median Income (AMI).

#### **IV. Program Outcomes**

During this six month contract period, the housing case management services provided by Lydia Place will deliver the following outcomes:

1. Forty-five (45) households in Permanent Supportive Housing or Rapid Rehousing programs will receive case management services
2. Thirty-two (32) currently homeless households will receive case management services
3. The contractor will strive to rapidly rehouse clients with the goal of most moving into housing in 65 days or less from enrollment in case management and with an average (mean) enrollment period of 80 days or less
4. The contractor will strive to create housing stability with the target of moving 10 households from homelessness into housing stability while preventing all case managed households in housing from becoming homeless.
5. At least four (4) chronically homeless (CH) families with children (FWC) will receiving housing subsidies funded by a special category of Consolidated Homeless Grant (CHG) funding designated specifically for permanent supportive housing for CH FWC, and at least six (6) families will receive housing case management support funded by a special category of CHG funding specifically designated for permanent supportive housing for CH FWC.
6. An additional 12 families with children will be provided with case management funded with Emergency Solutions Grant-COVID (ESG-CV) for motel-based emergency shelter to permanent housing (rapid rehousing) during the period of 4/1/21-6/30/21. Households must meet eligibility criteria of the ESG-CV.
7. At least 6-7 families with children experiencing or at-risk of homelessness will be housed in motels as non-congregate emergency shelter.

#### **V. Additional Requirements**

The contractor will:

1. Comply with all of the State of Washington, Department of Commerce Consolidated Homeless Grant (CHG) requirements, policies and procedures in the CHG Guidelines including periodic updates to the Guidelines which can be accessed at <http://www.commerce.wa.gov/serving-communities/homelessness/consolidated-homeless-grant/>.
2. Comply with relevant State of Washington, Department of Commerce Emergency Solutions COVID-19 Grant guidelines, including periodic updates to the guidelines which can be accessed at: <https://deptofcommerce.app.box.com/s/s2w7o65zm4buhz2bk7t0n3femanl7tml> and <https://www.commerce.wa.gov/serving-communities/homelessness/emergency-solutions-grant/>
3. Commit to ending homeless in Whatcom County by:
  - a. Prioritizing unsheltered homeless households for services (as per CHG Guidelines).
  - b. Assessing each household's housing needs and facilitating housing stability with the goal of obtaining or maintaining permanent housing (as per CHG Guidelines).

- c. Employing a progressive engagement service model (as per CHG Guidelines).
  - d. Prioritizing households likely to become homeless when using prevention rental assistance (as per CHG Guidelines).
- 4. Comply with Special Conditions of Commerce Grants incorporated herein incorporated as Exhibit E.
- 5. Comply with Special Terms and Conditions for Commerce Emergency Solutions Grant – COVID 19 ESG-CV – CFDA #14.231 herein incorporated as Exhibit F.
- 6. Comply with state confidentiality laws and regulations.
- 7. Ensure that all costs incurred comply with CHG Guidelines as specified in Section V.(1) above and Exhibit E.
- 8. Commit to reporting complete quality data that is timely, truthful and accurate (as per CHG Guidelines and HMIS User Agreement).
- 9. Consequences of non-compliance with CHG Guidelines as per the WA State Department of Commerce, include:
  - a. If Commerce determines that a Grantee is failing to comply with the Guidelines, Terms and Conditions, Commerce will notify Grantee that Grantee will receive technical assistance and be required to respond to a corrective action plan to address and remedy the non-compliance.
  - b. If the Grantee is still out of compliance after the technical assistance, Commerce may move the Grantee into a probationary period with a second corrective action plan and may reduce the grant total by 20%.
  - c. If the Grantee remains out of compliance after the probation period, Commerce may terminate the grant per the General Terms and Conditions TERMINATION FOR CAUSE.
- 10. Participate in HMIS data collection efforts as directed by the WHSC; including HMIS training, HMIS data entry, updating client data as necessary, and exiting clients from HMIS. Services which must be inputted into HMIS include (but are not limited to) financial services—including deposits, rental payments, and completed home visits.
- 11. Comply with the following HIP Referral procedure. When Contractor staff believes a referral from the HIP is not a good fit for their program – a situation that should be rare - the following procedure must be followed:
  - a. Contractor will submit a written description of the situation that justifies returning the client to the HIP.
  - b. An in-person case conference must be scheduled within five days of request to return a referral. The case conference will include Contractor staff, WHSC housing referral specialist, and HIP case management services coordinator (or designee).
  - c. The course of action mutually agreed to at the case conference will be recorded in writing, constituting a binding agreement.
  - d. As the parties to this contract learn more about referral success factors, procedures may be amended accordingly.
- 12. Promote public health in homeless housing and preserve the safety and stability of available housing stock for homeless housing by:
  - a. Inform clients/tenants of the importance of upholding safety and health in homeless housing, and of preserving continued access to housing by our homeless housing system
  - b. Inform Clients/tenants that they may be expected to participate in cleaning and decontaminating their housing unit when necessary for health reasons.
  - c. Inform Clients/tenants that damages to their unit may result in eviction and loss of the unit in the future for our homeless housing system

- d. Inform prospective tenants what they need to do to maintain a safe and clean apartment in advance of receiving housing and periodically after they are in housing
  - e. In scattered site, master lease, public housing, and staffed housing programs, case managers will work with the client/tenant to address issues of health and safety that arise, including that of suspected methamphetamine use. The WCHD will provide Case managers free and confidential technical assistance on effective methods for cleaning apartment units that have been contaminated whenever requested
  - f. Document in each client file that these expectations were communicated to the client/tenant.
13. Require professional development training for direct service staff and supervisors.
  14. Attend Whatcom County Coalition to End Homelessness meetings and sponsored activities.
  15. Attend meetings and events coordinated by WHSC.

## **VI. Reporting Requirements**

1. The contractor shall submit quarterly reports\* utilizing HMIS data showing the contractor's progress toward achieving the outcomes identified above. Quarterly reports are due on April 15, July 15, October 15, and January 15. Reporting templates for case management will be posted on the Whatcom County Health Department Housing Program website which may be accessed at:

<http://www.whatcomcounty.us/DocumentCenter/View/37570/WCHDquarterlyCMreportLP>

\*Contractors will be notified via email of updates to quarterly reporting templates.

2. Reports will include data for only those clients served under this contract and include:
  - a. Number of homeless households that received case management during the quarter
  - b. Number of homeless individuals that received case management during the quarter
  - c. Number of households in permanent supportive housing that received case management services during the quarter
  - d. Number of households in rapid re-housing programs that received case management services during the quarter
  - e. Number of households served by funding for emergency shelter in motels.
  - f. Average length of time homeless (unsheltered, sheltered, and/or transitional housing project) in case management prior to being housed (in RRH, PSH, or other stable housing situation)
  - g. Median length of time homeless (unsheltered, sheltered, and/or transitional housing project) in case management prior to being housed (in RRH, PSH, or other stable housing situation)
  - h. Number of case managed households that lost stable housing or exited case management while homeless
  - i. Number of case managed households that achieved housing stability while receiving case management services
3. Permanent Supportive Housing for Chronically Homeless Families with Children
  - a. Number of households that received housing subsidies and case management this quarter and year to date.
  - b. Number and % that retain their housing for six months.

- c. Number of households that re-entered homelessness after receiving PSH for CH FWC subsidies.

Additionally, projects falling under specific intervention types and funded by the Consolidated Homeless Grant (CHG) will be expected to meet or make progress meeting the System Performance Measures and benchmarks as required by the Washington State Department of Commerce. System wide performance measures and benchmarks specific to intervention type (HMIS project type) are provided on the CHG System Performance Measures chart on our website at: <http://whatcomcounty.us/910/Housing-Program>.

Changes to the CHG System wide Performance Measures may be made without contract amendment. In the event of an update, the County will provide email notification with a link to the current chart on the County's website. CHG Grantees must meet or demonstrate progress towards established performance measure targets by meeting the indicated benchmarks. Targeted prevention performance measures are exempted from the 'Consequences of non-compliance' stated above in Section V. (9)(a-c) as per Commerce, wherein 'Grantee' refers to the County being the CHG recipient.

- a. If Commerce determines that a Grantee is failing to comply with the Guidelines, Terms and Conditions, Commerce will notify Grantee that Grantee will receive technical assistance and be required to respond to a corrective action plan to address and remedy the non-compliance.
- b. If the Grantee is still out of compliance after the technical assistance, Commerce may move the Grantee into a probationary period with a second corrective action plan and may reduce the grant total by 20%.
- c. If the Grantee remains out of compliance after the probation period, Commerce may terminate the grant per the General Terms and Conditions TERMINATION FOR CAUSE.

**EXHIBIT "B" – Amendment #7**  
(COMPENSATION)

- I. **Source of Funding:** The source of funding for this contract, in the amount not to exceed \$227,959, is local document recording fees and the WA State Department of Commerce Consolidated Homeless Grant and the Emergency Solutions COVID-19 Grant (CFDA 14.231). COMMERCE and the State of Washington are not liable for claims or damages arising from Subcontractor's performance of this contract. The budget for this contract period (01/01/21 – 06/30/21) is as follows:

Cost Description	Documents Required Each Invoice	Budget
Personnel-Case Managers, Housing Program Supervisor	Approved Composite Billing Rate Worksheet for each staff member and Timesheets for the period	\$54,002
*Personnel – Case Managers – ESG Funds		\$15,000
Personnel – Case Managers, Housing Program Supervisor – <i>Funded by ESG-CV (indirect beyond 7% paid by document recording fees)</i>		\$53,256
Personnel – Case Managers, Housing Program Supervisor specific to services for chronically homeless families with children		\$19,402
Rental Assistance (Commerce funds) specific to chronically homeless families with children	For Rental Assistance – itemize payee for-profit/non-profit status	\$34,780
*Motel Costs (Emergency Shelter) - ESG Funds	Expanded GL Report for the period plus documentation including client ID, payee, and amount of payment.	\$20,000
Mileage	Mileage log to include: name of the staff member, date of travel, starting point and destination of travel, the number of miles traveled, the federal reimbursement rate (per <a href="http://www.gsa.gov">www.gsa.gov</a> ), and a brief description of the purpose of travel.	\$2,000
Direct Service Staff Training	Ground transportation, coach airfare, and ferries will be reimbursed at cost when accompanied by receipts. Reimbursement requests for allowable travel must include name of staff member, dates of travel, starting point and destination, and a brief description of purpose. Receipts for registration fees or other documentation of professional training expenses. Lodging and meal costs for training are not to exceed the U.S. General Services Administration Domestic Per Diem Rates ( <a href="http://www.gsa.gov">www.gsa.gov</a> ), specific to location. Receipts for meals are not required.	\$350
Program specific occupancy costs	GL Detail	\$4,000
Program specific supplies & postage		\$600
Program specific utilities & phone		\$3,500
Professional Services		\$1,300
SUBTOTAL		\$208,190
Indirect costs @ 10% - excludes ESG funding		\$17,319
*Indirect costs @ 7% - ESG funding only		\$2,450
TOTAL		\$227,959

Changes to the line item budget that exceed 10% of the line item must be approved in writing by the County. Indirect costs shall not exceed 10%.

## II. Invoicing

1. The Contractor shall submit itemized invoices on a monthly basis in a format approved by the County. Monthly invoices must be submitted by the 15th of the month following the month of service. Invoices submitted for payment must include the items identified in the table above.
2. The Contractor shall submit invoices to *(include contract/PO #)* [HL-BusinessOffice@co.whatcom.wa.us](mailto:HL-BusinessOffice@co.whatcom.wa.us).
3. Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this contract.
4. Invoices must include the following statement, with an authorized signature and date:

**I certify that the materials have been furnished, the services rendered, or the labor performed as described on this invoice.**

5. Duplication of Billed Costs or Payments for Service: The Contractor shall not bill the County for services performed or provided under this contract, and the County shall not pay the Contractor, if the Contractor has been or will be paid by any other source, including grants, for those costs used to perform or provide the services in this contract. The Contractor is responsible for any audit exceptions or disallowed amounts paid as a result of this contract.



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-214

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<b>File ID:</b>	AB2021-214	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/24/2021	<b>Entered by:</b>	FBurkhar@co.whatcom.wa.us		
<b>Department:</b>	Sheriff's Office	<b>File Type:</b>	Interlocal		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: jgargett@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Whatcom County Water District 7 to lease tower access at the Toad Mountain Water Tower Site for four years and seven months for a total amount of \$5,715.02

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Staff Memo

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
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**Attachments:** Staff Memo, Contract

**WHATCOM COUNTY  
SHERIFF'S OFFICE**

**BILL ELFO**  
SHERIFF



PUBLIC SAFETY BUILDING  
311 Grand Avenue  
Bellingham, WA 98225-4038  
(360) 778-6600

**MEMO**

**To:** Satpal Singh Sidhu, County Executive

**From:** Sheriff Bill Elfo, Director  
John Gargett, Deputy Director  
Whatcom County Sheriff's Office Division of Emergency Management

**Subject:** Whatcom County Integrated Public Safety Radio Network  
Toad Mountain Water Tower Site Lease

**Date:** March 18, 2021

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Enclosed is the lease between Whatcom County and Whatcom County Water District 7 for leasing tower access and equipment space at the Toad Mountain Water Tower Site.

- **Background and Purpose**

The Whatcom County Integrated Public Safety Radio Network, used by all first responder agencies county-wide, utilize multiple communications sites to provide coverage for Whatcom County. All tower leases have been previously managed by the Whatcom County Council of Governments through the NWLERN contract, which expired 12/31/2020. Management of all tower leases has reverted to Whatcom County.

The lease for the Toad Mountain Water Tower Site has expired and needs to be renewed. This lease allows Whatcom County the continued ability to maintain communications for first responders.

The performance period for this lease runs from January 1, 2021 through July 31, 2025.

- **Funding Amount and Source**

\$5,715.02 for the term of the lease (\$1,200.00 for 01/01/2021-12/31/2021, with an annual 2% rate increase). Funding comes from the Sheriff's Office Division of Emergency Management Public Safety Radio System budget.

If you have questions, please contact John Gargett (360-778-7160).



# WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. \_\_\_\_\_

Originating Department:	Sheriff's Office
Division/Program: (i.e. Dept. Division and Program)	Division of Emergency Management
Contract or Grant Administrator:	John Gargett
Contractor's / Agency Name:	Whatcom County Water District 7
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____ Does contract require Council Approval? Yes <input checked="" type="radio"/> No <input type="radio"/> If No, include WCC: _____ Already approved? Council Approved Date: _____ (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: _____ Is this contract grant funded? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, Whatcom County grant contract number(s): _____ Is this contract the result of a RFP or Bid process? Contract _____ Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, RFP and Bid number(s): _____ Cost Center: 1673519001 Is this agreement excluded from E-Verify? No <input type="radio"/> Yes <input checked="" type="radio"/> If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Goods and services provided due to an emergency <input checked="" type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments): \$ 5,715.02 This Amendment Amount: \$ _____ Total Amended Amount: \$ _____	Council approval required for; all property leases, contracts or bid awards <b>exceeding \$40,000</b> , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, <b>except when:</b> 1. Exercising an option contained in a contract previously approved by the council. 2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance. 3. Bid or award is for supplies. 4. Equipment is included in Exhibit "B" of the Budget Ordinance. 5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.
Summary of Scope: To lease tower access and equipment space at the Toad Mountain Water Tower Site.	
Term of Contract: Four Years and Seven Months	Expiration Date: 07/31/2025

Contract Routing:	1. Prepared by: F Burkhart	Date: 03/15/2021
	2. Attorney signoff: B Waldron (via email)	Date: 03/18/2021
	3. AS Finance reviewed: M Caldwell	Date: 3/18/21
	4. IT reviewed (if IT related):	Date:
	5. Contractor signed: Mark T. Lann	Date: 03/23/2021
	6. Submitted to Exec.:	Date:
	7. Council approved (if necessary):	Date:
	8. Executive signed:	Date:
	9. Original to Council:	Date:

## NONEXCLUSIVE COMMUNICATIONS SITE LEASE

THIS NONEXCLUSIVE COMMUNICATIONS SITE LEASE ("Lease") is entered into effective as of the 1<sup>st</sup> day of January 2021 by and among Whatcom County Water District 7, a Whatcom County Special Purpose District, ("Lessor"), and Whatcom County Sheriff's Office ("Lessee").

WHEREAS, Lessor owns and operates a radio communication facility on the real property commonly known as the Toad Mountain Water Tower Site hereto and incorporated by reference (the "Tower Site");

WHEREAS, Lessee desires to obtain a nonexclusive right to enter upon and to use the Tower Site for the purpose of installing, operating, and maintaining radio communications facilities to be used by Lessee in providing emergency services to the general public in Whatcom County, Washington; and,

WHEREAS, Lessor and Lessee have agreed to the terms of this Lease pursuant to which Lessor has agreed to grant to Lessee the nonexclusive right to enter upon and to use the Tower Site for the purpose of installing, operating, and maintaining radio communications facilities to be used by Lessee in providing emergency services to the general public in Whatcom County, WA.

NOW THEREFORE, in consideration of the covenants and agreements hereinafter stated; the Parties mutually agree as follows:

**1. GRANT OF LEASE.** Lessor hereby grants to Lessee a nonexclusive right, subject to the terms and conditions set out in this Lease, providing Lessee with the right to enter upon and to use the Tower Site for the purpose of installing, operating, and maintaining radio communications facilities to be used by Lessee in providing emergency services to the general public in Whatcom County, Washington. Lessee and Lessor shall have the rights and obligations with respect to Lessee's use of the Tower Site set out in this Section 1 and as otherwise set out in this Lease.

**A. Right of Access.**

1. During the Lease Term, Lessee and its authorized contractors and agents shall have a non-exclusive right of entry and access to the Tower Site and the communications building located on the Tower Site (the "Communications Building") through existing gates and entrances and over existing roads and driveways for the purpose of the installation, maintenance, operation, and removal of telecommunication hardware, antennas, base stations, transmitters, and associated communication equipment ("Lessee's Facilities") to be used by Lessee in providing emergency services

to the general public in Whatcom County, Washington. Lessee shall have access to the Tower Site at all times and without advance notice to Lessor.

2. All individuals entering upon the Tower Site on behalf of Lessee shall carry identification credentials provided by Lessor at all times they are on the Tower Site.

**B. Lessee's Permitted Installations.**

1. Lessee shall have (i) the right to install, operate, and maintain inside the Communications Building one 19-inch hardware rack and radio communications hardware located on that rack.

2. Lessee shall have (i) the right to install, operate, and maintain on the antenna tower (the "Tower") located on the Tower Site 1 (one) seventy-two-inch directional antenna, cabling connecting Lessee's antenna on the Tower to Lessee's radio hardware located in the Communications Building. No part of any equipment or hardware installed by Lessee on the Tower shall exceed the height of the Tower; i.e., one hundred ninety (190) feet above the ground or obstruct FAA warning lights.

3. All above-ground work on the Tower Site shall be performed by Lessee and its approved contractors in compliance with NATE CTS certification or its equivalent and ANSI/ASSE Z359 fall protection standards following all current regulations.

4. The exact location of all equipment installed by Lessee on the Tower Site shall be approved by Lessor in advance of its installation. Such equipment shall be installed pursuant to plans approved by Lessor in advance of the installation, which approval Lessor shall not unreasonably deny, provided that Lessee's equipment and use of the Tower Site shall not interfere with Lessor's own use of the Tower Site.

5. Lessee shall provide, at its sole expense, all hardware and equipment for which Lessee have the right to install, operate, and maintain on the Tower Site under this Lease and shall maintain such hardware and equipment and its integrity and safety at its sole cost.

6. Lessee shall use appropriately licensed contractors to perform all installation and maintenance work permitted on the Tower Site by this Lease. All installation and maintenance work performed by Lessee and its contractors on the Tower Site shall be performed under Lessor's supervision.

7. Lessee shall repair, at its sole expense, any damage to the Tower Site and to property on the Tower Site not owned by Lessee that may result from the activities of Lessee or its contractors. Such damage shall be repaired within fifteen (15) days

8. All equipment installed by Lessee on the Tower Site shall be and shall remain the property of Lessee during the term of this Lease and any extension. At the termination of this Lease, Lessee shall remove all of its equipment from the Tower Site and shall repair any damage to the Tower Site that may have resulted from its use of the Tower Site and from its installation, operation, maintenance, and removal of its equipment on the Tower Site.

## 2. LEASE TERM.

A. **Initial Term.** The initial term of this lease shall commence on the effective date first set out above (the "Effective Date") and expire at 11:59 p.m. local time on July 31, 2025 unless sooner terminated in accordance with the provisions of this Lease. The initial term of this Lease ("Initial Term"), together with all renewals thereof, are referred to herein as the "Term."

B. **Renewal Terms.** Provided that Lessee has not been in material default under this Lease beyond any required notice and cure period, and further provided neither Lessor nor Lessee have elected to terminate this Lease as otherwise provided herein, Lessee shall have two (2) options to renew this Lease for an additional period of five (5) years each, upon the terms and conditions of this Lease (each, a "Renewal Term"). Such option may be exercised by Lessee on or before the date that is one (1) year prior to the expiration of the Initial Term, or subsequent Renewal Term, by delivery to Lessor of written notice of Lessee's election to renew the Lease.

C. **Lessor Termination Right.** Lessor shall have the right to terminate this Lease and cancel any remaining Renewal Terms upon the expiration of the Initial Term, or upon the termination of any succeeding Renewal Term. Such termination right may be exercised by Lessor on or before the date that is one (1) year prior to the expiration of the Initial Term, or any succeeding Renewal Term, by delivery to Lessee of written notice of Lessor's election to terminate this Lease.

D. **Lessee Termination Right.** Lessee may terminate this Lease at any time conditioned upon one hundred eighty (180) days advance notice to Lessor, provided Lessee has no outstanding rent due to Lessor, and has removed all equipment and improvements required to be removed under this Lease from the Tower Site at the termination of this Lease.

3. **RENT.** Lessee shall pay to Lessor a minimum annual rent ("Base Rent") as set forth in this Section 3. All sums payable to Lessor under this Lease shall be paid in lawful money of the United States, at the address specified in Section 18 below, or such other address as Lessor may from time-to-time specify by written notice to Lessee.

A. **Lease Year.** As used in this Lease, the term "Lease Year" means each consecutive twelve (12) month period during the Term, commencing on the Effective Date, and expiring twelve months thereafter.

B. **Base Rent.**

1. The Base Rent payable for Lessee's rights with respect to Lessee's rights under Sections 1(B)(1)(i) (one 19-inch hardware rack) and 1(B)(2)(i) (one 72-inch omni-directional antenna) and 5(A) Electrical service) during the first Lease Year shall be the sum of One Hundred Dollars per month (\$100.00). All Base Rent shall be paid in advance on or before the first day of each Lease Year during the Term.

C. **Rent Escalation.** Base Rent shall be increased annually by two percent (2.0%) per annum commencing as of the first anniversary of the Effective Date through the end of the initial term and any renewal term of this Lease.

4. **USE.**

A. **Permitted Use.** The radio Tower Site is to be used by Lessee for the installation, removal, operation, repair, replacement, and maintenance of the Lessee's Facilities used in providing emergency services to the general public in Whatcom County, Washington, and for broadcasting operations related thereto, and for no other purpose without the consent of Lessor. The installation, removal, operation, repair, maintenance of the Lessee's Facilities, and Lessee's broadcasting operations shall be conducted in accordance with the terms and conditions of this Lease and the standards imposed by the Federal Communications Commission ("FCC") and any other governmental body or agency as shall have jurisdiction over the Lessee's Facilities or with any activities of Lessee on the Tower Site.

B. **Compliance with Laws.** Lessee shall comply with all laws concerning the Tower Site or Lessee's use of the Tower Site, including, without limitation, the obligation, at Lessee's expense, to alter, maintain, or restore the Tower Site, in compliance and conformity with all laws relating to the condition, use, or occupancy of the Tower Site during the Term.

C. **No Exclusive Use.** Lessor shall have the right for itself and its affiliates to use the Tower Site, including but not limited to space in the Communication Building and the Tower, and to lease or otherwise grant the right to use the Tower Site to any other

person or entity for any purpose, including but not engaging in any form of radio broadcasting and/or electromagnetic communication. The use by Lessee of the Tower Site shall be, and is, subject to the exercise of rights by Lessor and third parties using or the Tower Site to the extent that the exercise by Lessor and such third parties of their respective rights does not violate or conflict with rights granted to the Lessee hereunder.

**D. Interference.**

1. Lessee shall not take any action or install or utilize the Lessee's Facilities in any manner that Interferes with any other person's broadcasting signal (or receiving ability) on the Tower Site or on any immediately adjacent parcels of real property. As used in this Lease, the terms "Interfere" and "Interference" means (i) a condition existing that constitutes interference within the meaning of the provisions of the recommended practices of the Electronics Industry Association and the rules and regulations of the FCC then in effect, or (ii) a material impairment of the quality of receiving ability, or material impairment of sound or picture signals of a broadcasting activity, to the extent such receiving or broadcasting activities are now or hereafter conducted on the Tower Site or on any immediately adjacent parcels of real property.

2. Lessor shall notify Lessee of Lessee's Interference in writing ("Interference Notice"). Upon receipt of notification, Lessee shall (x) take Reasonable efforts necessary to identify and rectify the Interference, and (y) cease the operation of the source of such Interference or reduce operating power to eliminate the Interference until the Interference is fully rectified. In the event Lessee fails to cease operation of the source of such Interference or reduce operating power to eliminate the Interference within forty-eight (48) hours of receipt of the Interference Notice, Lessor may, at its option, disconnect power to the Lessee's Facilities. If Lessor does not exercise its option to disconnect power and if Lessee fails to correct and eliminate the interference within fifteen (15) days of receipt of the Interference Notice, Lessee shall be in Default hereunder and Lessor may exercise any and all remedies provided for herein. Lessee shall pay any costs incurred as a consequence of its exercise of remedies hereunder.

3. Lessor shall use all reasonable efforts to ensure that other parties that install equipment on or use the Tower Site after the Effective Date of this Agreement do not cause interference to the operation of the Lessee's Facilities ("Objectionable Interference"). Should Objectionable Interference be experienced by Lessee, Lessee shall provide notice in writing of such Objectionable Interference to Lessor, and Lessor shall cooperate with Lessee in identifying the source of the Objectionable Interference and in causing the responsible party to take such reasonable steps necessary to eliminate the Objectionable Interference.

**5. UTILITIES.**

A. **Electrical Service for Lessee's Use.** Lessor shall provide Lessee, at Lessor's expense, electrical service and appropriate environmental cooling and heating of the Communications Building up to 800 kWh per month. Power usage over 800 kWh per month may be billed to Lessee at Lessors discretion. Lessor shall have no other obligation to provide utilities to the Tower Site or for the use of Lessee.

B. **Lessor's Limitation of Liability Regarding Electrical Service.** In no event shall Lessor be liable for the quality, quantity, failure or interruption of electrical service to the Tower Site or damages resulting directly or indirectly therefrom by reason of or resulting from any accident, or the need or priority of repairs or improvements, or by reason of orders of any military, civil or governmental authority, or riots, insurrections or invasions, or any other reason beyond the control of Lessor.

6. **CARE OF TOWER SITE.** Lessee shall use all reasonable precautions to prevent waste, damage, or injury to the Tower Site or to the equipment of others located on the Tower Site. During the Term, Lessee, at its expense, shall cause the Lessee's Facilities at the Tower Site to be kept in good condition and repair and in accordance with reasonable engineering standards and requirements of the FCC and all other public authorities with jurisdiction over the Tower Site. Lessee shall, at its expense, repair any damage it or its agents or contractors cause to the Tower Site, reasonable wear and tear excepted. In the event Lessee fails to so maintain or repair the Tower Site or the Lessee's Facilities, Lessor shall deliver notice of such failure to Lessee. In the event Lessee fails to thereafter repair or maintain the Tower Site or Lessee's Facilities within fifteen (15) days from Lessee's receipt of Lessor's notice, Lessor may cause the Lessee's Facilities or the Tower Site to be repaired – in which case, Lessee shall reimburse Lessor for the reasonable costs incurred in connection therewith within ten (10) days after Lessor delivers an invoice to Lessee therefor. Lessee's use of the Tower Site shall not unnecessarily interrupt Lessor's use of the Tower Site, nor disrupt existing utilities, and/or other Lessee of the Tower Site.

## 7. **ENVIRONMENT.**

A. **Limitation on Use of Hazardous Substances.** With the exception of Hazardous Substances that are legally used in the normal course of its business, Lessee will not bring to, transport across or dispose of any Hazardous Substances on the Tower Site. Lessee may keep on the Tower Site substances used in backup power units (such as batteries and diesel generators) commonly used in the communications industry. Lessee's use of any approved substances constituting Hazardous Substances must comply with all applicable laws, ordinances and regulations governing such use.

B. **Indemnity.** If Lessee breaches the obligations stated in the preceding section, then Lessee shall indemnify, defend and hold the Lessor harmless from any and

all claims, judgments, damages, penalties, fines, costs, liabilities or losses including, without limitation, diminution in the value of the Tower Site, damages for the loss or restriction on use of the Tower Site, or elsewhere, and sums paid in settlement of claims, attorneys' fee, consultant fees and expert fees incurred or suffered by Lessor as a result of Lessee's acts either during or after the Term. These indemnifications by Lessee include, without limitation, costs incurred in connection with any investigation of site conditions or any clean-up, remedial, removal or restoration work, whether or not required by any federal, state or local governmental agency or political subdivision, because of Hazardous Substances present on the Tower Site or in soil or ground water on or under the Tower Site. Lessee shall immediately notify Lessor of any inquiry, investigation or notice that Lessee may receive from any third party regarding the actual or suspected presence of Hazardous Substances on the Tower Site.

C. Notwithstanding the foregoing or any other provision in this Lease, Lessee shall not be liable or responsible for any environmental condition, including the release of Hazardous Substances, that existed before the execution of this Lease.

D. **Hazardous Materials Defined.** As used herein, the term "Hazardous Substances" means any hazardous, dangerous, toxic or harmful substance, material or waste including biomedical waste which is or becomes regulated by any local government authority, the State of Washington or the United States Government, due to its potential harm to the health, safety or welfare of humans or the environment.

## 8. **ASSIGNMENT OR SUBLEASE.**

A. **Lessee's Assignment.** Lessee may not sublet any rights to access or use the Tower Site granted by Lessor under this Lease. Lessee may assign all its rights under this Lease only (i) to governmental entities whose sole purpose for using the Tower Site is to provide emergency services to the general public in Whatcom County, Washington, (ii) in its entirety, and (iii) with the prior written consent of Lessor, which consent Lessor shall not unreasonably withhold or delay. If at any time Lessee desires to assign this Lease, Lessee shall submit a written request to Lessor, including with the request the identification of the proposed assignee, a description of its proposed use of the Tower Site, and a statement of the terms upon which the assignment is proposed to be made. Lessee will promptly, on request, submit to Lessor such further reasonable documentation relative to the proposed assignment or sublease as Lessor may request. In the event that Lessor grants consent to any assignment of this Lease, the assignment may be conditioned on reasonable conditions imposed by Lessor. Any assignee shall be subject to all of the terms and conditions of this Lease, including those terms and conditions applicable to permitted use and assignment. No assignment shall, to any extent, impair, limit, or qualify the continuing obligation of Lessee to perform all of the obligations of the Lessee under this Lease as if the assignment had not taken place. Any



purported assignment or subletting without full compliance with this Section shall constitute a Default and shall vest no rights in the purported assignee or subtenant.

B. **Lessor's Assignment.** Lessor shall have the right to assign its rights and duties hereunder at any time without the consent of Lessee.

## 9. INDEMNITY AND INSURANCE.

### A. Insurance.

1. At all times during the Term, Lessee shall carry (a) commercial general liability insurance, insuring both Lessee and Lessor, with not less than Two Million Dollars (\$2,000,000.00) single limit coverage per occurrence. (b) "all risk" property insurance on the Tower Site and the Lessee's Facilities in an amount equal to the full replacement value thereof, (c) workers' compensation insurance in statutorily-required amounts, and (d) automobile liability insurance for all owned, leased, non-owned, and hired automobiles used in connection with Lessee's activities on the Tower Site at no less than One Million Dollars (\$1,000,000) per occurrence combined single limit for injury or property damage.

2. All of Lessee's insurance required hereunder shall be with insurance carriers licensed to do business in the State of Washington, and rated no lower than A- with a Financial Size Category (FSC) not less than X in the most current edition of A.M. Best's Property-Casualty Key Rating Guide. Lessee shall deliver to Lessor certificates evidencing the insurance required to be maintained by Lessee hereunder on an annual basis. Without limitation upon the other terms and provisions of this Section 10, each insurance policy maintained by Lessee with respect to the Tower Site shall be endorsed to provide (i) that in the event of cancellation, non-renewal or material modification, Lessor shall receive 30-days advance written notice thereof and (ii) that Lessor shall receive renewal Certificates of Insurance no later than 30-days in advance of each renewal.

3. Lessee may satisfy the insurance obligations set forth in this Section by maintaining a self-insurance program or participating in a governmental entity risk pool satisfying the minimum requirements set forth in this Section. Lessee shall provide Lessor with such evidence as Lessor may reasonably require of such substitutes for commercial liability insurance.

4. Notwithstanding any other provision of this Lease, Lessor and Lessee hereby release each other and each other's employees and agents from and against any and all liability (to the other or anyone claiming through or under them by way of subrogation or otherwise) for any loss or damage that is coverable by insurance required to be carried by that party under this Lease, even if such loss or damage shall have been

caused by the fault or negligence of the other party, or anyone for whom such party is responsible. Because the provisions of this Section will preclude the assignment of any claim mentioned herein by way of subrogation or otherwise to an insurance company or any other person, each party to this Lease shall give to its insurers notice of the terms of the mutual releases contained in this Section, and have the insurance required under this Lease properly endorsed, if necessary, to prevent the invalidation of insurance coverage by reason of the mutual releases contained in this Section.

B. **Indemnity.** Lessor shall not be liable for injury, including death, to any person, or for damage to any property, regardless of how such damage may be caused, sustained or alleged to have been sustained by Lessee or others as a result of the Lessee's activities on the Tower Site. Lessee shall indemnify and hold harmless Lessor from and against any and all claims arising from Lessee's use of the Tower Site, or the conduct of its business on the Tower Site, and shall further indemnify and hold Lessor harmless from and against any and all claims arising from any breach or default by Lessee in the performance of its obligations hereunder, and from and against any and all costs, expenses and liabilities incurred in connection with such claim. The provisions of this section shall survive the expiration or earlier termination of this Lease.

#### 10. **ALTERATIONS AND IMPROVEMENTS.**

A. **Sole Risk.** The risk of loss or damage to Lessee's Facilities and any improvements and personal property of Lessee of every kind or description which may at any time be on the Tower Site shall be Lessee's risk or the risk of those claiming under Lessee, and Lessor shall not be liable for damage to or theft of or misappropriation of such property, any injury or damage to persons or property resulting from or related to the Lessee's Facilities or personal property or any latent defect in any improvements located upon the Tower Site; provided, however, the foregoing limitation on Lessor's liability shall not apply to Lessor's acts of gross negligence and/or willful misconduct.

B. **No Improvements or Alterations.** Lessee shall have no right to make changes and alterations to the Tower Site except as expressly authorized by this Lease.

C. **Liens.** Lessee has no authority or power to cause or permit any lien or encumbrance of any kind whatsoever, whether created by act of Lessee, operation of law or otherwise, to attach to or be placed upon Lessor's title or interest in the Tower or the Tower Site, and any and all liens and encumbrances created by Lessee shall attach to the Lessee's Facilities only. Lessee covenants and agrees not to suffer or permit any lien of mechanics, suppliers, materialmen or others to be placed against the Tower Site or the Tower Site, or any portion thereof, and Lessee covenants and agrees within thirty (30) days after written notice by any entity of the filing of such lien to cause it to be release and removed of record. If Lessee shall fail to cause such lien or encumbrance to be discharged, then, in addition to any other right or remedy, Lessor may, but shall not be

obligated to, discharge the same either by procuring the discharge of the lien by payment, deposit or by bonding proceedings. Any amounts paid by Lessor to remove or otherwise satisfy a lien created by Lessee, and all reasonable costs and expenses, including reasonable attorneys' fees, incurred by Lessor in connection therewith, shall bear interest from the date that the cost was incurred by Lessor at the rate of one and one-half percent (1-1/2%) per month until paid and shall be reimbursed by Lessee immediately upon demand by Lessor.

11. **TAXES.** Lessor shall pay all real estate taxes, assessments, or levies assessed or imposed against the Tower Site. Lessee shall pay all personal property or other taxes imposed against the Lessee's Facilities.

12. **DAMAGE, DESTRUCTION, AND CONDEMNATION.** If Lessee reasonably determines that the Tower Site is damaged or destroyed (unless such damage or destruction is caused by the acts or omissions of Lessee) or is condemned, such that the Tower Site is rendered unsuitable for Lessee's use in providing emergency services to the general public in Whatcom County, Washington, then Lessee shall provide written notice to Lessor within thirty (30) days of such damage or destruction of its intent to terminate this Lease. If any portion of the Tower Site is damaged, destroyed or condemned and Lessee does not terminate this Lease under the provisions of the immediately preceding sentence, then this Lease shall remain in full force and effect. If any portion of the Tower Site or Lessee's Facilities is damaged or destroyed as a result of the acts or omissions of Lessee, this Lease shall remain in full force and effect, and Lessee shall promptly repair such damage or destruction at Lessee's sole expense.

13. **SURRENDER OF TOWER SITE.** Upon the termination of this Lease for any reason, Lessee shall, at its sole expense, remove all equipment and other property owned by Lessee or placed by Lessee on the Tower Site not later than sixty (60) days following the termination of this Lease.

14. **QUIET ENJOYMENT.** Lessor covenants that Lessee shall and may peacefully have, hold and enjoy the Tower Site, subject to the provisions of this Lease, provided Lessee pays the Rent herein recited and performs all of Lessee's covenants and agreements herein contained.

15. **DEFAULT.**

A. **Events of Default.** The occurrence of any one or more of the following events will constitute events of default (each, a "Default" or "Event of Default"):

1. Lessee fails to pay any Rent payable by Lessee under this Lease within 10 business days after Lessee's receipt of written notice from Lessor that such payment is past due. However, if Lessor has provided more than two (2) such notices in

any Lease Year, then for the remainder of that Lease Year, it will be an Event of Default if Lessee fails to pay any Rent payable by Lessee under this Lease within five (5) business days after such payment is due (without any notice);

2. Lessee breaches or violates any provision of this Lease that is described in such provision as a "Default" or "Event of Default" or for which a specific performance or notice and cure period is provided and Lessee fails to perform such action or cure such violation within the time period therein provided;

3. Lessee abandons or vacates the Lessee's Facilities and the Tower Site (which shall be construed to mean Lessee has not conducted its business on the Tower Site for a period of time exceeding forty-five (45) days), unless such abandonment or vacation is excused under other provisions of this Lease; or

4. Lessee fails promptly and fully to perform any other of its promises, covenants or agreements in this Lease within thirty (30) days after receipt of written notice thereof from Lessor; provided, however, if the breach is of such a nature that it cannot be cured within such period, then Lessee will have such additional time as may be reasonably necessary to cure that breach provided Lessee (i) commences to cure that breach within ten (10) days after receipt of written notice thereof from Lessor and (ii) thereafter diligently pursues such cure to completion.

**B. Remedies of Lessor.** Upon the occurrence of any Event of Default, Lessor will have the right to pursue and enforce any and all rights and remedies available to Lessor hereunder or at law or in equity, including, without limitation, the following: (1) to terminate this Lease; (2) cure any such default and invoice Lessee for the costs and expenses of the same, which invoice shall be payable within thirty (30) days of its receipt by Lessee; and (3) if Lessee remains in Default beyond any applicable cure period, whether or not Lessor shall have terminated this Lease, Lessor may demand immediate removal by Lessee of the Lessee's Facilities from the Tower Site, and if Lessee fails to do so within thirty (30) days of Lessor's demand, Lessor may remove and store all of Lessee's property at Lessee's sole cost. In such event, Lessor shall not be liable to Lessee for damage to the Lessee's Facilities in the course of such removal, and Lessee shall reimburse Lessor for any damages to the Tower Site or Tower Site caused by such removal. Lessor's exercise of any particular remedy shall not preclude Lessor from exercising any other remedy available to Lessor, whether under this Lease, at law or in equity.

**C. Lessor Default; Limitation on Lessor's Liability.** Lessor will not be in default of any provision of this Lease prior to the expiration of not less than thirty (30) days (plus such additional time as may reasonably be required to cure Lessor's failure, if such default reasonably cannot be cured within such thirty (30) days) after written notice from Lessee specifying Lessor's failure. All obligations of Lessor under this Lease will be

binding upon Lessor only during the period of its ownership of the Tower Site and not thereafter. The term "Lessor" in this Lease will mean only the owner of the Tower Site so long as it owns the Tower Site, and in the event of the transfer by such owner of its interest in the Tower Site, such owner will thereupon be released and discharged from all obligations of Lessor thereafter accruing, but such obligations will be binding during the Term upon each new owner for the duration of such owner's ownership.

#### **16. SUBORDINATION.**

A. **Lease Subordinate.** Upon written request by Lessor, Lessee agrees to subordinate its rights under this Lease to the lien of all mortgages (regardless of whether such mortgages now exist or may hereafter be created) with regard to all or any part of the Tower Site, and to any and all advances to be made thereunder and all modifications, consolidations, renewals, replacements and extensions thereof provided the mortgagee(s) shall agree to recognize the Lease of Lessee (if Lessee is not then in default hereunder) in the event of foreclosure under any such mortgage.

B. **Sale of Tower Site.** Lessee shall, in the event of the sale or transfer of Lessor's interest in the Tower Site, or in the event of any proceedings brought for the foreclosure of any mortgage covering the Tower Site, attorn and by the execution of this Lease does so attorn to and recognize such purchaser or assignee or mortgagee as Lessor under this Lease.

C. **Certificates.** Lessee agrees that, upon the request of Lessor or any such assignee or mortgagee, Lessee shall, within ten (10) business days from Lessor's request, execute and deliver whatever instruments may be required to carry out the intent of this section. Failure to do so shall be an Event of Default hereunder.

17. **SERVICE INTERRUPTIONS.** Lessor shall incur no liability to Lessee for any act or failure to act if prevented by war, fires, accidents not as a result of Lessor's own gross negligence or willful misconduct, acts of God, or other causes beyond its control, including but not limited to, temporary or intermittent service interruptions resulting from maintenance and repair work to the Communications Building, the Tower, facilities of Lessor, or other Lessee of the Tower Site, or alterations to the Communications Building, the Tower, or the Tower Site performed by Lessor, any other Lessee of the Tower Site, or required by any governmental authority. Except as otherwise provided in Section 12 of this Lease, any delay, disruption or hindrance caused to Lessee, its transmissions or business that is occasioned by maintenance, repair work, or any other commercially reasonable purpose by Lessor, any other Lessee of the Tower Site, or any governmental authority shall not affect or impair Lessee's obligation to pay Monthly Base Rent hereunder, so long as the party conducting such work acts in accordance with commercially reasonable engineering practices.

18. **NOTICES.** Except as otherwise specifically set forth herein, any demand, request or notice which either party hereto desires, or may be required to may or deliver to the other, shall be in writing and shall be deemed given when personally delivered, or on the next business day and when delivered by an overnight delivery service which issues receipts (such as Federal Express), or when received by facsimile at the facsimile number shown below, or three (3) days after being deposited in the United States mail, in registered or certified form, return receipt requested, addressed as follows:

**Lessor:**

Whatcom Co Water District 7  
PO Box 28700  
Bellingham, WA 98228  
Attn.: Deanna Campbell  
Telephone No.: (360) 752-9208

**Lessee:**

Whatcom County Sheriff's Office  
311 Grand Avenue, Public Safety Building  
Bellingham, WA 98225  
Attn.: Communication Manager Department of Emergency Management  
Telephone No.: 360-676-6681  
Email address: wcsodem@co.whatcom.wa.us

Or to such other address, facsimile number and/or person as either party may communicate to the other by like written notice.

19. **SEVERABILITY.** It is the intention of the Lessor and Lessee that this Lease comply with FCC rules, regulations and policies and the applicable state and local laws and regulations and any covenants or restrictions of record. If any term of this Lease is found to be void or invalid, such invalidity shall not affect the remaining terms of this Lease, which shall continue in full force and effect. The parties shall agree that if any provisions are deemed not enforceable, they shall be deemed modified to the extent necessary to make them enforceable.

20. **BROKERS.** Lessee warrants that it has dealt with no broker, commission agent, finder or other person or entity with respect to this Lease, and Lessor warrants that it has dealt with no broker, commission agent, finder or other person or entity with respect to this Lease. Each party shall indemnify and hold harmless the other party from any and all claims, actions, damages, costs, expenses, and liability whatsoever, including reasonable attorney's fees that may arise from any claims for commission or finder's fees in connection with this Lease or the Tower Site.

21. **ENTIRE AGREEMENT.** This Lease and all exhibits attached hereto constitute the entire agreement between Lessor and Lessee regarding the subject matter of this Lease. There are no terms, obligations, covenants or conditions other than those herein contained. No modification or amendment to this agreement shall be valid or effective unless evidenced by an agreement in writing between the parties hereto. No waiver by any party of any right, default, misrepresentation, or breach of warranty or covenant under this Lease shall be effective unless in writing and signed by the waiving party. No such waiver shall be deemed to extend to any prior or subsequent right, default, misrepresentation, or breach of warranty or covenant under this Lease, or affect in any way any rights arising by virtue of any prior or subsequent such occurrence.

22. **GOVERNING LAW; VENUE; ATTORNEYS FEES.** This Lease and all rights and liabilities of the parties hereunder shall be construed and governed by the laws of the State of Washington. In the event of a dispute between the parties hereto concerning the terms of this agreement, or any action or cause of action in connection therewith may be had in Island County, Washington, and the prevailing party as to such action shall be entitled to receive a reasonable attorney fee as determined in the court in such action. This Lease shall be binding on and inure to the benefit of the successors and permitted assignees of the respective parties. Time is of the essence of this Lease.

IN WITNESS WHEREOF, the parties hereto have executed this Lease, to be effective as of the Effective Date first set forth above in this Lease.

**WHATCOM COUNTY:**

**Recommended for Approval:**

  
\_\_\_\_\_  
Bill Elfo, Sheriff

03-24-21  
\_\_\_\_\_  
Date

**Approved as to form:**

Brandon Waldron, via email  
\_\_\_\_\_  
Prosecuting Attorney

03/18/2021  
\_\_\_\_\_  
Date

**Approved:**

Accepted for Whatcom County:

By: \_\_\_\_\_  
Satpal Singh Sidhu, Whatcom County Executive \_\_\_\_\_  
Date

STATE OF WASHINGTON     )  
                                          ) ss  
COUNTY OF WHATCOM     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me personally appeared Satpal Singh Sidhu, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_



Lessor:

WHATCOM COUNTY WATER DISTRICT 7

By: MARK T. LANN  
Name: [Signature]  
Date: 3/23/2021

STATE OF WASHINGTON

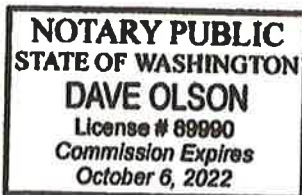
COUNTY OF Whatcom

ss.

I certify that I know or have satisfactory evidence that Mark T Lann is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Chair Person of Whatcom County Water District 7, a Whatcom County Special Purpose District, and that it executed the within and foregoing instrument to be its free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 23 day of March, 2021.

[Signature]  
Notary public in and for the State of Washington,  
residing at EVERSON, WA  
Printed name: DAVE OLSON  
My appointment expires 10/6/2022





# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-179

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<b>File ID:</b>	AB2021-179	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/12/2021	<b>Entered by:</b>	SMurdoch@co.whatcom.wa.us		
<b>Department:</b>	Health Department	<b>File Type:</b>	Report		
<b>Assigned to:</b>	Council Public Works & Health Committee			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: ajensen@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Report by the Whatcom County Food System Committee on protecting the food system and discussion of committee recommendations

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Attachment

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Report, Committee Recommendations



# Memorandum

**TO: SATPAL SIDHU, COUNTY EXECUTIVE**

**FROM:** Riley Sweeney, Chair - Whatcom County Food System Committee

**DATE:** 2/25/2021

**RE: DISCUSSION AND RECOMMENDATIONS BY WHATCOM COUNTY FOOD SYSTEM COMMITTEE ON PROTECTING THE FOOD SYSTEM.**

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Last year, the Whatcom County Food System Committee delivered a letter to the County Council and County Executive spelling out clear recommendations for protecting our food system during this pandemic.

Our letter came at a time in which outbreaks at congregate work settings in Yakima County had caused a dramatic uptick in COVID cases, and our farms, grocers and consumers struggled to cope with the economic impacts of the virus.

With the growing season rapidly approaching, our food system is uniquely vulnerable to the aftershocks of this virus. One bad season is common in agriculture, but another could be devastating.

**We strongly urge the council to take action by implementing the recommendations below.**

We cannot let this moment pass without action. All the recommendations below are County-specific steps that can be taken to ensure the health and economic security of our food system.

The Whatcom Food System Committee stands ready to speak directly to council on these recommendations as needed.

We recommend the Council take the following steps:

1. Protect the health and safety of workers across the food system:
  - a. Utilize the lessons learned from the Yakima outbreaks to implement immediate, strict and aggressive safety measures at congregate work facilities before this agricultural season is in full swing.
  - b. Build on existing government support for a more proactive COVID-19 response for food processing facilities, farmworker housing, and other congregate working facilities.
  - c. Ensure safety for farm workers and consumers by supporting Governor Inslee's agricultural operations order, encouraging use of these strategies for all agricultural settings. These protections include: guaranteeing workers have the ability to reasonably socially distance, and have access to Personal Protective Equipment and other barriers to prevent disease transmission.



2. Stabilize our food system to benefit both local economic development and food access initiatives:
  - a. Use federal funding to immediately offer year-long operations grants to Whatcom-based farmers, fishers, restaurants, and local grocers/markets impacted by COVID-19.
  - b. Seek funding for employee training for key agricultural supply chain positions to help build regional-scale production, processing, and distribution systems needed to make our food system more resilient to the pressures of a crisis such as COVID-19.
  - c. Continue to fund purchases of locally grown and processed food for food banks, schools, and other food distribution programs.
  - d. Provide grants to support training and technical assistance for local farmers to develop online sales platforms to market products, given that other sales options are severely limited because of COVID-19.
3. Increase local food processing capacity to meet increased demand for prepared and packaged foods and ramp up food system capacity:
  - a. Identify storage, warehousing, and processing facilities to prepare packaged food for distribution to homes, food banks, schools, and other distribution centers.
4. Increase access to healthy and local food for people dealing with economic hardship created by the pandemic:
  - a. Support state and federal policies that ensure access to food assistance during this pandemic. The numbers of people who are food insecure in Whatcom County are predicted to continue the current upward trajectory, especially as short-term COVID benefits disappear. Meeting the future anticipated levels of food security in our County will require committed planning and funding.

The Committee understands that not all of these recommendations are easy or straightforward to enact but we urge swift and direct action to strengthen and protect our food system.

Thank you for your consideration.

Signed,  
**The Whatcom County Food System Committee**

## WASHINGTON STATE FOOD POLICY FORUM

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# Early Implementation Action Report

**Prepared by the Following Washington State Agencies:**

Washington State Department of Agriculture

Washington State Conservation Commission

**Report Authors:**

Food Policy Forum Members

Petra Vallila-Buchman and Mary Byrne, Ross Strategic

June 25, 2020



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# Table of Acronyms

Acronym	Definition
CARES Act	Coronavirus Aid, Relief, and Economic Security Act
CD	Conservation Districts
CDC	Centers for Disease Control and Prevention
CDFI	Community Development Financial Institutions
CSA	Community Supported Agriculture
DOH	Washington State Department of Health
DSHS	Washington State Department of Social and Health Services
EBT	Electronic Benefit Transfer
FINI	Food Insecurity Nutrition Incentive
FMNP	Farmers Market Nutrition Programs
GAP/GHP	Good Agricultural Practices/Good Handling Practices
GusNIP	Gus Schumacher Nutrition Incentive Program
L&I	Washington State Department of Labor and Industries
OFP	Office of Farmland Preservation
NGO	Non-Governmental Organization
NRCS	Natural Resources Conservation Service
SBA	Small Business Administration
SCC	Washington State Conservation Commission
SNAP	Supplemental Nutrition Assistance Program
WIC	Women, Infants, and Children
WSDA	Washington State Department of Agriculture
WSFMA	Washington State Farmers Market Association
WSHFC	Washington State Housing and Finance Commission
WSU	Washington State University

# Overview

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The Washington State Food Policy Forum (Forum), representing a unique cross-section of food system stakeholders and agriculture production sectors, has an important perspective on how COVID-19 is and will continue to impact our state's food system.<sup>1</sup> Many of the challenges impacting Washington's food system in light of COVID-19 touch on the Forum's 2019 consensus recommendations, which highlight food system vulnerabilities and opportunities that are particularly apparent under COVID-19.

In response to a request from the Washington State Governor's Office, the Forum worked from March to June 2020 to identify early implementation actions that tie to its 2019 recommendations and consider challenges and opportunities presented by the COVID-19 crisis and response. See Appendix C for details on the Forum's process.

The actions detailed in this report are organized based upon their immediate-term, near-term, and mid-term opportunity time horizons. Some will require state action. Others will require action by the federal government. And some actions encourage fostering and strengthening public/private partnerships to take advantage of existing infrastructure and limited resources.

With an extended network of public and private sector organizations across the food system, the Forum is well suited to identify and support early action efforts (now and nine months from now) to keep the state's food system functioning for all in light of COVID-19.

## About the Food Policy Forum

The Washington State Legislature initially created the Food Policy Forum (Forum) through a budget proviso in 2016 and, in 2017, provided additional funding to support the Forum through June 2019. In 2020, the Washington State Legislature formally established the Forum in statute.

The Legislature asked the Washington State Conservation Commission (SCC) "to convene and facilitate a food policy forum." The Washington State Department of Agriculture (WSDA) and the Office of Farmland Preservation (OFP) work in partnership with SCC to convene and manage the Forum. Ross Strategic is contracted by SCC to provide facilitation support.

The Forum is a valuable venue for food security interests and agricultural producers to address needed changes to our state's food system.

<sup>1</sup>Goals of the Food Policy Forum: (1) Increase direct marketing sales and consumption of Washington-grown foods; (2) Expand and promote programs that bring healthy and nutritious Washington-grown foods to Washington residents; (3) Examine ways to encourage retention of an adequate number of farmers for small scale farms, meet the educational needs for the next generation of farmers, and provide for the continued economic viability of local food production, processing, and distribution in the state; (4) Reduce food insecurity and hunger in the state; and (5) Identify ways to improve coordination and communication among local food policy entities and communication between the local food policy entities and state agencies



This report outlines 59 consensus<sup>2</sup> implementation actions for consideration. Each action includes potential implementors for consideration. Actions are organized into three general time intervals:

<b>Immediate-Term</b>	<b>July to September 2020</b>
<b>Near-Term</b>	<b>October to December 2020</b>
<b>Mid-Term</b>	<b>January 2021 to March 2021</b>

## Immediate-Term Actions

The Forum identified the following 26 immediate-term actions.

**Challenge #1:** COVID-19 threatens both the near and long-term economic viability of individual agriculture and food enterprises; these businesses need appropriate relief and relevant services to continue to remain economically viable and operational as they pivot to serve new market and operating demands during the pandemic and beyond.

**Opportunity:** Identify and provide economic relief and stimulus in the near term that is responsive and appropriate to needs the full diversity of our agricultural sectors and enterprise types.

Early Action #	Description	Potential Implementors
A	<b>Make relevant, timely public health and safety information, technical assistance, and funds available to farms, ranches, and food businesses so they can operate and transport essential food and agricultural products in accordance with CDC guidelines.</b> DOH, WSDA, and WSU are working on public safety of the food system.	DOH, L&I, WSDA, WSU
B	<b>Explicitly include small, direct, and regional marketing farms in small business, workforce, and emergency payments or loan programs.</b> <ul style="list-style-type: none"> <li>USDA responses should include all types of crops and livestock production systems, including highly diversified farms that receive direct market retail prices for their products. Include beginning farmers who may not yet have records of previous sales income.</li> <li>Provide direct financial assistance to critical supply chain businesses, food system workers, and food establishments.</li> </ul>	USDA/CARES Act, Department of Commerce, WSDA

<sup>2</sup>Working definition of consensus is “I can live with it.”

Early Action #	Description	Potential Implementors
C <sup>3</sup>	<b>Stabilize lines of credit, extend collateral positions, and create a guarantee fund to allow lines of credit from banks or credit unions.</b> Consider work and activity by NW Farm Credit Services, CDFIs like Craft3 and Business Impact Northwest, and look to Department of Commerce and Office of Financial Management.	SBA, USDA FSA, Banks and Credit Unions, CDFI's, Microenterprise Lenders, WA Dept, of Commerce.
D	<b>Explore whether production lines of credit (loans to farmers to buy seed, amendments, etc.; requires having a contract in hand) can be re-negotiated to relieve financial strain on farmers from major swings in the market.</b> Defer payments with interest continuing so that farmers have more time to determine what markets are viable.	USDA FSA, Banks and Credit Unions,
E	<b>Increase business technical support to offer one-on-one counseling to small and mid-scale farm and food enterprises to among other things make sure businesses are ready to receive funding, develop business plans etc., and take advantage of opportunities like new markets.</b>  <i>Case Example: Chelan Douglas Regional Port Authority, Community Foundation of NCW, and 501 Commons have teamed up to help non-profits apply for emergency assistance and position themselves for other funding through National Economic Development Council.</i>	WA Dept, Of Commerce, Washington Government Agencies, Small and Mid-Scale Farm and Food Enterprises
F	<b>Develop ombudsman/woman position at the state to coordinate and share information regarding relief resources and services to help individual farmers understand and access the resources available to them.</b> The economic relief, funding, and financing landscape is changing daily and it is hard for technical assistance service providers to keep up with the changes. There are many resources being deployed now through WSDA Regional Markets, WSU Food Systems Program, Farm King County, and others are working to provide comprehensive information on what is available. However, that does not mean it is easy to navigate for farmers, as they have to go to all the individual programs that are available.	Washington Government Agencies, Policymakers
G	<b>Support technical assistance providers (e.g., local CDs, WSU, SCC, WSDA, etc.) using state or federal dollars to work with producers to tackle a variety of issues related to pivoting from one market to another.</b> Farmers need technical assistance to move to wholesale or retail markets. Assistance needs include: food safety regulations; information and guidance on packaging, cooling, post-harvest handling, farm management in terms of production and volume; new and different equipment to cultivate and plant for new markets; and product standardization requirements.	Washington Government Agencies, Policymakers, Local CDs, WSU, SCC, WSDA

<sup>3</sup> This action received one stand aside vote. Stand aside votes do not count against consensus. Description of stand aside votes are captured in Appendix D.

**Opportunity:** Offer growers and agricultural enterprises market cultivation assistance, business support services, and technical assistance to serve viable markets.

Early Action #	Description	Potential Implementors
A	<b>Develop business-to-business needs and assets linkage opportunities to support matchmaking between producers and products, markets, and available processing and logistics infrastructure.</b>	WSDA, CDs, WSU

**Opportunity:** Provide cost-share, small grants, or public-private financing to help farms and food system businesses shoulder the cost of pivoting to serving new markets and meeting increased demand for locally-marketing producers.

Early Action #	Description	Potential Implementors
A	<b>Allow for flexibility in the USDA Local Agriculture Market Programs (LAMP) to more quickly and effectively provide support to regional food systems in line with that program's purpose.</b> Relax or remove eligibility and matching fund requirements and expedite review and approval under the Farmers Market Promotion Program, the Local Food Promotion Program, and the Value Added Producer Grant Program. These existing programs are important sources of capital for local food systems and small- mid scale farms and value-added processors. The grants have been very successful at supporting development of local and regional food systems. Expand and make these programs more accessible to build on the successful programs.	WSDA, USDA, Policymakers, Municipalities

**Challenge #2:** COVID-19 public health responses resulted in transformational shifts in the food system requiring systems-level supports and investment to maintain the functional capacity and flexibility of our food system to meet immediate needs and build resiliency for an uncertain future.

**Opportunity:** Recognize and support farmers markets as essential components of our food and agriculture system that provide public benefit as important access points to healthy foods and are foundational for local food economies.

Early Action #	Description	Potential Implementors
A	<b>Enable farmers markets to expand their sites using public or private land so that social distancing and all other public health directives can be maintained while serving a greater (sustaining) number of farmers and shoppers.</b>	WSFMA, WSDA, Local Government Agencies

Early Action #	Description	Potential Implementors
B	<b>Provide a public stabilization package to farmers market organizations (to replace lost revenue) so that they can be leveraged for current and additional sales through new/hybrid direct-to-consumer models and preserve market infrastructure and community assets.</b>	WSFMA, Washington Government Agencies, Policymakers
C	<b>Support farmers markets' ability to develop alternative and hybrid models for servicing all customers (e.g., individuals, CSA, institutions, and wholesale), including pre-orders and drive through markets, by helping to secure and fund permits; access existing online platforms, train vendors, and pay staff.</b>	WSFMA, WSDA, Local Government Agencies

**Opportunity: Identify opportunities in the immediate, near and mid-term to reorient, improve, and develop food system infrastructure (including processing, storage, aggregation and distribution) for a variety of agricultural enterprises to ensure economic viability during this crisis and beyond**

Early Action #	Description	Potential Implementors
A	<p><b>Reorient and reallocate existing chilled transportation infrastructure to ensure adequate transportation capacity.</b> There is existing and available transportation capacity to make deliveries. Explore developing a network of 'mom and pop' shops that have cold and dry storage.</p> <p><i>Case Example: NW Harvest is planning to hire a few LINC Foods drivers/trucks for delivery to eastern WA food pantries; Rotary First Harvest is matching excess food with excess trucking. WSU Extension in Stevens County has developed a model that uses small refrigerated trailers to deliver fresh produce to stores and foodbanks in Spokane, Stevens and Pend Oreille counties that could be scaled up.</i></p>	Government Agencies, Private Businesses, WSU, Agricultural Resource Providers, Non-profit Organizations
B	<p><b>Use existing Washington-based distribution networks (e.g., Amazon, Charlie's Produce, small and mid-sized food hubs, other smaller distribution networks, etc.) to get Washington-grown products directly to consumers.</b> Reach out to existing networks to understand what capacity there is in the system. Consider conducting a survey of licensed distributors in the state to learn more.</p> <p><i>Case Example: Snohomish County is exploring partnering with Sysco and Charlie's Produce to get product to customers. Chelan and Douglas County Community Action Council is developing a mobile food pantry that will regularly rotate through remote points of the region to provide fresh local food in coordination with community health, WorkSource, bookmobile, and other services.</i></p>	WSU Extension, WSDA, DOH/local ACHs, Private Businesses, Agricultural Resource Providers, Non-profit Organizations, NW Cooperative Development Center (NWCDC)

Early Action #	Description	Potential Implementors
C	<p><b>Reactivate the supply chains to keep lights on in our food businesses like restaurants and institutions (schools, hospitals, etc.).</b> Support restaurants in preparing meals for institutional needs. Provide stimulus dollars to cover the difference between keeping-lights-on costs for restaurants and purchase price.</p> <p><i>Case Example: Center for Good Food Purchasing is developing this idea in Los Angeles. Snohomish County will be implementing something similar as well.</i></p>	<p>Policymakers, Government Agencies, Philanthropy, Private Businesses, Funders (e.g., philanthropic, public, or private investors)</p>

**Challenge #3:** COVID-19 has increased the need for nutrition services and assistance due to massive unemployment and economic insecurity for Washingtonians.

**Opportunity:** Ensure expansive and comprehensive nutrition services and assistance reach children, adults, and seniors in need.

Early Action #	Description	Potential Implementors
A	<p><b>State organizations should deliver aligned messaging to educate funders and local and state decision-makers on food security as an integral part of the state's public health response to COVID-19, with the goal of ensuring resources to address food system challenges related to the pandemic.</b></p>	<p>Government Agencies; Funders; Policymakers</p>

**Opportunity:** Support growers and people in need by: Purchasing food from Washington growers, including small and mid-scale farms.

Early Action #	Description	Potential Implementors
A	<p><b>Support the "Farmers Feeding Families Coronavirus Response Act" introduced in Congress.</b> The bill would provide much needed additional funding to purchase goods from small and medium farmers and producers who are sitting on surplus crops and provide them to food banks and food assistance programs who are facing unprecedented demands. If passed, the bill will direct USDA to allocate a portion of federal commodities purchased for food banks from direct-to-market businesses like food hubs, agriculture cooperatives, and producer associations as well as small and mid-scale producers. The bill also authorizes USDA to give funds directly to state agencies to purchase food for food banks from producers within the state.</p>	<p>Policymakers, USDA</p>

Early Action #	Description	Potential Implementors
B	<b>Allow the Secretary of Agriculture maximum flexibility to use Stafford Act Section 32 funds and Families First Coronavirus Act Section 101(g) to purchase foods from local producers during Presidentially-declared emergencies and disasters.</b>	Policymakers
C	<b>Request USDA approval of extension of Washington’s disaster household food distribution plan to help move unused food as needed.</b>	USDA, WA Government Agencies
D	<b>Monitor implementation of USDA Coronavirus Farm Assistance Program (CFAP).</b> Depending on availability of resources, this is an opportunity to help food distributors connect with food banks, food hubs, and small and mid-scale producers to design emergency food boxes targeting areas of high need and limited resources and purchase from local producers.	USDA, WA Government Agencies, Producers, Food Distributors, and Markets
E	<b>Allow state agencies to purchase eligible foods in bulk to ensure that farm products do not go to waste and are accessible to all who need food during this emergency.</b>	Policymakers, Government Agencies
F	<b>Ensure public schools have adequate funding and flexibility to purchase needed food products, and to purchase from local farms.</b> Available Washington-grown food might be at a higher price point than institutional buyers can afford. Use federal and state dollars to help make Washington-grown purchases. Allow TEFAP Farm to Food Bank funds (FTFB) to be used for purchase, transport, and storage of commodities from local producers that would have otherwise been sold through direct marketing or institutional procurement that are not operating as a result of COVID-19 social distancing measures.	Policymakers, Government Agencies, Public Schools
G	<b>Maintain or increase capacity of the WSDA Regional Markets Program to facilitate farm to market connections, including to schools, childcares and other food access programs.</b> During a crisis – whether a pandemic, a weather related or other act of nature, or an economic crisis – the state needs to have the ability to respond immediately to food needs. By facilitating connections between farms, small distributors, and schools, Regional Markets helps build and maintain connections in local supply chains. A robust WSDA Regional Markets Program will help the state be prepared for such a response.	Policymakers, WSDA
H	<b>Fund purchases of locally grown food for food pantries across the state as coordinated by Food Lifeline, Northwest Harvest, and Second Harvest.</b>	Food Pantries, Government Agencies; Community Based Organizations

**Opportunity: Support growers and people in need by: Helping people use their benefits to buy fresh and local products.**

Early Action #	Description	Potential Implementors
A	<p><b>Ensure service organizations and people are aware of the flexibilities being created by USDA and others to access benefits like SNAP, school meals, etc. and relief programs.</b> This would help take pressure of the food bank system. Ensure the state is taking advantage of available federal programs.</p> <p><i>Case Example: Community Foundation NCW provided a grant to the Wenatchee Valley Farmer's Market to enable the market to increase the SNAP match benefits to 50% as an incentive to encourage people to buy local food.</i></p>	DOH, NGOs and Partner Organizations
B	<p><b>Request Congress to grant USDA the authority to reduce or remove 100% matching fund requirements and expedite review and approval under the federal Gus Schumacher Nutrition Incentives Program (GusNIP) grant.</b> Grant applications opened for GusNIP's FY2020 cycle on March 13 and proposals were due May 18, with \$41.5 million in awards available. DOH applied for this grant as part of the state's Fruit and Vegetable Incentives Program. Foundations and community benefit organizations that would be sources of match are focusing funds on COVID-19 related items or are unable to commit funding because of financial uncertainty, making it difficult to fundraise. An expedited review process would allow DOH, if awarded a grant, to begin expansion to more grocery stores in fall 2020 and provide more fruit and vegetable incentives to SNAP clients.</p>	Policymakers, USDA, DOH, Foundations and Community Benefit Organizations

## Equity

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Many of the actions the Forum has developed seek to address food system vulnerabilities, some of which have disproportionate impacts on different populations and industry sectors. Existing disparities in Washington's food system have been exacerbated by COVID-19. Following guidance from the Governor, which directs state agencies to develop budget proposals using an equity lens, in the 2021 fiscal year the Forum will do the same in its own work, by identifying how actions and recommendations of the Forum impact equitable outcomes for Washingtonians. Since its inception, the Forum has taken a systems approach to the challenges and opportunities in our food system; the Forum recognizes that this includes analysis of potentially disparate effects on the diversity of geographic and demographic communities as we work to achieve a food system that provides healthy food for all people in Washington.

## Vulnerabilities in Washington's Food System

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Our state's response to the pandemic, while necessary to protect human health and slow the spread of the virus, has dramatically impacted Washington's food system. Closures of food service, hospitality, and tourism sectors have caused immediate and ongoing loss of critical markets and revenue for farmers; restaurants, schools and institutions have closed; farmers markets and on-farm retail and agritourism have been modified and sales have been severely limited. The impacts are immediate and significant for farmers and ranchers who rely on these direct markets and institutional buyers in our state: food service at universities, corporate campuses, and the hospitality and event industries. Farms who rely on farmers market sales must make decisions now about annual investments in labor and operations with no certainty that market channels will be open for their products.

Many of the challenges Washington must address now in light of COVID-19 reflect the Forum's 2019 consensus recommendations, which respond to the vulnerabilities and opportunities that are particularly apparent under COVID-19.

**Below are some examples of the way COVID-19 is impacting Washington's food system:**

- The stay at home order, the travel restrictions, and social distancing requirements needed to contain the spread of COVID-19 have exacerbated existing access barriers to nutrition assistance programs for seniors and children participating in school, childcare, and after school meal programs.
- Restaurants and institutional food services have closed due to stay at home orders, severely reducing the customer base for farmers and their products. Farms and food enterprises need to navigate a temporarily disrupted food system while ensuring they are around for whatever 'after COVID' looks like.
- Loss of jobs and income means the number of people in need of food assistance and access to healthy food is higher than ever before. Concurrently, existing pressures and inflexibilities within our food system are exacerbated. For example, increased demand at food banks has strained the food bank system (e.g., insufficient food to meet demand; lack of facilities to handle certain foods, such as perishable foods and frozen foods, etc.)
- Household demand for products from Washington farmers is surging but blocked by market closures and weak links in the food value chain. Over the last half century food processing and distribution industries have transformed or migrated leaving a gap in much-needed processing, storage, and distribution infrastructure to serve local and regional markets (such as lack of access to USDA meat processing plants for small scale meat producers.).



- Pre-COVID-19 barriers to markets that have impeded seemingly logical connections between small- and mid-sized farms and local and regional customers are exacerbated by the scope of the need and pressures on local food supply chains that are trying to pick up some of the new through put. The absence of such processing and distribution channels can mean unnecessary waste of food that cannot be immediately sold to end users.
- In the last two decades, the number of acres of agricultural land in production in Washington fell by over one million acres and the number of farms declined by 10 percent. Pressure on farmland related to land costs, loss of farms due to a difficult business environment, and transitions in ownership driven by generational and business changes are particularly heightened during COVID-19.
- Existing regulations make it difficult for the local food system to quickly adapt to changing market demand. For example, USDA certification of meat processing is not transferred to WSDA to provide additional capacity.

Actions implemented now to respond to immediate needs during the COVID-19 crisis have the potential to shape the food system in a positive, long-lasting way for generations to come. Washington's \$49 billion food and agricultural system is extremely diverse, with over 300 different commodities produced.<sup>4</sup> Washington is unique in its diversity of agricultural scale which is an advantage we can build upon to respond to COVID-19 and develop resilience into the future. The hope is that we respond to the immediate needs presented by COVID-19 to develop, reinvent, and reinvest in regional food systems in our state in ways that address long-standing vulnerabilities and build food security and resilience into the future.

This report outlines opportunities and implementation actions that address the impacts of COVID-19 to Washington's food system.

# Implementation Actions

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## Overview of Key Challenges

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The COVID-19 crisis is highlighting a number of weaknesses in Washington's food system. These weaknesses include an unanticipated number of people needing food assistance; a severely disrupted food distribution system; the closure of restaurants and a restrained ability to purchase food; an immediate loss of key markets for producers due to closures; a government support system stretched by competing demands to address the health crisis, the economic crisis, and food availability challenges.

The Forum's implementation actions are organized by four challenges:

1. **Challenge #1:** COVID-19 threatens both the near and long-term economic viability of individual agriculture and food enterprises; these businesses need appropriate relief and relevant services to continue to remain economically viable and operational as they pivot to serve new market and operating demands during the pandemic and beyond.
2. **Challenge #2:** COVID-19 public health responses resulted in transformational shifts in the food system requiring systems-level supports and investment to maintain the functional capacity and flexibility of our food system to meet immediate needs and build resiliency for an uncertain future.
3. **Challenge #3:** COVID-19 has increased the need for nutrition services and assistance due to massive unemployment and economic insecurity for Washingtonians.
4. **Challenge #4:** COVID-19 underscores the need to foster resilience in the face of a changing climate to ensure long-term food security.

# Challenge #1

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COVID-19 threatens both the near and long-term economic viability of individual agriculture and food enterprises; these businesses need appropriate relief and relevant services to continue to remain economically viable and operational as they pivot to serve new market and operating demands during the pandemic and beyond.

COVID-19 has created unprecedented economic uncertainty and eliminated or reduced market access for agricultural producers across Washington, especially for farms selling at the regional and local level. Small scale farms make up the vast majority of farms by number in Washington (89%) and the majority of those (70%)<sup>5</sup> sell through market channels that have closed entirely (e.g., restaurants, schools, and other institutions) or have been heavily impacted (e.g., farmers markets). This has led to an immediate loss of revenue and uncertain economic prospects characterized by high market risks.

Direct financial support to stop-gap losses and to invest in pivots to new markets is needed. Producers at all scales need direct financial assistance to continue to provide essential food system services while simultaneously investing to respond to market shifts, new logistics, and operating requirement costs in light of COVID-19 health and safety conditions. To be effective in implementation, economic relief must reflect the realities of the diverse sectors within Washington agriculture (scale, crops, markets, supply chains). Economic relief and stimulus responses need to explicitly include small, direct, and regionally marketing farms. Programs intended to assist direct and locally marketing farms should be relevant to characteristics of the sector.

Most small businesses, including farms in Washington, are operating with limited cash flow – 90 days of cash is the best-case scenario. Money in enterprises' hands can buy time in the face of immediate losses in revenue and operating capital. It can help fund the startup costs of 'market pivots' which are necessary for ongoing farm viability. Direct financial support can include direct payments, grants, cost shares, and or low-cost debt, or appropriately scaled public purchasing of products.

Farm and food businesses need targeted, relevant technical assistance to pivot business models, adapt marketing strategies, and respond to quickly changing regulatory requirements. The magnitude and the speed required for the pivot can be overwhelming and discourage otherwise attainable business efforts and innovations. Technical assistance and policy support to navigate new market opportunities and regulatory and public health realities would minimize obstacles to success.

## **Opportunity 1: Identify and provide economic relief and stimulus in the near term that is responsive and appropriate to needs the full diversity of our agricultural sectors and enterprise types.**

There is significant uncertainty about what the new economy looks like and how farms can avoid going under due to debt. It is critical that we ensure economic stimulus responses explicitly address the economic and business needs of small, direct, and regionally marketing farms, including farmers market farms, Community Supported Agriculture (CSA) farms, on-farm stores, u-pick and agritourism, food hubs and similar cooperative aggregation

<sup>5</sup> Data from WSDA's Survey of Economic Impacts of COVID-19

and distribution models. Farm businesses need a financial bridge to weather the new pressures and changes in markets created by COVID-19.

## Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<b>Make relevant, timely public health and safety information, technical assistance, and funds available to farms, ranches, and food businesses so they can operate and transport essential food and agricultural products in accordance with CDC guidelines.</b> DOH, WSDA, and WSU are working on public safety of the food system.	DOH, L&I, WSDA, WSU
B	<b>Explicitly include small, direct, and regional marketing farms in small business, workforce, and emergency payments or loan programs.</b> <ul style="list-style-type: none"> <li>USDA responses should include all types of crops and livestock production systems, including highly diversified farms that receive direct market retail prices for their products. Include beginning farmers who may not yet have records of previous sales income.</li> <li>Provide direct financial assistance to critical supply chain businesses, food system workers, and food establishments.</li> </ul>	USDA/CARES Act, Department of Commerce, WSDA
C <sup>6</sup>	<b>Stabilize lines of credit, extend collateral positions, and create a guarantee fund to allow lines of credit from banks or credit unions.</b> Consider work and activity by NW Farm Credit Services, CDFIs like Craft3 and Business Impact Northwest, and look to Department of Commerce and Office of Financial Management.	SBA, USDA FSA, Banks and Credit Unions, CDFI's, Microenterprise Lenders, WA Dept, of Commerce.
D	<b>Explore whether production lines of credit (loans to farmers to buy seed, amendments, etc.; requires having a contract in hand) can be re-negotiated to relieve financial strain on farmers from major swings in the market.</b> Defer payments with interest continuing so that farmers have more time to determine what markets are viable.	USDA FSA, Banks and Credit Unions,
E	<b>Increase business technical support to offer one-on-one counseling to small and mid-scale farm and food enterprises to among other things make sure businesses are ready to receive funding, develop business plans etc., and take advantage of opportunities like new markets.</b>  <i>Case Example: Chelan Douglas Regional Port Authority, Community Foundation of NCW, and 501 Commons have teamed up to help non-profits apply for emergency assistance and position themselves for other funding through National Economic Development Council.</i>	WA Dept, Of Commerce, Washington Government Agencies, Small and Mid-Scale Farm and Food Enterprises

<sup>6</sup> This action received one stand aside vote. Stand aside votes do not count against consensus. Description of stand aside votes are captured in Appendix D.

F	<b>Develop ombudsman/woman position at the state to coordinate and share information regarding relief resources and services to help individual farmers understand and access the resources available to them.</b> The economic relief, funding, and financing landscape is changing daily and it is hard for technical assistance service providers to keep up with the changes. There are many resources being deployed now through WSDA Regional Markets, WSU Food Systems Program, Farm King County, and others are working to provide comprehensive information on what is available. However, that does not mean it is easy to navigate for farmers, as they have to go to all the individual programs that are available.	Washington Government Agencies, Policymakers
G	<b>Support technical assistance providers (e.g., local CDs, WSU, SCC, WSDA, etc.) using state or federal dollars to work with producers to tackle a variety of issues related to pivoting from one market to another.</b> Farmers need technical assistance to move to wholesale or retail markets. Assistance needs include: food safety regulations; information and guidance on packaging, cooling, post-harvest handling, farm management in terms of production and volume; new and different equipment to cultivate and plant for new markets; and product standardization requirements.	Washington Government Agencies, Policymakers, Local CDs, WSU, SCC, WSDA

## Near-Term Actions

Early Action #	Description	Potential Implementors
H <sup>7</sup>	<b>Ensure Small Business Administration and Small Business Development Center services are available to farming and food microenterprises in Washington.</b>	Small Businesses Administration, small businesses, Port Districts, Economic Development Districts
I	<b>Explore partnering with Workforce Development Councils to seek funding for labor and staff for key agricultural supply chain positions to help build out the needed regional-scale production, processing, and distribution systems needed to make our food system more resilient to the pressures of a crisis such as COVID-19.</b> Explore workforce programs along the lines of FDR era conservation corps that could utilize emergency funding to directly put unemployed workers to work on essential food system building projects.	Workforce Development Councils; Washington Government Agencies

<sup>7</sup> This action received one stand aside vote. Stand aside votes do not count against consensus. Description of stand aside votes are captured in Appendix D.

## Opportunity 2: Offer growers and agricultural enterprises market cultivation assistance, business support services, and technical assistance to serve viable markets.

COVID-19 has created a huge shift in the food system market and there is increased interest in buying local and an increased demand for direct-to-consumer business models. Producers and consumers do not yet have the education and tools to make e-commerce connections. Support the online selling platform needs of producers to take advantage of the growing direct-to-consumer market opportunity (e.g., online food hubs, etc.).

### Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<b>Develop business-to-business needs and assets linkage opportunities to support matchmaking between producers and products, markets, and available processing and logistics infrastructure.</b>	WSDA, CDs, WSU

### Near-Term Actions

Early Action #	Description	Potential Implementors
B	<b>Support market cultivation by increasing resources to enable coordination to match growers with markets and products with appropriate available infrastructure.</b> We're used to thinking about how to connect producers to institutional purchasers through easy/larger distribution networks, but that end customer is now thinking about how to bypass distributors to reach institutional markets for example.	WSDA, CDs, WSU
C	<b>Make e-tools and technical assistance available to agricultural enterprises that need to rapidly develop ability to take orders or sell product online.</b> <ul style="list-style-type: none"><li>• Support and learn from WSDA Regional Market's effort to offer technical assistance services and cost share opportunities for farms to pilot participation in partnership with small business development organizations.</li><li>• Explore partnership with local technology entrepreneurs and local business development providers to help producers move more sales options online.</li><li>• Learn from farms currently selling online for pick up at farmers market sites, for example, Rama Farm in Bridgeport.</li></ul>	WSDA, Small Business Support Organizations, Department of Commerce, Local Technology Companies and Services

D	<b>Support WSU, WSDA and NW Ag Business Center work to offer business technical support.</b>	WSU, WSDA, NW Ag Business Center, policymakers
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## Mid-Term Actions

Early Action #	Description	Potential Implementors
E	<p><b>Share successful changes agriculture and food enterprises have made to new markets during COVID and share insights so that other businesses can learn from their experience. Technical assistance providers, researchers, and community-based organizations can contribute to this with funded capacity.</b></p> <p><i>Case Example: Learn from LINC Foods which recently shifted to remote drop site pick up once customers place online orders, Puget Sound Food Hub, and a new food hub evolving through Thurston County EDC.</i></p>	WSU, WSDA, CDs, Community-Based Organizations, Initiative for Rural Innovation and Stewardship (IRIS), Policymakers

**Opportunity 3: Provide cost-share, small grants, or public-private financing to help farms and food system businesses shoulder the cost of pivoting to serving new markets and meeting increased demand for locally-marketing producers.**

Now, more than ever, small and mid-scale farms and food enterprises need business service technical support to weather the multiple effects of COVID, including the pivot to new markets and business models.

## Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<p><b>Allow for flexibility in the USDA Local Agriculture Market Programs (LAMP) to more quickly and effectively provide support to regional food systems in line with that program's purpose.</b> Relax or remove eligibility and matching fund requirements and expedite review and approval under the Farmers Market Promotion Program, the Local Food Promotion Program, and the Value Added Producer Grant Program. These existing programs are important sources of capital for local food systems and small- mid scale farms and value-added processors. The grants have been very successful at supporting development of local and regional food systems. Expand and make these programs more accessible to build on the successful programs.</p>	WSDA, USDA, Policymakers, Municipalities

## Near-Term Actions

Early Action #	Description	Potential Implementors
B	<p><b>Reduce market access barriers for farms that are pivoting to serve wholesale and institutional markets (including USDA procurement), with assistance meeting market channel requirements for food safety audits.</b> It is not too difficult to integrate on-farm food safety practices, the cost of audits and on-farm infrastructure is prohibitive.</p> <ul style="list-style-type: none"> <li>• Establish cost share program for GAP/GHP Audit at the state level using Specialty Crop Block Grant funds or by expanding the current USDA AMS program to Washington (and other states).</li> <li>• Establish a small grants program to make small farm/inspection plant investments.</li> <li>• Support the WSDA Regional Markets Program to resume offering its “Bridging the Gaps” technical assistance activities that help farms learn about food safety standards and prepare for third party GAP/GHP produce safety audits.</li> </ul>	WSDA, USDA, Policymakers

## Challenge # 2

COVID-19 public health responses resulted in transformational shifts in the food system requiring systems-level supports and investment to maintain the functional capacity and flexibility of our food system to meet immediate needs and build resiliency for an uncertain future.

Necessary public health measures to slow transmission of COVID-19 – initiated with the closure of restaurants and the food service sector and continuing with pandemic related constrictions on production and processing – have led to massive shifts in the food system. Prior to COVID-19, Americans consumed nearly 40% of their food through food service channels including restaurants, hospitality and tourism, and institutional food service. With those markets closed, these consumer food needs must be met through entirely different supply chains. Various agricultural producers, processors, and food supply chain enterprises at all scales are rapidly pivoting to serve new consumer demands for direct-to-consumer, retail grocery, and emergency food system needs as their traditional markets have been disrupted. Food system vulnerabilities that were cause for concern previously<sup>8</sup> are now immediate challenges to be solved. These demand shifts and ongoing public health and safety issues have put new pressures on our food system and require supports and investments in our state’s local and regional food system that are beyond the scope and capacity of individual enterprises.

<sup>8</sup> Various existing food system vulnerabilities are outlined in the [Forum’s 2019 Report](#)



There is a need to support the viability of diverse markets for Washington-grown products, including retail, wholesale, institutional, and emergency food markets by helping to realign highly specialized, and varied supply chains to meet new needs and to build strength and resiliency into our food systems. Consumers are navigating a new landscape of decisions, opportunities, and barriers. A robust promotional and educational campaign is needed to direct consumers to connect in new ways with available products and new markets for Washington products. Strategic support and investments in regional food system infrastructure will close gaps that are currently hindering available product from reaching consumers who need it. This includes investment in regional, and right-scaled, processing and distribution capacity as well as reinforcement of essential local food services like farmers markets.

Critically, there needs to be a systemic protection of critical resources like agricultural land, which, if lost due to short-term economic disruption, will be extremely difficult to reclaim. Individual enterprises and agriculture as a whole are going to experience losses during this time. Understanding where thresholds of 'point of no return' exist and providing supports to avoid reaching those tipping points will be critical to the future functioning and resilience of our food system.

### **Opportunity 1: Recognize and support farmers markets as essential components of our food and agriculture system that provide public benefit as important access points to healthy foods and are foundational for local food economies.**

Farmers markets represent over \$58 million in reported sales (annually) for well over 1,200 small and mid-sized farmers. In addition to direct sales, farmers markets are critical to new farm business development as well as informally providing a variety of support services for farmers. Farmers markets are established marketplaces that offer one-stop shopping from a variety of farms and have well-developed, functioning food access programs including accepting WIC and Senior FMNP, SNAP, and SNAP Market Match, as well as generously donating to neighborhood food banks.

COVID-19 has stressed the farmers market organizations and infrastructure, exposing weaknesses from decades of public underinvestment and a reliance on community-based volunteer organizations or City programs. As essential services, farmers markets are operating with approval from public health as well as local jurisdictions; they have worked hard to create plans, invest in materials needed, and report on outcomes. Farmers market organizations are at risk of not being able to sustain operations with public health requirements due to increased expenses, especially labor and decreased revenue from lost market days, reduced vendor fees, lost sponsorships, and, for city-run markets, lost tax revenue.

### **Immediate-Term Actions**

Early Action #	Description	Potential Implementors
A	<b>Enable farmers markets to expand their sites using public or private land so that social distancing and all other public health directives can be maintained while serving a greater (sustaining) number of farmers and shoppers.</b>	WSFMA, WSDA, Local Government Agencies

B	<b>Provide a public stabilization package to farmers market organizations (to replace lost revenue) so that they can be leveraged for current and additional sales through new/hybrid direct-to-consumer models and preserve market infrastructure and community assets.</b>	WSFMA, Washington Government Agencies, Policymakers
C	<b>Support farmers markets' ability to develop alternative and hybrid models for servicing all customers (e.g., individuals, CSA, institutions, and wholesale), including pre-orders and drive through markets, by helping to secure and fund permits; access existing online platforms, train vendors, and pay staff.</b>	WSFMA, WSDA, Local Government Agencies

## Mid-Term Actions

Early Action #	Description	Potential Implementors
D	<p><b>Permit farmers markets as essential food and agriculture enterprises not temporary events. Farmers markets need secure and affordable sites; as well as support offered to other marketplaces.</b></p> <p><i>Case Example: Pybus Foundation in Wenatchee serves as the fiscal agent for the Wenatchee Valley Farmer's Market which has a permanent home at Pybus Public Market.</i></p>	WSFMA, WSDA, Local Government Agencies

**Opportunity 2: Identify opportunities in the immediate, near and mid-term to reorient, improve, and develop food system infrastructure (including processing, storage, aggregation and distribution) for a variety of agricultural enterprises to ensure economic viability during this crisis and beyond.**

The public health measures necessary to slow transmission of COVID-19 precipitated a massive shift in demand from serving the food service sector to meeting household needs. Emergency and food access programs are overwhelmed with demand for new types of products, like grocery and retail, and they can struggle to source the product they need. There are immediate needs to support the infrastructure and logistical changes required to ensure households can access foods they need. Meanwhile, many individual farms and food businesses are needing to quickly retool to serve new markets, often lacking the infrastructure at the regional level to make that change possible. Some farms are shifting to direct-to-consumer markets to meet increased demand. This shift necessitates new cold and dry storage, pre-order drop points, value-added processing, and packaging required to meet COVID-19 related health requirements. Some farms may need to shift to serving retail grocery and the new needs of institutional customers (like schools) and emergency food programs (like meal providers and food banks). These farms need more processing infrastructure to meet the desires and specifications of these new markets, remain viable, and be part of a resilient food system beyond the pandemic.

## Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<p><b>Reorient and reallocate existing chilled transportation infrastructure to ensure adequate transportation capacity.</b> There is existing and available transportation capacity to make deliveries. Explore developing a network of ‘mom and pop’ shops that have cold and dry storage.</p> <p><i>Case Example: NW Harvest is planning to hire a few LINC Foods drivers/trucks for delivery to eastern WA food pantries; Rotary First Harvest is matching excess food with excess trucking. WSU Extension in Stevens County has developed a model that uses small refrigerated trailers to deliver fresh produce to stores and foodbanks in Spokane, Stevens and Pend Oreille counties that could be scaled up.</i></p>	Government Agencies, Private Businesses, WSU, Agricultural Resource Providers, Non-profit Organizations
B	<p><b>Use existing Washington-based distribution networks (e.g., Amazon, Charlie’s Produce, small and mid-sized food hubs, other smaller distribution networks, etc.) to get Washington-grown products directly to consumers.</b> Reach out to existing networks to understand what capacity there is in the system. Consider conducting a survey of licensed distributors in the state to learn more.</p> <p><i>Case Example: Snohomish County is exploring partnering with Sysco and Charlie’s Produce to get product to customers. Chelan and Douglas County Community Action Council is developing a mobile food pantry that will regularly rotate through remote points of the region to provide fresh local food in coordination with community health, WorkSource, bookmobile, and other services.</i></p>	WSU Extension, WSDA, DOH/local ACHs, Private Businesses, Agricultural Resource Providers, Non-profit Organizations, NW Cooperative Development Center (NWCDC)
C	<p><b>Reactivate the supply chains to keep lights on in our food businesses like restaurants and institutions (schools, hospitals, etc.).</b> Support restaurants in preparing meals for institutional needs. Provide stimulus dollars to cover the difference between keeping-lights-on costs for restaurants and purchase price.</p> <p><i>Case Example: Center for Good Food Purchasing is developing this idea in Los Angeles. Snohomish County will be implementing something similar as well.</i></p>	Policymakers, Government Agencies, Philanthropy, Private Businesses, Funders (e.g., philanthropic, public, or private investors)

## Near-Term Actions

Early Action #	Description	Potential Implementors
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D	<p><b>Identify storage, warehousing, and processing facilities where large amounts of a commodity can be broken-down to sizes and quantities that can be distributed to homes, food banks, food pantries, and other distribution centers.</b></p> <p>Grain producers are ramping up production of 5lbs bags of flour from 50lbs bags of flour to meet new demand, but there is not enough storage for shelf stable goods to accommodate new volume. Explore partnership with companies like Charlie's Produce that have extra and refrigerated storage capacity needed to address constraints schools and food banks/pantries are dealing with.</p>	<p>WSU, WSDA, Private Businesses, Agricultural Resource Providers, Non-profit Organizations. Economic Development Organizations</p>
E	<p><b>Funding, financing, and cost-sharing: Offer affordable financing to cover expenses of pivot to minimal processing or packaging needs of institutional buyers.</b></p>	<p>Policymakers, Government Agencies, Private Businesses, Institutions, Funders (e.g., philanthropic, public, or private investors), Craft3</p>

## Mid-Term Actions

Early Action #	Description	Potential Implementors
F	<p><b>Alleviate processing and packaging barriers. Procuring fresh products (from Washington producers) for use in current operating models of emergency food programs like food banks and take-away school meals, will require identifying or developing infrastructure capacity for raw agricultural products to be minimally processed and packaged (e.g., chopped, sliced, diced, flash frozen in single servings and/or household size packages).</b> The shift school meal providers have made from congregate to take-away meals means schools need products in different forms (this is true for food banks too).</p>	<p>WSU, WSDA, Department of Commerce, USDA, Economic Development Association, Private Businesses, Agricultural Resource Providers, Non-profit Organizations.</p>

G	<b>Deputize the WSDA food safety program to work with USDA.</b> There is currently a bottleneck in the livestock processing system due to the shortage of USDA inspectors. Deputizing the WSDA food safety program to work with USDA would bring more slaughter and meat processing plants online to mitigate local supply chain blockages and ensure small scale livestock producers are able to bring their products to local retail and direct-to-consumer markets. Determine if the immediate need is more plants versus more capacity for existing plants. Explore whether federal guidelines can make exemptions for state approved meat packing.	USDA, WSDA, Policymakers
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### Opportunity 3: Increase purchases of Washington farm products with better visibility and promotion of Washington products in the marketplace.

Farm directories and e-commerce platforms will only be effective if paired with a robust promotional campaign alerting consumers that they should be looking for such options.

#### Near-Term Actions

Early Action #	Description	Potential Implementors
A	<b>Support and expand existing statewide directory of farms selling for local purchasing to help consumers find farm products.</b> Support and learn from the experience of the Food Atlas Project (involving several NGO's with varied directories and WSU). Several unique directories, including the WSU Farm Finder Tool, are being updated now for eventual integration with a statewide Food Atlas. This Atlas would provide farm website listings with an e-commerce component. Currently, it is the farm listing site that points to existing local websites and listings and maintains regional and local identity.	Non-profit Organizations; WSU, WSDA, Funders

#### Learn From:

- The Washington Young Farmer's Coalition, Online Sales Platform Overview: <https://www.youngfarmers.org/wp-content/uploads/2020/04/Farmers-Guide-to-Direct-Sales-Software-Platforms.pdf>
- Learn from King County efforts to develop an ESRI app farm finder tool that would list all farms, products available, dates and times of operations, selling opportunities etc. and farm listing efforts in [Clark County](#), [Thurston County](#) and the Tilth Alliance's Farm Guide: <https://farm-guide.org/>.
- The Farm Bureau's Farm Fresh: <https://wsfb.com/farm-fresh/>.

## Mid-Term Actions

Early Action #	Description	Potential Implementors
B	<p><b>Develop and implement consumer education, marketing, and promotion campaign to help consumers engage with new e-commerce tools.</b> Earned traditional media and robust social media coverage of the idea of ‘buy local through new alternate channels’ and where to look will be key. CDs can help with WA-grown messaging that is broad and aimed at more than one producer at a time to help consumers understand where their food comes from and how to support the local community.</p> <p>Use funding and coordination to leverage existing local marketing programs (e.g., Eat Local First’s marketing for CSA and direct to consumer models) and related organizations and non-profits to bring marketing efforts statewide.</p> <p><i>Case Examples: There are Eat Local First marketing campaign pilots in Whatcom and Skagit. Sustainable Connections, Tilth Alliance, Pierce County Fresh and Eat Local First Olympic Peninsula are partnering on submitting an LFPP grant to develop a statewide consumer facing Eat Local First web platform and Food Atlas to connect consumers to farms and local food. King County is also developing an online tool to help consumers find local farms to purchase from.</i></p>	CDs, Local Marketing Programs, Non-Profit Organizations, WSDA
C	<p><b>Develop an e-commerce platform and support agricultural enterprises to participate.</b></p> <ul style="list-style-type: none"> <li>• Create a focused subcommittee to identify what is needed from the producer and customer perspective to successfully move to an online platform. Balance public coordination of knowledge sharing with allowing entrepreneurs to take tools and models that are quickly available, launch programs, learn and adapt.</li> <li>• Create position/capacity within WSDA, WSU, or other organizations to coordinate multiple farm businesses moving to an online platform so that it is not each producer having to solve the issue for themselves.</li> </ul>	WSU, WSDA, Government Agencies

## Opportunity 4: Implement a set of land protection tools to mitigate potential loss of agricultural land and promote the exchange of agricultural land to new and beginning farmers.

COVID-19 has created unprecedented economic uncertainty and reduced access to markets for agricultural producers across Washington, especially for farms selling at the regional and local level. In the near future, this will have the effect of forcing smaller-scale producers to leverage additional debt, pull acreage out of active production, or even sell to the highest bidder where there is significant development potential. This not only undermines our regional food security and the resilience of our food systems, but puts the important ecological benefits that farmland provides at risk. We need a clear set of land protection tools to address these trends in the

face of COVID-19, and into the future. Washington is well-situated to rise to the challenge with a diverse, coordinated network of farmland preservation partners, including SCC, the Washington Association of Land Trusts, American Farmland Trust, Washington Association of CDs, county government programs, and local land trusts, all prepared to support the following proposed early actions:

## Near-Term Actions

Early Action #	Description	Potential Implementors
A <sup>9</sup>	<b>Provide \$100 million in funding to existing WSCC programs for the purchase of conservation easements or development rights to secure multi-benefit agricultural lands owned by producers most impacted by COVID-19.</b> These tools not only provide direct cash support for producers in need but also reduce land costs for the next generation of farmers while protecting the conservation values of the property in perpetuity. The SCC's Office of Farmland Preservation has developed the flexible administrative structure, technical expertise, and relationships with conservation practitioners necessary to get significant funding on the ground quickly to support farmers in dire need.	SCC; Non-profits; Land trusts
B <sup>10</sup>	<b>Allocate pass-through funding to the SCC to expand existing land linking programs that connect open agricultural ground with producers looking for additional acreage.</b> The COVID-19 crisis has both increased demand for locally sourced food and amplified economic uncertainty among small farmers, meaning that supporting farmland succession and transfer is more critical than ever. Land linking programs, such as PCC Farmland Trust's Farm to Farmer program, act as a very cost-efficient way of not only preventing farmland conversion, but of cultivating a more resilient community of producers, all while making the most out of land with existing infrastructure and access to markets. With a proven, successful program structure in place, the Farm to Farmer network is uniquely poised to scale up in the near future to serve a broader geographic area impacted by this crisis.	NGOs Working with Regional and Local Partners

<sup>9</sup> This action received two stand aside votes. Stand aside votes do not count against consensus. Description of stand aside votes are captured in Appendix D.

<sup>10</sup> This action received one stand aside vote. Stand aside votes do not count against consensus. Description of stand aside votes are captured in Appendix D.

C	<b>Implement a cooperative program between SCC and the Washington State Housing and Finance Commission to provide low interest loan capital for practitioners to buy agricultural ground at high risk of conversion.</b> In periods of economic uncertainty such as caused by COVID-19, agricultural land with significant development potential is more likely to be placed on the open market on short notice. By providing non-profits or other entities the loan funds to secure these important properties, this land can ultimately be protected with a conservation easement before being sold to low-income or new and beginning farmers through alternative financing models. The framework and transactional details of such a revolving loan program have been developed by key stakeholders and are ready for rapid implementation with additional agency collaboration.	SCC; WSHFC; Local and Regional Non-profit Land Trusts
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## Challenge #3

COVID-19 has increased the need for nutrition services and assistance due to massive unemployment and economic insecurity for Washingtonians.

There are major challenges to serving school meals during COVID-19. Through the USDA School Foods Program, schools and some early learning environments provide meals for children whose families have low incomes. During COVID-19, there has been a shift to a frontline model, and congregate meals are no longer possible. The Washington school meal program is currently serving about a third of the usual volume of meals daily.

There is a need to decentralize food distribution so that meals can be given in community settings where people are, or be distributed by non-traditional partners who are trusted resources in these communities. The stay home order, the travel restrictions, and social distancing requirements needed to contain the spread of COVID-19 have exacerbated existing access barriers to resources like congregate meal programs for seniors, childcare and after school program meals, and even food banks. Populations most impacted include seniors; people with disabilities, and individuals with immune-compromised conditions; children who cannot access meals at school, pre-school, or after school programs; people who rely on public transit, which has reduced routes and passenger capacity; and essential workers who cannot get to food banks due to work hours.

COVID-19 funding requests dedicated exclusively for healthcare miss opportunities to address interrelated food security challenges occurring as a result of the pandemic. More people are facing food insecurity as unemployment rates soar and the ability to feed low income people through schools, early learning, and senior meal programs is compromised. The direct result is an unparalleled demand for emergency food programs in a rapidly changing environment where safe food distribution costs are significantly more than normal operations and require both public and private sector dollars to support. Producers, already hurting under the economic losses from trade disputes, are even more financially hurt with the loss of sales and direct marketing opportunities in the food services sector.

It's critical that we determine how to move surplus produce to people in need without hurting growers economically and meeting food safety desires and regulations. The supply of donated food in the state is significantly reduced (at least 70%) due to COVID-19. There's increased demand for locally sourced food for food bank distribution since federal commodity streams take upwards of three months to arrive in the state. Food



shortages have occurred from surging consumer demand and stockpiling, workforce disruptions over health and safety concerns for food industry workers, and safety concerns related to handling of food for donation. Despite recent Congressional action, there are lengthy timelines for the arrival of federal commodities in our state from USDA. At the same time, Washington growers of every scale have lost important markets, including international exports from ongoing trade disputes now aggravated by transportation and demand uncertainty from COVID-19, direct-to-consumer markets such as scaling down of farmers markets, and intermediated sales to restaurants, hospitality businesses, and other institutions (see Challenge 1 above).

However, there is food in the system or in the pipeline for use in Washington that will go unused if not redirected. For example, OSPI has food from USDA in its pipeline sitting in warehouses that OSPI contracts with. Schools were planning to use this food to serve a different type of meal than the bagged meals schools are now serving under COVID-19. There is an opportunity to determine how to use this food for other others. Food in large quantities or other forms may need to be broken down and repackaged. Food can be moved to non-profit meal service providers and food banks who can use large quantities or break them down. For example, right now millions of pounds of potatoes are available and there is no market; some of these potatoes are being moved through the emergency food distribution network.

## Opportunity 1: Ensure expansive and comprehensive nutrition services and assistance reach children, adults, and seniors in need.

### Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<b>State organizations should deliver aligned messaging to educate funders and local and state decision-makers on food security as an integral part of the state's public health response to COVID-19, with the goal of ensuring resources to address food system challenges related to the pandemic.</b>	Government Agencies; Funders; Policymakers

### Near-Term Actions

Early Action #	Description	Potential Implementors
B	<b>Provide sufficient funding to Washington schools and childcare facilities to support new staffing models to effectively support schools and childcare facilities feeding kids in an ongoing manner, especially during the summer.</b> Staffing food services has new challenges. Food service labor contracts and contracting have changed in terms of what people are being asked to do now versus what they signed up to do. Moms with kids in school have been an important source of staff but now these staff have kids out of school and the job is less inviting.	Government Agencies; Policymakers; Funders: Schools and Childcare Facilities

C	<b>Develop a new federal program to address the meal and nutrition program needs of schools and K-12 students during an emergency/pandemic.</b> Existing school meal programs and child care nutrition programs operate under federal guidelines that were not designed for pandemic or emergency situations. This limits the ability of local program implementers to pivot and quickly respond to the meal and nutrition program needs of children. Even with new USDA waivers, operations on the ground are very challenging. Right now, staff are tweaking an existing program for a long-term large-scale pandemic scenario. Tweaking an existing program is time intensive and tricky.	Food Policy Forum Outreach to State Congressional Delegation.
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## Mid-Term Actions

Early Action #	Description	Potential Implementors
D	<b>Identify and share examples of how communities are building on existing efforts to coordinate food security response in light of COVID-19 to foster a localized coordinated community response system.</b> Localized community response should focus on maximizing participation and access to public benefits and publicly funded resources like senior home delivered meals, WIC, child nutrition programs, and food banks with the coordination of public and private resources to resolve logistical barriers to utilizing these programs. Work with communities to document what is working, and what is not working and report this to the state's Food Security Coordination Team.	Community Based Organizations, Advocacy Groups, Government Agencies

## Opportunity 2: Support growers and people in need by: Purchasing food from Washington growers, including small and mid-scale farms.

### Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<b>Support the "Farmers Feeding Families Coronavirus Response Act" introduced in Congress.</b> The bill would provide much needed additional funding to purchase goods from small and medium farmers and producers who are sitting on surplus crops and provide them to food banks and food assistance programs who are facing unprecedented demands. If passed, the bill will direct USDA to allocate a portion of federal commodities purchased for food banks from direct-to-market businesses like food hubs, agriculture cooperatives, and producer associations as well as small and mid-scale producers. The bill also authorizes USDA to give funds directly to state agencies to purchase food for food banks from producers within the state.	Policymakers, USDA

B	<b>Allow the Secretary of Agriculture maximum flexibility to use Stafford Act Section 32 funds and Families First Coronavirus Act Section 101(g) to purchase foods from local producers during Presidentially-declared emergencies and disasters.</b>	Polymakers
C	<b>Request USDA approval of extension of Washington’s disaster household food distribution plan to help move unused food as needed.</b>	USDA, WA Government Agencies
D	<b>Monitor implementation of USDA Coronavirus Farm Assistance Program (CFAP).</b> Depending on availability of resources, this is an opportunity to help food distributors connect with food banks, food hubs, and small and mid-scale producers to design emergency food boxes targeting areas of high need and limited resources and purchase from local producers.	USDA, WA Government Agencies, Producers, Food Distributors, and Markets
E	<b>Allow state agencies to purchase eligible foods in bulk to ensure that farm products do not go to waste and are accessible to all who need food during this emergency.</b>	Polymakers, Government Agencies
F	<b>Ensure public schools have adequate funding and flexibility to purchase needed food products, and to purchase from local farms.</b> Available Washington-grown food might be at a higher price point than institutional buyers can afford. Use federal and state dollars to help make Washington-grown purchases. Allow TEFAP Farm to Food Bank funds (FTFB) to be used for purchase, transport, and storage of commodities from local producers that would have otherwise been sold through direct marketing or institutional procurement that are not operating as a result of COVID-19 social distancing measures.	Polymakers, Government Agencies, Public Schools
G	<b>Maintain or increase capacity of the WSDA Regional Markets Program to facilitate farm to market connections, including to schools, childcares and other food access programs.</b> During a crisis – whether a pandemic, a weather related or other act of nature, or an economic crisis – the state needs to have the ability to respond immediately to food needs. By facilitating connections between farms, small distributors, and schools, Regional Markets helps build and maintain connections in local supply chains. A robust WSDA Regional Markets Program will help the state be prepared for such a response.	Polymakers, WSDA
H	<b>Fund purchases of locally grown food for food pantries across the state as coordinated by Food Lifeline, Northwest Harvest, and Second Harvest.</b>	Food Pantries, Government Agencies; Community Based Organizations

## Near-Term Actions

Early Action #	Description	Potential Implementors
I	<b>Pilot “Fresh Emergency Food Boxes.”</b> Support Northwest Harvest (NWH) to work with Washington growers who can supply a variety of locally grown fruit and vegetables to supplement the nonperishable food boxes NWH is building. NWH will share what is learned from the pilot with WSDA and determine needs to scale up for wider implementation.	Northwest Harvest, Washington Growers, WSDA
J	<b>Determine the food safety regulations, marketplace certifications, and related considerations that must be overcome to facilitate producers pivoting to new supply chain infrastructure and assist local producers in overcoming those barriers.</b> <ul style="list-style-type: none"> <li>Relax public procurement requirements for third party produce safety audits within purchasing programs intended to provide relief and market stabilization for local and direct marketing farms.</li> <li>Establish cost share program for GAP/GHP Audit by expanding existing USDA pilot to include Washington state, or at the state level using Specialty Crop Block Grant funds.</li> <li>Establish a small grants program to make small farm/plant investments in produce safety.</li> <li>Fund capacity in the Regional Markets “Bridging the Gaps” technical assistance program that helps small farms to prepare for GAP/GHP audits.</li> </ul>	WSDA, Government Agencies
K	<b>Foster cross-sector promotion of the WA Food Fund which raises money in the private sector to support joint-procurement to help increase awareness and grow potential donors while reinforcing a message that our entire food system is negatively impacted by COVID-19.</b>	WA Food Fund, Private Businesses, Funders

## Mid-Term Actions

Early Action #	Description	Potential Implementors
L	<b>Fund the King CD’s King County Farmers Share, a project of Harvest Against Hunger (formerly Rotary First Harvest).</b> The project provides funds to directly contract with King County producers to get local product into the supply chain to local food banks and pantries. This is a replicable model and could further expand the state’s Farm to Food Pantry initiative.	Harvest Against Hunger, King County, Local Food Banks and Pantries, Farm to Food Pantry Initiative

M	<b>Analyze and use results from two forthcoming surveys to determine nature and extent of infrastructure capacity needs and identify potential collaborations to support the infrastructure capacity needs of growers for the WSDA capacity grants.</b> The forthcoming Harvest Against Hunger survey and the food waste capacity assessment will shed light on the specific infrastructure needs from the supply and market side.	WSDA
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### Opportunity 3: Support growers and people in need by: Helping people use their benefits to buy fresh and local products.

#### Immediate-Term Actions

Early Action #	Description	Potential Implementors
A	<b>Ensure service organizations and people are aware of the flexibilities being created by USDA and others to access benefits like SNAP, school meals, etc. and relief programs.</b> This would help take pressure of the food bank system. Ensure the state is taking advantage of available federal programs.  <i>Case Example: Community Foundation NCW provided a grant to the Wenatchee Valley Farmer's Market to enable the market to increase the SNAP match benefits to 50% as an incentive to encourage people to buy local food.</i>	DOH, NGOs and Partner Organizations
B	<b>Request Congress to grant USDA the authority to reduce or remove 100% matching fund requirements and expedite review and approval under the federal Gus Schumacher Nutrition Incentives Program (GusNIP) grant.</b> Grant applications opened for GusNIP's FY2020 cycle on March 13 and proposals were due May 18, with \$41.5 million in awards available. DOH applied for this grant as part of the state's Fruit and Vegetable Incentives Program. Foundations and community benefit organizations that would be sources of match are focusing funds on COVID-19 related items or are unable to commit funding because of financial uncertainty, making it difficult to fundraise. An expedited review process would allow DOH, if awarded a grant, to begin expansion to more grocery stores in fall 2020 and provide more fruit and vegetable incentives to SNAP clients.	Policymakers, USDA, DOH, Foundations and Community Benefit Organizations

#### Near-Term Actions

Early Action #	Description	Potential Implementors
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C	<b>Allow for flexibility in WIC and Senior Farmers Market Nutrition Programs (FMNP) and SNAP and SNAP Market Match to continue to function as farmers markets change operation models under public health directive.</b> For example, allow WIC checks to be mailed instead of picked up at the farmers markets; and allow at-risk individuals (i.e., seniors) to send a representative shopper to the market.	WIC and Senior Farmers Market Nutrition Program, SNAP and SNAP Market Match, Government Agencies, Policymakers
D	<b>Support and enhance outreach to low-income families/seniors participating in FMNP and SNAP so that they know how to use benefits, including the SNAP Market Match, to buy directly from WA growers (including updated farmers market schedules and operations).</b> Outreach includes DSHS SNAP Ed work and work by DOH Regional FINI TAs and WSFMA Regional Leads. Note: due to COVID19, outreach and nutrition education has had to adapt (go online) due to public health directives.	FMNP, SNAP, DOH, WSFMA

## Mid-Term Actions

Early Action #	Description	Potential Implementors
E	<b>Identify immediate changes needed to infrastructure, licensing, and regulation to support farmers in selling to SNAP EBT customers.</b> Significant changes to the economic security of Washingtonians is increasing the number of people who are eligible for SNAP. Under current federal rules, the “retailer” needs to be certified by USDA to accept SNAP benefits. There are some guidelines that must be met in terms of what they sell.	SNAP; DOH
F	<b>Support USDA policy and technological changes to allow SNAP to be used in online purchases in direct marketing models (i.e., pre-order and pick-up at farmers markets, delivery, CSA, food hub, or bulk purchase models in partnership with emergency food programs).</b> Currently, EBT cards cannot be used to pay online other than with Amazon/Wal-Mart who are part of a pilot project under USDA. Some certified SNAP retailers such as grocery stores have increased capacity to accept SNAP purchases by having portable point of sale card readers available at curbside pick-up or in-person delivery to complete the sales transaction for an online order.	USDA: SNAP
G	<b>Promote pandemic EBT (P-EBT) (authorized under Families First Coronavirus Response Act of 2020) and learn from the current experience with the system to ensure that more expansive benefits delivery is possible in the future.</b>	USDA, Policymakers

## Challenge #4

COVID-19 underscores the need to foster resilience in the face of a changing climate to ensure long-term food security.

Some actions related to providing long-term support to farmers that also address the impacts of climate change have been sidelined to rapidly changing COVID-19 response needs. However, we can provide immediate financial assistance to farmers to promote resilience in the face of a changing climate and ensure long-term food security, as the effects of COVID-19 will continue to have impacts for the foreseeable future.

**Opportunity 1:** Support implementation programs and resources that provide immediate financial assistance to farmers to promote resilience in the face of a changing climate and ensure long-term food security.

### Near-Term Actions

Early Action #	Description	Potential Implementors
A	<b>Support conservation programs and resources that provide direct financial assistance to farmers to implement best management practices that address impacts of climate change and also provide employment opportunities and economic development.</b> Programs such as the Sustainable Farm and Fields and Soil Health Initiative have the potential to be examined for this purpose. Provide funds and technical assistance for farmers to implement cover crops, no till, organic amendments, etc. This allows farmers to have funding – not tied to loans – that directly supports farm viability and production, and addresses conservation and climate change goals.	Conservation Commission, CDs, NRCS, Local Agriculture Commissions, Legislature, WSU
B	<b>Washington agencies and organizations should continue preparations for near-term and long-term planning and implementation of programs related to the climate change recommendations outlined by the Impacts of Climate Change Team in the <u>June 2019 report to the Legislature</u>.</b> Continue to promote PDR programs; develop a comprehensive state-wide water availability strategy; create and deploy a voluntary carbon credit program; and develop strategies to enhance adaptation for food and agricultural productions that are most likely to be impacted by climate change.	Washington Agencies and Organizations

# Appendix A - Forum Membership

The budget proviso provided the following guidance on the composition of the Forum:

- a. In making appointments, the director of the commission must attempt to ensure a diversity of knowledge, experience, and perspectives by building on the representation established by the food system roundtable initiated by Executive Order 10-02.
- b. In addition to members appointed by the director of the SCC, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:
  - i. The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and
  - ii. The president of the senate shall appoint one member from each of the two largest caucuses of the senate

\*Indicates Food Policy Forum leadership

+Indicates member participated in the June 25 consensus vote on early actions or assigned a delegate to vote on their behalf.

x Indicates member participated in part of the June 25 meeting but did not vote (e.g., had to leave meeting before vote took place)

First Name	Last Name	Affiliation
Aaron	Czyzewski+	Food Lifeline
Addie	Candib+	American Farmland Trust
Amy	Ellings+	WA State DOH
Amy	Moreno Sills+	PCC Farmland Trust
Aslan	Meade	Thurston Economic Development Council
Babette	Roberts+	WA State Department of Social and Health Services
Brian	Estes+	LINC Foods
Carol	Smith*+	WSCC
Chad	Kruger+	Washington State University - CSANR
Chris	Voigt	WA State Potato Commission
Chris	Elder+	Whatcom County Public Works
Christina	Wong+	Northwest Harvest
Claire	Lane+	WA State Anti-Hunger and Nutrition Coalition
Colleen	Donovan+	WA State Farmers Market Association
Dan	Wood	WA State Dairy Federation



Dean	Takko <sup>x</sup>	Senator
Derek	Sandison <sup>*+</sup>	WA Dept. of Agriculture
Diana	Carlen	WA Association of Wheat Growers
Diane	Dempster <sup>+</sup>	Clark County Food System Council
Elizabeth	Bragg	WA State Young Farmers Coalition
Jon	DeVaney <sup>+</sup>	WA Tree Fruit Association
Kate	Delavan <sup>*+</sup>	WSCC
Laura	Lewis <sup>+</sup>	WSU - Food Systems Program
Laura	Raymond <sup>*+</sup>	WSDA
Leanne	Eko <sup>+</sup>	Office of Superintendent of Public Instruction
Linda	Neunzig	Snohomish County
Mark	Fountain	Food Northwest
Mary	Embleton <sup>x</sup>	King CD
Mary	Dye <sup>+</sup>	Representative
Melissa	Spear <sup>+</sup>	Tilth Alliance
Mia	Gregerson <sup>x</sup>	Representative
Nancy	Warner <sup>+</sup>	Initiative for Rural Innovation and Stewardship
Nick	Norton <sup>+</sup>	Washington Association of Land Trusts
Patrick "PJ"	Cawley	Charlie's Produce
Richard	Conlin <sup>+</sup>	Puget Sound Regional Council
Ron	Shultz <sup>*+</sup>	WSCC
Tim	Crosby <sup>+</sup>	Cascadia Foodshed Financing Project
Tom	Davis <sup>+</sup>	WA State Farm Bureau
Tom	Salzer	WA Association of CDs
Trish	Twomey <sup>+</sup>	WA Food Coalition

# Appendix B - Implementation Team Rosters

The Implementation Teams met from March to June 2020 to identify and discuss early implementation actions for its 2019 consensus recommendations and has refined actions in light of COVID-19 needs and responses.

## Team 1: Food Insecurity

First Name	Last Name	Affiliation
Aaron	Czyzewski	Food Lifeline
Amy	Ellings	WA State DOH
Babette	Roberts	WA State Department of Social and Health Services
Christina	Wong	Northwest Harvest
Dante	Pollard	Community Member, Member of the Steering Committee for the Governor's Poverty Reduction Workgroup
Leanne	Eko	Office of Superintendent of Public Instruction
Trish	Twomey	WA Food Coalition

## Team 2: Agricultural Land Protection and Availability and Next Generation Farming

First Name	Last Name	Affiliation
Addie	Candib	American Farmland Trust
Amy	Moreno Sills	PCC Farmland Trust
Chris	Elder	Whatcom County
Elizabeth	Bragg	WA State Young Farmers Coalition
Nick	Norton	Washington Association of Land Trusts
Ron	Shultz	WSCC
Tom	Salzer	WA Association of CDs

## Team 3: Alleviating Barriers to Small and Mid-Scale Producers Accessing Markets, Including Institutional Markets

First Name	Last Name	Affiliation
Amy	Moreno Sills	PCC Farmland Trust
Claire	Lane	WA State Anti-Hunger and Nutrition Coalition

Colleen	Donovan	WA State Farmers Market Association
Diane	Dempster	Clark County Food System Council
Jon	DeVaney	WA Tree Fruit Association
Laura	Lewis	WSU - Food Systems Program
Laura	Raymond	WSDA
Mary	Embleton	King CD

#### Team 4: Infrastructure and Rural Economic Development

First Name	Last Name	Affiliation
Aslan	Meade	Thurston Economic Development Council
Brian	Estes	LINC Foods
Linda	Neunzig	Snohomish County
Mark	Fountain	Food Northwest
Mary	Dye	Representative
Melissa	Spear	Tilth Alliance
Nancy	Warner	Initiative for Rural Innovation and Stewardship
Patrick "PJ"	Cawley	Charlie's Produce
Tim	Crosby	Cascadia Foodshed Financing Project

#### Team 5: Impacts of Climate Change

First Name	Last Name	Affiliation
Chad	Kruger	Washington State University - CSANR
Chris	Voigt	WA State Potato Commission
Chris	Elder	Whatcom County Public Works
Dan	Wood	WA State Dairy Federation
Diana	Carlen	WA Association of Wheat Growers
Richard	Conlin	Puget Sound Regional Council
Tom	Davis	WA State Farm Bureau

# Appendix C – Process for Developing Implementation Actions

The Forum worked from March to June 2020 to identify early implementation actions for its [2019 consensus recommendations](#) in light of COVID-19. The Forum engaged in the following process in 2020 to define early actions related to COVID-19<sup>11</sup>:

Month	Meeting	Objectives
April	Implementation Team <sup>12</sup> calls	Implementation Teams developed draft actions related to COVID-19.
	Full Forum membership meeting on April 10	Implementation Teams presented draft thinking on actions related to COVID-19 and the Forum shared input and suggested revisions.
May	Implementation Team calls	Implementation Teams incorporated revisions based on the April 10 Forum meeting finalized draft actions related to COVID-19 to be shared with Forum for review.
June	Full Forum membership meeting on June 25	<p>Consensus vote on actions related to COVID-19. The June 25 included the following approach to determine consensus:</p> <ul style="list-style-type: none"> <li>• Definition of consensus is “I can live with it.” Full consensus is 100% support.</li> <li>• Actions that did not receive 100% support but garnered more than two-thirds support are added in the appendix as promising ideas.</li> <li>• Members could choose to ‘stand aside’ if they felt they did not understand the opportunity sufficiently to weigh in.</li> </ul>

<sup>11</sup> The Forum held a series of in-person Forum meetings and Implementation Team calls between November 2019 and March 2020 that were focused on developing implementation actions based on the Forum’s June 2019 recommendations. These draft implementation actions were modified, refined, and expanded upon between April and June 2020 to address food system challenges in light of COVID-19.

<sup>12</sup> To efficiently organize itself to discuss and reflect on food system issues, the Forum broke into five Implementation Teams based on the five topical areas of its [2019 process and Recommendations Report](#). Team topics include: Food Insecurity, Agricultural land protection and availability and next generation farming, Alleviating barriers to small and medium scale farmers accessing markets, including institutional purchasing, Infrastructure and rural economic development, and Impacts of Climate Change. Implementation Team Rosters are in Appendix B.

## Appendix D – Voting Stand Asides

The following table depicts the Forum actions in which some members chose to ‘stand aside’ for voting. A ‘stand aside’ does not count against consensus.

Action Number	Action Description	Stand Asides and Rationale
1.1.C	<b>Stabilize lines of credit, extend collateral positions, and create a guarantee fund to allow lines of credit from banks or credit unions.</b> Consider work and activity by NW Farm Credit Services, CDFIs like Craft3 and Business Impact Northwest, and look to Department of Commerce and Office of Financial Management.	<b>Christina Wong, Northwest Harvest</b> <i>Rationale:</i> It is unclear if growers of color would be able to access these traditional lines of credit. Considering how the CARES Act Pay Check Protection forgivable loans unfolded (minority owned businesses were largely shut out of that program, with much of the problem being that they did not have established relationships with traditional SBA lending associations), there is concern that a similar situation could happen for growers of color if this action were implemented.
1.1.H	<b>Ensure Small Business Administration and Small Business Development Center services are available to farming and food microenterprises in Washington</b>	<b>Christina Wong, Northwest Harvest</b> <i>Rationale:</i> It is unclear if growers of color would be able to access these traditional lines of credit. Considering how the CARES Act Pay Check Protection forgivable loans unfolded (minority owned businesses were largely shut out of that program, with much of the problem being that they did not have established relationships with traditional SBA lending associations), there is concern that a similar situation could happen for growers of color if this action were implemented.

2.4.A	<p><b>Provide \$100 million in funding to existing WSCC programs for the purchase of conservation easements or development rights to secure multi-benefit agricultural lands owned by producers most impacted by COVID-19.</b> These tools not only provide direct cash support for producers in need but also reduce land costs for the next generation of farmers while protecting the conservation values of the property in perpetuity. The SCC's Office of Farmland Preservation has developed the flexible administrative structure, technical expertise, and relationships with conservation practitioners necessary to get significant funding on the ground to support farmers in dire need.</p>	<p><b>Mary Dye, Representative</b>  <i>Rationale:</i> Viable land production takes a level of commitment that only happens when a person has faced the inherent risk by investing fully through personal ownership. Land Trusts constrain the value of land and limit opportunity for individuals in the free marketplace.</p> <p>It is preferable to invest in infrastructure that improves productivity; makes it easier for farmers on land to make a viable living; improves long-term profitability; and increases the value of land over time.</p> <p><b>Tom Davis, Washington State Farm Bureau</b>  <i>Rationale:</i> WSFB policy supports the use of shorter-duration easements and opposes publicly funded permanent easements. Since this action involves permanent easements using public funding, WSFB has concerns about this action.</p>
2.4.B	<p><b>Allocate pass-through funding to the SCC to expand existing land linking programs that connect open agricultural ground with producers looking for additional acreage.</b> The COVID-19 crisis has both increased demand for locally sourced food and amplified economic uncertainty among small farmers, meaning that supporting farmland succession and transfer is more critical than ever. Land linking programs, such as PCC Farmland Trust's Farm to Farmer program, act as a very cost-efficient way of not only preventing farmland conversion, but of cultivating a more resilient community of producers, all while making the most out of land with existing infrastructure and access to markets. With a proven, successful program structure in place, the Farm to Farmer network is uniquely poised to scale up in the near future to serve a broader geographic area impacted by this crisis.</p>	<p><b>Mary Dye, Representative</b>  <i>Rationale:</i> Viable land production takes a level of commitment that only happens when a person has faced the inherent risk by investing fully through personal ownership. Land Trusts constrain the value of land and limit opportunity for individuals in the free marketplace.</p> <p>It is preferable to invest in infrastructure that improves productivity; makes it easier for farmers on land to make a viable living; improves long-term profitability; and increases the value of land over time.</p>

To: Whatcom County Council, Executive Satpal Sidhu

From: Whatcom County Food System Committee

Subject: Recommendations for Immediate Action by the Council  
relating to our Food System

Date: July 27th, 2020



COVID-19 is impacting almost every aspect of our lives including our food system which is essential to our survival and our economy. From our hardworking farms, to our vital distribution networks through our markets and grocery stores, to our homes, each sector of our food system is struggling to confront the impacts of this virus.

**We cannot let them fight those challenges alone.**

Recent outbreaks in congregate work settings in Yakima County highlight the vulnerability of our food system workers. The immediate and ongoing economic impacts of this pandemic have been, and will continue to be, devastating to our local farmers, grocers and consumers if left unaddressed.

The Whatcom County Food System Committee was created in 2018 by Ordinance 2018-058 to strengthen and protect our food system from seed to table, and to provide recommendations to Whatcom County Council. In the wake of the unprecedented dangers and impacts of COVID-19, we are recommending immediate action by the Council to stabilize our food system and protect the health, safety, and economic well-being of those who feed us.

We support the efforts and recommendations of local organizations working together through Whatcom Unified Command's Food Security Task Force, including recent recommendations for CARES Act funding, as well as innovative food recovery, processing, and distribution programs.

The Food System Committee has developed the following list of recommendations to the County Council based on the Committee's analysis of current challenges and weaknesses in the local food system. Many of these recommendations are directly aligned with the Washington State Food Policy Forum's "Early Implementation Action Report" (Draft) to the Governor (attached), which recommends strategies to address vulnerabilities in the food system that have become especially apparent in the light of COVID-19. The State Action Report does not address worker health and safety, however, so we have included our own recommendations on this subject, recognizing that food system workers are disproportionately impacted by the coronavirus for many reasons.

We recommend the Council take the following steps:

1. Protect the health and safety of workers across the food system equitably:
  - a. Utilize the lessons learned from the Yakima outbreaks to implement immediate, strict and aggressive safety measures at congregate work facilities in which physical distancing is not usually practiced, such as using a cohort model for workers.
  - b. Build on existing government support for a more proactive COVID-19 response for food processing facilities, farmworker housing, and other congregate working facilities.
  - c. Ensure safety for farm workers and consumers by supporting Governor Inslee's agricultural operations [Proclamation 20-57](#), by encouraging use of these strategies for all agricultural settings. These protections include: guaranteeing workers have the ability to reasonably socially distance, and have access to Personal Protective Equipment and other barriers to prevent disease transmission.
2. Stabilize our food system to benefit both local economic development and food access initiatives:
  - a. Use CARES Act funding to immediately offer year-long operations grants to Whatcom-based farmers, fishers, restaurants, and local grocers/markets impacted by COVID-19.
  - b. Seek funding for employee training for key agricultural supply chain positions to help build regional-scale production, processing, and distribution systems needed to make our food system more resilient to the pressures of a crisis such as COVID-19.
  - c. Continue and expand funding for purchases of locally grown and processed food for food banks, schools, and other food distribution programs.
  - d. Provide grants to support training and technical assistance for local farmers to develop online sales platforms to market products, given that other sales options are severely limited because of COVID-19.
3. Increase local food processing capacity to meet increased demand for prepared and packaged foods and ramp up food system capacity:
  - a. Identify storage, warehousing, and processing facilities to prepare packaged food for distribution to homes, food banks, schools, and other distribution centers, building on the work of the Food Security Task Force.
4. Increase access to healthy and local food for people dealing with economic hardship created by the pandemic:
  - a. Encourage the State to allow for flexibility in WIC and Senior Farmers Market Nutrition Programs (FMNP), and SNAP and SNAP Market Match, to continue to function as farmers markets change operation models. Explore ongoing funding opportunities for these programs.
  - b. Support state and federal policies that ensure access to food assistance during this pandemic and during the recovery period.



The Committee understands that not all of these recommendations are easy or straightforward to enact but we urge swift and direct action to strengthen and protect our food system. We have opted to make recommendations that we believe are urgent, actionable, and achievable in our county. We recognize that additional food system support and recovery measures may be needed, as we move through the pandemic.

Thank you for your consideration,

Signed,

**The Whatcom County Food System Committee**

Riley Sweeney - Chair

Margaret Gerard

Amber Noskoff

Krista Rome

Mardi Solomon

Kendall Whitney



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-204

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<b>File ID:</b>	AB2021-204	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	EMiranda@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Special Executive Only Item		
<b>Assigned to:</b>	Council Public Works & Health Committee				<b>Final Action:</b>
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

---

Primary Contact Email: sdraper@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Consideration of citizen appeals of road name change due to correction of address number sequence.

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Citizen appeals have been received from Pete Jones regarding the road name change off Marine Drive. Whatcom County does not have an appeals committee for citizen address and road naming, hence his request is forwarded to the Whatcom County Council for a decision. See attachment.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff memo



## MEMORANDUM

**To:** Whatcom County Council, as Citizen Address and Road Name Appeals Committee

**From:** Doug Ranney, P.E., Engineering Manager  
Esther Miranda, Addressing Clerk

**CC:** Jon Hutchings, Public Works Director  
Jim P. Karcher, County Engineer

**Date:** April 6, 2021

**Re:** Appeal by Citizen to Address Change Due to Road Naming Requirement

---

In the absence of a Citizen's Address and Road Naming Appeals Committee, citizen appeals are forwarded directly to County Council for consideration. Mr. Pete Jones has submitted an appeal to Engineering Services' requirement for the road name change of the private road he uses to access his property, currently 309 Marine Drive.

Pursuant to Whatcom County Code 12.60.050, *Requirement for Road Name*:

- A. Road names shall be required for all public roads and private roads now existing or hereafter created when such roads:
  - 1. Are any length and serve five or more lots; or
  - 2. Are 1,000 feet or greater in length and serve three or more lots.

This private road meets these criteria.

Mr. Jones shares a private road with several other homes whose addresses will all be changed as a result of the road name change. Mr. Jones and the residents feel their private road should not be named and their addresses not changed. Please see attached statements for their arguments.

WCC 12.60.010 states that "The purpose of this chapter is to provide for a logical system of road naming and address numbering, which is consistent with the desires of Whatcom County residents, with the Whatcom County comprehensive plan, and with the practical needs of county residents, emergency service providers, and visitors."

Public Works recommends that the County Council deny the citizen appeal, uphold the determination that the private road be named and subject properties be re-addressed and direct Public Works to proceed with the road naming and readdressing action. Alternatively, the Council may elect to hold a public hearing prior to making a determination.

The Councilmembers are reminded that, at their discretion, they may ask Council staff to fill the Appeals Committee and future appeals will not immediately be presented to Council for decision.

## Esther Miranda

---

**From:** pejones@pointroberts.net  
**Sent:** Monday, March 15, 2021 1:30 PM  
**To:** Esther Miranda; PublicWorks; Engineering  
**Cc:** Bryan@bryanlanelaw.com; jfraser@lexaslaw.com; pejones@pointroberts.net; bwbakk@gmail.com; warren@vpacconstruction.com; cmanrell@telus.net; prprty@whidbey.com; Eric.beckwitt@freightera.com; Peter.Vaughan-Jones@alaskaair.com  
**Subject:** Road Name Change -Project RN#: RN21-01  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

March 15, 2021

### VIA EMAIL

### WHATCOM COUNTY PUBLIC WORKS DEPARTMENT

5280 Northwest Drive

Bellingham, WA

98226

**Attn:** Jon Hutchings, Director

James P. Karcher, PE

Esther Miranda, Addressing Clerk

**RE: Road Name Change - Road Name Project RN#: RN21-01**

Dear Sirs/Madam,

In response to your letter dated February 23rd, 2021, regarding naming our "Private Road", the residents listed below, located at 301, 303, 305, 307, 309, 311 & 313 Marine Drive, Point Roberts, WA 98281, unanimously object to this proposed action. The "Private Road" as stated in your letter is actually a recorded easement that is not considered a private road as it has no designation as such, no separate tax

parcel number and no legal title. Our easement was created & recorded over 40 years ago as depicted on many surveys. As of March 15th, 2021, several of the residents listed below that are affected by this proposed action have not even received proper notification as they are Canadians and as such cannot cross the closed/restricted U.S. Border crossing and access their properties or collect their mail.

Your letter also states, "This action is in response to the need for emergency services to quickly locate and respond to residences in your area". In fact, the proposed action and this purported need is, according to the Whatcom County Fire Chief District #5, Christopher Carleton, completely unnecessary and unsupportable. Our local Firemen are very familiar with our current community and address situation which, already, is easily identifiable and key to quick response times. The current map used by Fire/Rescue is both easy to read and accurate - changing addresses and adding street names in our small community that has little to no growth and limited land available on a peninsula of only five square miles would only add confusion, not to say significant expense and inconvenience. We, as a community, have had our share of Fire/Rescue calls over the years, none of which were hindered in any way by having a "Marine Drive" address or nonsequential address numbers.

If Whatcom County proceeds in enforcing a named street address change upon us, where it is deemed not wanted or warranted by your own Whatcom County Fire Chief as identified by you as the reason for this action, we will also assume that Whatcom County will bear the responsibility of perfecting the survey, compensating for land expropriation, creating an actual "Private Road" and maintaining it. Furthermore, if we are unsuccessful in obtaining a permanent exemption from this action under ORD 96-049, we will take whatever legal action is necessary to guarantee that all costs associated with land use and/or purchases, re-conveyances, documentation changes regarding Titles, Wills, Trusts and any and all personal expenses associated with the street naming and address change put forth are brought to bear on Whatcom County.

The Residents at 301, 303, 305, 307, 309, 311 & 313 Marine Drive, Point Roberts, WA 98281, are requesting an exemption from Whatcom County ORD 96-049. It is neither wanted nor warranted in our neighborhood for the reasons stated above.

Residents,

Jim Julius and Maureen Stevens	301 Marine Drive
Jeffrey and Ruth Fraser	303 Marine Drive
Pete and Lynnell Vaughan-Jones	309 Marine Drive
Tod Manrell	311 Marine Drive
Warren and Britini Bakk	305 & 307 Marine Drive
Eric Beckwitt and Yevgeniya Ponarina	313 Marine Drive

## Marine Drive – Pt. Roberts 300 Block

On the date of February 23, 2021, a customer service representative with PSE requested address verification on the 300 block of Marine Dr. Though addresses were verified as valid, observations were taken on the out of sequence numbering.

Per WC Ordinance 12.60.110, address corrections was initiated. The current numbering does not leave room for minor corrections. Re-assigning addresses to another customer would cause more confusion and goes against USPS policy as old addresses are linked to new assigned addresses.

Naming the private road enables assignment of new numbers, providing a clean and an accurate numbering system, leaving room for future addresses for the current empty parcels.

### Current Addressing

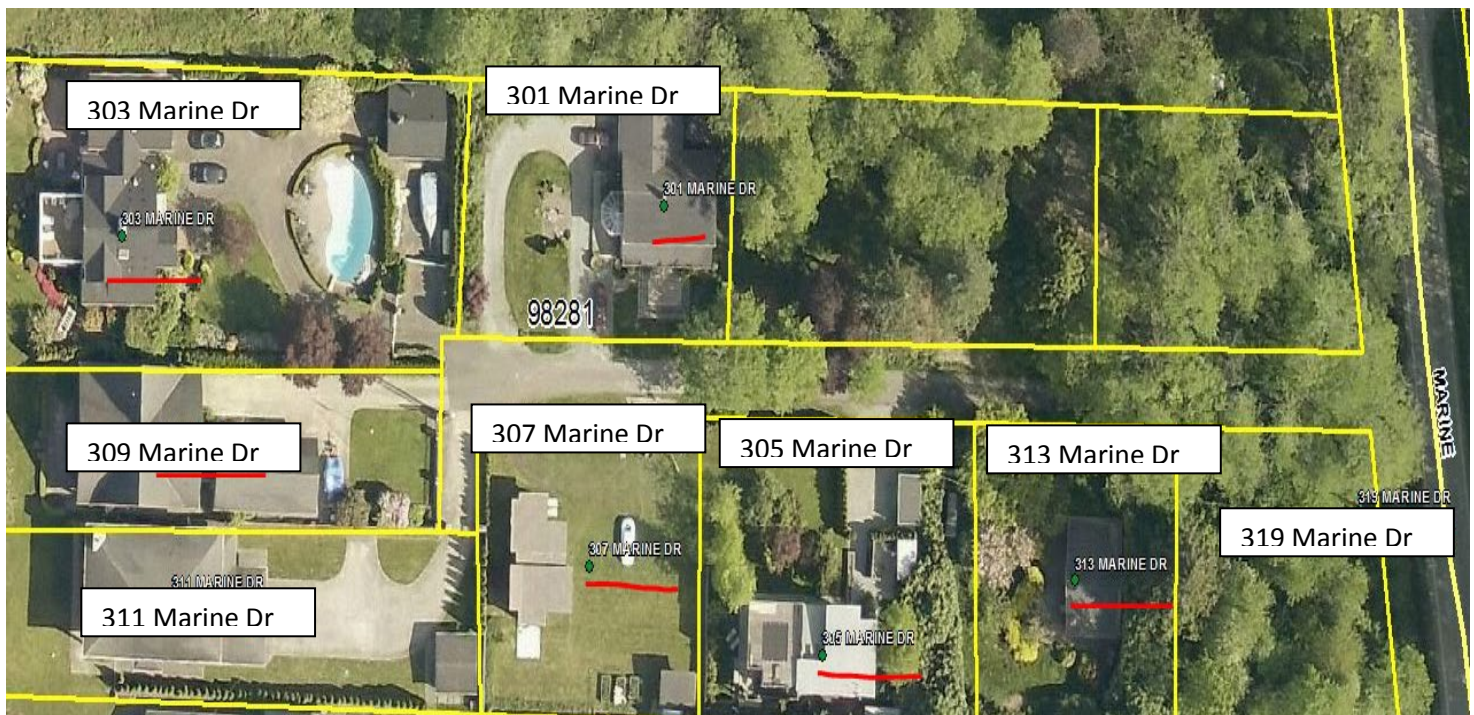


Figure 1



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-161

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<b>File ID:</b>	AB2021-161	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/09/2021	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Discussion		
<b>Assigned to:</b>	Council Planning and Development Committee			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

---

Primary Contact Email: DBrown@co.whatcom.wa.us

### **TITLE FOR AGENDA ITEM:**

Discussion regarding request received from the Planning Commission for Council to establish a citizen advisory group to review local government public participation issues and recommend improvements

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Suggested items for committee for the group to review:

Effectiveness of traditional methods of “notice” in light of the changing ways individual’s access news and information.

Needs and opportunities for public education on the issues addressed by local government so that citizens can be more effective in their participation.

The use of remote meeting technologies to increase ease of participation beyond the current public health crisis.

The mechanics of navigating and accessing policy and legislation on the county website.

The public comment process and accessibility.

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## HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
03/23/2021	Council Planning and Development Committee	DISCUSSED	

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**Attachments:**    Ways to search legislation





# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2020-219

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<b>File ID:</b>	AB2020-219	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	05/13/2020	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Discussion		
<b>Assigned to:</b>	Council Committee of the Whole			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

---

Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Discussion and update on strategies and other items related to COVID-19 (Council and Health Board)

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Discussion and update on strategies and other items related to COVID-19 (Council and Health Board)

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## HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
05/19/2020	Council	DISCUSSED	
06/02/2020	Council	DISCUSSED	
06/16/2020	Council Committee of the Whole	DISCUSSED	
06/16/2020	Council Committee of the Whole	DISCUSSED	
06/23/2020	Council Special Committee of the Whole	DISCUSSED AND MOTION(S) APPROVED	
07/07/2020	Council Committee of the Whole	DISCUSSED	
07/21/2020	Council Committee of the Whole	DISCUSSED	
08/05/2020	Council Committee of the Whole	DISCUSSED	
09/15/2020	Council Committee of the Whole	DISCUSSED	
09/29/2020	Council Committee of the Whole	DISCUSSED	
10/13/2020	Council Committee of the Whole	DISCUSSED	
10/27/2020	Council Committee of the Whole	DISCUSSED	
11/10/2020	Council Committee of the Whole	DISCUSSED	
11/24/2020	Council Committee of the Whole	DISCUSSED	

12/08/2020	Council Committee of the Whole	DISCUSSED
01/12/2021	Council Committee of the Whole	DISCUSSED
01/26/2021	Council Committee of the Whole	DISCUSSED
02/09/2021	Council Committee of the Whole	DISCUSSED
02/23/2021	Council Committee of the Whole	DISCUSSED
03/09/2021	Council Committee of the Whole	DISCUSSED
03/23/2021	Council Committee of the Whole	DISCUSSED

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**Attachments:**



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-222

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<b>File ID:</b>	AB2021-222	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/31/2021	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Discussion		
<b>Assigned to:</b>	Council Committee of the Whole			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

---

Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Discussion regarding schedule for review of proposed Cherry Point Comprehensive Plan and County Code amendments

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The County Council worked with the Cascadia Law Group to develop proposed Comprehensive Plan and Whatcom County Code (WCC) amendments primarily relating to fossil fuel and renewable fuel facilities in the Cherry Point Area (some of the amendments apply to various land uses on a countywide basis). The Council approved Resolution 2019-037 on August 7, 2019, forwarding the proposed amendments to the Planning Commission for review. The Planning Commission issued their Findings of Fact and Reasons for Action, Conclusions, and Recommendations on August 13, 2020. Council has met numerous times as Committee of the Whole to discuss the proposed amendments and it has been suggested that a schedule for completion of review be established.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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Attachments:



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-209

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<b>File ID:</b>	AB2021-209	<b>Version:</b>	1	<b>Status:</b>	Introduced
<b>File Created:</b>	03/23/2021	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Resolution		
<b>Assigned to:</b>	Council Committee of the Whole			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution regarding permanent affordability of childcare in Whatcom County

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Resolution regarding permanent affordability of childcare in Whatcom County

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	INTRODUCED	Council Committee of the Whole

---

**Attachments:** Proposed Resolution

RESOLUTION NO. \_\_\_\_\_

**PERMANENT AFFORDABILITY OF CHILD CARE IN WHATCOM COUNTY**

**WHEREAS**, the impact of COVID-19 on families and early childhood development has been significant, has placed families and children under great stress and providing quality child care is a key component to helping reduce the long-term impacts of our current crisis; and

**WHEREAS**, on February 4, 2020, Whatcom County Health Board adopted the [Child and Family Action Plan](#), which states, "Whatcom County government has an important role to play in realizing the community's vision, which begins with making a commitment to promote the health and well-being of all children and families in Whatcom County, with a special focus on the critical first years of life, and families that experience disproportionate challenges due to social and economic factors, discrimination, and health issues"; and

**WHEREAS**, by adopting the Child and Family Action Plan, Whatcom County has committed to adopting "a "children and families first" approach for county policy and funding decisions, build county infrastructure to embed a focus on child and family well-being across county government, and contribute to community efforts to stabilize and expand access to child care and early learning opportunities"; and

**WHEREAS**, according to the [2019 Child Care Supply, Cost, and Demand in Whatcom County](#), "Child care is the greatest expense many families face" frequently exceeding the cost of housing for a young family of four or more; and

**WHEREAS**, according to [The Mounting Costs of Child Care](#), in Washington State, 49% of parents found it difficult or very difficult to find, afford, and keep child care, 27% left school or training due to child care issues, and 9% were fired or let go due to child care issues; and

**WHEREAS**, according to [The Mounting Costs of Child Care](#), in Washington State, as for employers, an estimated loss of \$2.08 billion due to turnover and missed work due to child care issues and an estimate of \$6.5 billion in direct costs due to employee child care issues; and

**WHEREAS**, while local employers have correctly identified housing affordability as a major constraint to attracting additional workers to the area; and

**WHEREAS**, child care affordability is actually a greater overall financial burden on low income families which, if reduced, would enable thousands of existing local residents (particularly women) to reenter the workforce, much sooner than it would take to build a substantial number of additional workforce housing units; and

**WHEREAS**, spending money on local child care facilities will have significant multiplier effect on the local economy and will create local construction jobs, raise family incomes by allowing a second parent to work, and increase the ability to pay the wages necessary to retain qualified childcare workers; and

**WHEREAS**, most of the increase in incomes will be spent locally which will increase incomes of other local businesses; and

**WHEREAS**, high quality child care promotes healthy child development, which is proven to reduce rates of incarceration, homelessness, and poverty in later life; and

**WHEREAS**, providing affordable, high quality childcare will have long-term benefits for children and families, our economy, and society as a whole.

1  
2 **NOW, THEREFORE, BE IT RESOLVED** by the Whatcom County Council that the  
3 majority of the funds received through the H.R.1319 - American Rescue Plan Act of 2021 be  
4 allocated to land, buildings, and capital projects for child care facilities.  
5

6 **BE IT FURTHER RESOLVED** that the land, buildings, and capital projects obtained  
7 through the funding from H.R.1319 - American Rescue Plan Act of 2021 be purchased,  
8 renovated/constructed as high-quality facilities to increase overall community capacity by 5,000  
9 new child care slots, including 2 facilities that will provide extended hours to accommodate  
10 children of shift workers.  
11

12 **BE IT FURTHER RESOLVED** that these facilities be permanently owned by the County  
13 (or a participating local jurisdiction) and made available for lease to qualified child care  
14 providers at no cost (or the lowest possible cost allowed by law) under the following guidelines:  
15

- 16 1. Facility numbers and overall capacity shall be sized and located based on the population  
17 density of young families throughout the County and located in urbanized areas of the  
18 jurisdictions that contribute a proportionate amount of their H.R.1319 funds, and;  
19
- 20 2. A minimum of 60% of the child care spots shall be prioritized for families at or below the  
21 ALICE (Asset Limited, Income Constrained, and Employed) threshold, and;  
22
- 23 3. The fees the Lessee charges all parents shall be based on the state reimbursement rate,  
24 and;  
25
- 26 4. To ensure the children are likely to be cared for by qualified staff the Lessee must pay  
27 employees at or above market wages, and;  
28
- 29 5. To ensure the County does not create an ongoing liability to fund operating costs the  
30 Lessee shall pay a monthly amount to cover all normal operating costs, taxes,  
31 maintenance (including a capital cost allowance to fund major future repairs such as  
32 roof replacement), commensurate with what would be normal and customary if they  
33 were to lease the facility from a private commercial landlord.  
34

35 **BE IT FINALLY RESOLVED** that the cities of Bellingham, Blaine, Everson, Ferndale,  
36 Lynden, Nooksack, Sumas and the Nations of Lummi and Nooksack be invited to participate in  
37 funding of the land, buildings, and capital projects for child care facilities with H.R.1319 -  
38 American Rescue Plan Act of 2021 funds to allow for affordable child care in Whatcom County in  
39 perpetuity.  
40

41 **APPROVED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.**  
42  
43

44  
45 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

46  
47  
48 \_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
(Barry Buchanan), Council Chair

49  
50 APPROVED AS TO FORM:  
51  
52

53 \_\_\_\_\_  
54 Karen Frakes, Civil Deputy Prosecutor



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-212

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<b>File ID:</b>	AB2021-212	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/24/2021	<b>Entered by:</b>	AHaines@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Presentation		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: ahaines@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

County Executive Satpal Sidhu will present the "State of the County" to Council and County citizens

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

N/A

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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Attachments:



# Whatcom County

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

## Agenda Bill Master Report

File Number: MIN2021-027

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<b>File ID:</b>	MIN2021-027	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/25/2021	<b>Entered by:</b>	KFelbing@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Minutes Consent		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: kfelbing@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Committee of the Whole Executive Session for March 23, 2021

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

None

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:

---

**Attachments:** Draft Minutes Committee of the Whole Exec Mar 23 2021



# **Whatcom County Council Committee of the Whole-Executive Session**

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



## **Committee Minutes - Draft Minutes**

**VIRTUAL MEETING - ENDS NO LATER THAN 10 A.M. (TO  
PARTICIPATE, SEE INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010)  
Tuesday, March 23, 2021**

**9 AM**

### **Virtual Meeting**

#### **COUNCILMEMBERS**

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

#### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## **Call To Order**

Council Chair Barry Buchanan called the meeting to order at 9 a.m. in a virtual meeting.

## **Roll Call**

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas and Kathy Kershner

**Absent:** None

## **Committee Discussion**

**Attorney Present: Karen Frakes, George Roche, Christopher Quinn and Brandon Waldron.**

Buchanan stated that discussion of agenda items one through two may take place in executive session pursuant to RCW 42.30.110(1)(i)]. Executive session will conclude no later than 10 a.m. If the meeting extends beyond the stated conclusion time, Council staff will step out of the meeting to make a public announcement.

*Byrd moved* to go into executive session until no later than 10 a.m. to discuss the agenda items pursuant to the RCW citations as announced by the Council Chair. The motion was seconded by Browne.

The motion carried by the following vote:

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas and Frazey

**Nay:** 0

**Out of the Meeting:** 1 - Kershner

1. [AB2021-156](#) Discussion of pending litigation with Civil Deputy Prosecutor Chris Quinn: Ericksen v. Whatcom County Flood Control Zone District, Whatcom County Superior Court Cause No. 20-2-00650-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)] (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**This agenda item was DISCUSSED.**

2. [AB2021-174](#) Discussion of pending litigation with Civil Deputy Prosecutor Brandon Waldron re: Tojek v. Whatcom County, et al.; Whatcom County Superior Court case no. 21-2-00117-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)]

**This agenda item was DISCUSSED.**

## **Items Added by Revision**

There were no agenda items added by revision.

**Other Business**

**Adjournment**

The meeting adjourned at 10:05 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription



# Whatcom County

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

## Agenda Bill Master Report

File Number: MIN2021-028

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<b>File ID:</b>	MIN2021-028	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/26/2021	<b>Entered by:</b>	KFelbing@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Minutes Consent		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: kfelbing@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Committee of the Whole for March 23, 2021

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

None

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:

---

**Attachments:** Draft Minutes Committee of the Whole Mar 23 2021

# **Whatcom County Council Committee of the Whole**

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



## **Committee Minutes - Draft Minutes**

**VIRTUAL MEETING - MAY BEGIN EARLY; ENDS NO LATER THAN 5  
P.M. (TO PARTICIPATE, SEE INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010)**

**Tuesday, March 23, 2021**

**3 PM**

**Virtual Meeting**

### **COUNCILMEMBERS**

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## **Call To Order**

Council Chair Barry Buchanan called the meeting to order at 3:01 p.m. in a virtual meeting.

## **Roll Call**

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas and Kathy Kershner

**Absent:** None

## **Committee Discussion**

1. [AB2020-219](#) Discussion and update on strategies and other items related to COVID-19 (Council and Health Board)

Erika Lautenbach, Health Department Director, updated the Councilmembers on the following:

- Declining COVID-19 case rates in the county and specifically in those age 60 plus
- The move this week to Phase Three of the State's Roadmap to Recovery and what it means
- The status of COVID-19 vaccinations in Whatcom County (as of last week, 72% of eligible Whatcom County residents have received at least one shot), the number of doses expected in the next few weeks and the community vaccine clinic
- An upcoming COVID Impact Assessment

She answered questions about whether the allowance for an indoor maximum of 50% capacity applies to houses of worship in Phase Three, why the supply of vaccine doses will be lower for the next two weeks and how summer camps for kids would be affected by the State guidance.

**This agenda item was DISCUSSED.**

2. [AB2021-181](#) Discussion of letter from Incarceration Prevention and Reduction Task Force to State legislators on funding of Crisis Stabilization Center and establishing the Center as a State pilot program for diversion

Anne Deacon, Health Department, briefed the Councilmembers and stated a letter is not being sent yet but they would like the Council's support in case a letter needs to be sent.

She answered whether they could include in the letter that the Crisis Stabilization Center is a regional facility for other parts of the state and not just for Whatcom County.

**This agenda item was DISCUSSED.**

3. [AB2021-182](#) Discussion regarding impacts of the Blake decision

The following people briefed the Councilmembers:

- Eric Richey, Whatcom County Prosecuting Attorney
- Karen Frakes, Prosecuting Attorney's Office

They answered questions about impacts of the decision on the County including whether having to pay back legal financial obligations (LFOs) will include interest and how far back it will go, whether the State statute has been eliminated or just eliminated as it has been applied, whether the Prosecuting Attorney's Office is planning to come to the Council with a local proposal in the interim before the State does a statute that considers intent, whether the County will have to reimburse for LFOs before there is a decision on whether it is the State or the County that will be financially liable for them and how much time the County has to pay them, how much the County might have to pay if it has to pay for LFOs, what percentage of the jail population is from simple possession cases and whether local laws should be adopted to help the situation.

**This agenda item was DISCUSSED.**

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

There was no other business.

### **Adjournment**

The meeting adjourned at 3:47 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription



# Whatcom County

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

## Agenda Bill Master Report

File Number: MIN2021-029

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<b>File ID:</b>	MIN2021-029	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/26/2021	<b>Entered by:</b>	KFelbing@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Minutes Consent		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: kfelbing@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Regular County Council for March 23, 2021

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

None

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:

---

**Attachments:** Draft Minutes Council Mar 23 2021



# **Whatcom County Council**

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



## **Minutes - Draft Minutes**

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010); AGENDA**

**REVISED 3.22.2021 & 3.23.2021**

**Tuesday, March 23, 2021**

**6 PM**

**Virtual Meeting**

### **COUNCILMEMBERS**

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6:01 p.m. in a virtual meeting.

### ROLL CALL

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, and Kathy Kershner

**Absent:** None

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, reported on the affordable housing initiative.

### MINUTES CONSENT

*Donovan moved* to accept the minutes consent items. The motion was seconded by Byrd (see votes on individual items below).

1. [MIN2021-023](#) Committee of the Whole Executive Session for March 9, 2021

**Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

2. [MIN2021-024](#) Committee of the Whole for March 9, 2021

**Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

3. [MIN2021-025](#) Regular County Council for March 9, 2021

**Donovan moved and Byrd seconded that the Minutes Consent be**

**APPROVED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

4. [MIN2021-026](#) Water Work Session for March 16, 2021

**Donovan moved and Byrd seconded that the Minutes Consent be**

**APPROVED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**PUBLIC HEARINGS**

Council staff played a short instructional video about how to speak at the meeting.

1. [AB2021-134](#) Ordinance amending Whatcom County Code Section 1.14, Electoral Precincts, for changes in certain voting precinct boundaries in Whatcom County

Diana Bradrick, County Auditor, briefed the Councilmembers and answered questions.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

**Donovan moved and Byrd seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2021-010

2. [AB2021-135](#) Ordinance regarding temporary installation of stop signs on Noon Road at Ten Mile Road and East Hemmi Road at Noon Road

Jim Karcher, Public Works Department, briefed the Councilmembers.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

**Donovan moved and Byrd seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2021-011

3. [AB2021-147](#) Ordinance establishing a fare capital surcharge for the Lummi Island Ferry System

The following people briefed the Councilmembers:

- Roland Middleton, Public Works Department
- Rhayma Blake, Lummi Island Ferry Advisory Committee

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

***Donovan moved*** and Kershner seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Middleton answered questions about what fares the charge will apply to, whether there is an end to the surcharge, how much money it will raise per year and how many of the island's residents fall into the low income or disabled or student population.

Councilmembers discussed the item.

**Donovan's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2021-012

4. [AB2021-164](#) Ordinance imposing an additional sales and use tax of one-tenth of one percent for housing and related services as authorized by RCW 82.14.530 adding a new chapter 3.47 to the Whatcom County Code

Satpal Sidhu, County Executive, stated he was available to answer questions.

Buchanan opened the Public Hearing and the following people spoke:

- Joy Gilflen
- Markis Dee Stidham

- Brien Thane
- Paul Schissler
- Ken Domorod

Hearing no one else, Buchanan closed the Public Hearing.

***Donovan moved*** and Frazey seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Councilmembers discussed the motion.

Satpal Sidhu, County Executive, provided information about what the money can be used for and addressed earlier comments.

**Donovan's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:**

**Aye:** 4 - Browne, Buchanan, Donovan, and Frazey

**Nay:** 3 - Byrd, Elenbaas, and Kershner

**Absent:** 0

Enactment No: ORD 2021-013

### **OPEN SESSION (20 MINUTES)**

Council staff played a short instructional video about how people can speak at the meeting.

The following people spoke:

- Sharon Bassam
- Louis Burrell
- Joy Gilfilen
- Rainbow Medicine Walker
- Markis Dee Stidham
- Doug (Yoshe) Revelle
- Eliza Steele
- Heather Katahdin
- Holly Koon
- Allison Calder
- Krista Rome
- Todd Baker
- Natalie Chavez

- Misty Flowers
- Susan Windnagel
- Melissa Gregg/Wisener
- Gwen Garrett

Hearing no one else, Buchanan closed the Open Session.

## **CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

**Browne** reported for the Finance and Administrative Services Committee and **moved** to approve Consent Agenda items one, three, four, five, six, and seven (item two was withdrawn from the agenda).

Byrd requested that they pull out item number three and vote on it separately.

**Browne withdrew** his motion **and moved** to approve Consent Agenda items one, four, five, six, and seven.

Councilmembers voted on those items (see votes on individual items below).

1. [AB2021-127](#) Resolution to set hearing and notice of hearing on sale of county tax title property

**Browne moved that the Resolution be APPROVED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: RES 2021-010

2. [AB2021-129](#) Resolution to set hearing and notice of hearing on sale of county tax title property

**This agenda item was WITHDRAWN.**

3. [AB2021-157](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Fire Protection District #7 to extend the agreement through December 31, 2022 in the amount of \$296,995

This item was considered separately. See motion and vote below.

4. [AB2021-159](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Patrol to lease tower access at the

WSP Sumas Mountain Communications Site for a period of 10 years in the amount of \$15,304.28

**Browne moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

5. [AB2021-162](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Lookout Mountain Holdings to lease tower access at the Lookout Mountain North Tower Site for four years and seven months for a total amount of \$51,332.73

**Browne moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

6. [AB2021-170](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and SeaMar Community Health Centers to provide funding for an additional GRACE Program Case Manager in the amount of \$92,875 for a total amended contract amount of \$1,712,583

**Browne moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

7. [AB2021-183](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Mt Constitution Sites, Inc to lease tower access at the Mt Constitution site for the period of five years in the amount of \$111,000

**Browne moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

3. [AB2021-157](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Fire Protection District #7 to extend the agreement through December 31, 2022 in the amount of \$296,995

Browne reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT.

Councilmembers discussed the motion.

**Browne's motion that the Interlocal be AUTHORIZED BY CONSENT carried by the following vote:**

**Aye:** 5 - Browne, Buchanan, Donovan, Elenbaas, and Frazey

**Nay:** 2 - Byrd, and Kershner

**Absent:** 0

## **OTHER ITEMS**

(From Council Finance and Administrative Services Committee)

1. [AB2020-110](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Freedom 2000, LLC dba Cando Recycling and Disposal to lease the Johnson Road Transfer Station Facility in Point Roberts, in the amount of \$750 per month

**Browne** reported for the Finance and Administrative Services Committee and ***moved*** that the Contract be AUTHORIZED.

Councilmembers discussed the motion.

**Browne's motion that the Contract be AUTHORIZED carried by the following vote:**

**Aye:** 4 - Browne, Buchanan, Donovan, and Frazey

**Nay:** 3 - Byrd, Elenbaas, and Kershner

**Absent:** 0

2. [AB2021-145](#) Ordinance amending the project budget for Academy Road Stormwater Improvements Fund, request no. 2

**Browne reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0



Absent: 0

Enactment No: ORD 2021-014

3. [AB2021-146](#) Ordinance amending the 2021 Whatcom County Budget, request no. 4, in the amount of \$3,397,903

**Browne** reported for the Finance and Administrative Services Committee and ***moved*** that the Ordinance be ADOPTED.

Councilmembers discussed the motion.

**Browne's motion that the Ordinance be ADOPTED carried by the following vote:**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

Absent: 0

Enactment No: ORD 2021-015

4. [AB2021-155](#) Request authorization for the County Executive to enter into a Lease Agreement between Whatcom County Flood Control Zone District and Brian Mellema for the annual amount of \$3,537.53 (Council Acting as the Flood Control Zone District Board of Supervisors)

**Browne reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

Absent: 0

5. [AB2021-172](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for coordinated administration of the GRACE Program, in the amount of \$280,000

**Browne reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

Absent: 0

6. [AB2021-178](#) Resolution to seek funding for the Lummi Island Ferry Modernization and Preservation project, including the BUILD grant program

**Browne reported for the Finance and Administrative Services Committee and moved that the Resolution be APPROVED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: RES 2021-011

**(No Committee Assignment)**

7. [AB2021-165](#) Request Council approval of the proposed charter for the SWISS (Snohomish, Whatcom, Island, Skagit, and San Juan Counties) group

Dana Brown-Davis, Clerk of the Council, briefed the Councilmembers.

Councilmembers discussed the request and whether they would like to move forward with being a part of the SWISS (Snohomish, Whatcom, Island, Skagit, and San Juan Counties) group.

Satpal Sidhu, County Executive, spoke about it from the perspective of the Administration.

***Browne moved*** that they approve the proposed charter. The motion was seconded by Donovan.

Councilmembers discussed the motion and whether this is just a vote to approve the proposed charter and not whether they will be part of the group.

**Browne's motion that the Request be APPROVED carried by the following vote:**

**Aye:** 4 - Browne, Buchanan, Donovan, and Frazey

**Nay:** 2 - Elenbaas, and Kershner

**Absent:** 0

**Abstain:** 1 - Byrd

8. [AB2021-148](#) Ordinance amending Whatcom County Code 3.08 Purchasing System to include nondiscrimination by county contractors

**Browne moved and Byrd seconded that the Ordinance be ADOPTED. The**

**motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2021-016

**EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2021-167](#) Request confirmation of the County Executive's reappointment of Megan Porter and new appointment of Dana Weber to the Developmental Disabilities Advisory Board

**Donovan moved and Frazey seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

2. [AB2021-175](#) Request confirmation of the County Executive's appointment of Nadine Kaaland to the Public Defense Advisory Committee

**Frazey moved and Donovan seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

3. [AB2021-176](#) Request confirmation of the County Executive's appointment of Kathryn Ketteridge to the Marine Resources Committee

**Donovan moved and Frazey seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

4. [AB2021-177](#) Request confirmation of the County Executive's appointments of Nichole Oleson and Austin Hengy to the Food System Committee

**Kershner moved and Browne seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

### **ITEMS ADDED BY REVISION**

1. [AB2021-190](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded outdoor recreational cannabis growing and/or processing facilities

***Byrd moved*** and Donovan seconded that the Ordinance be INTRODUCED FOR PUBLIC HEARING.

***Byrd moved*** to amend the ordinance to remove the outdoor reference so it refers both to indoor and outdoor.

Karen Frakes, Prosecuting Attorney's Office, stated this ordinance was tailored specifically to outdoor operations and described the process for how such an amendment could be proposed.

Councilmembers discussed how to proceed.

***Byrd withdrew*** his motion to amend.

Councilmembers continued to discuss the motion to introduce the ordinance.

**Byrd's motion that the Ordinance be INTRODUCED FOR PUBLIC HEARING carried by the following vote:**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

2. [AB2021-209](#) Resolution regarding permanent affordability of childcare in Whatcom County  
***Donovan moved*** and Byrd seconded that the Resolution be INTRODUCED.

Councilmembers and Satpal Sidhu, County Executive, discussed the motion.

***Buchanan suggested*** a friendly amendment that the item be scheduled for more discussion in Committee of the Whole on April 6, 2021.

***Donovan accepted*** the friendly amendment.

**Donovan's motion that the Resolution be INTRODUCED carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

## **INTRODUCTION ITEMS**

Buchanan stated that item one has a substitute version and item 5 was withdrawn from the agenda.

*Byrd moved* to introduce items one through four, six and seven. The motion was seconded Donovan (see votes on individual items below).

Councilmembers discussed AB2021-184 and the use of the word "parent."

1. [AB2021-173](#) Ordinance amending the 2021 Whatcom County Budget, request no. 5, in the amount of \$1,220,565

**Byrd moved and Donovan seconded that the SUBSTITUTE Ordinance be INTRODUCED. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

2. [AB2021-171](#) Ordinance granting Trans Mountain Pipeline (Puget Sound) LLC, a non-exclusive franchise for pipeline facilities

**Byrd moved and Donovan seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

3. [AB2021-184](#) Ordinance amending Whatcom County Code 9.08.020 Unlawful Exposure to include an exception for breastfeeding

**Byrd moved and Donovan seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

4. [AB2021-128](#) Resolution to sell county tax title property by public auction

**Byrd moved and Donovan seconded that the Resolution Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

5. [AB2021-130](#) Resolution to sell county tax title property by public auction

**This agenda item was WITHDRAWN.**

6. [AB2021-168](#) Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Emmerson Road (Council Acting as the Flood Control Zone District Board of Supervisors)

**Byrd moved and Donovan seconded that the Resolution (FCZDBS) Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

7. [AB2021-169](#) Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Dahlberg Road (Council Acting as the Flood Control Zone District Board of Supervisors)

**Byrd moved and Donovan seconded that the Resolution (FCZDBS) Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

## **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

Buchanan reported for Committee of the Whole Executive Session.

***Donovan moved*** and Frazey seconded the following motion from Committee of the Whole Executive Session regarding **AB2021-174 Discussion of pending litigation with Civil Deputy Prosecutor Brandon Waldron re: Tojek v. Whatcom County, et al.; Whatcom County Superior Court case no. 21-2-00117-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)]:**

The County Council met in executive session concerning the lawsuit Tojek v. Whatcom County, et al., Whatcom County Superior Court No. 21-2-00117-37. Pursuant to Whatcom County Code 2.56, the Council hereby finds the following:

- A. George Roche was acting in a matter in which the county had an interest;
- B. The George Roche was acting in the discharge of a duty imposed or authorized by law;
- C. George Roche acted in good faith. Employee George Roche will be defended and indemnified pursuant to and consistent with the provisions in WCC Chapter 2.56.

The motion carried by the following vote:

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Kershner and Browne  
**Nay:** 0

Councilmembers reported on the other committees.

***Buchanan*** reported for Committee of the Whole and ***moved*** to approve the Council sending a letter if needed to State legislators on funding of the Crisis Stabilization Center and establishing the Center as a State pilot program for diversion. The motion was seconded by Byrd.

The motion carried by the following vote:

**Aye:** 7 - Byrd, Donovan, Elenbaas, Frazey, Kershner, Browne, Buchanan  
**Nay:** 0

## **ADJOURN**

The meeting adjourned at 10:04 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription





# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-128

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<b>File ID:</b>	AB2021-128	<b>Version:</b>	1	<b>Status:</b>	Introduced for Public Hearing
<b>File Created:</b>	02/17/2021	<b>Entered by:</b>	jking@co.whatcom.wa.us		
<b>Department:</b>	Treasurer's Office	<b>File Type:</b>	Resolution Requiring a Public Hearing		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: jking@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution to sell county tax title property by public auction

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Pursuant to Whatcom County Code 1.10, the Whatcom County Property Management Committee has recommended sale of the following tax title property as surplus: Tax parcel number 380125 312183 0000; KEL BAY NUMBER 2 SOUTH 60 FEET OF LOT 65, AS PER MAP THEREOF, RECORDED IN BOOK 9 OF PLATS, PAGE 23, WHATCOM COUNTY, WASHINGTON. SEC 25 TWN 38 RGE 1E. The parcel would be sold at public auction, following notification of adjacent property owners, for no less than \$1,877.53 (total taxes, interest, penalties and foreclosure costs.)

---

### HISTORY OF LEGISLATIVE FILE

---

Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	INTRODUCED FOR PUBLIC HEARING	Council

---

**Attachments:** Proposed Resolution, Parcel Information

PROPOSED BY: \_\_\_\_\_  
INTRODUCTION DATE: \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

TO SELL COUNTY TAX TITLE PROPERTY

1 WHEREAS, RCW 36.35.120 allows the County to sell real estate acquired by tax  
2 foreclosure where it is found to be in the best interest of Whatcom County to sell the  
3 same; and,  
4

5 WHEREAS, the Whatcom County Property Management Committee  
6 recommends that the resolution be passed to effectively meet the legal requirement for  
7 the disposal; and,  
8

9 WHEREAS, RCW 36.35.120 requires the Council to establish the minimum price  
10 for said unit of property and to determine whether or not a contract will be allowed, or if  
11 it will be a cash price; and,  
12

13 WHEREAS, the Whatcom County Code as well as the state law allows the  
14 County to reserve from the sale coal, oil, gas, gravel, mineral, ores, fossils, timber or  
15 other resources if the Council finds that it is in the best interest to reserve these;  
16

17 NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the  
18 County to sell:  
19

20 Parcel # 380125 312183 0000 / PID 40193  
21

22 KEL BAY NUMBER 2 SOUTH 60 FEET OF LOT 65, AS PER MAP THEREOF,  
23 RECORDED IN BOOK 9 OF PLATS, PAGE 23, WHATCOM COUNTY,  
24 WASHINGTON. SEC 25 TWN 38 RGE 1E  
25

26 For no less than taxes, interest, penalties and foreclosure costs of \$1,877.53  
27 to the highest and best bidder;  
28

29 BE IT FURTHER RESOLVED that said price shall not be allowed under contract  
30 and shall be paid in either cash, certified check, or money order to the Whatcom  
31 County Treasurer at the time of sale; and,  
32

33 BE IT FURTHER RESOLVED that said parcels shall be sold subject to restrictive  
34 covenants allowing for imposition of Community Association fees, if any, as set forth in  
35 Whatcom County Resolution No. 88-37; and,

36 BE IT FURTHER RESOLVED that this sale transfer to the owners all coal, oil,  
37 gas, gravel, minerals, ores, fossils, timber or other resources on or in said land and the  
38 right to mine for and remove the same in conformity with zoning regulations in force and  
39 effect; and,  
40

41 BE IT FURTHER RESOLVED that the Whatcom County Treasurer is hereby  
42 directed to sell such property at not less than a certified price and said sale shall take  
43 place in accordance with the duties as established in RCW 36.35.120.  
44

45  
46 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.  
47

48  
49 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

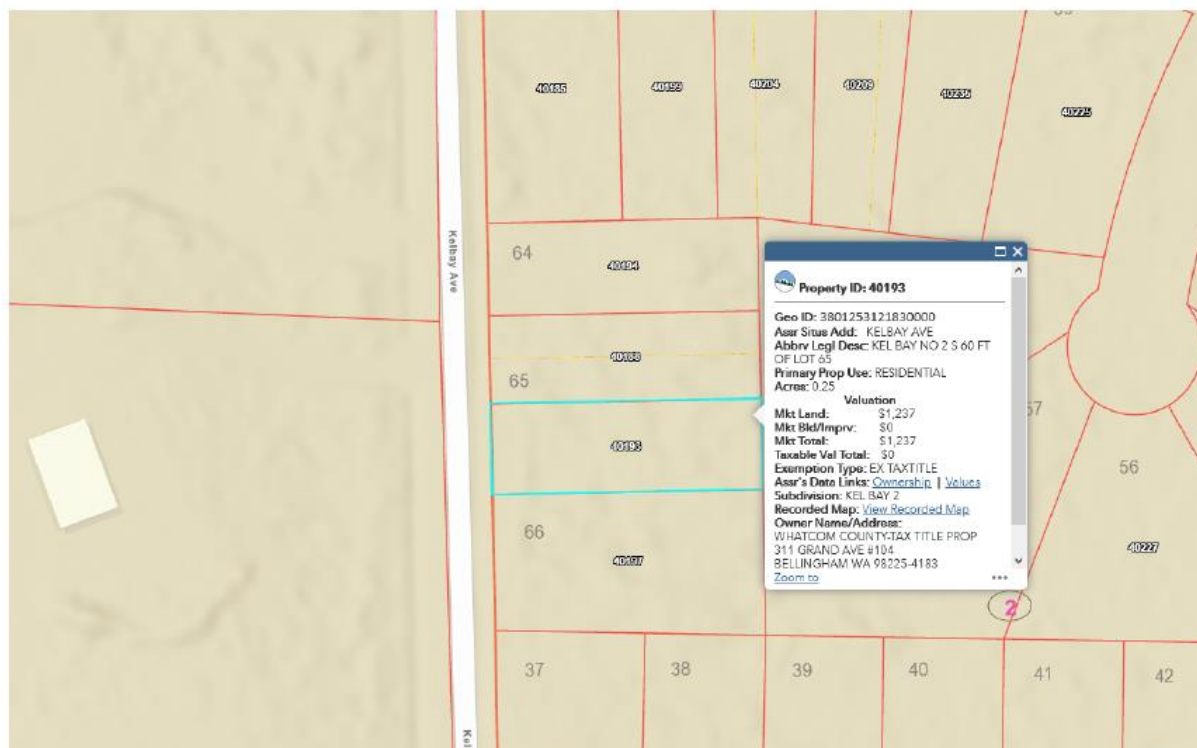
50  
51  
52 \_\_\_\_\_  
53 Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Chair

54  
55 APPROVED AS TO FORM:  
56  
57

58 \_\_\_\_\_  
59 Royce Buckingham, Civil Deputy Prosecuting Attorney

**Application to purchase WC tax title property at Kelbay Ave in Ferndale**  
Parcel Number 380125-312183-0000 PID 40193 Acquired 11/22/2013





# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-168

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<b>File ID:</b>	AB2021-168	<b>Version:</b>	1	<b>Status:</b>	Introduced for Public Hearing
<b>File Created:</b>	03/10/2021	<b>Entered by:</b>	AHester@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Resolution (FCZDBS) Requiring a Public Hearing		
<b>Assigned to:</b>	Council	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

---

Primary Contact Email: Sdraper@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Emmerson Road (Council Acting as the Flood Control Zone District Board of Supervisors)

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Public Works requests that the FCZD Board of Supervisors hold a public hearing and take action on the proposed resolution to lease the property for agricultural purposes, and authorize the Whatcom County Executive to execute a lease agreement with the highest responsible bidder that can demonstrate their ability to comply with the conditions contained in the resolution

---

### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	INTRODUCED FOR PUBLIC HEARING	Council

---

**Attachments:** Staff Memo, Proposed Resolution, Aerial Photo



JON HUTCHINGS  
DIRECTOR



CIVIC CENTER  
322 N. Commercial Street, Suite 210  
Bellingham, WA 98225-4042  
Telephone: (360) 778-6200  
FAX: (360) 738-2468  
[www.whatcomcounty.us](http://www.whatcomcounty.us)

M E M O R A N D U M

To: The Honorable Satpal Singh Sidhu, Whatcom County Executive, and  
The Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director *JH*

From: Andrew Hester, Public Works Real Estate Coordinator *AH*

Date: March 10, 2021

Re: Leasing of Whatcom County Flood Control Zone Property

---

Enclosed is a resolution declaring the intent of the Whatcom County Flood Control Zone District (FCZD) to lease property located on Emmerson Road for agricultural purposes, subject to a public hearing.

**Requested Action**

Public Works respectfully requests that the FCZD Board of Supervisors hold a public hearing and take action on the proposed resolution to lease the property for agricultural purposes, and authorize the Whatcom County Executive to execute a lease agreement with the highest responsible bidder that can demonstrate their ability to comply with the conditions contained in the resolution.

**Background and Purpose**

The FCZD acquired the property from in 2001. The property has been leased for agricultural purposes since 2010. The existing lease expired on May 31, 2020. Whatcom County Public Works is supportive of continuing to lease the property for agricultural purposes as long as it is subject to the limitations described in the attached resolution.

**Resolution and Bid Process**

Should the Board of Supervisors approve the proposed resolution to lease the property, sealed bids will be received at the Whatcom County Finance Department office. Further information such as the deadline will be publicized upon approval of the resolution. The highest responsible bidder who can demonstrate their ability to comply with the limitations on use will be awarded the lease.

Please contact me at extension 6216 if you have any questions or concerns regarding the terms of this resolution.

Encl.

1 SPONSORED BY: \_\_\_\_\_  
2 PROPOSED BY: Public Works  
3 INTRODUCTION DATE: \_\_\_\_\_  
4

5 RESOLUTION NO. \_\_\_\_\_  
6

7 A RESOLUTION DECLARING THE WHATCOM COUNTY FLOOD CONTROL  
8 ZONE DISTRICT INTENTION TO LEASE PROPERTY ON EMMERSON ROAD  
9

10 WHEREAS, the Whatcom County Flood Control Zone District (FCZD) owns property  
11 located on Emmerson Road, which was purchased from grant funds obtained from the  
12 Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act); 42  
13 U.S.C. § 5121 et. Seq.; and

14 WHEREAS, certain provisions of the Stafford Act pertaining to maintaining acquired  
15 property in open space, allow for cultivation of that space; and

16 WHEREAS, the FCZD is granted authority through its grant agreement to lease property  
17 purchased with Stafford Act funds for cultivation; and

18 WHEREAS, the lease expired on May 31, 2020; and

19 WHEREAS, Whatcom County Public Works is supportive of continuing to lease the  
20 property for agricultural purposes; and

21 WHEREAS, in accordance with RCW 86.15.080, a FCZD may lease surplus lands in a  
22 manner consistent with RCW 36.34; and

23 WHEREAS, it has been determined that the fair market rental value of the property should  
24 not be less than \$960.00 per year, plus applicable leasehold tax; and

25 NOW, THEREFORE, BE IT RESOLVED that it is the intention of the FCZD Board of  
26 Supervisors to lease the following property described in Exhibit A for a minimum of  
27 \$960.00 per year, plus leasehold tax,

28 SUBJECT TO the conditions described in Exhibit B.

29 BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the Whatcom  
30 County Finance Department to lease this property by sealed bid to the highest and best  
31 bidder; at a location and time determined by the Finance Department.

32 BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County  
33 Executive to act on its behalf in executing a lease agreement with the highest responsible

1 bidder that can demonstrate his/her ability to comply with the conditions set forth in  
2 Exhibit B.

3 BE IT FURTHER RESOLVED that if no lease is fully executed within six months from  
4 the date of the passage of this Resolution, the authorization to lease shall be withdrawn.

5

6 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021

7

8 ATTEST:

9

10

11 \_\_\_\_\_  
Dana Brown-Davis, County Clerk

12

13

14 APPROVED AS TO FORM:

15

16 Christopher Quinn

17 Civil Deputy Prosecutor

18 (approved electronically 3/10/2021)

19

WHATCOM COUNTY COUNCIL

WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Barry Buchanan, Council Chair



**EXHIBIT A**

A tract of land in the Northwest Quarter of the Southeast Quarter and Government Lot 5 of Section 31, Township 40 North, Range 4 East of W.M. described as follow:

Commencing at a point where the county road intersects the north boundary line of the Southeast Quarter of said Section 31; thence south along said county road a distance of 16 rods and 12 feet; thence due West and parallel to the north boundary line of said Southeast Quarter of said Section 31 to the present east bank of the Nooksack River as established January 1, 1962, from aerial survey and decree in Superior Court Case No. 43682; thence northerly along the said east bank of said river to the point where it intersects the north boundary line of said Southeast Quarter of Section 31; thence east along the said north boundary line to the place of beginning,

EXCEPT the East 132 feet of the south 156 feet thereof, AND EXCEPT right-of-way lying along the easterly line thereof; commonly referred to as Emmerson Road AND EXCEPT river wash.

Situate in Whatcom County, Washington.

SUBJECT TO an easement for ingress and egress commencing at a point where the county road intersects the north boundary line of the Southeast Quarter of Section 31, Township 40 North, Range 4 East of W.M.; thence North along said county road, 12 feet; thence West 155 feet; thence South 12 feet; thence East along the North boundary line of the Southeast Quarter of said Section 31, to the point of beginning.

Situate in Whatcom County, Washington.

Subject to any other covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

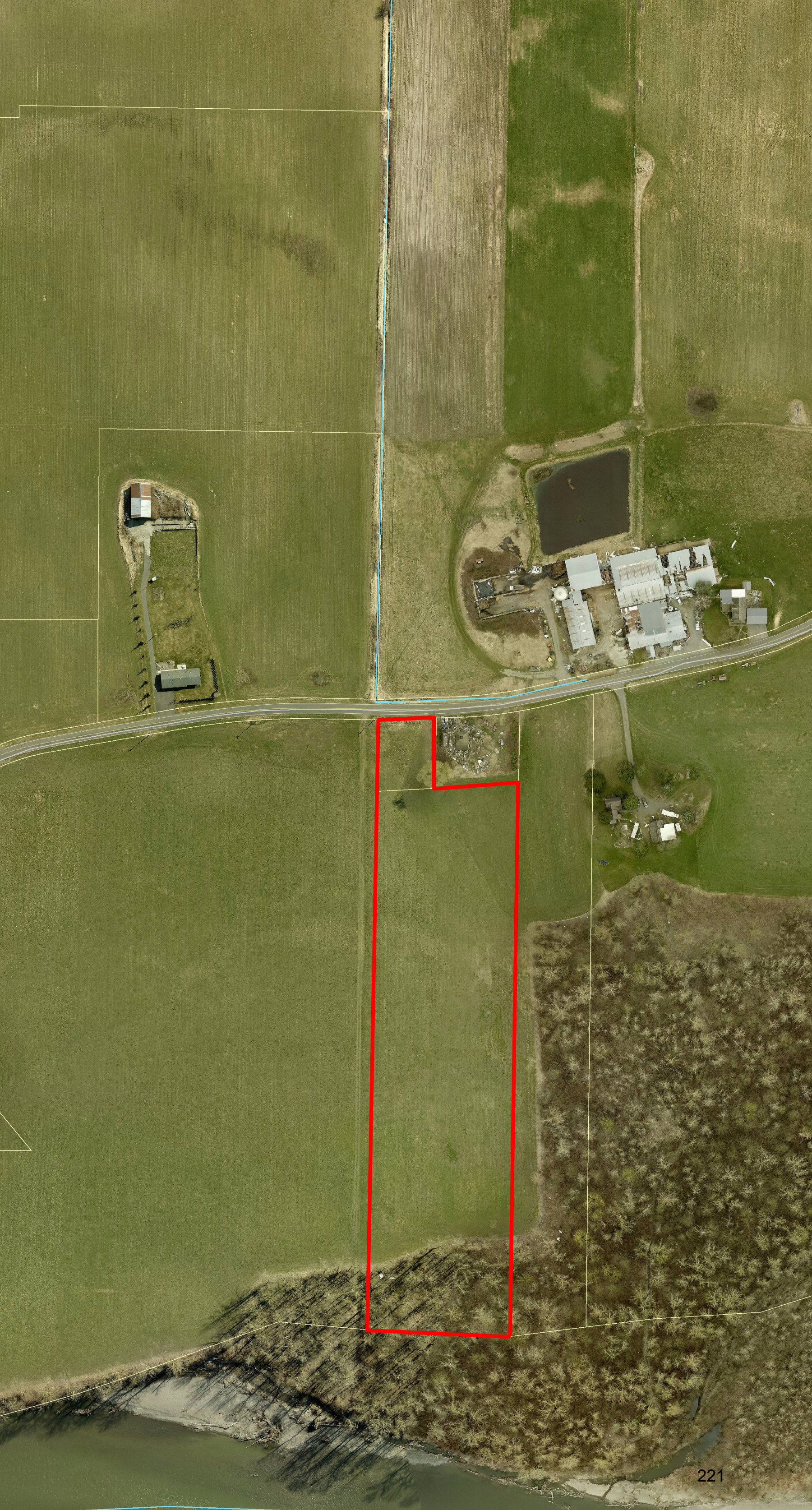
**EXHIBIT B**

**LIMITATIONS ON AND REQUIREMENTS FOR USE:**

1. No fill can be brought into the property. Minor land grading of the property to make it level and farmable is permissible.
2. No structures can be constructed on the property.
3. Only grasses or annual crops are allowed, with winter cover crop required if annual crop is used. Grazing of animals on the property is not allowed.
4. Application of commercial fertilizer and manure are allowed only if they are included in the farm plan. Methods and timing of fertilizer and manure application must be in accordance with that plan.
5. All activities must be done in accordance with all applicable federal, state and local rules and regulations.
6. Tenant agrees to keep in good repair all terraces, open ditches, inlets and outlets of tile drains; preserve all established watercourses or ditches including grassed waterways, and refrain from any operations or practice that will damage such structures or adversely affect their function.
7. Tenant must have a current farm plan for this property following current NRCS standards and specifications. If an approved farm plan has not already been established, then within 30 days of the commencement of the lease the Tenant must contact the Whatcom Conservation District to create an approved farm plan for the property. The implementation of such plan must begin within 120 days of the commencement of the lease and be followed during the term of the lease.
8. Prior to the commencement of the lease the County shall commission a comprehensive soil chemistry analysis ("First Test") comparable to those typically used by knowledgeable buyers as part of their typical pre-purchase inspections of agricultural land. A copy shall be retained by the County and copy shall be provided to the tenant.
9. No sooner than 90 days and no later than 30 days prior to the termination of the lease term the County shall commission a new comprehensive soil chemistry analysis ("Second Test") substantially identical to the First Test. A copy shall be retained by the County and copy shall be provided to the tenant.
10. If the Second Test establishes that the soil has equal or greater nutrient value and health than the First Test then the Tenant shall have no further obligation to improve the soil once the lease term expires.

- 1 11. If the Second Test establishes that the soil has been depleted or its health is has  
2 otherwise been impaired since the First Test then it shall be the Tenant's obligation to  
3 immediately repair and replenish the land as soon as weather permits. Should the  
4 Tenant fail to do this within 90 days of the weather permitting, the County may elect to  
5 employ others repair the land and bill the Tenant for all associated costs.
- 6 12. The Tenant shall provide security to guarantee payment of costs referred to in items #6,  
7 #8, #9, and #11 above, in a form and amount approved by the Prosecuting Attorney's  
8 Office.
- 9 Lease Term: The maximum term of the lease is 5 years.
- 10 Bid Response: Bidders should submit the following information as part of their bid response:
- 11 1. Bid amount for annual rental of land. Do not include leasehold tax in your bid amount,  
12 as it will be calculated and applied separately upon the successful bid amount.
- 13 2. A statement of your understanding of the scope of the lease and the steps necessary to  
14 farm the land.
- 15 3. A brief outline of how you propose to manage the farmland if awarded the lease and a  
16 timetable for your farm plan.
- 17 4. Describe your ability to obtain insurance for your leasing for this project. Proof of  
18 insurance must be provided prior to final execution of the lease agreement. Insurance  
19 must include the following minimum coverages:
- 20 a. General liability coverage \$1,000,000 per occurrence
- 21 b. Workers Compensation Coverage as required by the Industrial Insurance laws of the  
22 State of Washington.









# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-169

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<b>File ID:</b>	AB2021-169	<b>Version:</b>	1	<b>Status:</b>	Introduced for Public Hearing
<b>File Created:</b>	03/10/2021	<b>Entered by:</b>	AHester@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Resolution (FCZDBS) Requiring a Public Hearing		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

---

Primary Contact Email: [Click here to enter text.](#)

### **TITLE FOR AGENDA ITEM:**

Resolution declaring the Whatcom County Flood Control Zone District intention to lease property on Dahlberg Road (Council Acting as the Flood Control Zone District Board of Supervisors)

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Public Works requests that the FCZD Board of Supervisors hold a public hearing and take action on the proposed resolution to lease the property for agricultural purposes, and authorize the Whatcom County Executive to execute a lease agreement with the highest responsible bidder that can demonstrate their ability to comply with the conditions contained in the resolution

---

### **HISTORY OF LEGISLATIVE FILE**

---

Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	INTRODUCED FOR PUBLIC HEARING	Council

---

**Attachments:** Staff memo, Proposed Resolution, Aerial Photo

JON HUTCHINGS  
DIRECTOR



CIVIC CENTER  
322 N. Commercial Street, Suite 210  
Bellingham, WA 98225-4042  
Telephone: (360) 778-6200  
FAX: (360) 738-2468  
[www.whatcomcounty.us](http://www.whatcomcounty.us)

M E M O R A N D U M

To: The Honorable Satpal Singh Sidhu, Whatcom County Executive, and  
The Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director *JH*

From: Andrew Hester, Public Works Real Estate Coordinator *AH*

Date: March 10, 2021

Re: Leasing of Whatcom County Flood Control Zone Property

---

Enclosed is a resolution declaring the intent of the Whatcom County Flood Control Zone District (FCZD) to lease property located on Dahlberg Road for agricultural purposes, subject to a public hearing.

**Requested Action**

Public Works respectfully requests that the FCZD Board of Supervisors hold a public hearing and take action on the proposed resolution to lease the property for agricultural purposes, and authorize the Whatcom County Executive to execute a lease agreement with the highest responsible bidder that can demonstrate their ability to comply with the conditions contained in the resolution.

**Background and Purpose**

The FCZD acquired the property in 2020. The property has been leased for agricultural purposes historically. Whatcom County Public Works is supportive of continuing to lease the property for agricultural purposes as long as it is subject to the limitations described in the attached resolution.

**Resolution and Bid Process**

Should the Board of Supervisors approve the proposed resolution to lease the property, sealed bids will be received at the Whatcom County Finance Department office. Further information such as the deadline will be publicized upon approval of the resolution. The highest responsible bidder who can demonstrate their ability to comply with the limitations on use will be awarded the lease.

Please contact me at extension 6216 if you have any questions or concerns regarding the terms of this resolution.

Encl.

1 SPONSORED BY: \_\_\_\_\_  
2 PROPOSED BY: Public Works  
3 INTRODUCTION DATE: \_\_\_\_\_  
4

5 RESOLUTION NO. \_\_\_\_\_  
6

7 A RESOLUTION DECLARING THE WHATCOM COUNTY FLOOD CONTROL  
8 ZONE DISTRICT INTENTION TO LEASE PROPERTY ON DAHLBERG ROAD  
9

10 WHEREAS, the Whatcom County Flood Control Zone District (FCZD) owns property  
11 located on Dahlberg Road, which was purchased in 2020; and

12 WHEREAS, the property has historically been leased for agricultural purposes; and

13 WHEREAS, Whatcom County Public Works is supportive of continuing to lease the  
14 property for agricultural purposes; and

15 WHEREAS, in accordance with RCW 86.15.080, a FCZD may lease surplus lands in a  
16 manner consistent with RCW 36.34; and

17 WHEREAS, it has been determined that the fair market rental value of the property should  
18 not be less than \$2,610 per year, plus applicable leasehold tax; and

19 NOW, THEREFORE, BE IT RESOLVED that it is the intention of the FCZD Board of  
20 Supervisors to lease the following property described in Exhibit A for a minimum of  
21 \$2,610 per year, plus leasehold tax,

22 SUBJECT TO the conditions described in Exhibit B.

23 BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the Whatcom  
24 County Finance Department to lease this property by sealed bid to the highest and best  
25 bidder; at a location and time determined by the Finance Department.

26 BE IT FURTHER RESOLVED that the Board of Supervisors authorizes the County  
27 Executive to act on its behalf in executing a lease agreement with the highest responsible  
28 bidder that can demonstrate his/her ability to comply with the conditions set forth in  
29 Exhibit B.

30

31

32

1 BE IT FURTHER RESOLVED that if no lease is fully executed within six months from  
2 the date of the passage of this Resolution, the authorization to lease shall be withdrawn.

3

4 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021

5

6 ATTEST:

WHATCOM COUNTY COUNCIL

WHATCOM COUNTY, WASHINGTON

7

8

9 \_\_\_\_\_  
Dana Brown-Davis, County Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

10

11

12 APPROVED AS TO FORM:

13

14 Christopher Quinn

15 Civil Deputy Prosecutor

16 (approved electronically 3/10/2021)

17



**EXHIBIT A**

Whatcom County Tax Parcel Numbers 390204 463218 0000 & 390203  
097272 0000

Government Lot 5, except the northerly portion thereof heretofore conveyed to  
Arthur Dewitt by deed recorded June 21, 1910, and recorded under Auditor's  
File No. 141392, in Volume 113 of Deeds, Page 151, records of Whatcom  
County, Washington; also Government Lot 8; all in Section 3, Township 39  
North, Range 2 East, of W.M.;

Also, Government Lot 5 and the North 16.5 feet of the Southwest Quarter of the  
Southeast Quarter, and the Southeast Quarter of the Southwest Quarter, all in  
Section 4, Township 39 North, Range 2 East of W.M.;

Excepting from the above-described real property a tract of land located in said  
Section 3 and 4, Township 39 North, Range 2 East of W.M., described as  
follows, to-wit:

Beginning at a point on the east and west centerline of the south half of Section 4  
aforesaid, 2783.6 feet east of the point of intersection of said line with the north  
and south centerline of the west half of said Section 4, as said lines are now  
located, said Point of Beginning being marked by a King Bolt; thence North, at  
right angles to said east and west centerline, 320 feet to a gas pipe; thence East,  
parallel to said east and west centerline, 1470 feet, more or less, to the west bank  
of the Nooksack River; thence Southwesterly along said bank of Nooksack River  
to said east and west centerline; thence West along said centerline, as the same is  
now located and fenced, 1180 feet, more or less, to the Point of Beginning.

Also, one square rod in the extreme northwest corner of the Southeast Quarter of  
the Southeast Quarter of Section 4, Township 39 North, Range 2 East of W.M.,  
for road purposes .

Except Right-of-Way for Dahlberg Road.

Situate in Whatcom County, Washington.

**EXHIBIT B**

**LIMITATIONS ON AND REQUIREMENTS FOR USE:**

1. No fill can be brought into the property. Minor land grading of the property to make it level and farmable is permissible.
2. No structures can be constructed on the property.
3. Only grasses or annual crops are allowed, with winter cover crop required if annual crop is used. Grazing of animals on the property is not allowed.
4. Application of commercial fertilizer and manure are allowed only if they are included in the farm plan and application methods and timing are in accordance with that plan.
5. All activities, including application of manure, must be done in accordance with all applicable federal, state and local rules and regulations.
6. Tenant shall agree to keep in good repair all terraces, open ditches, inlets and outlets of tile drains; preserve all established watercourses or ditches including grassed waterways, and refrain from any operations or practice that will injure such structures.
7. Tenant must have a current farm plan following current NRCS standards and specifications. If an approved farm plan has not already been established, then within 30 days of the commencement of the lease the Tenant must contact the Whatcom Conservation District to create an approved farm plan for the property. The implementation of such plan must begin within 120 days of the commencement of the lease and be followed during the term of the lease.
8. Prior to the commencement of the lease the County shall commission a comprehensive soil chemistry analysis ("First Test") comparable to those typically used by knowledgeable buyers as part of their typical pre-purchase inspections of agricultural land. A copy shall be retained by the County and copy shall be provided to the tenant.
9. No sooner than 90 days and no later than 30 days prior to the termination of the lease term the County shall commission a new comprehensive soil chemistry analysis ("Second Test") substantially identical to the First Test. A copy shall be retained by the County and copy shall be provided to the tenant.
10. If the Second Test establishes that the soil has equal or greater nutrient value and health than the First Test then the Tenant shall have no further obligation to improve the soil once the lease term expires.
11. If the Second Test establishes that the soil has been depleted or its health is has otherwise been impaired since the First Test then it shall be the Tenant's obligation to

- 1 immediately repair and replenish the land as soon as weather permits. Should the  
2 Tenant fail to do this within 90 days of the weather permitting, the County may elect to  
3 employ others repair the land and bill the Tenant for all associated costs.
- 4 12. The Tenant shall provide security to guarantee payment of costs referred to in item #8  
5 and item #9 above, in a form and amount approved by the Prosecuting Attorney's  
6 Office.
- 7 Lease Term: The maximum term of the lease is 3 years.
- 8 Bid Response: Bidders should submit the following information as part of their bid response:
- 9 1. Bid amount for annual rental of land. Do not include leasehold tax in your bid amount,  
10 as it will be calculated and applied separately upon the successful bid amount.
- 11 2. A statement of your understanding of the scope of the lease and the steps necessary to  
12 farm the land.
- 13 3. A brief outline of how you propose to manage the farmland if awarded the lease and a  
14 timetable for your farm plan.
- 15 4. Describe your ability to obtain insurance for your leasing for this project. Proof of  
16 insurance must be provided prior to final execution of the lease agreement. Insurance  
17 must include the following minimum coverages:
- 18 a. General liability coverage \$1,000,000 per occurrence
- 19 b. Workers Compensation Coverage as required by the Industrial Insurance laws of the  
20 State of Washington.









# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-184

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<b>File ID:</b>	AB2021-184	<b>Version:</b>	1	<b>Status:</b>	Introduced for Public Hearing
<b>File Created:</b>	03/16/2021	<b>Entered by:</b>	CHalka@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Ordinance Requiring a Public Hearing		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: chalka@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance amending Whatcom County Code 9.08.020 Unlawful Exposure to include an exception for breastfeeding

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Ordinance amending Whatcom County Code 9.08.020 Unlawful Exposure to include an exception for breastfeeding

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## HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	INTRODUCED FOR PUBLIC HEARING	Council

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**Attachments:** Proposed Ordinance - strike, Proposed Ordinance, Substitute Ordinance for 4.6 - tracked changes, Substitute Ordinance for 4.6

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING WHATCOM COUNTY CODE 9.08.020 UNLAWFUL EXPOSURE  
TO INCLUDE AN EXCEPTION FOR BREASTFEEDING**

**WHEREAS**, the American Academy of Pediatrics recommends that all babies, with rare exceptions, be breastfed and/or receive expressed human milk exclusively for the first six months of life; and

**WHEREAS**, the American Academy of Pediatrics recommends continuing breastfeeding with the addition of complimentary foods through the second half of the first year and beyond as long as mutually desired between parent and baby; and

**WHEREAS**, the Revised Code of Washington 9A.88.010 states that the act of breastfeeding or expressing breast milk is not indecent exposure; and

**WHEREAS**, the Revised Code of Washington 49.60.30(g) establishes the right of a mother to breastfeed her child in any place of public resort, accommodation, assemblage, or amusement; and

**WHEREAS**, the Revised Code of Washington 49.60.215 provides that it is an unfair practice for any person to discriminate against a mother breastfeeding her child in any such place; and

**WHEREAS**, the Centers for Disease Control 2020 Breastfeeding Report Card indicated that 92.5% of babies born in Washington State start out breastfeeding, but only 74.6% were still breastfeeding at 6 months, and only 28.9% were exclusively breastfeeding at 6 months; and

**WHEREAS**, in recognition of the well-documented health advantages, for parent and child, Whatcom County wishes to provide a supportive environment for breastfeeding parents.

1       **NOW, THEREFORE, BE IT ORDAINED** that the Whatcom County Council adopts  
2 the above "WHEREAS" recitals as finding of fact in support of its action; and  
3

4       **BE IT FINALLY ORDAINED** by the Whatcom County Council that Whatcom County  
5 Code 9.08.020 is hereby amended as described in Exhibit A.  
6  
7

8  
9       **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.  
10

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13  
14 **ATTEST:**

**WHATCOM COUNTY COUNCIL**  
**WHATCOM COUNTY, WASHINGTON**

15  
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17 \_\_\_\_\_  
18 Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

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21  
22 **APPROVED AS TO FORM:**

**WHATCOM COUNTY COUNCIL**  
**WHATCOM COUNTY, WASHINGTON**

(    ) Approved        (    ) Denied

23  
24  
25  
26  
27  
28 Karen Frakes / by email/ 3/16/2021  
29 Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, County Executive

30  
31 Date Signed: \_\_\_\_\_

## EXHIBIT A

### 9.08.020 Unlawful exposure.

It is unlawful for any female to expose or permit public display of her bosom, in the nude or substantially exposed to public view, in any public establishment—except this shall not apply to a parent who is breastfeeding a child.

A parent shall have the right to breastfeed a child in any location, public or private, where the parent has the right to be with their child, without respect to whether the parent's breast or any part of it is uncovered during or incidental to the breastfeeding of the child.



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# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-190

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<b>File ID:</b>	AB2021-190	<b>Version:</b>	1	<b>Status:</b>	Introduced for Public Hearing
<b>File Created:</b>	03/18/2021	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: TDonovan@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded outdoor recreational cannabis growing and/or processing facilities

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

This ordinance prohibits, on an interim basis, the filing, acceptance, or processing of new applications for conversion of land or water, new building or structure permits, or other County permits or authorizations for outdoor recreational marijuana production and/or processing facilities. The interim moratorium shall not apply to applications that were filed and determined to be complete prior to the effective date of this ordinance and vested pursuant to Washington statutes, or those for minor tenant improvement permits associated with existing, permitted facilities. This interim ordinance shall be effective for not longer than six months following its effective date, but may be renewed for one or more six-month periods if subsequent public hearings are held and findings of fact are made prior to each renewal.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
03/23/2021	Council	INTRODUCED FOR PUBLIC HEARING	Council

---

**Attachments:**    Proposed Ordinance

4  
5 ORDINANCE NO. \_\_\_\_\_

6  
7 **IMPOSING AN INTERIM MORATORIUM ON THE ACCEPTANCE AND PROCESSING**  
8 **OF APPLICATIONS AND PERMITS FOR NEW OR EXPANDED OUTDOOR RECREATIONAL**  
9 **CANNABIS GROWING AND/OR PROCESSING FACILITIES**

10  
11 **WHEREAS**, on November 6, 2012, Initiative 502 was passed by the voters of the State of  
12 Washington, amending Chapter 69.50 RCW and providing the regulatory framework for cannabis  
13 producers, processors, and retailers to become licensed by the Washington State Liquor and Cannabis  
14 Board ("WSLCB"); and

15  
16 **WHEREAS**, on November 16, 2013, the WSLCB adopted final cannabis licensing rules as codified  
17 in Chapter 314-55 WAC; and

18  
19 **WHEREAS**, during the period between November 18, 2013, and December 18, 2013, the WSLCB  
20 accepted cannabis license applications for cannabis production, processing and retail facilities; and  
21 Whatcom County began receiving notifications of proposed cannabis facilities from the WSLCB in mid-  
22 December 2013; and

23  
24 **WHEREAS**, the WSLCB began issuing cannabis producer, processor, and retail licenses to  
25 qualified applicants in March of 2014; and

26  
27 **WHEREAS**, on January 16, 2014, the Washington State Attorney General issued an opinion  
28 stating that Initiative 502 does not preempt counties from banning or placing additional regulatory  
29 requirements on cannabis related businesses within their jurisdictions; and

30  
31 **WHEREAS**, the Prosecuting Attorney and Planning and Development Services (PDS) had at the  
32 time implemented a zoning interpretation policy, which stated that PDS would regulate cannabis  
33 proposed uses as allowed by Initiative 502 in the same way as any other commodity that is grown,  
34 processed, or sold in Whatcom County, it became evident that many of those proposed locations could  
35 conflict with other surrounding uses; and

36  
37 **WHEREAS**, on February 11, 2014, the Whatcom County Council adopted Ordinance 2014-011,  
38 an emergency ordinance imposing a moratorium on the acceptance of all building and/or land use  
39 applications that pertain to cannabis producers, processors, retailers and medical cannabis collective  
40 gardens; and

41  
42 **WHEREAS**, the County developed and implemented several sets of interim regulations during  
43 that time, though none were deemed appropriate by the Council as permanent regulations; and

44  
45 **WHEREAS**, on March 31, 2015, the Whatcom County Council adopted Ordinance 2015-006,  
46 which contains the current County zoning regulations for recreational cannabis type uses, treating  
47 cannabis similar to other agricultural products; and

48  
49 **WHEREAS**, these regulations allowed for the indoor production of cannabis to occur within a  
50 fully enclosed secured facility or a greenhouse with rigid walls, a roof and doors; and

51  
52 **WHEREAS**, the ordinance also allowed outdoor production in non-rigid greenhouses or an  
53 expanse of open or cleared ground fully enclosed by a physical barrier; and

1       **WHEREAS**, Ordinance 2015-006 allows for the production and processing of cannabis in the  
2 Rural (administrative uses), Rural Forestry (permitted uses) and Agriculture zone districts (permitted  
3 uses), subject to a proposed facility meeting several stated use standards, including odor controls (for  
4 indoor grows only), lighting, traffic and parking control measures, as well as setbacks of 1,000 feet from  
5 community centers and 300 feet from residences not located on the same property; and  
6

7       **WHEREAS**, the ordinance also allowed for the production and processing of marijuana in the  
8 Rural Industrial and Manufacturing, Light Impact Industrial, and Heavy Impact Industrial districts as  
9 permitted uses, subject to odor control measures (for indoor grows); and  
10

11       **WHEREAS**, the WSLCB is no longer issuing new licenses, existing licenses throughout  
12 Washington State can be transferred and Whatcom County was notified by the WSLCB of approximately  
13 30 recreational marijuana production and/or processing licenses last year (2020) within unincorporated  
14 Whatcom County; and  
15

16       **WHEREAS**, while earlier licensees were small, local producers, their licenses now appear to be  
17 being transferred to larger operators with more capital who are buying up the earlier licenses and  
18 expanding and/or changing operations and/or locations; and  
19

20       **WHEREAS**, over the last few weeks the Council, Executive, Planning Commission, and PDS have  
21 received complaints from residents adjacent to existing and proposed cannabis facilities regarding  
22 excessive odor, lighting, and potential water usage, suggesting that the County's cannabis regulations  
23 may not be sufficient; and  
24

25       **WHEREAS**, on February 25, 2021, the Whatcom County Planning Commission requested the  
26 County Council consider implementing a moratorium on acceptance of applications for outdoor  
27 marijuana growing and processing operations while PDS worked to revise those regulations to address  
28 the public concerns; and  
29

30       **WHEREAS**, on February 23, 2021, the County Council adopted the 2021 Docket, a component of  
31 the PDS work plan, including item PLN2021-00009, to "*Review and revise Whatcom County Code relating*  
32 *to marijuana growing and processing in rural areas. Consider impacts of marijuana growing and*  
33 *processing facilities in rural areas, and evaluate growing and processing facilities as an agricultural or*  
34 *non-agricultural use. Consider compatibility with GMA and County Comprehensive Plan.*"; however, due  
35 to the pandemic, the Planning Commission and County Council have backlogs of other issues to address,  
36 and PDS will need time to work with the community to properly develop and process any potential  
37 regulatory amendments; and  
38

39       **WHEREAS**, pursuant to the Washington State Constitution, the general police powers granted to  
40 counties empower and authorize Whatcom County to adopt land use controls to provide for the  
41 regulation of land uses within the County and to provide that such uses shall be consistent with  
42 applicable law; and  
43

44       **WHEREAS**, RCW 36.70A.390 authorizes a county governing body to adopt moratoria and  
45 provides that such a moratorium may be effective for up to one year if a work plan is developed and  
46 further that such a moratorium may be renewed for one or more six-month periods if a subsequent  
47 public hearing is held and findings of fact are made prior to each renewal; and  
48

49       **WHEREAS**, the County Council finds that the interim moratorium imposed by this interim  
50 ordinance is necessary for the protection of public health and safety; and  
51

1       **WHEREAS**, it is necessary to adopt an interim moratorium to prevent development applications  
2 from vesting under current law and thus subverting the purpose of the proposed update to the policies  
3 and regulations for cannabis growing and processing operations; and  
4

5       **WHEREAS**, the Whatcom County Council is required by RCW 36.70A.390 to hold a public hearing  
6 within sixty (60) days of passage of this ordinance.  
7

8       **NOW, THEREFORE, BE IT ORDAINED** that the Whatcom County Council adopts the above  
9 “WHEREAS” recitals as findings of fact in support of its action as required by RCW 36.70A.390.  
10

11       **BE IT FURTHER ORDAINED** by the Whatcom County Council that an interim moratorium is  
12 hereby imposed prohibiting the filing, acceptance, or processing of new applications for conversion of  
13 land or water, new building or structure permits, or other County permits or authorizations for outdoor  
14 recreational marijuana production and/or processing facilities.  
15

16       **BE IT FURTHER ORDAINED** that this interim moratorium shall not apply to applications that  
17 were filed and determined to be complete prior to the effective date of this ordinance and vested  
18 pursuant to Washington statutes, or those for minor tenant improvement permits associated with  
19 existing, permitted facilities.  
20

21       **BE IT FURTHER ORDINANCED** for the purposes of this ordinance, a minor tenant improvement  
22 permit may include new or replaced equipment or other structural alterations that do not expand the  
23 area of the facility or change the use from previous County approvals.  
24

25       **BE IT FURTHER ORDAINED** that if a section, subsection, paragraph, sentence, clause, or phrase  
26 of this ordinance is declared unconstitutional or invalid for any reason by any court of competent  
27 jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance, and if  
28 the provisions of this ordinance are found to be inconsistent with other provisions of the Whatcom  
29 County Code, this ordinance shall control.  
30

31       **BE IT FINALLY ORDAINED** that this interim ordinance shall be effective for not longer than six  
32 months following its effective date, but may be renewed for one or more six-month periods if  
33 subsequent public hearings are held and findings of fact are made prior to each renewal.  
34

35       **APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.  
36

37       **ATTEST:**

37       **WHATCOM COUNTY COUNCIL**  
38       **WHATCOM COUNTY, WASHINGTON**

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40 \_\_\_\_\_  
41 Dana Brown Davis, Clerk of the Council  
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40 \_\_\_\_\_  
41 Barry Buchanan, Council Chair  
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44       **APPROVED AS TO FORM:**

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44       **WHATCOM COUNTY EXECUTIVE**  
45       **WHATCOM COUNTY, WASHINGTON**

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47 \_\_\_\_\_  
48 Civil Deputy Prosecutor  
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47 \_\_\_\_\_  
48 Satpal Sidhu, County Executive  
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50       (    ) Approved (    ) Denied

51       Date Signed: \_\_\_\_\_  
52



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-192

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<b>File ID:</b>	AB2021-192	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	SMildner@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Executive Appointment		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: smildner@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request confirmation of the County Executive's appointment of Erich Kleinknecht to the Development Standards Technical Advisory Committee

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See application

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Kleinknecht application



## Application for Appointment to Whatcom County Boards and Commissions

### Public Statement

*THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the information provided will be available to the County Council, County Executive, and the public. All board and commission members are expected to be fair, impartial, and respectful of the public, County staff, and each other. Failure to abide by these expectations may result in revocation of appointment and removal from the appointive position.*

Title	Field not completed.
First Name	Erich
Last Name	Kleinknecht
Today's Date	3/10/2021
Street Address	3711 Tree Farm Lane
City	Bellingham
Zip	98226
Do you live in & are you registered to vote in Whatcom County?	Yes
Do you have a different mailing address?	Field not completed.
Primary Telephone	3607383354
Secondary Telephone	Field not completed.
Email Address	<a href="mailto:ekleinknecht@lsasurvey.com">ekleinknecht@lsasurvey.com</a>
1. Name of Board or Committee	<b>Development Standards Technical Advisory Committee</b>
Development Standards Technical Advisory Committee Position:	Licensed Land Surveyor
2. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?	Yes
3. Which Council district do you live in?	District 2
4. Are you a US citizen?	Yes



5. Are you registered to vote in Whatcom County?	Yes
6. Have you declared candidacy (as defined by RCW 42.17A.055) for a paid elected office in any jurisdiction within the county?	No
7. Have you ever been a member of this Board/Commission?	No
8. Do you or your spouse have a financial interest in or are you an employee or officer of any business or agency that does business with Whatcom County?	Yes
If yes, please explain	The land surveying company I work for has been contracted by various County departments for our professional services.
You may attach a resume or detailed summary of experience, qualifications, & interest in response to the following questions	<i>Field not completed.</i>
9. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education	I am a life long resident of Whatcom County. I graduated from BTC in 2000 with an Associates Degree in Land Surveying. I have been a licensed Land Surveyor since 2009. In 2015 selected to be a member of the COB Public Works Advisory board and stayed on that board until it was disbanded about a year later.
10. Please describe why you're interested in serving on this board or commission	I want an opportunity to help Whatcom County residents with the skills and knowledge I have acquired in the last 20 years as a land surveyor.
References (please include daytime telephone number):	Larry Steele (360) 676-9350 Stefan Laufer (360) 676-9350
Signature of applicant:	Erich Kleinknecht
Place Signed / Submitted	Bellingham WA



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-218

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<b>File ID:</b>	AB2021-218	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/25/2021	<b>Entered by:</b>	SMildner@co.whatcom.wa.us		
<b>Department:</b>	County Executive's Office	<b>File Type:</b>	Executive Appointment		
<b>Assigned to:</b>	Council	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: smildner@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Request confirmation of the County Executive's reappointment of Stephen Gockley to the Housing Authority of Whatcom County

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See recommendation and resume

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Housing Authority Recommendation, Gockley Application Letter

## Suzanne Mildner

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**From:** Brien Thane <brien.thane@bellinghamhousing.org>  
**Sent:** Tuesday, March 16, 2021 3:10 PM  
**To:** Suzanne Mildner; Tracy Lewis - City of Bellingham (tlewis@cob.org)  
**Cc:** Lindsay Burmeister  
**Subject:** Housing Authority Commissioner Gockley - Appointment to Full Term

Suzanne and Tracy:

You may recall that Stephen Gockley was appointed to the City and County Housing Authorities' Board of Commissioners to complete the term of Craig Funston. That term expires next month. Stephen is an excellent commissioner and is currently serving as Vice Chair of the Board.

On behalf of the Board of Commissioners of the Housing Authority of Whatcom County and the Housing Authority of the City of Bellingham, we respectfully request and recommend that County Executive Sidhu and Mayor Fleetwood re-appoint Stephen Gockley to a full 5-year term as Commissioner.

Thank you for your consideration and assistance. I also want to share that Resident Commissioner William Szabo is an excellent addition to our Boards. Bill's commitment and great questions have enabled him to quickly get up to speed with our programs and operations.

--Brien

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**In response to the COVID-19 public health emergency, the Bellingham & Whatcom County Housing Authorities (BWCHA) offices are open for business but closed to the public until further notice. BWCHA personnel are still available to assist you, but we are operating in shifts and/or working remotely.**

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**Brien Thane**  
Executive Director/CEO

Direct | (360) 527-4602  
Fax | (360) 676-7747

[brien.thane@bellinghamhousing.org](mailto:brien.thane@bellinghamhousing.org)  
[www.bellinghamhousing.org](http://www.bellinghamhousing.org)



Business Hours: Monday - Friday 8:00AM - 5:00PM  
Lower Level Reception: Monday - Friday 9:00AM - 4:00PM

*Our mission is to offer opportunities for people to thrive by ensuring access to quality, affordable homes.*

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This message is intended only for the use of the Addressee and may contain information that is PRIVILEGED and CONFIDENTIAL. If you are not the intended recipient, you are hereby notified that, due to federal, state, and other laws, any dissemination of this communication is strictly prohibited. If you have received this communication in error, please erase all copies of the message and its attachments and notify me immediately. Thank You

**STEPHEN GOCKLEY**  
2315 J Street, Bellingham, WA 98225  
(360) 305-2944  
gockleyposel@comcast.net

March 4, 2019

Bellingham and Whatcom County Housing Authorities  
208 Unity Street  
Bellingham, WA 98225

Re: Application for Board of Commissioners

To Whom It May Concern:

Please accept this letter and the additional enclosed materials as my application for appointment to the Bellingham and Whatcom County Housing Authorities' Board of Commissioners.

As a retired civil legal aid attorney, I have been actively involved in subsidized and affordable housing matters for many years. The federal programs managed by the Bellingham and Whatcom County Housing Authorities (BWCHA) maintain an indispensable safety net for many low-income, disadvantaged and at-risk individuals and families. I have been especially impressed in recent years as the BWCHA has also become a major catalyst for developing new housing resources in the community. Because stable affordable housing is such a critical foundation for productive and healthy lives, I consider the BWCHA to be one of the most important elements in building a community of which we can all be proud, and I would welcome an opportunity to join directly in its work.

My legal efforts on behalf of BWCHA clients naturally included participating in internal administrative hearings and court proceedings, but more often it involved working hand-in-hand with BWCHA staff to ensure local policies best served our mutual client population. I came to appreciate that BWCHA staff are respectful of those individuals, aware of the challenges they face living in poverty, and committed to solving their problems whenever possible.

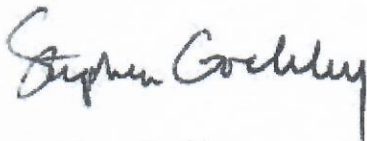
I have a broad knowledge of the needs of low-income persons related to health access and health disparities, family safety and self-sufficiency, education, disability rights, and other areas addressed by local social service providers. I also have strong personal and professional relationships with those providers and local policy-makers. I am a co-chair of the County's Incarceration Prevention and Reduction Task Force, which is an



effective partnership of public and non-profit entities creating constructive community-based reforms in our legal and justice systems. Recently, I have supported affordable housing development through advocacy for homeless services and housing quality, being part of a Northwest Youth Services planning committee for the 22 North building on State Street, promoting an expansion of recovery housing for drug court participants, and campaigning for renewal of the Bellingham Home Fund. More generally, besides my legal training, I have a master's degree in human services management and years of experience on various non-profit boards of directors, which give me an understanding of financial oversight, legal compliance, and policy-making roles that would allow me to play a meaningful part in the Board of Commissioners' governance responsibilities.

I am enclosing my resume, a list of three references, and documentation of city residency as requested. If I can provide any more initial information, please let me know. I very much hope for the chance to discuss my application with you further in subsequent stages of the selection process. Thank you for considering me for this position.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Gockley".

Stephen Gockley

Encls: Resume

Personal references contact information

Washington driver license and voter registration card

RESUME  
**STEPHEN GOCKLEY**  
2315 J Street, Bellingham, WA 98225  
360.305.2944  
[gockleypose1@comcast.net](mailto:gockleypose1@comcast.net)

**RECENT PROFESSIONAL EXPERIENCE**

ATTORNEY	Northwest Justice Project	Bellingham, WA	1996-2016 (ret.)
	Evergreen Legal Services	Bellingham, WA	1988-1996

*Civil legal aid practice in the areas of rental housing and homeless rights, federally subsidized housing programs, health care and mental health policy and coverage, disability rights, special education, and public benefits. Served as NJP Senior (Managing) Attorney 2000-2012.*

**EDUCATION**

1988 J.D. Northeastern University School of Law, Boston, MA

**RELEVANT COMMUNITY INVOLVEMENT**

2015-	<u>Incarceration Prevention and Reduction Task Force</u> Whatcom County Council appointment
2019-	<b>CO-CHAIR</b> , Task Force
2017-	<b>CHAIR</b> : Legal and Justice Systems Subcommittee
2017-	<u>Whatcom Dispute Resolution Center</u> , Board of Directors
2004-	<u>Whatcom Alliance for Health Advancement (WAHA)</u> , Board of Directors <b>PRESIDENT</b> 2009-2011
2018-19	<u>Healthy Whatcom Action Team</u> , Member Whatcom County Health Department <i>Selected stakeholder group developing federally-required Community Health Improvement Plan</i>
2016-17	<u>Northwest Youth Services</u> Ad Hoc Capital Campaign Committee for 22 North, supported housing development
2014-17	<u>North Sound Accountable Community of Health</u> , Board of Directors <i>Regional non-profit designated by Washington State to achieve health care transformation and health outcome improvements in 5-county area</i>
1996-2016	<u>LAW Advocates</u> , Board of Directors <i>Whatcom County non-profit coordinating volunteer lawyer services</i>

**REFERENCES FOR STEPHEN GOCKLEY**  
**IN SUPPORT OF APPLICATION FOR BWCHA BOARD OF COMMISSIONERS**

**GREG WINTER**

Executive Director, **Opportunity Council**  
1111 Cornwall Avenue  
Bellingham, WA 98225  
360-220-3788

**DEAN WIGHT**

Interim Executive Director, **Whatcom Alliance for Health Advancement**  
800 E. Chestnut St., Lower Level, Ste. 1  
Bellingham, WA 98225  
360-788-3561

**HEATHER FLAHERTY**

Executive Director, **Chuckanut Health Foundation**  
1500 Cornwall Ave #201  
Bellingham, WA 98225  
360-671-3349



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-193

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<b>File ID:</b>	AB2021-193	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	SMock@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Ordinance Requiring a Public Hearing		
<b>Assigned to:</b>	Council	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: [sdraper@co.whatcom.wa.us](mailto:sdraper@co.whatcom.wa.us) <<mailto:sdraper@co.whatcom.wa.us>>

### **TITLE FOR AGENDA ITEM:**

Ordinance establishing a speed limit on Northshore Road

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

To comply with RCW 46.61.415, at the direction of the County Council, the Public Works Department and Whatcom County Sheriff's Office request the County Council adopt the proposed ordinance to establish a speed limit of 30 MPH on Northshore Road, from the intersection with Northshore Road to the easterly side of Smith Creek.

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### **HISTORY OF LEGISLATIVE FILE**

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff Memo, Proposed Ordinance, Area map



Jon Hutchings  
Director



James P. Karcher, P. E.  
County Engineer  
322 N. Commercial Street, Ste 301  
Bellingham, WA 98225-4042  
Phone: (360) 778-6210  
Fax: (360) 778-6211

## Memorandum

**To:** The Honorable Satpal Sidhu, Whatcom County Executive and  
The Honorable Members of the Whatcom County Council

**Through:** Jon Hutchings, Director *JH*

**From:** James P. Karcher, P.E., County Engineer *gpk*

**Date:** March 11, 2021

**Re:** Ordinance for Establishing a Speed Limit on Northshore Road

---

### Requested Action

Public Works respectfully requests that the County Council adopt the proposed ordinance to establish a speed limit of 30 MPH for Northshore Road from the intersection with Northshore Road to the easterly side of Smith Creek.

### Background and Purpose

The Whatcom County Sheriff's Office has requested that this speed limit be established and the County Engineer has agreed that it is necessary to formally establish speed limits within this area in order to be consistent throughout this corridor. Additionally, the Lake Whatcom Park continues to draw many visitors to the area and Public Works has received multiple complaints about speeding traffic in the area.

### Information

This ordinance will allow for the installation of speed limit signs and is necessary to comply with RCW 46.61.415 to establish speed limits on certain County roads.

Please contact Douglas Ranney II, P.E., Engineering Services Manager at extension 6255 with any questions regarding this ordinance.

**ORDINANCE NO. \_\_\_\_\_**

**ESTABLISHING A SPEED LIMIT FOR A PORTION OF NORTSHORE ROAD**

**WHEREAS**, the Whatcom County Council is authorized under RCW 46.61.415 to establish speed limits on certain County Roads; and

**WHEREAS**, the Whatcom County Sheriff's Office has requested that a speed limit be established in this area; and

**WHEREAS**, the County Engineer has agreed that it is necessary to formally establish the speed limit; and

**NOW, THEREFOR, BE IT ORDAINED** by the Whatcom County Council that the speed limit be established as follows:  
30 mph on Northshore Road, from the intersection with Northshore Road to the easterly side of Smith Creek, located in Sections 5 and 4, Township 37 North, Range 4 East, W.M. and Sections 32 and 33, Township 38 North, Range 4 East, W.M.; and

**BE IT FURTHER ORDAINED**, by the Whatcom County Council that Whatcom County Code Section 10.04.040 is amended as follows:

**10.04.040 Thirty miles per hour.**

NORTSHORE ROAD. Northshore Road from the intersection with Northshore Road to the easterly side of Smith Creek located in Sections 5 and 4, Township 37 North, Range 4 East, W.M. and Sections 32 and 33, Township 38 North, Range 4 East, W.M.

**BE IT FURTHER ORDAINED**, that the County Engineer is hereby directed to install the appropriate signs and the Whatcom County Sheriff be notified by a copy of this ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

Approved by Christopher Quinn by email/JA  
Sr. Deputy Prosecuting Attorney,  
Civil Division

\_\_\_\_\_  
Satpal Singh Sidhu, Executive

( ) Approved ( ) Denied

Date: \_\_\_\_\_

Northshore Road Speed Limit Vicinity Map





# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-195

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<b>File ID:</b>	AB2021-195	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/22/2021	<b>Entered by:</b>	SMock@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Ordinance Requiring a Public Hearing		
<b>Assigned to:</b>	Council	<b>Final Action:</b>			
<b>Agenda Date:</b>	04/06/2021	<b>Enactment #:</b>			

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Primary Contact Email: sdraper@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance establishing a speed limit on several roads in the Wiser Lake Area

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

To comply with RCW 46.61.415, at the direction of the County Council, the Public Works Department and Whatcom County Sheriff's Office request that the County Council adopt the proposed ordinance to establish a speed limit of 25 MPH for all roads within the Plat of Wiser Lake Estates and Lockmoor Replat, including the following roads: Bartlett Lane, Brent Lane, and Aaron Place.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
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**Attachments:** Staff memo, Proposed ordinance, Area map



Jon Hutchings  
Director



James P. Karcher, P. E.  
County Engineer  
322 N. Commercial Street, Ste 301  
Bellingham, WA 98225-4042  
Phone: (360) 778-6210  
Fax: (360) 778-6211

## Memorandum

**To:** The Honorable Satpal Sidhu, Whatcom County Executive and  
The Honorable Members of the Whatcom County Council

**Through:** Jon Hutchings, Director *JH*

**From:** James P. Karcher, P.E., County Engineer *gpk*

**Date:** March 11, 2021

**Re:** **Ordinance for Establishing a Speed Limit for Several Roads in the Wiser Lake Area**

---

### Requested Action

Public Works respectfully requests that the County Council adopt the proposed ordinance to establish a speed limit of 25 MPH for all roads within the Plat of Wiser Lake Estates and the Lochmoor Replat, this includes the following roads: Bartlett Lane, Brent Lane, and Aaron Place.

### Background and Purpose

The Whatcom County Sheriff's Office has requested that these speed limits be formally established and the County Engineer has agreed that it is necessary to formally establish speed limits within these two residential developments.

### Information

This ordinance will allow for the installation of speed limit signs and is necessary to comply with RCW 46.61.415 to establish speed limits on certain County roads.

Please contact Douglas Ranney II, P.E., Engineering Services Manager at extension 6255 with any questions regarding this ordinance.

**ORDINANCE NO. \_\_\_\_\_**

**ESTABLISHING A SPEED LIMIT FOR SEVERAL ROADS IN THE WISER LAKE AREA**

**WHEREAS**, the Whatcom County Council is authorized under RCW 46.61.415 to establish speed limits on certain County Roads; and

**WHEREAS**, the Whatcom County Sheriff's Office has requested that speed limits be formally established in this area; and

**WHEREAS**, the County Engineer has agreed that it is necessary to formally establish the new speed limits; and

**NOW, THEREFOR, BE IT ORDAINED** that speed limits be set as follows:

ESTABLISHING A SPEED LIMIT OF 25 MPH ON ALL ROADS WITHIN THE PLAT OF WISER LAKE ESTATES, LOCATED IN Section 6, Township 39 North, Range 2 East, W.M.; and

ESTABLISHING A SPEED LIMIT OF 25 MPH ON ALL ROADS WITHIN THE LOCHMOOR REPLAT, LOCATED IN Section 6, Township 39 North, Range 2 East, W.M.

**BE IT FURTHER ORDAINED**, by the Whatcom County Council that the following be added to the Whatcom County Code Section 10.04.030:

**10.04.030 Twenty-five miles per hour.**

**WISER LAKE ESTATES. All roads within the plat of Wiser Lake Estates, Section 6, Township 39 North, Range 2 East, W.M.**

**LOCHMOOR REPLAT. All roads within the Lochmoor Replat, Section 6, Township 39 North, Range 2 East, W.M.**

**BE IT FURTHER ORDAINED**, that the County Engineer is hereby directed to install the appropriate signs and the Whatcom County Sheriff be notified by a copy of this ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

Approved by Christopher Quinn by email/JA  
Sr. Deputy Prosecuting Attorney,  
Civil Division

\_\_\_\_\_  
Satpal Singh Sidhu, Executive

( ) Approved ( ) Denied

Date: \_\_\_\_\_

# Vicinity Map: Wiser Lake Estates and Lochmoor Replat



1:2,500

0 75 150 300 ft

0 20 40 80 m

Whitcom, Sources: Eri, Airbus DS, USGS, NGA, NASA, CGIAR, N

Web AppBuilder for ArcGIS

**— Roads to be changed to 25 MPH Speed Limit**



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-206

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<b>File ID:</b>	AB2021-206	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/23/2021	<b>Entered by:</b>	MCaldwel@co.whatcom.wa.us		
<b>Department:</b>	Finance Division	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: mcaldwel@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance closing Law Library/Elections Remodel Fund 376

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Requests closing the Law Library/Elections Remodel Fund 376 and remaining funds be returned to the Real Estate Excise Tax I Fund.

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
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**Attachments:** Proposed Ordinance



PROPOSED BY: Executive  
INTRODUCTION DATE: 04/06/2021

ORDINANCE NO. \_\_\_\_\_

**CLOSING LAW LIBRARY/ELECTIONS REMODEL FUND 376**

**WHEREAS**, on November 20, 2018 Ordinance 2018-067 created the Law Library/Elections Remodel Fund and established a project-based budget for this capital project, and

**WHEREAS**, the Real Estate Excise Tax I Fund contributed \$331,000 towards the project, and

**WHEREAS**, the remodel project has now been completed, and

**WHEREAS**, the project fund is no longer needed, and

**WHEREAS**, remaining cash in the fund should be returned to Real Estate Excise Tax I Fund, and

**WHEREAS**, the current cash balance in the Fund is \$91,122,

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the Law Library/Elections Remodel Fund be dissolved and its remaining cash balance returned to Real Estate Excise Tax I Fund.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Chair of the Council

APPROVED AS TO FORM:

( ) Approved      ( ) Denied

Approved by email/C Quinn/M Caldwell  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Singh Sidhu, County Executive

Date:\_\_\_\_\_



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-207

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<b>File ID:</b>	AB2021-207	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/23/2021	<b>Entered by:</b>	MCaldwel@co.whatcom.wa.us		
<b>Department:</b>	Finance Division	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: mcaldwel@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance closing the East Whatcom Regional Resource Center Construction Fund 334

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Requests closing the East Whatcom Regional Resource Center Construction Fund 334 and remaining funds be returned to the Public Utilities Improvement Fund.

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:

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**Attachments:** Proposed Ordinance

PROPOSED BY: Executive  
INTRODUCTION DATE: 04/06/2021

ORDINANCE NO. \_\_\_\_\_

**CLOSING EAST WHATCOM REGIONAL RESOURCE CENTER  
CONSTRUCTION FUND 334**

**WHEREAS**, on July 8, 2008 Ordinance 2008-025 created the East Whatcom Regional Resource Center Construction Fund and established a project-based budget for this capital project, and

**WHEREAS**, the Public Utilities Improvement Fund contributed \$2,323,821 towards the project, and

**WHEREAS**, the capital project has now been completed, and

**WHEREAS**, the project fund is no longer needed, and

**WHEREAS**, remaining cash in the fund should be returned to Public Utilities Improvement Fund, and

**WHEREAS**, the current cash balance in the Fund is \$11,738,

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the East Whatcom Regional Resource Center Construction Fund be dissolved and its remaining cash balance returned to the Public Utilities Improvement Fund.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Chair of the Council

APPROVED AS TO FORM:

( ) Approved      ( ) Denied

Approved by email/C Quinn/M Caldwell  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Singh Sidhu, County Executive

Date:\_\_\_\_\_



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2021-215

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<b>File ID:</b>	AB2021-215	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
<b>File Created:</b>	03/24/2021	<b>Entered by:</b>	MCaldwel@co.whatcom.wa.us		
<b>Department:</b>	Finance Division	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	
<b>Agenda Date:</b>	04/06/2021			<b>Enactment #:</b>	

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Primary Contact Email: [mcaldwel@co.whatcom.wa.us](mailto:mcaldwel@co.whatcom.wa.us)

### **TITLE FOR AGENDA ITEM:**

Ordinance amending the 2021 Whatcom County Budget, request no. 6, in the amount of \$583,944

### **SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Supplemental #6 requests funding from the General Fund:

1. To appropriate \$9,140 in Parks to fund various parks' supplies from donations.
2. To appropriate \$12,963 in WSU Extension to fund increase in water resource program from Natural Resource transfer.
3. To appropriate \$255,950 in Health to fund isolation & quarantine facility costs from grant proceeds.
4. To appropriate \$19,291 in Sheriff to fund 2021 recreation boating safety program.

From Countywide Emergency Medical Services Fund:

5. To appropriate \$143,000 to fund 2020 paramedic training class carryover.
6. To appropriate \$117,232 to fund Stryker equipment lease costs.

From the Emergency Management Fund:

7. To appropriate \$6,094 to fund amendment to Emergency Management Performance Grant 20S program.
8. To appropriate \$20,274 to fund amendment to FFY 19 State Homeland Security Program.

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## HISTORY OF LEGISLATIVE FILE

**Date:**

**Acting Body:**

**Action:**

**Sent To:**

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**Attachments:** Proposed Ordinance, Supplemental Summary, Supplemental Requests

**ORDINANCE NO.  
AMENDMENT NO. 6 OF THE 2021 BUDGET**

**WHEREAS**, the 2021-2022 budget was adopted November 24, 2020; and,  
**WHEREAS**, changing circumstances require modifications to the approved 2021-2022 budget;  
and,

**WHEREAS**, the modifications to the budget have been assembled here for deliberation by the  
Whatcom County Council,

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the 2021-2022  
Whatcom County Budget Ordinance #2020-068 is hereby amended by adding the following additional  
amounts to the 2021 budget included therein:

Fund	Expenditures	Revenues	Net Effect
<b>General Fund</b>			
Parks	9,140	(9,140)	-
WSU Extension	12,963	(12,963)	-
Health	255,950	(400,000)	(144,050)
Sheriff	19,291	(19,291)	-
<b>Total General Fund</b>	<b>297,344</b>	<b>(441,394)</b>	<b>(144,050)</b>
<b>Countywide Emergency Medical Services Fund</b>	<b>260,232</b>	<b>-</b>	<b>260,232</b>
<b>Emergency Management Fund</b>	<b>26,368</b>	<b>(26,368)</b>	<b>-</b>
<b>Total Supplemental</b>	<b>583,944</b>	<b>(467,762)</b>	<b>116,182</b>

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Chair of Council

APPROVED AS TO FORM:

( ) Approved      ( ) Denied

Approved by email/C Quinn/M Caldwell  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, County Executive

Date: \_\_\_\_\_

WHATCOM COUNTY				
Summary of the 2021 Supplemental Budget Ordinance No. 6				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
General Fund				
Parks	To fund various parks' supplies from Whatcom Parks & Recreation Foundation donations	9,140	(9,140)	-
WSU Extension	To fund increase in Extension's water resource program from Natural Resource transfer	12,963	(12,963)	-
Health	To fund isolation & quarantine facility costs from grant proceeds	255,950	(400,000)	(144,050)
Sheriff	To fund 2021 recreation boating safety program	19,291	(19,291)	-
Total General Fund		297,344	(441,394)	(144,050)
Countywide Emergency Medical Services Fund				
Non-Departmental	To fund 2020 paramedic training class carryover	143,000	-	143,000
Non-Departmental	To fund 2021 Stryker equipment lease	117,232	-	117,232
Total Countywide Emergency Medical Services Fund		260,232	-	260,232
Emergency Management Fund				
Sheriff - Emergency Management	To fund amendment to Emergency Management Performance Grant - 20S program	6,094	(6,094)	-
Sheriff - Emergency Management	To fund FFY19 DHS State Homeland Security Program	20,274	(20,274)	-
Total Emergency Management Fund		26,368	(26,368)	-
Total Supplemental		583,944	(467,762)	116,182

# Supplemental Budget Request

Status: Pending

## Parks & Recreation

Suppl ID # 3182

Fund 1

Cost Center 6003

Originator: Christ Thomsen

Expenditure Type: One-Time

Year 1 2021

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Authorization for expenditure of donations

X

Department Head Signature (Required on Hard Copy Submission)

Date

3-12-21

Costs:	Object	Object Description	Amount Requested
	4367.1000	Donations	(\$9,140)
	6320.002	Office & Op Supplies	\$9,140
	<b>Request Total</b>		<b>\$0</b>

### 1a. Description of request:

This request is for the expenditure authority for supplies and materials with offsetting donations through the Whatcom Parks & Recreation Foundation. The Foundation receives and administers donations to benefit parks and recreation in Whatcom County. Currently, the Foundation holds donations for Whatcom County Parks.

Whatcom County Parks has identified \$9,139.06 in materials and supplies for the 2021 fiscal year eligible for reimbursement through the Foundation.

The materials and supplies will be utilized in completing projects in public spaces within several parks properties managed by Whatcom County Parks. These properties include the Bay to Baker Trail, Hovander Homestead Park, Tennant Lake, Lake Whatcom Park, Lighthouse Marine Park, and Lily Point Marine Park.

### 1b. Primary customers:

Visitors to, and users of, the Bay to Baker Trail, the Fragrance Garden at Tennant Lake, the Hertz Trail, Hovander Homestead Park, Lighthouse Marine Park, and Lily Point Marine Park.

### 2. Problem to be solved:

Whatcom County Parks & Recreation desires to receive monetary donations being managed by the Whatcom Parks Foundation to offset operating costs for materials and supplies for various maintenance projects.

### 3a. Options / Advantages:

Other options considered were utilizing Parks general fund budget allocations to complete the work, or not completing the work at this time and differing it to a future date.

### 3b. Cost savings:

A direct cost savings to the County of \$9140.00 can be realized by accepting the monetary donations for materials and supplies.

### 4a. Outcomes:

The outcomes include:

- 1) purchase of materials and supplies for Bay to Baker signage
- 2) purchase of materials and supplies for walkway modifications and signage at the Tennant Lake Fragrance Garden
- 3) purchase of materials for repairs to the Hertz Trail
- 4) purchase of materials and supplies for fence and building repairs at Hovander Homestead Park

Friday, March 12, 2021

Rpt: Rpt Suppl Regular



## Supplemental Budget Request

Status: Pending

### Parks & Recreation

Suppl ID # 3182

Fund 1

Cost Center 6003

Originator: Christ Thomsen

5) purchase of materials for the replacement of a fee tube at Lighthouse Marine Park

These outcomes will be delivered during the 2021 fiscal year.

**4b. Measures:**

Outcomes are validated when materials and supplies are purchased. Success is measured through the completion of the associated projects and work tasks.

**5a. Other Departments/Agencies:**

No

**5b. Name the person in charge of implementation and what they are responsible for:**

Not applicable

**6. Funding Source:**

Donations.

# Supplemental Budget Request

Status: Pending

## WSU Extension

Suppl ID # 3190 Fund 1 Cost Center 2000 Originator: Michael Wallace

Expenditure Type: One-Time Year 1 2021 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Increase for Water Resource Program

X



3/22/21

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6630	Professional Services	\$12,963
	8301	Operating Transfer In	(\$12,963)
	Request Total		\$0

### 1a. Description of request:

The increase comes from money that is provide for one year to cover the Water Resource Coordinator's benefits. This was agreed upon by Gary Stoyka and Satpal Sidhu earlier this year. It is a one year appropriation while we continue to seek permanent funding.

### 1b. Primary customers:

The public at large, businesses, governments, non-profits, educational institutions, and tribes.

### 2. Problem to be solved:

### 3a. Options / Advantages:

### 3b. Cost savings:

### 4a. Outcomes:

### 4b. Measures:

### 5a. Other Departments/Agencies:

### 5b. Name the person in charge of implementation and what they are responsible for:

### 6. Funding Source:

Whatcom County Public Works - Natural Resources / Flood

# Supplemental Budget Request

Status: Pending

Health

Communicable Disease & Epidemiology

Suppl ID # 3191

Fund 1

Cost Center 660460

Originator: Anne Deacon

Expenditure Type: One-Time

Year 1 2021

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: NSACH Grant for COVID I&Q Services

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	4334.0461	DSHS	(\$400,000)
	6610	Contractual Services	\$255,950
	<b>Request Total</b>		<b>(\$144,050)</b>

## 1a. Description of request:

The Health Department is requesting expenditure authority for a grant dedicated to supporting operations for the Whatcom County Isolation and Quarantine Facility as well as other public health services responding to the COVID pandemic. This funding will support Health Department nursing staff who provide isolation and quarantine education and support.

## 1b. Primary customers:

Whatcom County residents who have been impacted by the COVID pandemic.

## 2. Problem to be solved:

Some people who are COVID positive or have been exposed to someone who is COVID positive do not have an option to quarantine or isolate in their current living conditions. Public Health Nurses and disease investigation staff monitor needs and barriers among Community Health Assessment-identified vulnerable populations and work with partners and WUC to address. Staff ensure understanding of and adherence to isolation and quarantine through rigorous case and contact investigations, effective and daily communication and support for successful home isolation and quarantine, and triage, refer and monitor individuals in the county's isolation and quarantine facility.

## 3a. Options / Advantages:

Providing a safe and secure facility to isolate and quarantine people reduces the transmission of COVID-19 to the general public. Providing isolation and quarantine education and support at the local level improves outcomes for Whatcom county residents.

## 3b. Cost savings:

\$400,000 in savings of local funds will be experienced.

## 4a. Outcomes:

Operational funding of the Isolation and Quarantine will be fully funded and people will have a safe and secure facility to reside in while eliminating the transmission of COVID-19. Slow the spread of the virus within the community and reduce impact on health care infrastructure.

## 4b. Measures:

Sustained operations of the Isolation and Quarantine facility, sustained staffing of the Quarantine and Isolation Response Team at the Health Department.

## 5a. Other Departments/Agencies:

N/A

## 5b. Name the person in charge of implementation and what they are responsible for:

N/A

## Supplemental Budget Request

*Status:* Pending

**Health**

**Communicable Disease & Epidemiology**

Suppl ID # 3191

**Fund 1**

**Cost Center 660460**

**Originator:** Anne Deacon

### **6. Funding Source:**

State funding distributed through North Sound Accountable Community of Health.

# Supplemental Budget Request

Status: Pending

Sheriff

Operations

Suppl ID # 3183

Fund 1

Cost Center 1003512006

Originator: Donna Duling

Expenditure Type: One-Time

Year 1 2021

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Recreational Boating Safety Grant - 2021

X

Department Head Signature (Required on Hard Copy Submission)

Date

03/24/21

Costs:	Object	Object Description	Amount Requested
	4333.8701	Boating Safety	(\$19,291)
	6140	Overtime	\$16,708
	6210	Retirement	\$891
	6230	Social Security	\$1,278
	6259	Worker's Comp-Interfund	\$397
	6269	Unemployment-Interfund	\$17
	<b>Request Total</b>		<b>\$0</b>

## 1a. Description of request:

The Sheriff's Office received a Recreational Boating Safety (RBS) Grant from Washington State Parks and Recreation Commission. This is an annual grant awarded to the Sheriff's Office to conduct on-the-water patrols to increase education and enforcement activities, encouraging greater compliance with boating safety laws in an effort to reduce boating-related loss of life, personal injury, and property damage.

Original grant for 2021 was \$14,290.64 plus a grant increase of \$5,000.00 for providing an instructor to the State Parks RBS program.

Total grant of \$19,290.64 requires local match of \$27,909.00 plus 80 hours of deputy time for Basic Marine Law Enforcement (BMLE) Instructor services for WA State Parks and Recreation. Local match of \$27,909.00 is anticipated to be provided by City of Bellingham with the interlocal agreement for Aquatic Invasive Species (AIS) Program in 2021. The cost of providing the BMLE instructor is the local match for the receipt of the additional \$5,000.00.

## 1b. Primary customers:

Whatcom County citizens and visitors.

## 2. Problem to be solved:

The Sheriff's Office is currently the only law enforcement agency in Whatcom County that operates a state approved boating safety program under WAC 352-65. The Sheriff's Office provides recreational boating safety patrols and enforcement of both county code and state law.

## 3a. Options / Advantages:

Grant funds are awarded specifically for boating safety education, assistance, and enforcement activities.

## 3b. Cost savings:

Grant proceeds of \$19,290.64

## 4a. Outcomes:

Marine patrols will be conducted during the peak boating period from May to September 2021.

## 4b. Measures:

Written vessel inspections will be conducted and submitted to State Parks.

Wednesday, March 24, 2021

Rpt: Rpt Suppl Regular

## Supplemental Budget Request

*Status:* Pending

**Sheriff**

**Operations**

Suppl ID # 3183

**Fund 1**

**Cost Center 1003512006**

**Originator:** Donna Duling

**5a. Other Departments/Agencies:**

**5b. Name the person in charge of implementation and what they are responsible for:**

**6. Funding Source:**

Washington State Parks and Recreation Commission, RBS Federal Financial Assistance Grant. Funds originate from Department of Homeland Security, CFDA No 97.012

# Supplemental Budget Request

Status: Pending

## Non-Departmental

Suppl ID # 3185

Fund 130

Cost Center 130110

Originator: T. Helms

Expenditure Type: One-Time

Year 1 2021

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Paramedic Training 2020 Carryover

X

Department Head Signature (Required on Hard Copy Submission)

Date

3/23/21

Costs:	Object	Object Description	Amount Requested
	7210	Intergov Prof Svcs	\$143,001
	<b>Request Total</b>		<b>\$143,001</b>

### 1a. Description of request:

In January of 2020, Bellingham Fire Department through the EMS Levy Fund implemented a 2nd year Paramedic Training class. Three fire agencies participated in that class with a total of 7 students and an anticipated graduation date of September 2020. However, due to the COVID-19 pandemic the class was suspended for three months during the shutdown. This delayed the coursework and ultimately the final preceptor and evaluations which took place in the beginning of 2021. Unfortunately, this was not taken into account when determining contracts for continuing appropriations. Because these contracts were not added to the continuing appropriations list we are not able to use the 2020 budget allocation. Therefore, we are requesting to supplement our 2021 budget with balance of the 2020 allocation to pay the final invoices for the training that occurred in 2021.

District/Agency	No. of students	expenses incurred in 2021
Bellingham Fire Dept.	3 students and preceptor/evals	\$80,823.
Fire District 7	2 students	\$23,357.
Northwest Fire & Rescue	2 students	\$38,821.

### 1b. Primary customers:

Countywide EMS System

### 2. Problem to be solved:

The 2020 paramedic students did not receive their preceptor training and final evaluations until 2021. The 2020 budget authority was not continued in 2021 through a continuing appropriation.

### 3a. Options / Advantages:

Invoices cannot be paid without budget authority.

### 3b. Cost savings:

n/a

### 4a. Outcomes:

This supplemental will allow final invoices to be paid for the 2020 paramedic training course work that happened in 2021. These expenses are within the amount budgeted in 2020.

### 4b. Measures:

Invoices are paid.

### 5a. Other Departments/Agencies:

n/a

### 5b. Name the person in charge of implementation and what they are responsible for:

n/a

Tuesday, March 23, 2021

Rpt: Rpt Suppl Regular

## Supplemental Budget Request

*Status:* Pending

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### Non-Departmental

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Suppl ID # 3185

**Fund** 130

**Cost Center** 130110

**Originator:** T. Helms

#### 6. Funding Source:

EMS Levy Fund



# Supplemental Budget Request

Status: Pending

## Non-Departmental

Suppl ID # 3188 Fund 130 Cost Center 130100 Originator: M Caldwell

Year 1 2021 Add'l FTE ☐ Priority 1

Name of Request: Stryker Equipment Lease

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	<b>Object</b>	<b>Object Description</b>	<b>Amount Requested</b>
	6625	Software Maint Contracts	\$5,596
	6680	Office Equip Maintenance	\$111,636
	<b>Request Total</b>		<b>\$117,232</b>

### 1a. Description of request:

Requests funding for the 2021 Stryker equipment lease payment. On 1/5/21, the County entered into a 10 year lease agreement with Stryker Sales Corp for 54 power gurneys and various other EMS equipment. The payments are \$509,913.46 per year. The payments to be budgeted are \$5,596 for software maintenance and \$111,636 for equipment maintenance agreements. The remaining \$392,682 will offset the lease liability on the EMS Fund's balance sheet and does not need to be reflected in the revenue and expense accounts of the EMS Fund.

### 1b. Primary customers:

Fire departments and districts and ultimately citizens utilizing EMS services.

### 2. Problem to be solved:

The lease agreement was entered into after the biennial budget process was completed so no budget authority exists for this purpose in the EMS Fund.

### 3a. Options / Advantages:

None, we are legally obligated to make the payments.

### 3b. Cost savings:

None

### 4a. Outcomes:

Equipment will be distributed and utilized beginning in 2021. Will replace outdated equipment and provide better safety and service for EMTs/Paramedics and patients.

### 4b. Measures:

When equipment is distributed, personnel are trained on its use and it is being utilized in the field.

### 5a. Other Departments/Agencies:

Countywide fire districts and departments providing EMS services.

### 5b. Name the person in charge of implementation and what they are responsible for:

Mike Hilley, EMS Director responsible for distribution to area agencies.

### 6. Funding Source:

EMS Fund

# Supplemental Budget Request

Status: Pending

Sheriff

Emergency Management

Suppl ID # 3186

Fund 167

Cost Center 1673520005

Originator: Frances Burkhart

Expenditure Type: One-Time

Year 1 2021

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: EMPG-20S Amendment A

X

Department Head Signature (Required on Hard Copy Submission)

Date

03-19-21

Costs:	Object	Object Description	Amount Requested
	4333.8704	FEMA Military	(\$6,094)
	6120	Extra Help	\$5,085
	6230	Social Security	\$806
	6255	Other H&W Benefits	\$15
	6259	Worker's Comp-Interfund	\$178
	6269	Unemployment-Interfund	\$10
	<b>Request Total</b>		<b>\$0</b>

## 1a. Description of request:

The US Dept of Homeland Security (DHS)/FEMA awarded a FFY2020 Emergency Management Performance Grant COVID-19 Supplemental (EMPG-20S) to Whatcom County in 2020 (WCC# 202007018). This grant allows Whatcom County Sheriff's Office Division of Emergency Management to fund Extra Help positions to help manage volunteer resources during the COVID response and purchase supplies and communications equipment.

## 1b. Primary customers:

Local emergency management, partner agencies, and the residents of Whatcom County.

## 2. Problem to be solved:

In March 2021, Whatcom County was awarded an additional \$6,094 to support deliverables under this grant, WWC # 202007018-1. Budget authority is needed to expend this funds.

## 3a. Options / Advantages:

Without this grant funding, these projects would have to be funding with local monies or eliminated.

## 3b. Cost savings:

\$6,094

## 4a. Outcomes:

Extra Help will support on-going COVID volunteer, operational, and administrative activities.

## 4b. Measures:

WCSO-DEM will monitor program projects.

## 5a. Other Departments/Agencies:

Departments and agencies requesting volunteers will be provided with needed resources.

## 5b. Name the person in charge of implementation and what they are responsible for:

N/A

## 6. Funding Source:

Federal Grant: DHS/FEMA EMPG-20S, E20-225A; CFDA# 97.042. (WCC# 202007018-1)

# Supplemental Budget Request

Status: Pending

Sheriff

Emergency Management

Suppl ID # 3187 Fund 167 Cost Center 1673520002 Originator: Frances Burkhart

Expenditure Type: One-Time Year 1 2021 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: DHS SHSP FFY19

X

Department Head Signature (Required on Hard Copy Submission)

Date

03-19-21

Costs:	Object	Object Description	Amount Requested
	4333.8705	St Homeland Sec Grt Prg	(\$20,274)
	6320	Office & Op Supplies	\$2,274
	6510	Tools & Equip	\$18,000
	<b>Request Total</b>		<b>\$0</b>

## 1a. Description of request:

In 2020, the US Dept of Homeland Security (DHS)/FEMA awarded a FFY2019 State Homeland Security Grant (SHSP-19) Whatcom County (WCC# 2020002004) to fund preparedness activities, including planning, training, exercises, and the purchase of supplies and equipment, in support of Emergency Management's five mission areas: Prevention, Protection, Mitigation, Response, and Recovery.

## 1b. Primary customers:

Local emergency management, partner agencies, and the residents of Whatcom County.

## 2. Problem to be solved:

Budget authority is needed to continue meeting grant deliverables begun in 2020, including the purchase of additional communications equipment, but postponed due to the COVID response.

## 3a. Options / Advantages:

Without this grant funding, these projects would have to be funding with local monies or eliminated.

## 3b. Cost savings:

\$20,274

## 4a. Outcomes:

Planning, training, exercise, and purchase activities will continue through period of performance.

## 4b. Measures:

WCSO-DEM will monitor progress of projects against grant deliverables.

## 5a. Other Departments/Agencies:

N/A

## 5b. Name the person in charge of implementation and what they are responsible for:

N/A

## 6. Funding Source:

Federal Grant: DHS/FEMA SHSP-19, E20-101; CFDA# 97.067. (WCC# 202002004)