

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
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

**COMBINED
AGENDA PACKET FOR
OCTOBER 22 2019**

**INCLUDES INFORMATION
FOR THE FOLLOWING MEETINGS:**

NATURAL RESOURCES COMMITTEE (9:30 A.M.)

FINANCE AND ADMINISTRATIVE SERVICE COMMITTEE (11 A.M.)

PUBLIC WORKS AND HEALTH COMMITTEE (1:30 P.M.)

**CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE
(2:30 P.M. ESTIMATED START TIME, MAY BEGIN EARLIER/LATER THAN 2:30 P.M.)**

**PLANNING AND DEVELOPMENT COMMITTEE
(3:30 P.M. ESTIMATED START TIME, MAY BEGIN EARLIER/LATER THAN 3:30
P.M.)**

COUNCIL (7 P.M.)

UPCOMING MEETINGS AND EVENTS:

OCTOBER 29, 2019

SPECIAL COUNCIL MEETING

6 P.M. - EAST WHATCOM REGIONAL RESOURCE CENTER

OCTOBER 30, 2019

1:30 P.M. - REGIONAL LEGISLATIVE MEETING

**SKAGIT COUNTY COMMISSIONERS' ADMINISTRATIVE BUILDING
1800 CONTINENTAL PLACE, SUITE 100, MOUNT VERNON
(A QUORUM OF THE COUNCIL MAY ATTEND THIS EVENT)**

NOVEMBER 5, 2019

ELECTION DAY

WEDNESDAY

NOVEMBER 6, 2019

**REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE**

COMMITTEE AGENDAS

NATURAL RESOURCES COMMITTEE

Members: Barry Buchanan, Todd Donovan, Satpal Sidhu

9:30 a.m. Tuesday, October 22, 2019

Council Chambers, 311 Grand Avenue

Call To Order

Roll Call

Special Presentation

1. AB2019-525 Presentation from Public Works staff and Shellfish Protection District Advisory Committee Members regarding Pollution Identification and Correction and Shellfish Protection District Updates

Pages 1 - 15

2. AB2019-539 Update on floodplain integrating planning process

Pages 16 - 17

Other Business

Adjournment

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Tyler Byrd, Carol Frazey, Satpal Sidhu

11 a.m. Tuesday, October 22, 2019

Council Chambers, 311 Grand Avenue

Call To Order

Roll Call

County Executive's Report

Special Presentation

1. AB2019-434 Presentation from the Whatcom Dispute Resolution Center

Page 18

Committee Discussion and Recommendation to Council

1. AB2019-520 Request Council approval of the Criminal Justice Treatment Account (CJTA) Plan Update 2019-2020

Pages 19 - 23

2. AB2019-512 Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District to develop a water use efficiency program for agricultural water users, in the amount of \$20,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Pages 24 - 37

3. AB2019-513 Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District to develop a water use efficiency program for domestic and municipal water users, in the amount of \$14,250 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
Pages 38 - 48
4. AB2019-522 Request authorization for the County Executive to enter into Amendment No. 2 of the Herrera Environmental Consultants Contract for Services to support Lower Nooksack River Floodplain Integrated Planning (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
Pages 49 - 64
5. AB2019-508 Ordinance amending the 2019 Whatcom County Budget, request no. 13, in the amount of \$375,570
Pages 65 - 93
6. AB2019-534 Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the Washington State Office of Financial Management, in an amount not to exceed \$60,000, for the purposes of expanding outreach in our community for the 2020 Census
Pages 94 - 119

Council "Consent Agenda" Items

1. AB2019-515 Resolution ordering the cancellation of unclaimed checks more than two years old for Whatcom County Jail Inmate Trust Fund prior to June 30, 2017
Pages 120 - 130
2. AB2019-516 Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Family & Community Network to provide youth prevention programs designed to reduce risk for substance use and poor mental health, in the amount of \$65,000
Pages 131 - 148
3. AB2019-526 Resolution in the matter of the sale of surplus personal property and the setting of a date for a public hearing thereon pursuant to WCC 1.10
Pages 149 - 151
4. AB2019-527 Resolution in the matter of the sale of surplus real property (building only) and setting a date for a public hearing thereon, pursuant to WCC 1.10
Pages 152 - 155
5. AB2019-523 Request authorization for the County Executive to accept Sun Life Stop Loss Policy renewal for insurance protection for the self-insured medical program for 2020
Pages 156 - 159

Other Business

Adjournment

PUBLIC WORKS AND HEALTH COMMITTEE

Members: Barbara Brenner, Barry Buchanan, Carol Frazey

1:30 p.m. Tuesday, October 22, 2019

Council Chambers, 311 Grand Avenue

Call To Order

Roll Call

Committee Discussion

1. AB2019-521 Discussion of the Whatcom County Health Department Syringe Services Program Expansion

Pages 160 - 173

Other Business

Adjournment

CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE

Members: Barry Buchanan, Tyler Byrd, Carol Frazey

2:30 p.m. (estimated time- may begin earlier or later than 2:30)

Tuesday, October 22, 2019

Council Chambers, 311 Grand Avenue

Call To Order

Roll Call

Special Presentation

1. AB2019-517 Report from District Court
Page 174
2. AB2019-518 Report from Superior Court
Page 175

Committee Discussion and Recommendation to Council

1. AB2019-530 Resolution establishing a Stakeholder Advisory Committee for the Public Health, Safety, and Justice Facility Needs Assessment

Pages 176 - 180

Other Business

Adjournment

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Tyler Byrd, Todd Donovan

3:30 p.m. (estimated time- may begin earlier or later than 3:30)

Tuesday, October 22, 2019

Council Chambers, 311 Grand Avenue

Call To Order

Roll Call

Special Presentation

1. AB2019-519 Report from Planning and Development Services
Page 181

Committee Discussion

1. AB2019-479 Discussion of proposed ordinance amending Whatcom County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation

Pages 182 - 189

Other Business

Adjournment

COUNCIL AGENDA

REGULAR COUNCIL MEETING

7 p.m. Tuesday, October 22, 2019

Council Chambers, 311 Grand Avenue

CALL TO ORDER

FLAG SALUTE

ROLL CALL

ANNOUNCEMENTS

If you will be handing out paperwork to councilmembers, please give one copy to the clerk for our office files. Thank you.

MINUTES CONSENT

1. MIN2019-112 Regular County Council for September 24, 2019
Pages 190 - 202
2. MIN2019-113 Health Board for October 1, 2019
Pages 203 - 208
3. MIN2019-114 Committee of the Whole for October 8, 2019
Pages 209 - 212
4. MIN2019-115 Regular County Council for October 8, 2019
Pages 213 - 224

SPECIAL PRESENTATION

1. AB2019-524 Executive Jack Louws will read the proclamation for the 75th anniversary of the Whatcom County Library System
Page 225

PUBLIC HEARINGS

Audience members who wish to address the council during a public hearing are asked to sign up at the back of the room before the meeting begins. The council chair will ask those who have signed up to form a line at the podium. Each speaker should state his or her 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. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. AB2019-489 Ordinance establishing the Affordable and Supportive Housing Fund
Pages 226 - 238
2. AB2019-495 Ordinance reauthorizing a Golf Cart Zone on certain roads in the Birch Bay Area
Pages 239 - 255
3. AB2019-502 Resolution amending WCC 100.7 Birch Bay Watershed Aquatic Resources Management District Funding Mechanism by adding an exemption for the Birch Bay Water and Sewer District (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
Pages 256 - 260

4. AB2019-504 Resolution adopting the 2020 Annual Road Construction Program (ACP)
Pages 261 - 312

OPEN SESSION (20 MINUTES)

During open session, audience members can speak to the council on any issue not scheduled for public hearing. Each speaker should state his or her 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.

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. AB2019-515 Resolution ordering the cancellation of unclaimed checks more than two years old for Whatcom County Jail Inmate Trust Fund prior to June 30, 2017
Pages 120 - 130
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Pages 156 - 159

OTHER ITEMS

(From Criminal Justice and Public Safety Committee)

1. AB2019-530 Resolution establishing a Stakeholder Advisory Committee for the Public Health, Safety, and Justice Facility Needs Assessment
Pages 176 - 180

(From Council Finance and Administrative Services Committee)

2. AB2019-520 Request Council approval of the Criminal Justice Treatment Account (CJTA) Plan Update 2019-2020
Pages 19 - 23
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Pages 94 - 119

(No Committee Assignment)

8. AB2019-514 Resolution supporting the renaming of Squaw Creek to Páatstel Creek
Pages 313 - 319
9. AB2019-532 Resolution establishing Council meeting dates for 2020
Pages 320 - 321

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. AB2019-503 Appointments to two vacancies on the Horticulture Pest and Disease Board, applicants: Andrew Taylor and Diana Bedlington (committee controls and prevents the spread of horticultural pests and diseases)
Pages 322 - 325

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. AB2019-531 Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities
 Pages 326 - 335
2. AB2019-528 Resolution authorizing the sale of surplus personal property pursuant to WCC 1.10
 Pages 336 - 338
3. AB2019-529 Resolution authorizing the sale of surplus real property (building only) pursuant to WCC 1.10
 Pages 339 - 341

COMMITTEE REPORTS, OTHER ITEMS, AND 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: AB2019-525

File ID:	AB2019-525	Version:	1	Status:	Agenda Ready
File Created:	10/10/2019	Entered by:	SDraper@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Presentation		
Assigned to:	Council Natural Resources Committee				Final Action:
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Presentation from Public Works staff and Shellfish Protection District Advisory Committee Members regarding Pollution Identification and Correction and Shellfish Protection District Updates

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Public Works staff and Shellfish Protection District Advisory Committee Members will provide a presentation providing updates on Pollution Identification and Correction (PIC) activities and shellfish growing area status

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

Jon Hutchings
Director



NATURAL RESOURCES

322 N. Commercial, Suite 110
Bellingham, WA 98225
Telephone: (360) 778-6230
FAX: (360) 778-6231
www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Jack Louws, County Executive
Honorable Whatcom County Councilmembers

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Gary Stoyka, Natural Resources Manager *MS*
Erika Douglas, Senior Planner *ED*

DATE: October 9, 2019

RE: Pollution Identification and Correction (PIC) and Shellfish Protection Districts

An informational presentation will be provided by staff and Shellfish Protection District Advisory Committee members regarding PIC activities, the 2019 fall strategy, and the status of shellfish growing areas.

Background and Purpose

The Whatcom Clean Water Program (WCWP) is a partnership of local, state, tribal, and federal organizations working to reduce fecal bacteria in Whatcom County surface waters and restore shellfish growing areas. The Whatcom County Pollution Identification and Correction (PIC) Program is a component of this partnership.

Through coordinated efforts to identify and address varied fecal bacteria source, our community has been successful in improving water quality in many waterways and shellfish growing areas. These efforts have resulted in:

- Reopening 810 acres of shellfish beds in Drayton Harbor in 2016.
- Reopening 129 acres of shellfish beds in Birch Bay in 2018.
- Lifting spring harvest restrictions from shellfish beds in Portage Bay in 2019.
- Meeting water quality standards for fecal bacteria at 45 percent more monitoring stations in 2018 than in 2015.

However, more work remains needed to lift fall harvesting restrictions in Portage Bay and to maintain approved shellfish beds.

This presentation will provide an update on PIC efforts, shellfish growing area status, and the 2019 fall strategy. If you have any questions, please contact Erika at extension 6294.

Attachments

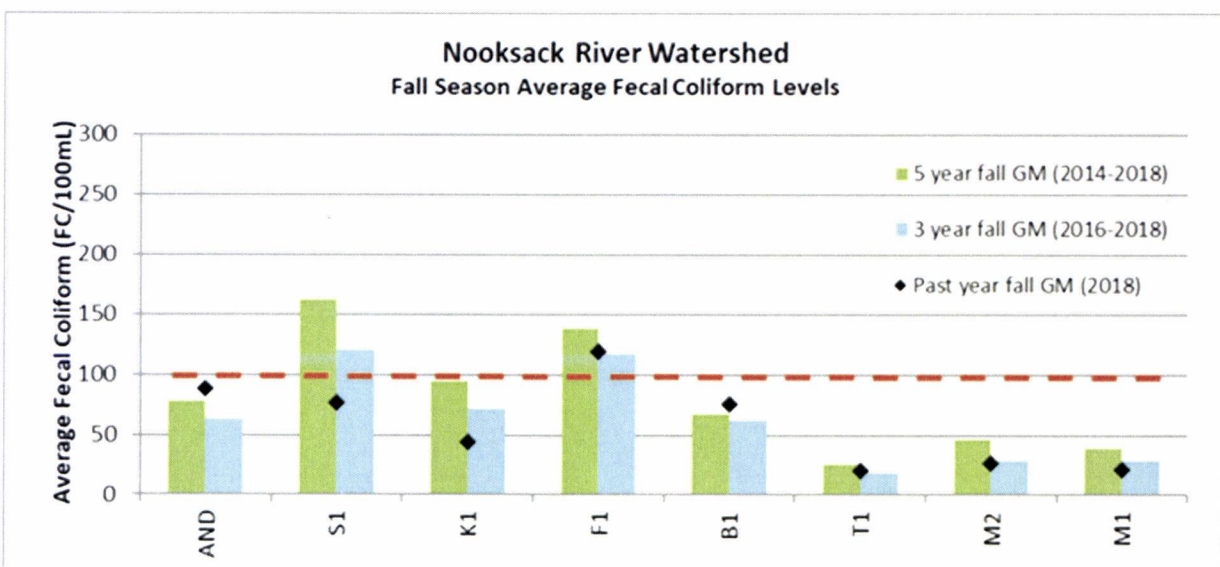
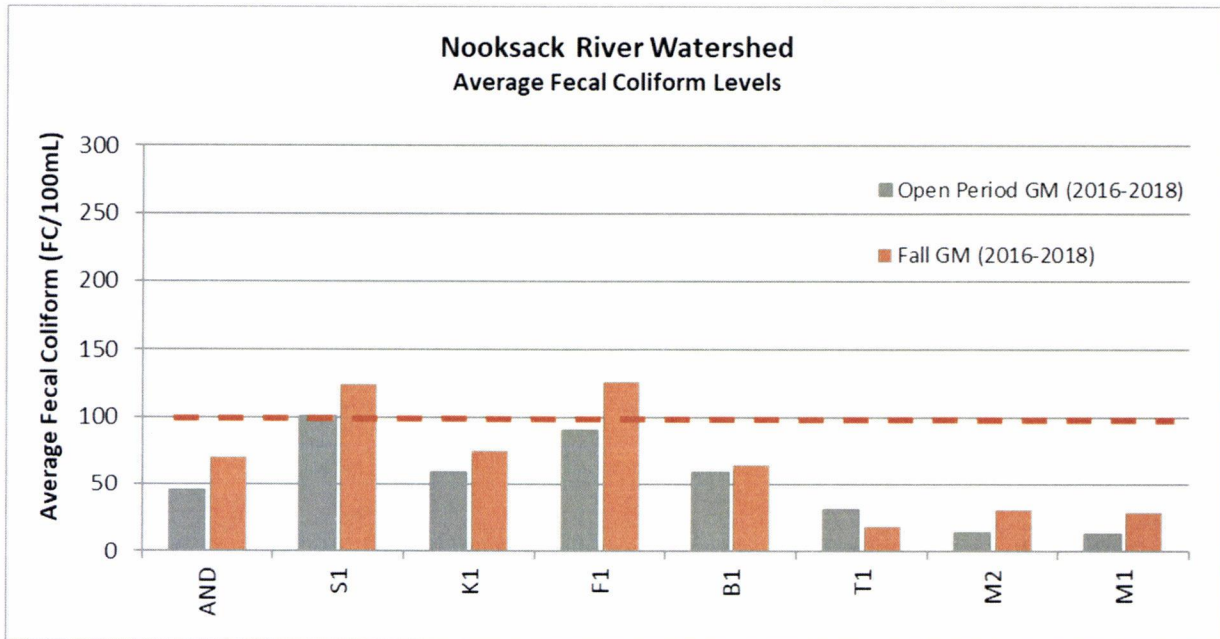
WHATCOM CLEAN WATER PROGRAM FALL 2019 STRATEGY SUMMARY – WORKING DRAFT

Nooksack Watershed/Portage Bay

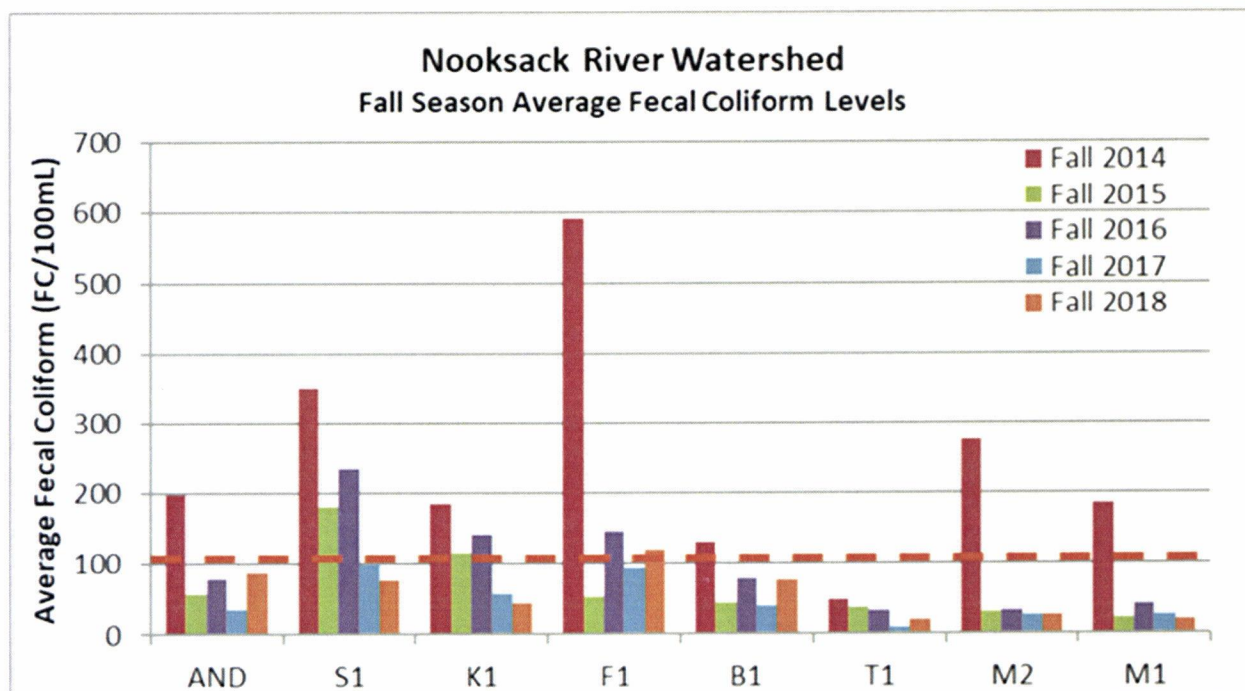
Introduction

For the Nooksack watershed and Portage Bay, data analysis demonstrates overall improvements in bacteria levels (decreasing levels). However, the October through December fall season remains a critical period for protecting water quality. Historic data show we measure elevated bacteria concentrations during the fall season, often during rain events and periods of high flows in the mainstem Nooksack and its tributaries.

During fall, data analysis shows higher geometric means as well as higher 90th percentiles.



Overall, we see water quality improvements during all seasons and when reviewing annual (year-round) averages. Specific to the fall period, we see improvements from 2014 through 2018. However, last fall we had higher bacteria levels than had been seen in the past few years. This was true for Anderson, Fishtrap, and Bertrand creeks.



Fall Strategy Development

Whatcom Clean Water Program (WCWP) partners evaluated tasks and outcomes of the fall 2018 strategy. Based on program review, partners proposed adaptations to address identified gaps and build on experience and compiled data.

This document summarizes a WCWP fall 2019 strategy that partners will carry out to focus and strengthen seasonal Pollution Identification and Correction (PIC) program efforts. This summary highlights adaptations to tasks more fully explained in the fall 2018 strategy. ***Tasks and adaptations added as part of the fall 2019 strategy are in bold and italicized font.***

The fall 2019 strategy focuses on preventing pollution before it happens. Emphasis includes reaching out to landowners before fall rains and before water quality hot spots appear. Partners are prioritizing where to deliver personalized pollution prevention messages based on past contacts, past field condition observations, and hotspot history and status.

Components of the strategy are described as specific to the Nooksack River watershed; however, WCWP partners will apply many of the approaches throughout the county's coastal watersheds (Drayton, Lummi, Birch Bay, Chuckanut) to benefit water quality and shellfish growing areas.

Water Quality Monitoring

The Whatcom Clean Water Program (WCWP) continues to use marine and fresh water monitoring to inform its workplan. Multiple partners coordinate to collect water samples in both the marine and freshwater systems.

Marine water monitoring: The long-term ambient monitoring program in Portage Bay consists of monthly sampling at twelve stations.

Freshwater ambient monitoring: Whatcom County Public Works (WCPW) continues to collect samples at nineteen stations twice per month. WCPW coordinates one of the two sample runs per month to take place the day before Portage Bay marine sampling occurs.

The once-monthly coordinated sampling event includes WCWP partner agencies, watershed improvement districts (WIDs), and citizen groups sampling at additional locations throughout the watershed, including locations at the British Columbia-Washington (BC-WA) border.

- ***BC Ministry of Environment and Climate Change Strategy (ENV): On the coordinated monthly date, ENV staff are monitoring locations within the Canadian portions of the Bertrand and Fishtrap watersheds.***
- ***Additional sites: The fall 2019 strategy incorporates five additional monitoring locations into the once-monthly coordinated sampling event. New monitoring locations include a site in the lower North, Middle, and South forks of the Nooksack River, SW10a (Nooksack River mainstem at Nugents Corner), and at M6 (located on the Nooksack River mainstem at Hwy 9).***

Lummi Natural Resources (LNR) staff will collect a marine sample at station DOH50 in coordination with WCPW's second routine freshwater sampling run each month during the fall.

Storm Event and Source Identification Monitoring: Partners will continue to conduct storm event sampling in fall 2019. Partners schedule time and location(s) for storm event monitoring based on data from routine monitoring, field observations, and weather information. At least once during fall 2019 Lummi Natural Resources staff will collect storm event samples at all on-Reservation sites flowing into Portage Bay.

Data Sharing

WCWP partner agencies will continue to share preliminary water quality sampling results via the online, [interactive water quality maps](#). Partners continue to work with the laboratories and to coordinate with each other to receive laboratory results as soon as possible and to post results to the map. Whatcom Conservation District continues to manage the data map's visualization and usability features.

Analysis and Communication with Washington Department (DOH) of Health Shellfish Growing Area Staff
While the overall goal is to upgrade the entire Portage Bay shellfish growing area to Approved, an interim goal is to shorten the fall season closure period in the Conditionally Approved portion of the growing area. As we focus on preventing pollution during the fall season, analysis and discussion among

WCWP partners will work to characterize conditions in the fall when we measure high bacteria concentrations. Discussions locally will include seeking insight from Watershed Improvement District members, shellfish protection district advisory committee members, and other watershed residents. Whatcom partners want to define critical conditions with the goal of helping support DOH decisions to shorten the fall season shellfish harvest closure period and/or to base the closure period on climatic and watershed conditions.

Field Observations

Goals for fall 2019 include identifying conditions on properties that present water quality concerns and offering those properties information and technical assistance before bacteria enters the surface water system. WSDA, Ecology, and Whatcom County Public Works will ***coordinate scheduling and assignment of driving routes*** along public right-of-way to observe and electronically document conditions in specific geographic areas. ***Better planning windshield surveys will seek to avoid over- or under-coverage of certain areas. Partners will share the windshield survey information through task management software and will incorporate windshield observations into the program's ArcGIS spatial representation platform.***

Several PIC program agencies maintain records of properties or groups of properties where observations and water quality monitoring indicate conditions that may result in bacteria pollution discharge. ***Agency staff are reviewing records and assessing site status; staff will complete the review prior to fall.*** Based on site evaluations and contact status, staff will follow up with landowners as summarized in the "Landowner Contacts" category.

Landowner Contacts

PIC program strategies aim to work voluntarily with landowners through delivering technical and financial help to find and fix preventable fecal bacteria sources polluting surface waters. Fall 2019 PIC program field work will continue to contact landowners with potential fecal bacteria pollution sources related to septic systems or agricultural land use.

- The Environmental Report Tracking System (ERTS) is a statewide system administered by Ecology as a way to record and provide notice about pollution concerns. The ERTS receives complaints from citizens, industry, municipalities, and agency staff. Relevant to the Whatcom PIC program, concerns submitted through ERTS may relate to human sewage or animal waste pollution. An Ecology administrator routes ERTS notices to relevant regulatory agencies. Health, WSDA, Ecology, and Whatcom County Planning & Development Services (PDS) respond to ERTS alerts based on individual agency authority and protocols. Where jurisdiction is clear (i.e. human sewage = Health; dairy related = WSDA), the regulatory agency responds directly. For ERTS complaints related to non-dairy agriculture, Ecology and PDS coordinate to determine who will lead response.
 - *Egregious violation (in need of immediate fix)* – If field staff observe a violation in need of immediate fix, relevant field staff will submit a report to the Environmental Report Tracking System (ERTS) to facilitate immediate response by the appropriate regulatory agency. Note that this applies to all preventable fecal bacteria pollution observations

(i.e. septic, dairy, non-dairy). ***While past PIC program protocols have included submitting water quality concerns to the ERTS, the fall 2019 strategy is highlighting the action as a more formal commitment to facilitate prompt regulatory response.***

Septic Systems: The Whatcom County Health Department (Health) will continue to implement the On-Site Sewage System (OSS) Operation and Maintenance Program. Implementation includes Health sending compliance information to OSS owners. Health letters to homeowners note the type of septic system on record, the associated system evaluation requirements, and who to contact for assistance or further information. ***PIC partners will review chronic water quality hot spots for potential OSS concerns. If potential OSS concerns exist, Health will review Report of System Status (ROSS) for properties potentially contributing to the hotspot area. Health will work with PIC partners to prioritize 10 or fewer parcels in the identified hotspot area and will pre-schedule wet season OSS inspections.***

Dairy: WSDA Dairy Nutrient Management Program will continue to lead contact for dairy-related water quality concerns. WSDA staff contact producers through routine inspections, follow up inspections, or in response to water quality sampling results and/or field observations.

Non-Dairy Agriculture: Whatcom County Public Works, Whatcom Conservation District, PDS, and Ecology coordinate to determine which agency will lead communication with a non-dairy agriculture property about bacteria-related water quality concerns. Properties come to the attention of PIC program staff in a variety of ways and several factors influence which agency will lead contact.

To the extent possible, PIC partners strive to support that landowners establish and maintain a consistent relationship with a single agency. Partners generally try to avoid multiple agencies contacting the same landowner. This strategy helps promote consistently communicated expectations. PIC partners determine who will lead contact with the landowner based on history of previous contact and status, urgency of water quality concern, and agency jurisdiction (i.e. potential critical areas ordinance violation or water quality violation).

- **Previous contacts:** A previous contact is a property with a water quality concern who has been contacted within the last three years by either a regulatory agency or by a non-regulatory PIC partner agency. Based on fall strategy review and prioritization of property records described in "Field Observations" and through new field observations, previous contacts may be contacted again.
 - Previous contacts whose last contact is with a regulatory agency or who did not respond to Public Works' PIC letter series requests to voluntarily address a water quality concern: PIC field staff will refer this category of previous contacts to regulatory agencies (ECY or PDS) for follow up. (See 'Enforcement Component' section below.)
 - Previous contacts who did not receive a full PIC letter series AND who did not respond to initial requests from Public Works: PIC field staff will bring this category back into the Public Works' PIC letter series process. These previous contacts will have a new opportunity to take advantage of non-regulatory education and technical assistance

opportunities. These are properties who Public Works contacted in the past because they appeared to have livestock, but PIC staff could not determine property-specific water quality concerns. Therefore, Public Works did not send the full series of PIC letters. If a water quality concern is noted on a property who is a WCD cooperator, WCD will continue to lead contact with the landowner to address concerns.

- New contacts: New contacts are properties with water quality concerns who have not received PIC letters at all or within the last three years, have not been contacted by a regulatory agency within the last three years, and are not WCD cooperators. To new contacts, Public Works will send the PIC program introduction letter and the first PIC letter. The first PIC letter will request a response within two weeks. PIC letters offer WCD assistance and rebate information. During the two-week response period, regulatory agencies determine jurisdiction and gather documentation. If the two-week deadline passes without landowner response:
 - Non-responsive parcels with site conditions not visible from right-of-way: Public Works will send a second PIC letter requesting that the landowner respond to Public Works or WCD to:
 - 1) indicate they have no livestock and do not use manure,
 - 2) demonstrate they are using BMPs adequate to protect water quality, or
 - 3) request technical assistance from WCD.
 - Non-responsive parcels with observable high pollution risk conditions: Public Works will refer these parcels to ECY and PDS for follow up according to each agency's compliance protocols. (See 'Enforcement Component' section below.)

PIC program methods encourage residents to engage voluntarily in fixing identified pollution sources and preventing potential future pollution. For landowners who choose not to engage with non-regulatory agencies and who do not act on their own to fix identified pollution problems, an effective regulatory backstop component is an important piece of a comprehensive and effective PIC program.

PDS and Ecology are the regulatory agencies responsible for carrying out the enforcement component for non-dairy agriculture properties. Both the 'previous contacts' and 'new contacts' categories above note a set of residents/landowners who choose not to respond to non-regulatory agency contact attempts and who do not act to fix identified violations of land use code and/or water quality law. Though important year-round, ***this fall strategy emphasizes support for a firm regulatory backstop to bring properties into compliance with land use and water quality protection statutes.***

- PDS – PDS PIC program staff receive referrals from partner agencies for properties that appear to have an observable violation of Whatcom County Code (WCC) 16.16 (Critical Areas Ordinance) and whose landowners did not respond to contact attempts by non-regulatory agencies. Related to the PIC program, PDS's compliance protocols generally begin with reviewing site information, contact history, and site conditions; determining if there is a violation of WCC 16.16; and contacting the landowner if there is a violation.
 - Outreach letter – In instances where PDS has not previously contacted the landowner and the violation is not egregious, PDS will send an outreach letter

describing observed conditions, date of observations, how the conditions appear to violate the resource protection requirements of WCC 16.16, clear options for how to comply, instructions for communicating how the landowner will choose to comply, and a deadline for response. Response or non-response to the outreach letter determines next steps (compliance achieved or Notice of Violation).

- Notice of Violation (NOV) – In instances where PDS has previously contacted the landowner or if the violation is egregious, PDS will send an NOV via certified mail to the landowner or post the NOV on site. The NOV contains relevant property identification information, staff observations, evidence of the presence of critical areas or critical area buffers, citation of code that has been violated, required corrective actions, a timeline for expected action, information sources, and information on how to communicate with PDS.
- Ecology – Ecology’s Water Quality Program staff take the lead on sites whose water quality concerns have not been resolved through the non-regulatory PIC program process. These properties do not have an identifiable violation of WCC 16.16, but have an observable violation or high potential to violate water quality law (RCW 90.48 Water Pollution Control). The sites may have some or all of the following features:
 - Source(s) of pollution is/are identified
 - Surface water is present in proximity to the site
 - A pathway exists for pollution to travel from the pollution source to the surface water
 - Visible and/or measureable (water quality data) site conditions provide evidence of livestock related water quality impacts, or constitute a high risk of future water quality impacts
 - Management practices are not in place or are not sufficient to prevent fecal bacteria pollution to state waters
- Ecology’s compliance procedures will be guided by, and consistent with, Ecology’s Nonpoint Compliance Desk Book:
 - Ecology will first send a technical assistance letter including:
 - Observed conditions and supporting evidence of a pollution problem
 - Explanation of how observed conditions impact local water quality
 - Site information including connectivity to surface water and impacts to local waterways, severity of the problem, and any history of past interactions with Ecology or other agencies
 - Clear options for resolving the issue(s)
 - Requested timeline for response
 - If the landowner does not respond, or responds but refuses to make changes sufficient to protect water quality, local Ecology staff can recommend the property receive a Warning Letter. The decision to issue a Warning Letter depends on the severity of the problem, site history, and approval by Ecology Water Quality Program Management Team.

- Warning letters may serve as notice that Ecology staff has observed a discharge violation of water quality statute (RCW 90.48), and that failure to address the problem could result in further enforcement action. Alternatively, the letter may note that staff has observed conditions that pose a risk of a discharge violation, and that they will return to assess the conditions later, typically during the rainy season.
- If a warning letter does not result in positive action, Ecology may consider issuing a Notice of Violation, or an Administrative Order. Where all other efforts to achieve compliance have failed, a Notice of Penalty may be considered.

Enforcement Component

Stakeholders engaged in efforts to recover year-round harvest throughout the Portage Bay shellfish growing area support fair, firm, and consistent application of regulatory backstop procedures. In particular, stakeholders support regulatory agencies in carrying out compliance actions for cases where violators have continued to pollute and have not engaged in resolving identified issues. Without compliance action follow through, these cases will continue to hamper efforts toward reaching and maintaining the goal that so many are working hard to achieve.

Tracking Contacts and Progress

PIC program partners work consistently to coordinate information about field conditions, agency contact with landowners, and parcel status. The coordination goal promotes efficiency, seeks to minimize instances where a landowner is contacted by multiple agencies, and helps support that a landowner receives clear and consistent guidance. PIC program partners continue to use task management software to share current lead agency, identified problem, and status.

Transboundary Work

Partners in British Columbia (BC) and Washington (WA) completed in late July 2019 the first annual report summarizing activities related to the BC/WA Nooksack River Transboundary Technical Collaboration Group. PIC program partners communicated and coordinated with BC partners throughout fall 2018 and will continue to work with BC staff throughout the fall 2019 season as monitoring takes place at the border and in the Canadian portion of the Nooksack River watershed.

Communications and Community Outreach

PIC program outreach and communication methods and venues have continued to build and adapt, resulting in more people connecting with clean water related messaging. Since 2015, Whatcom County and WCD has tracked increased numbers of voluntary requests for farm plans, consistent participation in and demand for homeowner septic system education classes, and participation in financial incentive programs.

To reach fall season water quality goals, community members must act before and during the wet season. PIC program partners will continue delivering messages through social media, newsletters, and events. Continued general outreach and messaging methods and opportunities include:

- Run with the Chums; co-hosted by WCD with opportunities for information booths; **Sept 14, 2019**
- SeaFeast; multiple PIC partners participate to host booths offering clean water information and activities; **Sept 21, 2019**
- PIC newsletters and e-newsletters; WCPW
- WSDA Story Map (updated weekly)
- Whatcom County Planning and Development Services (PDS) PIC staff contribute to the Natural Resources Newsletter with broad distribution to rural landowners
- Facebook and Next Door posts about domestic pets and urban wildlife fecal pollution sources and solutions

Specific audiences include owners and managers of agricultural properties, septic systems, and pets.

Agricultural Audience: WCD staff continue to lead and deliver outreach materials and events for agricultural topics. Past messages to prepare for the fall season will continue with wet season preparation postcards, e-newsletters, radio advertisement and interviews, social media posts, personalized invitations to events, and continued support to cooperators seeking information and assistance opportunities. Fall 2019 messages will include:

- ***Proactive approaches to communication, with reminder messages timed appropriately to assist farmers with management tasks.***
- ***Farm planners connecting with previous contacts to encourage completion of structural BMPs during the dry season.***
- ***Later summer messages to remind livestock managers to move animals in a timely way from pastures that will become saturated and/or that will flood.***
- ***Developing and sharing landowner spotlights with personal quotes and photo(s) supporting the seasonal messaging.***

Other WCWP partners will supplement and complement WCD outreach efforts:

- WSDA continues to host and maintain an online, interactive Story Map highlighting educational opportunities, water quality BMPs, the WCD manure spreader, and rebate and cost-share programs.
- WSDA staff will contact dairy producers prior to fall with reminders about preparing for the wet season.
- PDS will send farm plan inspection notices to Conservation Program on Agricultural Lands (CPAL) participants in the Nooksack watershed who have not completed an inspection in the past two years. PDS will send notices will in October and November with the expectation that inspections will take place within 30 days of receipt. ***PDS will prioritize which sites to send fall 2019 notices to based on record review and partner input.***
- ***Ecology will send a bacteria pollution prevention related postcard to livestock owners.***

Septic System Audience: Whatcom County Health and Public Works continue to deliver an “evaluate before it’s too late” campaign. Health continues to host [homeowner septic system training](#) opportunities, with ***trainings in September and October 2019 already scheduled***. Attendees become certified to inspect their own septic systems and become eligible to apply for [rebates](#) related to qualifying septic system evaluation or maintenance work. ***Public Works staff will work with County Health to promote “SepticSmart Week 2019” during September 16-20, 2019.*** (SepticSmart coincides with Whatcom Waterweek September 14-22, 2019.)

Pet Owner Audience: WCPW began a pet waste campaign in early 2019. The “scoop it, bag it, trash it” and “there is no poop fairy” message is being delivered through signs in parks and through social media. Personal contacts through handing out dog waste bag kits in county parks has resulted in productive conversations and potentially greater awareness to motivate proper dog waste disposal behavior. ***Public Works outreach staff plan additional fall 2019 events related to “poop fairy” appearances. Prioritizing where the poop fairy will appear will be based on results of the spring pilot project. Public works staff will coordinate delivery of proper dog waste disposal messages during the September 2019 Water Weeks. Messages will be delivered through radio ads and social media.***

Are You Ready For Fall?

It is time to prepare for the wet season

Picture that old, dry sponge that has been stored under your sink for a few months. It doesn't want to soak up water right away, does it? After months of dry summer weather our **soils act in a similar way during the fall.**

After a long, dry period much of the rain can't soak into the soil. It runs over top of the land into ditches and creeks. During that dry period, pollutants (such as fecal bacteria from livestock, dogs, or wildlife), will build up on the land. When fall rains come, water picks up the pollutants and carries them into our ditches and creeks.

From these ditches and creeks, bacteria is carried downstream into our bays and harbors. Too much bacteria closes beaches to swimming and shellfish harvest. In fact, from October through December, Portage Bay (at the base of the Nooksack River) is closed to shellfish harvest each year. **With your help, our community is working to change that!**



* Note: Poop may also enter the water from direct discharging or dumping.

Many of your neighbors are already taking steps to reduce compaction and mud, improve animal health, and/or avoid high costs of replacing a septic system- all the while, protecting our community's creeks and beaches. If you are one of those neighbors, thank you! If you are looking for some ideas, we've got you covered below.

Tips for Farms

It's time to prepare for the rainy season. Consider places on your farm, where pastures stay wet or flood, where gutters overflow (or just don't exist), and where you plan to have your animals overwinter. These fall tips will help get your farm ready for the WET season!

Pastures

- Avoid overgrazing as grass growth slows in August through October. Overgrazing can lead to compaction, which increases runoff, and a lack of surface cover which slows down water for infiltration and captures pollutants.
- Make plans to move animals from pastures that become saturated in the fall and winter. Animals on wet fields can compact the soils and damage pastures.
- Follow appropriate seasonal manure application setback guidelines for pasturing animals. Just like manure spreading equipment, animals are applying manure to your fields. Check and follow the setback distances that apply to you (e.g. manure application setbacks, Critical Areas Ordinance, or Department of Ecology exclusion). The Whatcom Conservation District can help you determine the appropriate setbacks.

Barn Gutters

- Check and repair roof panels, gutters, and downspouts or install barn gutters if you don't have them. Diverting roof water away from heavy use or manured areas can improve animal health and protect surface water.

Heavy Use Areas

- Make sure your sacrifice, or heavy use, areas are ready for animals. Order and install hog fuel, wood chips, or other footing materials. that will reduce mud and protect footing.
- Consider where your heavy use area drains. Runoff is best treated through a grassed or vegetated area.



Attending a Farm Speaker Series Workshop is the first step towards your \$200 rebate for barn gutters or heavy use area footing. Check <https://www.whatcomcd.org/speaker-series> for more information.

Nutrient Applications

- Get your manure out on the fields early. Be sure your manure pile has been spread or your lagoon is empty in early October when field and weather is lower risk. Check with the Whatcom Conservation District's [Manure Spreading Advisory](#) and inquire about borrowing their manure spreader.
- Follow seasonal manure application setback guidelines. In September, the setback is **40 feet** from all waterways and swales. The setback moves to **80 feet** from October through the high risk winter months.
- Apply at agronomic rates. Grass doesn't need many nutrients going into the winter and cover crops likely don't need any when planted behind an annual crop . Contact the Whatcom Conservation District for a soil test.
- Sign up for manure text alerts to get notices of significant weather events and manure application tips. Text "EZManure" to 797979.
- Cover manure storage or compost system. As the rains begin, cover your manure pile with a tarp or roof structure. This preserves your hard-earned nutrients and reduces runoff from your farm. Contact the Whatcom Conservation District for a free tarp.

Cover Crops

- Plant your cover crop as soon as annual crops are harvested. Cover crops reduce nutrient and sediment transport through fall and winter months.

Fall is the perfect time to get your farm winter ready and Whatcom Conservation District can help. Whatcom Conservation District is the resource in Whatcom County for information on rebates and grants for farm improvements, technical assistance, and an equipment loan program. Additionally, they provide complementary soil tests and tarps for manure piles. Attending a Farm Speaker Series Workshop is the first step towards your \$200 rebate for barn gutters or heavy use area footing.

For more information about Whatcom Conservation District programs, visit <https://www.whatcomcd.org/> or call (360) 526-2381.

Tips for Pet Waste

Pets do not use a toilet or pick up after themselves. Besides being gross to step in, bacteria from pet waste left on trails, lawns, and even the woods can wash into stormdrains, ditches, and creeks when the rain comes.. Like human poop, pet poop is raw sewage that contains pathogens such as bacteria, viruses, and parasites which can transmit disease to people. Some of these pathogens can last for years in the environment or your backyard.

- Scoop, Bag, and Trash it!
- Become a steward, install a sign, and share bags with others.

For more information about pet waste programs, visit www.whatcomcounty.us/scooppoop or call Whatcom County Public Works at (360) 778-6230.

Tips for Septic Systems

Regular evaluations and maintenance of your septic system can help you find problems early on and avoid large costs associated with repairs. Each septic system is designed to process a specific amount of wastewater each day. When too much water goes through your system in a short period of time the solids in the wastewater don't have enough time to settle in the tank. The solids make their way into the drainfield and can eventually cause you expensive problems. Here are some specific tips that will help keep excess water out of your septic system and protect your property.

- Repair leaking toilet flappers. A worn out toilet flapper can allow water to leak from the toilet tank to the toilet bowl. These leaks often go unnoticed and could send hundreds of gallons of additional water through your septic system each day. It's cheap and quick to fix! Tips to locate and repair a leaking toilet flapper can be found at <https://www.epa.gov/watersense/fix-leak-week>.
- Divert runoff/downspouts. Divert water away from your septic system, including your drainfield. Check that gutters and downspouts are in place and direct water away from these areas. Drainfields typically fail because too much water, entering from the house, an outside source or both, has been flushed into them, keeping them constantly saturated. A drainfield that is failing is no longer treating sewage properly and must be replaced.
- Spread out the timing of your laundry loads. Try to do laundry throughout the week and avoid 'laundry catch up days'. Modern high-efficiency washing machines can use between 10 and 20 gallons of water per load. Older top loading washing machines can use up to 40 gallons per load. Washing 5 loads of laundry in one day could send more than 200 gallons of water through your septic system.



For more information about septic systems, visit www.whatcomcounty.us/septic or call the Whatcom County Health Department at (360) 778-6000. For rebate information, visit www.co.whatcom.wa.us/2257/Septic-Maintenance-Rebate-Program.

Tips for Boats and Recreational Vehicles

If you are returning from your last summer trip or thinking about getting an early start on winterizing, remember to use a pump out station. Discharging black or gray water onto a field, into a stormdrain, or into a waterway is not a solution! Protect your family, neighbors, and waterways and make use of the sanitary disposal options below:

- Pumpout Stations for Boats: <https://pumpoutwashington.org/>
- Department of Transportation links to dump stations for RVs <https://www.wsdot.wa.gov/travel/safety/rest-areas/rv-dump-stations>

Tips for Wildlife

Larger than natural populations of wildlife, such as raccoons, can be a source of bacteria in creeks. When people make food and shelter easily accessible to wildlife, animals can increase their populations above natural levels.

- Do not feed wildlife. Secure pet food, garbage, and compost from wildlife.
- Block off crawl spaces and attic vents from wildlife access.

For more information about wildlife, visit <http://www.co.whatcom.wa.us/2916/I-See-Urban-Wildlife>.



The Whatcom Clean Water Program is a partnership of local, state, tribal and federal organizations working to reduce fecal bacteria in Whatcom County surface waters and restore shellfish growing areas. Learn more about this [partnership](#).



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-539

File ID:	AB2019-539	Version:	1	Status:	Agenda Ready
File Created:	10/14/2019	Entered by:			
Department:		File Type:	Presentation		
Assigned to:	Council Natural Resources Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Update on floodplain integrating planning process

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Update on floodplain integrating planning process

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

JON HUTCHINGS
Director



NATURAL RESOURCES
322 N. Commercial Street, Suite 110
Bellingham, WA 98225
Telephone: (360) 778-6230
FAX: (360) 778-6231
www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive, and
Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Director

FROM: Gary S. Stoyka, Natural Resources Program Manager

DATE: October 8, 2019

RE: October 15, 2019 Council Surface Water Work Session

Please refer to the proposed agenda below for the next Surface Water Work Session. Additional supporting documents may be distributed at or before the meeting.

AGENDA

Date:	Tuesday, October 15, 2019		
Time:	10:30 a.m. to 12:00 p.m.		
Place:	Civic Center Garden Level Conference Room		
Time	Topic	Council Action Requested	Background Information Attached
10:30 AM – 11:00 AM	Watershed Planning Update	Discussion	None
11:00 AM – 12:00 PM	Floodplain Integrating Planning (FLIP) Process Update	Discussion	None

If you have questions, please feel free to call me at (360) 778-6218.

cc:	Mike McFarlane	Joe Rutan	Paula Harris	John Wolpers	Mike Donahue
	Beth Bushaw	Jeff Hegedus	John Thompson	Kraig Olason	Erika Douglas
	Tyler Schroeder	Josh Fleischmann	Karen Frakes	Jennifer Schneider	Jill Nixon
	Sue Blake	Roland Middleton	Dana Brown-Davis	Atina Casas	Cathy Craver
	George Boggs	Ryan Ericson	Lonni Cummings	Kristi Felbinger	Mark Personius



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-434

File ID:	AB2019-434	Version:	2	Status:	Agenda Ready
File Created:	08/08/2019	Entered by:	DBrown@co.whatcom.wa.us		
Department:	Council Office	File Type:	Presentation		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Presentation from the Whatcom Dispute Resolution Center

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Presentation from the Whatcom Dispute Resolution Center

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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: AB2019-520

File ID:	AB2019-520	Version:	1	Status:	Agenda Ready
File Created:	10/08/2019	Entered by:	SMurdoch@co.whatcom.wa.us		
Department:	Health Department	File Type:	Agreement		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

Primary Contact Email: jmitchel@co.whatcom.wa.us <<mailto:jmitchel@co.whatcom.wa.us>>

TITLE FOR AGENDA ITEM:

Request Council approval of the Criminal Justice Treatment Account (CJTA) Plan Update 2019-2020

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Attachment

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Memorandum

TO: JACK LOUWS
FROM: Jackie Mitchell, Program Specialist
DATE: October 22, 2019
RE: Criminal Justice Treatment Account (CJTA) Plan Update

The CJTA Panel recently convened and is submitting the following plan for review and approval by the County Council. Pursuant to state law, the county legislative authority must approve the CJTA plan.

In 2002, Washington State adopted RCW 70.96A.350 which established the Criminal Justice Treatment Account (CJTA). This law created an account to fund alternatives for treating nonviolent offenders with substance use disorders (SUD).

Key provisions of the CJTA law include:

- Establishment of the Criminal Justice Treatment Account (CJTA) which is funded via savings by the Department of Corrections for reducing prison sentences.
- Allocation of funding to counties for treatment, support, and recovery services for people with criminal charges who have SUDs.
- Development of a local criminal justice panel to submit a plan for the disposition of funds.

A local CJTA panel was established according to RCW in 2018. The Panel met on September 20th, 2019 to update the CJTA Plan. The updated plan is enclosed.

Council Action Requested:

The County Council is asked to approve the CJTA Plan update for submission to the State as enclosed.



Whatcom County Criminal Justice Treatment Account Plan 2019-2020

In 2002, Washington State adopted RCW 70.96A.350 which established the Criminal Justice Treatment Account (CJTA). This law was designed to reduce sentencing guidelines and create alternatives to treat nonviolent offenders with substance use disorders (SUD). A CJTA panel convened in June of 2018 and approved the following plan for service priorities and general allocations.

I. Overview:

Legislative Action - RCW 71.24.580, created a Criminal Justice Treatment Account in the state treasury. Moneys in the account may be expended for:

- (a) Substance use disorder (SUD) treatment and treatment support services for offenders with a substance use disorder that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state;
- (b) The provision of SUD treatment services and treatment support services for nonviolent offenders within a drug court program; and
- (c) The administrative and overhead costs associated with the operation of a drug court.
- (d) The provision of recovery services

RCW 71.24.580 also directs the development of a County level CJTA Panel for plan development and fund expenditure. County CJTA plans are submitted to the Washington State Health Care Authority for review and distribution of funds.

II. CJTA Panel Development:

As per RCW 71.24.580, a Whatcom County CJTA Panel was created consisting of:

Alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court.

Current Panel members include:

- Sheriff represented by the Chief of Corrections, Wendy Jones
- Superior Court Administrator, Dave Reynolds
- Chief Prosecuting Attorney, Eric Richey represented by Vanessa Martin
- Drug Court representative, Chris Furman (Drug Court Coordinator)
- County Coordinator represented by Jackie Mitchell
- Treatment Provider, Christopher Watras, SeaMar Behavioral Health
- Public Defender's Office, Starck Follis represented by Mamie Lackie

III. Plan Outline & Recommendations:

After reviewing the written plan materials, Panel members continued to express strong preferences for a clear pathway out of the Whatcom County Jail for Therapeutic Court members and other inmates with substance use disorders (SUDs) with case management supports. The Plan includes:

- Assuring the availability of SUD assessments at the jail
- Support for residential treatment
- Ensuring rental assistance for people needing housing after treatment

Stable housing for certain people transitioning from jail was viewed as crucial after a course of inpatient treatment.

Rental assistance is a recovery services and will function as our 30% innovative project as required by law. The law requires that 30% of CJTA funds be placed in an innovative, evidence based program, or fidelity program. In addition, we would expect to serve a minimum of 22 people, mostly referred by our Drug Court to clean and sober housing. Drug Court requires that certain individuals, on a case by case basis, enter into clean and sober housing in order to ensure a pathway to recovery.

In addition, the Panel indicated a desire to meet again next spring to review any necessary changes, related to the development of a local recovery house. The Panel wanted to remain mindful of the enhanced co-occurring disorder recovery house level of care, scheduled to open in May of 2020, and the number of CJTA participant, coming out of inpatient treatment, who will have no insurance to pay for their stay.

Finally, the Panel wanted to acknowledge and support the Whatcom County Jail's work on the newly organized Medication Assisted Treatment (MAT) program, and recommended placing unused funds towards the Jail's MAT program, whenever possible.

IV. Final Plan:

The final CJTA Plan includes services and priority populations as outlined above. Total CJTA funding for 2019-2020 is \$174,881 with 10% of this total allocated to support County administration.

Ninety per cent (90%) of people released from the jail to the community are Medicaid recipients and can access behavioral health treatment services. Therefore, it is recommended that Whatcom County utilize CJTA funds for approximately 10% of people who do not qualify for Medicaid as re-imbursement for treatment, and for rental assistance for both Medicaid and non-Medicaid populations.

The Panel approved spending plan is shown in the table below.

Services Options for Consideration of CJTA Funds 2019-2020

OPTION 1

	Services Amount
Whatcom Award	174,881
County Admin @ 10%	10%
Jail (SUD) Assessment	34%
Residential Treatment	15%
Housing Support/Rent/Deposit	41%

- Remaining funds for Jail MAT medications on a quarterly or semi-annual basis

Lastly, the law requires a local match to CJTA funding. The County will continue to contribute \$174,881 per year from local funding to the Whatcom County Drug Court for operations to meet this requirement. Lastly, the Panel recommended that the County be allowed up to 15% administrative leeway to make funding changes as necessary to ensure full expenditures of CJTA funding.

V. Execution by County Authority:

RCW 71.24.580 directs the CJTA panel to submit a plan, approved by the county legislative authority or authorities, to the Washington State CJTA committee panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county.

The Council is asked to approve the Plan which will be forwarded to the State's Healthcare Authority.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-512

File ID:	AB2019-512	Version:	1	Status:	Agenda Ready
File Created:	10/02/2019	Entered by:	RKlein@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Contract (WCFCZDBS)		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District to develop a water use efficiency program for agricultural water users, in the amount of \$20,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Memo

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Jon Hutchings
Director



322 N. Commercial, Suite 110
Bellingham, WA 98225
Telephone: (360) 778-6230
FAX: (360) 778-6231
www.whatcomcounty.us

MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive for the Whatcom County Flood Control Zone District

THROUGH: Jon Hutchings, Director *JH*

FROM: Gary S. Stoyka, Natural Resources Program Manager *GS*

DATE: September 26, 2019

RE: Interlocal Agreement with Whatcom Conservation District to Develop a Water Use Efficiency Program for Agricultural Water Users

Requested Action

Enclosed are two (2) originals of an interlocal agreement between Whatcom County Flood Control Zone District (FCZD) and Whatcom Conservation District (WCD) for your review and signature.

Background and Purpose

The FCZD Board of Supervisors included \$50,000 in the 2019 FCZD budget to evaluate water use efficiency measures that could be employed for municipal/domestic and agricultural water users as a component of watershed management efforts. This Agreement with the WCD consists of developing a water use efficiency program for agricultural water users. WCD will be working closely with the Ag Water Board and Washington State University Whatcom County Extension to develop an incentive program for agricultural water users.

Funding Amount and Source

The estimated budget for this contract is \$20,000.00. Funding for this project is included in the 2019 FCZD Budget.

Please contact Gary Stoyka at extension 6218, 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:	Public Works
Division/Program: (i.e. Dept. Division and Program)	Natural Resources (907010)
Contract or Grant Administrator:	Gary Stoyka
Contractor's / Agency Name:	Whatcom Conservation District
<p>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"/></p> <p>Yes <input checked="" type="radio"/> No <input type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: _____</p>	
<p>Does contract require Council Approval? Yes <input checked="" type="radio"/> No If No, include WCC: 3.08.100</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 <input type="radio"/> No <input checked="" type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: _____</p>	
<p>Is this contract grant funded?</p> <p>Yes <input type="radio"/> No <input checked="" type="radio"/> 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 <input type="radio"/> No <input checked="" type="radio"/> If yes, RFP and Bid number(s): _____ Cost Center: 169121</p>	
<p>Is this agreement excluded from E-Verify? No <input type="radio"/> Yes <input checked="" type="radio"/> 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 checked="" 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 checked="" 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>\$ 20,000</p> <p>This Amendment Amount:</p> <p>\$ _____</p> <p>Total Amended Amount:</p> <p>\$ _____</p> <p>Summary of Scope:</p>	<p>Council approval required for; all property leases, contracts or bid awards exceeding \$40,000, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when:</p> <ol style="list-style-type: none"> 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.
<p>Interlocal agreement to develop a water use efficiency program for agricultural water users.</p>	
Term of Contract: 15 mos.	Expiration Date: 12/31/20

Contract Routing:	1. Prepared by: Gary S. Stoyka	Date: 9/10/19
	2. Attorney signoff: Christopher Quinn	Date: 9/10/19
	3. AS Finance reviewed: M Caldwell	Date: 9/10/19
	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: _____

**2019 INTERLOCAL AGREEMENT
WHATCOM COUNTY & WHATCOM CONSERVATION DISTRICT
AGRICULTURAL WATER USE EFFICIENCY**

This Interlocal AGREEMENT ("AGREEMENT") is between the Whatcom Conservation District ("WCD") and the Whatcom County Flood Control Zone District ("COUNTY") as public agencies pursuant to the Interlocal Cooperation Act (RCW 39.34) for developing an agricultural water use efficiency program.

WHEREAS, the County has participated in cooperative watershed planning since at least 1999 through the Watershed Planning Act (RCW 90.82) and the Streamflow Restoration Act (RCW 90.94) as well as through other processes; and

WHEREAS, during development of an amendment to the Water Resources Inventory Area (WRIA) 1 Watershed Management Plan, as required under RCW 90.94, water use efficiency was identified as a recommended measure to offset the impacts from permit-exempt wells; and

WHEREAS, although an amendment to the Watershed Management Plan was not approved by the WRIA 1 Planning Unit, the measures identified in the proposed plan to offset the impacts of permit-exempt wells, including water use efficiency, did have broad support, and;

WHEREAS, the Washington Department of Ecology is considering including water use efficiency in its proposed amendments to the Instream Resource Protection Program – Nooksack WRIA 1 rule (WAC 173-501) as part of its required actions in RCW 90.94, and;

WHEREAS, the Whatcom County Flood Control Zone District (FCZD) Board of Supervisors included \$50,000 in the 2019 FCZD budget to develop water use efficiency programs for the agricultural and domestic/municipal sectors, and;

WHEREAS, the WCD was formed in 1946 pursuant to RCW 89.08 as a public agency to undertake the conservation of renewable resources in all of Whatcom County; and

WHEREAS, the County has the authority to utilize the services and expertise of other agencies to further efforts beneficial to the residents and citizens of Whatcom County, and;

WHEREAS, the WCD desires to provide such services to the County.

NOW, THEREFORE, the WCD and COUNTY agree as follows:

- I. *Purpose:* The purpose of this AGREEMENT is to set the terms whereby the COUNTY will make available funds to the WCD to implement tasks to develop an agricultural water use efficiency program as described in Exhibit A attached hereto.
- II. *Administration:* No new or separate legal or administrative entity is created to administer the provisions of this AGREEMENT.

- III. *Whatcom Conservation District Responsibilities:* The WCD hereby agrees to conduct the work described in Exhibit A attached hereto.
- IV. *Whatcom County Responsibilities:* The COUNTY hereby agrees to reimburse the WCD, not to exceed the total budget amount allocated to the WCD as shown in Exhibit B attached hereto, for the costs in providing and performing the services stated.
- V. *Payment:* The WCD shall submit itemized invoices in a format approved by the COUNTY in accordance with the requirements of Exhibit B. The COUNTY will compensate the WCD for services rendered within thirty (30) days following receipt of an approved invoice, provided all other terms and conditions of the contract have been met and are certified as such by the Contract Administrator.
- VI. *Term:* This AGREEMENT shall be effective for services performed from the date of signature through December 31, 2020.
- VII. *Responsible Persons:* The persons responsible for administration of this AGREEMENT shall be the Whatcom County Public Works (WCPW) Department Director and the WCD Executive Director or their respective designees.
- VIII. *Treatment of Assets and Property:* No fixed assets or personal or real property will be jointly or cooperatively acquired, held, used, or disposed of pursuant to this AGREEMENT.
- IX. *Indemnification:* Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agree to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the Parties by reason of entering into this AGREEMENT except as expressly provided herein.
- X. *Modifications:* This AGREEMENT may be changed, modified, amended or waived only by written AGREEMENT executed by the Parties hereto. Waiver or breach of any term or condition of this AGREEMENT shall not be considered a waiver of any prior or subsequent breach.
- XI. *Applicable Law:* In the performance of this AGREEMENT, it is mutually understood and agreed upon by the Parties hereto that this AGREEMENT shall be governed by the laws and regulations of the State of Washington and the federal government, both as to interpretation and performance. The venue of any action arising herefrom shall be in the Superior Court of the State of Washington in and for Whatcom County.
- XII. *Severability:* In the event any term or condition of this AGREEMENT or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other terms, conditions, or applications of this AGREEMENT that can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this AGREEMENT are declared severable.

- XIII. *Entire Agreement:* This Agreement contains all the terms and conditions agreed upon by the Parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.
- XIV. *Recordation:* Upon execution of this Agreement, Whatcom County shall file a copy of it with the office of its County Auditor pursuant to the requirements of RCW 39.34.040.
- XV. *Performance:* The parties agree to satisfy all aspects of this AGREEMENT in a timely and professional manner. The WCD shall notify the COUNTY as soon as problems, delays or adverse conditions become known which will materially impair its ability to meet the deliverables described in Exhibit A.
- XVI. *Audit and Inspection:* The COUNTY and WCD shall maintain records pursuant to this AGREEMENT in accordance with generally accepted accounting principles and practices consistently applied. Records shall be subject at all reasonable times to inspection and audit and State auditor. The COUNTY and WCD shall preserve and make such records available to said parties until expiration of three (3) years from the date of final payment under this AGREEMENT.
- XVII. *Dispute Resolution:* The parties to this AGREEMENT shall first attempt to resolve disputes informally at the staff level. In the event that the dispute cannot be resolved at the staff level, a dispute resolution procedure shall be followed under the guidance of the Whatcom Dispute Resolution Center.
- XVIII. *Rights and Remedies:* In no event shall a making by the COUNTY of any payment to the WCD constitute or be construed as a waiver by the COUNTY of any breach of covenant or any default that may then exist on the part of the WCD. The making of any such payment by the COUNTY while any such breach or default shall exist shall in no way impair or prejudice any of the COUNTY's rights, which are hereby expressly recognized, to recover payments or portions thereof, to which the WCD has not entitled under this AGREEMENT, or where any payments were made by mistake, or to pursue any other remedy available to the COUNTY in respect to breach or default of this AGREEMENT.

This AGREEMENT shall not relieve the COUNTY or the WCD of any obligation or responsibility imposed by law except that performance pursuant to this AGREEMENT may, where appropriate, be offered in satisfaction of an obligation or responsibility conveyed to the COUNTY or the WCD by law.

- XIX. *Proof of Insurance:* WCD shall carry for the duration of this AGREEMENT insurance with the coverage and limits provided in the attached certificate of insurance. For the commercial general liability insurance, Whatcom County shall be named as an additional insured. WCD's insurance shall be primary and non-contributory, and shall waive all rights of subrogation against Whatcom County and its coverage. Whatcom County's insurance shall not serve as a source of contribution.
- XX. *Miscellaneous:* No obligation in this AGREEMENT shall limit the WCD in fulfilling its responsibilities otherwise defined by law. No obligation in this AGREEMENT shall limit the COUNTY in fulfilling its responsibilities otherwise defined by law.

XXI. *Signatures:* The undersigned representatives accept the provisions of this AGREEMENT. This AGREEMENT shall be in effect when signed by both parties.

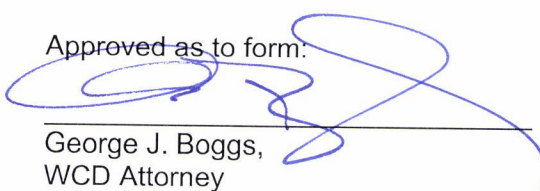
IN WITNESS WHEREOF, the parties have signed this Agreement this _____ day of _____, 2019.

WHATCOM CONSERVATION DISTRICT

By 
Heather Christianson, Chairman

9/26/19
Date


Approved as to form:


George J. Boggs,
WCD Attorney

STATE OF WASHINGTON)
COUNTY OF WHATCOM) ss

On this 26 day of September, 2019, before me personally appeared HEATHER CHRISTIANSON to me known to be the Chairman of the Whatcom Conservation District 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: Lynden, WA
My commission expires 05/08/2024

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT

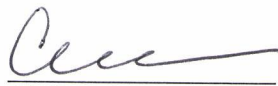
By: _____
Jack Louws, Whatcom County Executive
For the Flood Control Zone District _____ Date

Recommended for Approval:



Jon Hutchings
Public Works Director
10/2/19
Date

Approved as to form:



Christopher Quinn
Senior Deputy Prosecuting Attorney
10/10/19
Date

STATE OF WASHINGTON)
COUNTY OF WHATCOM) ss

On this ____ day of _____, 2019, before me personally appeared JACK LOUWS to me known to be the County Executive of Whatcom County 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 _____

EXHIBIT A - SCOPE OF WORK

Development of Agricultural Water Use Efficiency Program

Development of an Agricultural Water Use Efficiencies and Conservation Program

The Whatcom Conservation District will work with Whatcom County and local partners to develop the framework and gap analysis for an Agricultural Water Use Efficiencies and Conservation Program for Whatcom County. This scope of work will explore the current state of agricultural water use efficiencies with farmers and partners, identify information and technology gaps, catalog current funding sources and organizations, outline and conduct focused outreach and education events, and provide a framework for a long-term, comprehensive program.

Target Audiences:

Dairy crops (silage corn and grass)
Fruit Crops (berry, potato)
Other small-scale irrigators (grazing, crop)

Target Partners:

Landowners, farmers, and irrigators
Washington State University, AgWeatherNet
Water Improvement Districts (WID) and Ag Water Board (AWB)
Whatcom Family Farmers
Red Raspberry Commission
Seed Potato Commission
Washington Dairy Federation
Local irrigation distributors – WaterTec
Whatcom County Public Works
Whatcom Conservation District
Natural Resource Conservation Service (NRCS)
Whatcom Clean Water Program (WCWP)
Others as identified

1. Program Development

Develop the framework for a long-term, collaborative, and successful *Agricultural Water Use Efficiencies and Conservation Program* that includes all relevant Whatcom County agencies as partners. The goal is to bring together all organization, agencies, and individuals working in this area for more coordinated work and outputs (successful example is the Whatcom Clean Water Program).

Program development deliverables:

- Outline of program areas of work and activities.
- Identification of all meaningful partners and current activities relevant to the program.
- Strategic plan for outreach to partners and landowners.
- Identification of long-term funding sources for the program.
- Catalog of current funding sources for water use efficiencies practices, programs, rebates, etc.
- Share information with other programs looking at water use/quantity topics.

2. Inventory

Conduct an inventory of current agricultural irrigation practices, potential improvements, and barriers to adoption by crop type. The inventory will inform program priorities and activities, as well as support work in other areas such as justification of funding and policy revision.

Inventory deliverables:

- Inventory of current agricultural water use efficiency by crop type with a prioritization of target audiences (irrigation water users) by needs.
- Inventory of conservation practice use and barriers to adoption by crop type.
- Identification of current and emerging irrigation technology and management practices by crop type.
- Identification of education needs in the area of water use conservation and technologies by crop type.
- Identification of information and research gaps and data needs for irrigation water management.
- Ranking of land use/crop types in order of priority needs for outreach, technical assistance, and funding.

3. Outreach and Education

Develop education and outreach events and materials for different agricultural irrigators based on needs and knowledge gaps. Work with local partners on development and delivery of content.

Outreach and education deliverables:

- Identification of information and technology gaps and educational/outreach needs for improved water use efficiency and conservation by crop type.
- Identification of the most effective communication and education formats for each of the water use types to target and improve effectiveness of outreach.
- Work with partners on providing information for targeted educational events by crop type.
- Work with partners on creation and distribution of outreach materials educating water users on water use efficiencies, benefits, and how to implement.

4. Cost-Share and Funding

Create a list of current organizations and sources funding water use efficiencies practices, programs, rebates, etc. Distribute or make the list available to landowners and water users.

Funding deliverables:

- Identification of current/existing irrigation funding and cost-share opportunities as well as incentives. Look at cost-benefit of irrigation efficiencies and upgrades.
- Work with partners on creating funding opportunities/programs/incentives for irrigation equipment, technical assistance, and/or monitoring based on results of inventory.
- List all funding agencies and opportunities on a central location for public access.
- Connect appropriate audiences with funding opportunities through local agricultural organizations, educational events, and print and media outreach materials.

5. Technical Assistance and Support

Identify technical assistance needs and partners by crop type and deliver coordinated assistance to landowners. This includes the provision of science, data, and decision support tools to assist with improved irrigation water use.

Design an effectiveness monitoring program including: soil moisture sensor network with real-time public data display (AgWeatherNet), installation of publically accessible weather stations in gap areas, additional river flow gauges in gap areas, and/or installation of real-time nutrient and/or sediment instruments to monitor water quality with quantity.

Technical assistance (TA) deliverables:

- Inventory of all existing irrigation technical assistance partners, opportunities and activities and connect to appropriate crop type.
- Identification of TA needs by crop type and coordinate assistance delivery.
- Provide TA for Irrigation Water Management planning and irrigation water conservation practice implementation.
- Provide TA for installation and/or results interpretation of irrigation monitoring equipment (i.e., soil moisture meters, flow meters, weather stations, etc.)
- Work with AgWeatherNet on installation of relevant weather and soil monitoring equipment and metrics for improved irrigation.
- Develop an effectiveness monitoring plan for evaluating program impact.

EXHIBIT B - BUDGET
Agricultural Water Use Efficiency Program Development

As consideration for services provided in Exhibit A, Scope of Work, the County agrees to compensate the contractor according to the actual composite hourly rates of personnel working on this project, estimated hourly rates provided below*. Composite rates are subject to WCD adjustments, annually or as needed. Revised Composite Rate forms will be provided to the County for any rate changes upon adjustment. The total budget is not to exceed **\$20,000**. County will reimburse mileage at current IRS rate. Mileage log to include name of staff member, date of travel, starting point and destination of travel, and number of miles traveled will accompany claims for mileage. Contractor certifies that all personnel charging to this contract are program personnel and are not also included in the Contractor's overhead rate. Any work performed prior to the effective date or continuing after the completion date of the contract, unless otherwise agreed upon in writing, will be at the contractor's expense.

Personnel	Maximum Composite Rate*	Total
Administration	\$ 46.16/hr	
Manager	\$ 74.68/hr	
Resource Specialist	\$ 51.89/hr	
GIS Technician	\$ 54.10/hr	
Engineer	\$ 81.52/hr	
Outreach Coordinator	\$ 56.57/hr	
Outreach Technician	\$ 24.27/hr	
Farm Plan Coordinator	\$ 42.67/hr	
Farm Planner	\$ 39.82/hr	
Habitat Coordinator	\$ 64.65/hr	
Outreach Assistant	\$ 20.13/hr	
Science Coordinator	\$ 65.31/hr	
Data Coordinator	\$ 48.10/hr	
Research Technician	\$ 44.13/hr	
Field Technician	\$ 19.53/hr	
Subtotal salaries/benefits		15,600
Overhead (25% of salaries/benefits)		3,900
Total Personnel		19,500
Mileage	Actual costs	500
Totals		20,000

*WCD staff listed may work on any task, not to exceed \$19,500 for salaries/benefits and overhead.

EXHIBIT C - INSURANCE

Enduris EVIDENCE OF COVERAGE

INSURED/PARTICIPANT:

Whatcom Conservation District
6975 Hannegan Rd
Lynden, WA 98264

MEMORANDUM#: 2020-00-271

EFFECTIVE: September 1, 2019 through August 31, 2020

This is to certify that the Memorandum of Coverage has been issued to the Insured/Participant for the period indicated.

CERTIFICATE HOLDER:

Whatcom County
322 N. Commercial St. #120
Bellingham, WA 98225

The Evidence of Coverage does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

COVERAGE:	PER OCCURRENCE LIMIT	AGGREGATE LIMIT
COMPREHENSIVE GENERAL LIABILITY	\$1,000,000	\$1,000,000
Professional Liability	\$1,000,000	\$1,000,000
Personal Liability	\$1,000,000	\$1,000,000
Products – Complete Operation	\$1,000,000	\$1,000,000
AUTO LIABILITY	N/A	N/A
Combined Single Limit; Hired and Non-Owned; Temporary Substitute	N/A	N/A
CRIME BLANKET COVERAGE WITH FAITHFUL PERFORMANCE OF DUTY	N/A	N/A
Per Occurrence Aggregate	N/A	N/A
PROPERTY/MOBILE EQUIPMENT/BOILER AND MACHINERY		
Property	N/A	N/A
Mobile Equipment	N/A	N/A
AUTOMOBILE PHYSICAL DAMAGE	N/A	N/A
OTHER COVERAGE: N/A	N/A	N/A

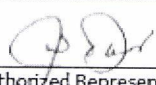
CANCELLATION:

Should any of the above described coverage be cancelled before the expiration date of thereof. Notice will be delivered in accordance with the provisions of the MOC.

MEMO:

Evidence of Member Coverage to contracted party

Reference: 2019 Interlocal Agreement, Agricultural Water Use Efficiency


Authorized Representative
August 30, 2019

enduris
WA 98224

1610 S Technology Blvd, Suite 100 - Spokane Washington - 99224 Tel. (509) 838-0910 - Toll Free (800) 462-8418 - Fax (509) 747-3875

ADDENDUM B

ENDURIS AND ITS MEMBERS

MEMORANDUM OF COVERAGE

It is agreed that the "Covered Party, Covered Persons or Entities" provision is amended to include any person or entity to whom the member is obligated by virtue of a contract to provide insurance with respect to coverage afforded by this Memorandum. Said person or entity shall be covered only to the extent of such obligation of the covered party, and then only with respect to operations by or on behalf of the covered party, or of facilities of the covered party, or of facilities used by the covered party.

This policy will not insure or defend any claims for liabilities arising out of the sole fault, negligence or omission of the Additional Covered Party.

Coverage provided under this addendum is limited to the lesser of the limits stated on the Declaration page, or the minimum of coverage required in the contract.

This addendum requires written approval from Enduris.

It is further agreed that nothing herein shall act to increase Enduris' Limit of Liability.

This addendum is part of the Memorandum and takes effect on the effective date of the Memorandum unless another effective date is shown on the attached Evidence of Coverage. All other terms and conditions remain unchanged.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-513

File ID:	AB2019-513	Version:	1	Status:	Agenda Ready
File Created:	10/02/2019	Entered by:	RKlein@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Contract (WCFCZDBS)		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District to develop a water use efficiency program for domestic and municipal water users, in the amount of \$14,250 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Memo

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Jon Hutchings
Director



MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive for the Whatcom County Flood Control Zone District

THROUGH: Jon Hutchings, Director *JH*

FROM: Gary S. Stoyka, Natural Resources Program Manager *GSS*

DATE: September 26, 2019

RE: Interlocal Agreement with Whatcom Conservation District to Develop a Water Use Efficiency Program for Municipal/Domestic Water Users

Requested Action

Enclosed are two (2) originals of an interlocal agreement between Whatcom County Flood Control Zone District (FCZD) and Whatcom Conservation District (WCD) for your review and signature.

Background and Purpose

The FCZD Board of Supervisors included \$50,000 in the 2019 FCZD budget to evaluate water use efficiency measures that could be employed for municipal/domestic and agricultural water users as a component of watershed management efforts. This Agreement with the WCD consists of developing a water use efficiency program for municipal/domestic water users. WCD will be working closely with the Whatcom Water Alliance, which consists of all publicly-owned water purveyors in the county, to develop programs that can be applied county-wide to all municipal/domestic water users.

Funding Amount and Source

The estimated budget for this contract is \$14,250.00. Funding for this project is included in the 2019 FCZD Budget.

Please contact Gary Stoyka at extension 6218, 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:	Public Works
Division/Program: (i.e. Dept. Division and Program)	Natural Resources (907010)
Contract or Grant Administrator:	Gary Stoyka
Contractor's / Agency Name:	Whatcom Conservation District
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: _____ 3.08.100 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: 169121 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 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): \$ 14,250 This Amendment Amount: \$ _____ Total Amended Amount: \$ _____ Summary of Scope:	Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when : 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.
Interlocal agreement to develop a water use efficiency program for the domestic/municipal water users.	
Term of Contract: 7 mos.	Expiration Date: 3/31/20

Contract Routing:	1. Prepared by: Gary S. Stoyka	Date: 8/29/19
	2. Attorney signoff: Christopher Quinn	Date: 09/03/19
	3. AS Finance reviewed: bbennett	Date: 8/30/19
	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:

**2019 INTERLOCAL AGREEMENT
WHATCOM COUNTY & WHATCOM CONSERVATION DISTRICT
DOMESTIC-MUNICIPAL WATER USE EFFICIENCY**

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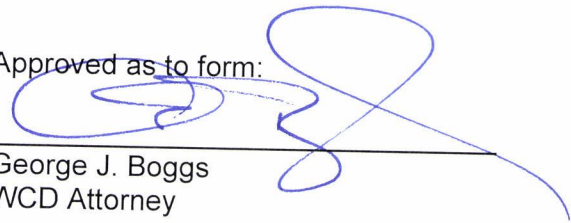
- XIV. *Recordation:* Upon execution of this Agreement, Whatcom County shall file a copy of it with the office of its County Auditor pursuant to the requirements of RCW 39.34.040.
 - XV. *Performance:* The parties agree to satisfy all aspects of this AGREEMENT in a timely and professional manner. The WCD shall notify the COUNTY as soon as problems, delays or adverse conditions become known which will materially impair its ability to meet the deliverables described in Exhibit A.
 - XVI. *Audit and Inspection:* The COUNTY and WCD shall maintain records pursuant to this AGREEMENT in accordance with generally accepted accounting principles and practices consistently applied. Records shall be subject at all reasonable times to inspection and audit and State auditor. The COUNTY and WCD shall preserve and make such records available to said parties until expiration of three (3) years from the date of final payment under this AGREEMENT.
 - XVII. *Dispute Resolution:* The parties to this AGREEMENT shall first attempt to resolve disputes informally at the staff level. In the event that the dispute cannot be resolved at the staff level, a dispute resolution procedure shall be followed under the guidance of the Whatcom Dispute Resolution Center.
 - XVIII. *Rights and Remedies:* In no event shall a making by the COUNTY of any payment to the WCD constitute or be construed as a waiver by the COUNTY of any breach of covenant or any default that may then exist on the part of the WCD. The making of any such payment by the COUNTY while any such breach or default shall exist shall in no way impair or prejudice any of the COUNTY's rights, which are hereby expressly recognized, to recover payments or portions thereof, to which the WCD has not entitled under this AGREEMENT, or where any payments were made by mistake, or to pursue any other remedy available to the COUNTY in respect to breach or default of this AGREEMENT.
- This AGREEMENT shall not relieve the COUNTY or the WCD of any obligation or responsibility imposed by law except that performance pursuant to this AGREEMENT may, where appropriate, be offered in satisfaction of an obligation or responsibility conveyed to the COUNTY or the WCD by law.
- XIX. *Proof of Insurance:* WCD shall carry for the duration of this AGREEMENT insurance with the coverage and limits provided in the attached certificate of insurance. For the commercial general liability insurance, Whatcom County shall be named as an additional insured. WCD's insurance shall be primary and non-contributory, and shall waive all rights of subrogation against Whatcom County and its coverage. Whatcom County's insurance shall not serve as a source of contribution.
 - XX. *Miscellaneous:* No obligation in this AGREEMENT shall limit the WCD in fulfilling its responsibilities otherwise defined by law. No obligation in this AGREEMENT shall limit the COUNTY in fulfilling its responsibilities otherwise defined by law.
 - XXI. *Signatures:* The undersigned representatives accept the provisions of this AGREEMENT. This AGREEMENT shall be in effect when signed by both parties.

IN WITNESS WHEREOF, the parties have signed this Agreement this _____ day
of _____, 2019.

WHATCOM CONSERVATION DISTRICT

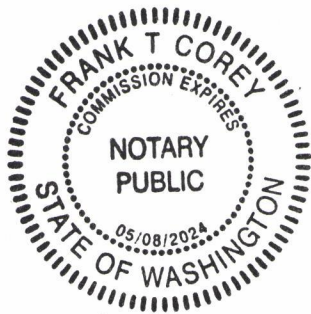
By  9/26/19
Heather Christianson, Chair Date

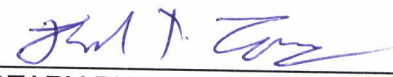
Approved as to form:


George J. Boggs
WCD Attorney

STATE OF WASHINGTON)
COUNTY OF WHATCOM) ss

On this 26 day of September, 2019, before me personally appeared Heather Christianson to me known to be the Chair of the Whatcom Conservation District and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

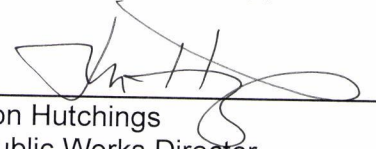



NOTARY PUBLIC in and for the State of
Washington,
residing at: Lynden, WA
My commission expires 05/08/2024

WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT

By: _____
Jack Louws, Whatcom County Executive
For the Flood Control Zone District _____ Date

Recommended for Approval:



Jon Hutchings
Public Works Director
Date 10/2/19

Approved as to form:



Christopher Quinn
Senior Deputy Prosecuting Attorney
Date 10/10/19

STATE OF WASHINGTON)
COUNTY OF WHATCOM) ss

On this ____ day of _____, 2019, before me personally appeared JACK LOUWS to me known to be the County Executive of Whatcom County 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 _____

EXHIBIT A - SCOPE OF WORK

Development of Domestic-Municipal Water Use Efficiency Program

Background

Regional water conservation activities in Whatcom County are coordinated by the Whatcom Water Alliance (WWA). The WWA is a partnership of Whatcom County water utilities that collaborate and coordinate on water conservation, supply, and delivery activities. A goal of the WWA is to increase the efficiency and effectiveness of each partner's water conservation programs through coordination and promotion of common content. The WWA identified opportunities for broadening the reach and increasing the effectiveness and efficiency of its conservation activities through development of a shared County-wide conservation program.

Project Description

The Whatcom Conservation District (WCD) will work with the WWA and other partners to develop a plan and implementation strategy for a shared County-wide conservation program coordinated through the WWA. This scope of work will provide for an exploration of conservation program opportunities, coordination with WWA members and other partners to identify shared program goals and beneficial components, identification and establishment of a funding mechanism and framework for long-term program operation, and development of a strategy for program implementation.

Scope of Work

Task 1: Program Administration

The WCD will provide program administration as a project partner. This will include tracking/reporting on progress of project, meeting facilitation, and end of project reporting.

Deliverables:

- Invoices will be submitted by the 15th of every month or quarterly if no work was performed in a given month. A short progress report summarizing work performed during the invoice period will be included.
- A final written report, which will include a summary of scoping activities, WWA water conservation program plan, implementation strategy, and funding proposal.
-

Task 2: Development of a Water Conservation Program Plan and Implementation Strategy

WCD will work with the WWA to develop a water conservation program plan and implementation framework and funding strategy. The goal is to increase consistency and impact of water conservation messaging and activities across jurisdictions that demonstrate a regional focus and coordination. This project will also increase opportunities and benefits for smaller water utilities through collaboration and resource sharing. The program will also identify conservation measures that will be applicable to residences and businesses that get water service from a large or small utility as well as those using individual private water sources.

In preparing the plan and implementation strategy the following will be considered:

- Create a centralized rebate program that is available to all County residents. Rebate program for water efficient residential and commercial appliances and/or fixtures, including a mechanism for tracking rebate program metrics.
- Develop water use efficiency rule reporting templates with common messaging applicable to Whatcom County water purveyors. Support for water use efficiency rule reporting, including guidance and templates tailored to Whatcom County water purveyors.
- Outreach and education activities, including development of a centralized program website, workshops, and education campaigns (e.g., K-12 classroom education program). Topics may include outdoor irrigation efficiency, sustainable landscaping, and increasing awareness of water conservation program incentives and opportunities (e.g., rebate and technical assistance programs).
- Technical assistance program for leak detection, water use efficiency audits.

Deliverables:

- Water conservation program plan that includes goals and measures.
- Catalog of existing water conservation activities and opportunities for inclusion in, and potential expansion under, a water conservation program.
- Selection of water conservation activities for inclusion in a WWA water conservation program.
- Coordination with the Whatcom County Drought Contingency Planning Task Force.
- Summary of estimated program costs.
- Identification of dedicated funding for long-term program operation/
- A funding mechanism for partner utility contributions.
- Identification of grant opportunities to support program development, operation, and/or special projects.

EXHIBIT B - BUDGET

Domestic-Municipal Water Use Efficiency Program Development

As consideration for services provided in Exhibit A, Scope of Work, the County agrees to compensate the contractor according to the actual composite hourly rates of personnel working on this project, estimated hourly rates provided below*. Composite rates are subject to WCD adjustments, annually or as needed. Revised Composite Rate forms will be provided to the County for any rate changes upon adjustment. The total budget is not to exceed **\$14,250**. County will reimburse mileage at current IRS rate. Mileage log to include name of staff member, date of travel, starting point and destination of travel, and number of miles traveled will accompany claims for mileage. Contractor certifies that all personnel charging to this contract are program personnel and are not also included in the Contractor's overhead rate. Any work performed prior to the effective date or continuing after the completion date of the contract, unless otherwise agreed upon in writing, will be at the contractor's expense.

Personnel	Maximum Composite Rate*	Total
Administration	\$ 46.16/hr	
Manager	\$ 74.68/hr	
GIS Technician	\$ 54.10/hr	
Outreach Coordinator	\$ 56.57/hr	
Outreach Technician	\$ 24.27/hr	
Habitat Coordinator	\$ 64.65/hr	
Outreach Assistant	\$ 20.13/hr	
Science Coordinator	\$ 65.31/hr	
Data Coordinator	\$ 48.10/hr	
Subtotal salaries/benefits		11,000
Overhead (25% of salaries/benefits)		2,750
Total Personnel		13,750
Mileage	Actual costs	500
Totals		14,250

*WCD staff listed may work on any task, not to exceed \$13,750 for salaries/benefits and overhead.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-522

File ID:	AB2019-522	Version:	1	Status:	Agenda Ready
File Created:	10/08/2019	Entered by:	LCumming@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Contract (WCFCZDBS)		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into Amendment No. 2 of the Herrera Environmental Consultants Contract for Services to support Lower Nooksack River Floodplain Integrated Planning (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Amendment No. 2 includes additional scope and budget and extends the contract through September 2021.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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M E M O R A N D U M

TO: The Honorable Jack Louws, Whatcom County Executive for the
Whatcom County Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director *[Signature]*

FROM: Paula J. Harris, P.E., River and Flood Manager *[Signature]*
Gary Stoyka, Natural Resources Program Manager

DATE: October 7, 2019

RE: Herrera Environmental Consultants Contract for Services to support Lower Nooksack River
Floodplain Integrated Planning – Amendment No. 2

Enclosed are two (2) originals of an amendment to a Contract for Services between the Whatcom County Flood Control Zone District (FCZD) and Herrera Environmental Consultants for your review and signature.

■ Background and Purpose

Herrera was retained in March 2018 to assist Public Works staff in updating and broadening the scope of the 1999 Lower Nooksack River Comprehensive Flood Hazard Management Plan to integrate flood risk reduction with the needs of salmon and floodplain land-uses. The update will provide a basis for future Whatcom County Flood Control Zone District capital programs and support possible WRIA1 Salmon Recovery Plan updates.

The scope of the initial agreement with Herrera was focused on initial tasks to better define the full scope of the project and included supporting the Floodplain Integrated Planning (FLIP) Steering Committee, attending FLIP stakeholder and Steering Committee meetings, and compiling a geodatabase for floodplain land uses including agriculture.

Amendment No. 1 revised the scope and budget to develop a detailed work plan, project timeline and a Quality Assurance Project Plan as early deliverables for the EPA National Estuary Program (NEP) grant which funds this contract. It also included additional scope and budget for supporting the FLIP process including technical work, supporting the FLIP Steering Committee, and attending FLIP stakeholder and Steering Committee meetings through most of 2019.

Amendment No. 2 includes additional scope and budget to support this collaborative, community-driven process and extends the contract through September 2021. The amendment also includes budget for the consultants that conducted the existing conditions geomorphic and habitat assessments to support the FLIP Team and Steering Committee and attend the meetings. Prior to this amendment, work by these consultants was performed under separate contracts.

■ Funding Amount and Source

The proposed amendment is for \$404,200 for a total amended contract amount of \$593,200. Funding is provided through an EPA National Estuary Program (NEP) grant administered through the Washington State Department of Fish and Wildlife (WCC 201803002); based on the billings to date, the grant funds should be sufficient to reimburse approximately \$300,000, or 75% of this amendment. FCZD funds will provide the remaining 25%. The 2019 FCZD budget has adequate expenditure authority to fund the proposed amendment.

Please contact Paula Harris at extension 6285 if you have any questions or concerns regarding the terms of this agreement.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.
201803009-2

Originating Department:	Public Works																				
Division/Program: (i.e. Dept. Division and Program)	River and Flood/907525 - CFHMP																				
Contract or Grant Administrator:	Paula Harris																				
Contractor's / Agency Name:	Herrera Environmental Consultants																				
Is this a New Contract? Yes <input type="radio"/> No <input checked="" type="radio"/> If not, is this an Amendment or Renewal to an Existing Contract? Yes <input checked="" type="radio"/> No <input type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: 201803009																					
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 checked="" type="radio"/> No <input type="radio"/> If yes, Whatcom County grant contract number(s): 201803002																					
Is this contract the result of a RFP or Bid process? Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, RFP and Bid number(s): 17-77 Contract Cost Center: 718003																					
Is this agreement excluded from E-Verify? No <input checked="" type="radio"/> Yes <input type="radio"/> If no, include Attachment D Contractor Declaration form.																					
If YES, indicate exclusion(s) below: <input checked="" 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): \$ 189,000.00 This Amendment Amount: \$ 404,200.00 Total Amended Amount: \$ 593,200.00		Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when : 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: This amendment to the Contract for Services with Herrera Environmental Consultants will provide additional support to update and broaden the scope of the 1999 Lower Nooksack River Comprehensive Flood Hazard Management Plan and to integrate reach-scale strategies for flood risk reduction with the needs of salmon and floodplain land uses. The update will provide a basis for future Flood Control Zone District capital programs and support an update to the WRIA1 Salmon Recovery Plan.																					
Term of Contract: Not to exceed		Expiration Date: 09/30/21																			
Contract Routing: <table border="0"> <tr> <td>1. Prepared by: Deb Johnson</td> <td>Date: 10/07/19</td> </tr> <tr> <td>2. Attorney signoff: Christopher Quinn</td> <td>Date: 10/08/19</td> </tr> <tr> <td>3. AS Finance reviewed: M Caldwell</td> <td>Date: 10/08/19</td> </tr> <tr> <td>4. IT reviewed (if IT related):</td> <td>Date:</td> </tr> <tr> <td>5. Contractor signed:</td> <td>Date:</td> </tr> <tr> <td>6. Submitted to Exec.:</td> <td>Date:</td> </tr> <tr> <td>7. Council approved (if necessary):</td> <td>Date:</td> </tr> <tr> <td>8. Executive signed:</td> <td>Date:</td> </tr> <tr> <td>9. Original to Council:</td> <td>Date:</td> </tr> </table>				1. Prepared by: Deb Johnson	Date: 10/07/19	2. Attorney signoff: Christopher Quinn	Date: 10/08/19	3. AS Finance reviewed: M Caldwell	Date: 10/08/19	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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6. Submitted to Exec.:	Date:																				
7. Council approved (if necessary):	Date:																				
8. Executive signed:	Date:																				
9. Original to Council:	Date:																				

**AMENDMENT NO. 2
TO
CONTRACT FOR SERVICES BETWEEN WHATCOM COUNTY FLOOD CONTROL ZONE
DISTRICT AND HERRERA ENVIRONMENTAL CONSULTANTS**

THIS AMENDMENT is to the Contract between the Whatcom County Flood Control Zone District, hereinafter referred to as the "County", and Herrera Environmental Consultants, a consulting company hereinafter referred to as the "Contractor", dated March 19, 2018, and designated "Whatcom County Contract No. 201803009". In consideration of the mutual benefits to be derived, the parties agree to the following:

WITNESSETH

WHEREAS, the County has entered into an agreement with the Contractor dated March 19, 2018, to assist in updating and broadening the scope of the 1999 Lower Nooksack River Comprehensive Flood Hazard Management Plan (CFHMP) in the amount of \$39,000; and

WHEREAS, the County amended the original Contractor agreement on August 22, 2018 (Amendment No. 1) to provide additional services for ongoing support and assistance through the middle of 2019 and increase the agreement amount by \$150,000; and

WHEREAS, the County extended the amended contract as the budget was sufficient to provide for services through September 2019; and

WHEREAS, the Contractor is helping to guide the planning process in close coordination with the Floodplain Integrated Planning (FLIP) Steering Committee and Whatcom County staff; and

WHEREAS, additional specific support needs have been identified to further the work of the FLIP Steering Committee and to support the broader stakeholder group engaged in the FLIP process; and

WHEREAS, the initial technical assessments of existing geomorphic and habitat conditions in the lower Nooksack conducted by different contractors are complete and their contracts have been fully expended; and

WHEREAS, the County desires to have the technical expertise of the people who completed these assessments available to the FLIP Steering Committee and larger stakeholder group to assist in planning at the reach scale and conceiving of project alternatives and has requested that they be included as subcontractors in this amendment; and

WHEREAS, The County has a grant through the Environmental Protection Agency (EPA) National Estuary Program (NEP) to support the work under this amendment; and

WHEREAS, the Contractor has delivered a quality product and has been responsive thus far to the County's needs; and

WHEREAS, the County has requested the Contractor to perform additional services and desires to revise the scope of work, contract amount and contract expiration date.

NOW, THEREFORE, County and Contractor agree to modify the Agreement as follows:

1. SCOPE OF SERVICES

The scope of services is amended to include the additional Scope of Services described in Exhibit A-2, attached hereto and incorporated herein by reference.

2. PERFORMANCE

As consideration for the services provided by the Contractor, the County agrees to reimburse the Contractor for additional services rendered under this amendment at a sum not to exceed \$404,200 DOLLARS based on the cost breakdown detailed in Exhibit B-2, attached hereto and incorporated herein by reference. The revised contract amount is \$593,200.

3. TIME SCHEDULE

The duration of this Agreement shall be extended to September 30, 2021.

This Amendment shall be made part of W.C. Contract No. 201803009 by and between Whatcom County Flood Control Zone District and Herrera Environmental Consultants. Unless specifically stated herein, all other terms and conditions of the original agreement shall remain in full force and effect.

IN WITNESS WHEREOF, Whatcom County and Herrera Environmental Services have executed this Amendment on the date and year below written.

DATED this _____ day of _____, 2019.

CONTRACTOR INFORMATION:

Herrera Environmental Consultants
2200 Sixth Avenue, Suite 1100
Seattle, WA 98121

Contact Name: Mark Ewbank
Contact Phone: (206) 787-8266
Contact FAX: (206) 441-9108
Contact Email: mewbank@herrerainc.com

CONTRACTOR:

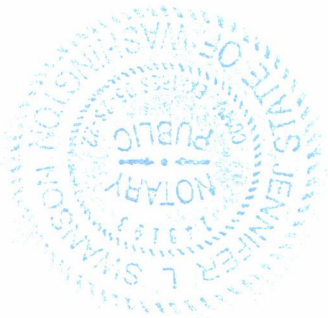
Herrera Environmental Consultants

Mark Ewbank
Mark Ewbank, Vice President

STATE OF WASHINGTON)
COUNTY OF Snohomish) ss.

On this 8 day of October, 2019, before me personally appeared Mark Ewbank to me known to be the Vice President of Herrera Environmental Consultants and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

Jennifer L. Smith
NOTARY PUBLIC in and for the State of Washington,
residing at Mukilteo, WA. My commission expires
05/28/2022



Recommended for Approval:

Approved as to form:

Approved:

By: _____

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

Exhibit A-1 Scope of Work

I. Background

Whatcom County is preparing a major update to its Comprehensive Flood Hazard Management Plan for the Lower Nooksack River, encompassing approximately 36 miles of the river from the confluence of the North and South forks near Deming to the river mouth in Bellingham Bay. The plan update is a collaborative effort with affected governments and stakeholders representing these interests. Reach-scale floodplain management strategies and project concepts will be developed for actions that reduce flood risk, advance salmon habitat protection and restoration, and provide for restored habitat processes to the extent practicable, while sustaining adjacent floodplain land uses. A consultant team led by Herrera Environmental Consultants (Herrera) is assisting the County in this integration effort, including alternatives analyses, outreach and coordination with planning participants, conceptual engineering design, and plan compilation. This scope of work describes additional services that the Herrera team will provide through September 2021 to continue coordinating with the Nooksack River Floodplain Integrated Planning Team (FLIP Team) and the FLIP Steering Committee, and integrating input from a habitat assessment, geomorphic assessment, hydraulic analysis and floodplain mapping, cost-benefit analysis, and stakeholder outreach, and results of a concurrent Reach 1 study being led by the USGS.

The scope of work supplements the work described in Whatcom County contract #201803009, authorized on March 19, 2018, and in Amendment 1 to the original contract, dated August 22, 2018.

II. Statement of Work

Herrera and its subconsultants Cramer Fish Sciences, Applied Geomorphology, Northwest Hydraulic Consultants, Wheeler Consulting Group, and Watershed Science and Engineering will perform the services described in the following tasks. Adjustment in the focus and level of effort may be needed as task work proceeds in coordination with County staff and the FLIP Steering Committee to provide the most value. Some of the tasks in this amendment are being increased in scope and budget from the original agreement (and as amended per Amendment 1) and some are new tasks; the task numbering used in this amendment reflects this.

Task 1 - Project Management

Herrera's project manager will attend two to three check-in meetings each month (usually via teleconference) through September 2021 with Whatcom County's project manager and other County staff involved in the floodplain planning effort to discuss progress of the work described in subsequent tasks in this scope of work, preparation for upcoming Steering Committee meetings, direction of the overall planning effort, schedule, and other emerging technical work needs. This amended task includes time for subconsultants to assist with project management coordination as may be needed. This amended task also includes administrative project management work (monthly invoicing, assisting with project schedule updates, and coordination of active task work) for the period of October 2019 through September 2021.

Task 1 Deliverables:

- Monthly invoices and progress reports
- Notes from project management check-in meetings as applicable
- Project schedule input

Task 2 – Background Information Review

No further work under Task 2 for Amendment No. 2.

Task 3 – FLIP Steering Committee Coordination and Integrated Work Planning

Task 3.1 – FLIP Steering Committee Coordination

Herrera’s project manager will attend meetings with the FLIP Steering Committee to strategize content to bring to subsequent FLIP Team meetings, discuss input provided by the FLIP Team to date, and define technical work that may need to be done by the Herrera consultant team to feed into future FLIP Team meetings and/or project documentation. Herrera will assist Whatcom County’s project manager in preparing meeting agendas and “briefing sheets” for selected agenda content sent to Steering Committee meetings in advance of meetings. This task covers Steering Committee meetings for the months of November 2019 through September 2021 and concurrent activities in those months to coordinate on action items with other Steering Committee members.

Task 3.1 Assumptions:

- Up to twelve (12) meetings are anticipated between November 2019 and September 2021. These will each be convened at County offices in Bellingham, and will typically be 4 hours in duration.
- Herrera’s project manager will contribute to notes of each meeting, which County staff will have lead responsibility for preparing.

Task 3.1 Deliverables:

- Edits to draft meeting agendas
- Briefing sheets for agenda topics as requested
- Meeting notes content (tracked edits in Microsoft Word files)

Task 3.2 – Integrated Work Plan Preparation

No further work under Task 3.2 for Amendment No. 2.

Task 3.3 – Integrated Floodplain Planning

A key part of the work to integrate findings of the geomorphic assessment, habitat assessment, USGS studies, flood modeling, and land use assessment will be synthesizing technical information to define where there are distinct problems and potential future floodplain management opportunities to enact meaningful change at the reach and subreach scale to reduce flooding, improve habitat, and enable viable land uses in the floodplain. This subtask may include, but not be limited to, the following work:

- GIS model “heat mapping” to identify geographic areas to focus in
- Online story map preparation and updates to share project information with the FLIP Team and general public
- Technical coordination meetings among the project team
- Conceptual design development, including cost estimating

Task 3.3 Assumptions:

- Conceptual designs of candidate projects will consist of GIS-based plan view figures showing the extent of the conceptual project features and a corresponding narrative of those features. Cost estimating for conceptual projects will be based mainly on past experience with comparable projects rather than developing itemized cost estimates.

Task 3.3 Deliverables:

- Meeting agendas and meeting notes.
- Presentation slides containing information from the items listed above, for meetings with the FLIP Steering Committee.
- Heat mapping results in web map form.
- Online story map.
- Draft reach- and subreach-scale maps showing locations of potential projects and other actions to address reach-scale objectives, and a companion table that briefly describes the projects/actions.
- Conceptual plans and cost estimates for a variety of floodplain management capital projects.
- Technical memo(s) on specific research or analysis topics.

Task 3.4 – Habitat Assessment Integration

Cramer Fish Sciences (CFS) will provide restoration strategy synthesis technical support to the FLIP technical team and/or the WRIA 1 Salmon Recovery Staff Team, including recommended revisions to draft synthesis products. CFS will also assist in the evaluation of salmon benefits/impacts for project alternatives identified through the reach planning process. This task work also includes CFS' project management work (such as coordinating schedule for CFS input, monthly invoicing and progress reporting, maintenance of project files, etc.). Herrera and the County will concur with CFS on all task work to be completed and then authorize the work in writing (such as emails) before CFS undertakes any additional work not previously authorized.

Task 3.4 Deliverables:

- To be determined by Whatcom County, in writing, as needs arise.
- Monthly invoices and progress reports.

Task 3.5 – Hydraulic Analysis and Modeling Support

Northwest Hydraulic Consultants will provide technical services, under direction from Herrera and the County, in assisting with the FLIP process. Task work may include data review, hydraulic modeling coordination with others performing the modeling work, floodplain mapping, technical analyses, documentation, and coordination with other technical disciplines. This task work also includes NHC's project management work (such as coordinating schedule for NHC input, monthly invoicing and progress reporting, maintenance of project files, etc.). Herrera and the County will concur with NHC on all task work to be completed and then authorize the work in writing (such as emails) before NHC undertakes any additional work not previously authorized.

Task 3.5 Deliverables:

- To be determined by Whatcom County, in writing, as needs arise.
- Monthly invoices and progress reports.

Task 3.6 – Geomorphology Support for Integrated Planning

Applied Geomorphology, Inc. (AGI) will support the project team's integrated planning work with additional geomorphic analyses and documentation as may be needed. This subtask work may include, but not be limited to, the following, to be adapted within the available subtask budget:

- Site specific analyses for certain areas (migration rates, bar turnover, etc.)
- Integration of new datasets into geomorphic analysis
- Evaluation of geomorphic implications of conceptual design plans
- Preparation of technical memo(s) documenting additional analysis

This task work also includes AGI's project management work (such as coordinating schedule for AGI input, monthly invoicing and progress reporting, maintenance of project files, etc.). Herrera and the County will concur with AGI on all task work to be completed and then authorize the work in writing (such as emails) before AGI undertakes any additional work not previously authorized.

Task 3.6 Deliverables:

- To be determined by Whatcom County, in writing, as needs arise.
- Monthly invoices and progress reports.

Task 4 – FLIP Team Meetings

Herrera consultant team lead staff will attend FLIP Team meetings, inclusive of reach-scale meetings with a subset of the FLIP Team, in the time frame of November 2019 through September 2021. In addition to contributing to notes of each meeting, Herrera consultant team participants will assist in presenting information on the integrated planning process and other technical work being done by the Herrera team, as requested.

Task 4 Assumptions:

- Herrera consultant team members will attend up to twelve (12) reach-specific meetings with a subset of the FLIP Team between December 2019 and September 2021. These meetings will occur in Bellingham or otherwise within the project area, and will typically be 4-5 hours in duration.
- Herrera consultant team members will prepare presentation material and other information as needed to guide reach team meetings and contribute to notes of each meeting in collaboration with County staff.

Task 4 Deliverables:

- Reach team meeting agendas.
- Assistance in drafting FLIP Team and reach team meeting notes content (tracked edits in Microsoft Word files).

- Presentation materials for FLIP Team and reach team meetings – Microsoft PowerPoint file slides and hard copy maps and handouts.

Task 5 – Geodatabase Development for Agricultural and Other Land Uses within the Lower Nooksack River Floodplain

No further work under Tasks 5.1 or 5.2 for Amendment No. 2.

Task 6 – HEC-FIA Modeling Support

No further work under Tasks 6.1 or 6.2 for Amendment No. 2. A new Task 6.3 is as follows.

Task 6.3 - Prepare Building Finished Floor Elevation and Assessed Value Information

Whatcom County is partnering with the US Army Corps of Engineers (Corps) in using HEC-FIA software to perform cost-benefit analyses for the CFHMP update. This model requires input data characterizing buildings at risk in the Nooksack River floodplain. Herrera will assist the County in estimating the finished floor elevation of homes and other valuable buildings in the planning area using a combination of available aerial imagery, County assessor data, on-the-ground photos and other imagery, lidar, and other sources. Specific elevations will be assigned for thousands of buildings as attributes in a GIS database, along with assessed value data obtained from the Whatcom County Assessor web site.

Task 6.3 Assumptions:

- Approximately 4,300 residential and farm structures will be evaluated in this task.
- Before Herrera commences doing this work in detail for all of the targeted parcels in the floodplain study area, Herrera staff will meet with County staff to discuss specific analysis steps and “test run” them on several example parcels to confirm the analytical steps in the process to be applied to all parcels of interest.
- Herrera reviewers will perform QC spot checks as this task work is being completed to check for consistency in how the analysis methods are being applied and accuracy in the results, as best as can be achieved with the available source data.

Task 6.3 Deliverables:

- Geodatabase of parcels with finished floor elevations and assessed values assigned to each structure.

Task 7 – Public Meeting Support

No further work under Task 7 for Amendment No. 2.

Task 8 - Technical Assistance

Throughout the term of this agreement, the County may call upon the Contractor (Herrera and its subconsultants) to perform specific professional services to support the FLIP process as needed. Herrera will promptly communicate all project requirements considered to be outside the approved scope of work for Tasks 1-7 to the County’s Project Manager as the work of those tasks is carried out. Herrera must prepare a written scope of work and budget estimate, each being separately subject to the terms and conditions of this Agreement, and receive written approval from the County Project Manager prior to performing any additional work using

Technical Assistance funds. Each scope of work and budget prepared under Task 8 will be mutually agreed upon by the project managers at the County and Herrera, subject to the terms and conditions within this Agreement and will be documented either via e-mail or other written correspondence.

Task 8 Deliverables:

- Scope(s) of work and budget tabulation(s) for specific work to be performed under Task 8, in similar format as the scope and budget of the original consultant contract and amendments thereto.

Task 9 – Integrated Floodplain Management Plan Documentation

Herrera and Wheeler Consulting Group will lead writing of the management plan report and associated appendix material per a document outline agreed upon in coordination with Whatcom County and the FLIP Steering Committee. It is anticipated that a portion of the overall plan will be written in draft form by September 2021 (the time frame covered by contract amendment 2), but that much of the plan writing will still remain to be done as of then.

Task 9 Deliverables:

- Draft chapter contents for the integrated floodplain management plan report – Microsoft Word and Adobe PDF electronic files

Exhibit B-2 Compensation

As consideration for the services provided pursuant to Exhibit A-2, Scope of Work, the County agrees to compensate the Contractor according to the hourly rates provided in the Rate Schedule provided below. Other reasonable expenses incurred in the course of performing the duties herein shall be reimbursed. Mileage is to be reimbursed at the IRS rate; lodging and per diem will be reimbursed at a rate not to exceed the GSA rate for the location at which services are provided. Reimbursement for air travel will be at coach rates. Other expenditures such as printing, postage and telephone charges shall be reimbursed at actual cost.

The Contractor will invoice monthly. Invoices will include hours worked by employee by day together with tasks accomplished. Requests for reimbursement of expenses must be accompanied by copies of paid invoices itemizing costs incurred. Costs of alcoholic beverages are not eligible for reimbursement. Compensation shall not exceed the amended contract amount of \$404,200. Any work continuing after the completion date of the amended contract, unless otherwise agreed upon in writing, will be at the Contractor's expense.

Herrera Environmental Consultants, Inc.

2019 Billing Rates Schedule

Personnel	Position	Rate/Hour
Spillane, Michael	President	\$279.00
Ewbank, Mark	Vice President	\$256.69
Lenth, John	Vice President	\$256.69
Slaughterbeck, Carol	Executive Vice President	\$256.65
Coughlan, Philip	Vice President	\$246.59
Wood, Theresa	Vice President	\$241.28
Zisette, Rob	Scientist VI	\$247.87
Michaud, Joy	Scientist VI	\$239.65
Lancaster, Alice	Engineer V	\$249.39
Ahearn, Dylan	Scientist V	\$240.82
Webb, Chris	Engineer V	\$239.47
Wright, Tyson	Engineer V	\$221.38
Parsons, Jeff	Engineer V	\$217.30
Mostrenko, Ian	Engineer V	\$216.27
Larkin, Mary	Engineer V	\$215.85
Hinman, Curtis	Scientist V	\$197.96
Houck, Kevin	Engineer V	\$197.54
Dugopolski, Rebecca	Engineer V	\$197.11
Fontaine, Matt	Engineer V	\$191.37
Avolio, Christina	Engineer V	\$189.14
Amtmann, Lindsey	Planner V	\$185.42
Campbell, Arthur	Planner V	\$176.00
Schmidt, Jennifer	GIS Analyst V	\$173.70
Ballek, Len	Scientist V	\$154.25
Busiek, Brian	Engineer IV	\$208.91
Ritchotte, George	Scientist IV	\$192.68
Scott, Brian	Engineer IV	\$189.85
Feller, Meghan	Engineer IV	\$187.27
Merten, Christina	Scientist IV	\$187.23
Mirabile, Tina	Scientist IV	\$180.64
Carpenter, Bruce	Scientist IV	\$177.10
Curran, Joanna	Engineer IV	\$177.10
Iftner, George	Scientist IV	\$174.97
Houck, Heidi	Engineer IV	\$172.89
Presley, Greta	Scientist IV	\$171.79
Mitchell, Colleen	Engineer IV	\$167.68
Dale, Blane	Engineer IV	\$155.35
Forester, Kate	Landscape Architect IV	\$148.16
Wall, Sue	Scientist IV	\$132.93
Waggoner, Jonathan	Engineer III	\$159.46
Sklenar, Ondrej	Engineer III	\$152.59

Personnel	Position	Rate/Hour
Lee, Adam	Engineer III	\$150.89
Yang, Trae	Engineer III	\$149.83
Catarra, Gina	Scientist III	\$148.48
Johnson, Kyle	Engineer III	\$143.27
Turnidge, Laura	CAD Technician III	\$142.14
Prescott, Todd	CAD Technician III	\$139.66
Svendsen, Alex	Scientist III	\$136.90
Hulme, Rich	CAD Technician III	\$133.29
Klara, Matt	Engineer III	\$132.83
Blaud, Brianna	Scientist III	\$131.59
Marshall, Eric	CAD Technician III	\$130.88
Vayanos, Stacy	Landscape Architect III	\$119.19
Schaner, Neil	Engineer II	\$139.77
Spear, Eliza	Scientist II	\$134.60
Wingrove, Katie	Engineer II	\$125.46
Wu, Valerie	Engineer II	\$124.86
Kayser, Gretchen	Engineer II	\$124.71
Brown, Jess	Engineer II	\$120.25
LeClerc, Josh	Scientist II	\$118.66
Geigel, Joseph	GIS Analyst II	\$106.26
Bliss, Kyle	Scientist II	\$102.86
Gleason, Rayna	Landscape Designer II	\$102.19
Maas, Nina	Scientist II	\$99.18
Mullen, Meghan	Engineer I	\$115.68
Bronson, Ryan	Scientist I	\$95.14
Plumb, Riley	Scientist I	\$88.55
Matsumoto-Hervol, Makie	GIS Analyst I	\$88.55
Rapoza, Danielle	Scientist I	\$85.01
Steiner, Camryn	Engineering Intern	\$53.13
Swanson, Jennifer	Accounting Administrator V	\$183.30
Saavedra, Robin	Accounting Administrator III	\$108.31
Rudnick, Tracy	Accounting Administrator III	\$112.71
Maloof, Charlie	Accounting Administrator II	\$103.89
Wang, Jennifer	Accounting Administrator I	\$94.50
Akbas, Emir	Accounting Administrator I	\$85.01
Buttin, Melissa	Marketing Specialist V	\$170.30
Patterson, Jill	Marketing Specialist V	\$156.66
Peterson, Brenda	HR Generalist IV	\$120.00
Jackowich, Pam	Administrative Coordinator IV	\$117.03
Wadkins, Shannon	Administrative Coordinator III	\$109.70
Coleman, Marne	Administrative Coordinator III	\$84.48

Cost Estimate for Nooksack River Integrated Floodplain Management Planning

Cost Estimate for Nooksack River Integrated Floodplain Management Planning															
Lower Nooksack River Floodplain Integrated Planning		Task 1 Project Management		Task 3.1 FLIP Steering Committee Coordination		Task 3.3 Integrated Floodplain Planning		Task 3.4 Habitat Assessment Completion/Integration		Task 3.5 Hydraulic Analysis and Modeling Support		Task 3.6 Geomorphology Support for Integrated Planning		Task 4 FLIP Team Meetings	
COST SUMMARY															
Labor															
Escalation factor on labor @ 4% (by task) for work done in 2020															
Travel and per diem															
Subconsultants															
GRAND TOTAL															
COST ITEMIZATION															
Labor															
Personnel		(2015 rates)													
Rate/ Hour		Hours		Cost		Hours		Cost		Hours		Cost		Hours	
Erickson, Mark		56		\$14,375		66		\$24,642		40		\$10,268		0	
Moserlein, Ian		0		\$216.27		0		\$0		10		\$2,163		0	
Avolio, Christina		0		\$189.14		0		\$0		80		\$15,131		0	
Schmidt, Jennifer		0		\$173.70		12		\$2,094		100		\$17,370		64	
Prescott, Todd		0		\$139.68		0		\$0		20		\$2,793		40	
Wu, Valerie		0		\$124.88		0		\$0		0		\$0		0	
Geigel, Joseph		0		\$106.28		0		\$0		0		\$0		0	
Matsumoto-Henold, Makie		0		\$88.55		0		\$0		0		\$0		0	
Rapoza, Danielle		0		\$86.01		0		\$0		10		\$860		0	
Siemer, Camryn		0		\$53.13		0		\$0		0		\$0		0	
Saavedra, Robin		14		\$1,616		0		\$0		0		\$0		0	
Radnick, Tracy		4		\$451		0		\$0		0		\$0		0	
Jaskowich, Pam		0		\$117.03		0		\$0		10		\$1,170		0	
SUBTOTAL LABOR (burdened labor)		74		\$16,342		108		\$26,727		290		\$32,242		0	
TRAVEL AND PER DIEM COSTS		Unit		Cost		Unit		Cost		Unit		Cost		Unit	
Auto Use		Mile		\$0.58		2,100		\$1,252.80		0		\$0.00		0	
SUBTOTAL TRAVEL AND PER DIEM				\$0				\$1,253				\$0			
SUBCONSULTANT COSTS		Unit		Cost		Unit		Cost		Unit		Cost		Unit	
Applied Geomorphology, Inc.				\$0.00				\$0.00				\$0.00			
Cramer Fish Sciences				\$0.00				\$2,828.00				\$0.00			
Northwest Hydraulic Consultants				\$0.00				\$0.00				\$11,870.00			
Wheeler Consulting Group				\$0.00				\$0.00				\$0.00			
SUBTOTAL SUBCONSULTANT				\$0				\$2,928				\$11,870			
												\$0			



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-508

File ID:	AB2019-508	Version:	1	Status:	Introduced
File Created:	09/25/2019	Entered by:	MCaldwel@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Ordinance		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Ordinance amending the 2019 Whatcom County Budget, request no. 13, in the amount of \$375,570

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Supplemental #13 requests funding from the General Fund:

1. To move \$902,724 out of Non-Departmental wage and benefit reserves and distribute to all General Fund Departments in accordance with 2019 wage settlements and benefit adjustments.
2. To appropriate \$65,000 in Non-Departmental to fund pass-through census grant to the Opportunity Council.
3. To appropriate \$77,500 in Planning & Development Services to fund Buildable Lands program from grant funding.

From the Election Reserve Fund:

4. To appropriate \$27,378 to fund civic engagement activities and prepaid postage envelopes from state grant proceeds.

From the Public Utilities Improvement (EDI) Fund:

5. To appropriate \$205,692 to fund Housing Affordable Impact Fee Loan program.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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10/08/2019 Council

INTRODUCED

Council Finance and
Administrative Services
Committee

ORDINANCE NO.
AMENDMENT NO. 13 OF THE 2019 BUDGET

WHEREAS, the 2019-2020 budget was adopted November 20, 2018; and,

WHEREAS, changing circumstances require modifications to the approved 2019-2020 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 2019-2020
Whatcom County Budget Ordinance #2018-064 is hereby amended by adding the following additional
amounts to the 2019 budget included therein:

Fund	Expenditures	Revenues	Net Effect
General Fund			
Assessor	50,257	-	50,257
Auditor	17,216	-	17,216
Council	13,083	-	13,083
Clerk	35,312	-	35,312
District Court	56,183	-	56,183
District Court Probation	33,520	-	33,520
Executive	8,485	-	8,485
Health	144,765	-	144,765
Hearing Examiner	1,843	-	1,843
Juvenile	78,650	-	78,650
Parks	50,465	-	50,465
Planning and Development Services	102,294	-	102,294
Prosecuting Attornerly	110,682	-	110,682
Public Defender	73,447	-	73,447
Sheriff	32,671	-	32,671
Superior Court	70,820	-	70,820
Treasurer	19,587	-	19,587
Extension	3,444	-	3,444
Non-Departmental	(902,724)	-	(902,724)
Non-Departmental	65,000	(65,000)	-
Planning and Development Services	77,500	(77,500)	-
Total General Fund	142,500	(142,500)	-
Election Reserve Fund	27,378	(27,378)	-
Public Utilities Improvement (EDI) Fund	205,692	-	205,692
Total Supplemental	375,570	(169,878)	205,692

ADOPTED this ____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Chair of Council

APPROVED AS TO FORM:

() Approved () Denied



Civil Deputy Prosecutor

Jack Louws, County Executive

Date: _____

WHATCOM COUNTY				
Summary of the 2019 Supplemental Budget Ordinance No. 13				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
General Fund				
Assessor	To fund 2019 wage and benefit settlements.	50,257	-	50,257
Auditor	To fund 2019 wage and benefit settlements.	17,216	-	17,216
Council	To fund 2019 wage and benefit settlements.	13,083	-	13,083
Clerk	To fund 2019 wage and benefit settlements.	35,312	-	35,312
District Court	To fund 2019 wage and benefit settlements.	56,183	-	56,183
District Court Probation	To fund 2019 wage and benefit settlements.	33,520	-	33,520
Executive	To fund 2019 wage and benefit settlements.	8,485	-	8,485
Health	To fund 2019 wage and benefit settlements.	144,765	-	144,765
Hearing Examiner	To fund 2019 wage and benefit settlements.	1,843	-	1,843
Juvenile	To fund 2019 wage and benefit settlements.	78,650	-	78,650
Parks	To fund 2019 wage and benefit settlements.	50,465	-	50,465
Planning and Development Services	To fund 2019 wage and benefit settlements.	102,294	-	102,294
Prosecuting Attorney	To fund 2019 wage and benefit settlements.	110,682	-	110,682
Public Defender	To fund 2019 wage and benefit settlements.	73,447	-	73,447
Sheriff	To fund 2019 wage and benefit settlements.	32,671	-	32,671
Superior Court	To fund 2019 wage and benefit settlements.	70,820	-	70,820
Treasurer	To fund 2019 wage and benefit settlements.	19,587	-	19,587
Extension	To fund 2019 wage and benefit settlements.	3,444	-	3,444
Non-Departmental	To distribute 2019 General Fund wage reserve.	(902,724)	-	(902,724)
Non-Departmental	To fund pass through census grant to the Opportunity Council.	65,000	(65,000)	-
Planning and Development Services	To fund Buildable Lands program from grant funding.	77,500	(77,500)	-
Total General Fund		142,500	(142,500)	-
Election Reserve Fund				
Elections	To fund civic engagement activities from grant funding.	12,083	(12,083)	-
Elections	To fund prepaid postage envelopes from grant proceeds.	15,295	(15,295)	-
Total Election Reserve Fund		27,378	(27,378)	-
Public Utilities Improvement (EDI) Fund	To fund Housing Affordable Impact Fee Loan program.	205,692	-	205,692
Total Supplemental		375,570	(169,878)	205,692

Supplemental Budget Request

Status: Pending

Assessor

Suppl ID # 2775

Fund 1

Cost Center 300

Originator: M Caldwell

Expenditure Type: One-Time

Year 1 2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements_Assessor

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$41,473
	6210	Retirement	\$5,470
	6230	Social Security	\$3,173
	6255	Other H&W Benefits	\$87
	6269	Unemployment-Interfund	\$54
	Request Total		\$50,257

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Auditor

Suppl ID # 2905 Fund 1 Cost Center Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Auditor

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$14,171
	6210	Retirement	\$1,906
	6230	Social Security	\$1,085
	6255	Other H&W Benefits	\$36
	6269	Unemployment-Interfund	\$18
	Request Total		\$17,216

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Council

Suppl ID # 2778

Fund 1

Cost Center 1100

Originator: M Caldwell

Expenditure Type: One-Time

Year 1

2019

Add'l FTE ☐

Add'l Space ☐

Priority

1

Name of Request: Trf 2019 Wage Settlements_Council

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$10,622
	6210	Retirement	\$1,578
	6230	Social Security	\$813
	6255	Other H&W Benefits	\$56
	6269	Unemployment-Interfund	\$14
	Request Total		\$13,083

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

County Clerk

Suppl ID # 2779

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Clerk

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$29,194
	6210	Retirement	\$3,795
	6230	Social Security	\$2,234
	6255	Other H&W Benefits	\$51
	6269	Unemployment-Interfund	\$38
	Request Total		\$35,312

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

District Court

Suppl ID # 2780

Fund 1

Cost Center 1300

Originator: M Caldwell

Expenditure Type: One-Time

Year 1

2019

Add'l FTE ☐

Add'l Space ☐

Priority

1

Name of Request: Trf 2019 Wage Settlements_District Ct

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$46,006
	6210	Retirement	\$6,489
	6230	Social Security	\$3,519
	6255	Other H&W Benefits	\$109
	6269	Unemployment-Interfund	\$60
	Request Total		\$56,183

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

District Court Probation

Suppl ID # 2781

Fund 1

Cost Center 1310

Originator: M Caldwell

Expenditure Type: One-Time

Year 1 2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements_Probation

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$27,674
	6210	Retirement	\$3,637
	6230	Social Security	\$2,117
	6255	Other H&W Benefits	\$56
	6269	Unemployment-Interfund	\$36
	Request Total		\$33,520

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Executive

Suppl ID # 2782

Fund 1

Cost Center 1200

Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Executive

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$6,899
	6210	Retirement	\$1,025
	6230	Social Security	\$528
	6255	Other H&W Benefits	\$24
	6269	Unemployment-Interfund	\$9
	Request Total		\$8,485

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Health

Administration

Suppl ID # 2783

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time

Year 1 2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements_Health

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$128,272
	6195	Direct Billing Offset	(\$10,887)
	6210	Retirement	\$17,106
	6230	Social Security	\$9,814
	6255	Other H&W Benefits	\$294
	6269	Unemployment-Interfund	\$166
	Request Total		\$144,765

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776. \$10,887 will be charged out to other Health Department Funds based on where employees charge their time.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Hearing Examiner

Suppl ID # 2784 Fund 1 Cost Center 1600 Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Hearing Examiner

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$1,526
	6210	Retirement	\$196
	6230	Social Security	\$117
	6255	Other H&W Benefits	\$2
	6269	Unemployment-Interfund	\$2
	Request Total		\$1,843

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Juvenile

Administration

Suppl ID # 2785

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time

Year 1 2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements_Juvenile

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$64,992
	6210	Retirement	\$8,481
	6230	Social Security	\$4,973
	6255	Other H&W Benefits	\$118
	6269	Unemployment-Interfund	\$86
	Request Total		\$78,650

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Parks & Recreation

Suppl ID # 2786 Fund 1 Cost Center Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Parks

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$41,581
	6210	Retirement	\$5,560
	6230	Social Security	\$3,181
	6255	Other H&W Benefits	\$89
	6269	Unemployment-Interfund	\$54
	Request Total		\$50,465

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Planning & Development Services

Administration

Suppl ID # 2787

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time

Year 1

2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements_PDS

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$84,481
	6210	Retirement	\$11,086
	6230	Social Security	\$6,463
	6255	Other H&W Benefits	\$154
	6269	Unemployment-Interfund	\$110
	Request Total		\$102,294

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Prosecuting Attorney

Suppl ID # 2788

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Pro Pros Attorney

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$90,441
	6210	Retirement	\$12,870
	6230	Social Security	\$6,919
	6255	Other H&W Benefits	\$335
	6269	Unemployment-Interfund	\$117
	Request Total		\$110,682

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Public Defender

Suppl ID # 2789

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Public Defender

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$59,992
	6210	Retirement	\$8,562
	6230	Social Security	\$4,589
	6255	Other H&W Benefits	\$226
	6269	Unemployment-Interfund	\$78
	Request Total		\$73,447

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Sheriff

Administration

Suppl ID # 2790

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Sheriff

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$26,943
	6210	Retirement	\$3,570
	6230	Social Security	\$2,061
	6255	Other H&W Benefits	\$61
	6269	Unemployment-Interfund	\$36
	Request Total		\$32,671

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Superior Court

Suppl ID # 2791

Fund 1

Cost Center

Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Superior Ct

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$61,088
	6210	Retirement	\$6,302
	6230	Social Security	\$3,266
	6255	Other H&W Benefits	\$109
	6269	Unemployment-Interfund	\$55
	Request Total		\$70,820

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Treasurer

Suppl ID # 2792

Fund 1

Cost Center 3300

Originator: M Caldwell

Expenditure Type: One-Time

Year 1 2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements_Treasurer

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$16,164
	6210	Retirement	\$2,131
	6230	Social Security	\$1,237
	6255	Other H&W Benefits	\$34
	6269	Unemployment-Interfund	\$21
	Request Total		\$19,587

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

WSU Extension

Suppl ID # 2793 Fund 1 Cost Center 2000 Originator: M Caldwell

Expenditure Type: One-Time Year 1 2019 Add'l FTE ☐ Add'l Space ☐ Priority 1

Name of Request: Trf 2019 Wage Settlements_Extension

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	\$2,851
	6210	Retirement	\$367
	6230	Social Security	\$218
	6255	Other H&W Benefits	\$4
	6269	Unemployment-Interfund	\$4
	Request Total		\$3,444

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to departments. See companion Non Departmental supplemental #2776.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Non-Departmental

Suppl ID # 2776

Fund 1

Cost Center 4075

Originator: M Caldwell

Expenditure Type: One-Time

Year 1 2019

Add'l FTE ☐

Add'l Space ☐

Priority 1

Name of Request: Trf 2019 Wage Settlements to Depts

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6110	Regular Salaries & Wages	(\$902,724)
	Request Total		(\$902,724)

1a. Description of request:

Transfer 2019 wage settlements from Non Departmental reserves to General Fund departments. See companion supplementals for each General Fund department.

1b. Primary customers:

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:

General Fund

Supplemental Budget Request

Status: Pending

Executive: *Non Departmental*

Suppl ID # 2860

Fund 1

Cost Center 4041

Originator: Suzanne Mildner

Year 1 2019

Add'l FTE ☐

Priority 1

Name of Request: *OppCo OFM Census Grant 19-20*

X

Department Head Signature (Required on Hard Copy Submission)

Date

9-24-19

Costs:	Object	Object Description	Amount Requested
	4334.0040	OFM Grant	(\$65,000)
	6610	Contractual Services	\$65,000
	Request Total		\$0

1a. Description of request:

Washington State Office of Financial Management has requested assistance from Opportunity Council to extend their work with census tracks, and fill a gap in the 2020 census data collection and outreach in the northwest region of the State. In order to access funding to complete this work, Opportunity Council must enter into an interagency agreement with the county, and funds will pass through to Opportunity Council. The grant will provide education to Washington residents and ensure maximum response for the 2020 census.

1b. Primary customers:

Whatcom County, Skagit County and San Juan County

2. Problem to be solved:

In order to gain access to this State funding, the county must enter into an interagency agreement with the State, and Opportunity Council must enter into a Subrecipient Agreement with the county in order to facilitate pass-through of the funds. The work involves outreach and education, as well as census support and trainings.

3a. Options / Advantages:

N/A

3b. Cost savings:

N/A

4a. Outcomes:

There are specific deliverables required for the completion of the contract: provide quarterly reports on results of workshops, trainings, outreach kit distribution, a report on the Questionnaire Assistance Centers in the tri-county area, and report on radio and website advertising outreach.

4b. Measures:

Quarterly reports will be submitted to the county and to the Office of Financial Management.

5a. Other Departments/Agencies:

Opportunity Council - staff resources will be mobilized

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

Sheri Emerson, Associate Director of Opportunity Council

6. Funding Source:

State Grant

Supplemental Budget Request

Status: Pending

Planning & Development Services

Planning

Suppl ID # 2863

Fund 1

Cost Center 2528

Originator: Matt Aamot

Year 1 2019

Add'l FTE ☐

Priority 1

Name of Request: Review & Evaluation (Buildable Lands) Funding

X



9-19-19

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	4334.0421	Commerce Grant	(\$77,500)
	7210	Intergov Prof Svcs	\$77,500
	Request Total		\$0

1a. Description of request:

The Washington State Legislature approved a bill in the 2017 legislative session that imposes new land use planning requirements on Whatcom County and the cities. The County and cities will now be required to review past development patterns and compare them to the planned growth envisioned in the Comprehensive Plan. If the actual growth deviates from planned growth, then local jurisdictions will need to take reasonable measures to address the situation. This process will include developing a public participation approach, County/City coordination, countywide planning policies, data collection and analysis, developing a methodology to conduct the buildable lands evaluation, developing preliminary draft housing element revisions in the Comprehensive Plan (if necessary), and issuing a "Review and Evaluation Program" report by June 30, 2021.

1b. Primary customers:

The public and partner cities.

2. Problem to be solved:

The Washington State Legislature approved Engrossed Second Substitute Senate Bill 5254 in 2017. This new legislation, relating to the Growth Management Act and Buildable Lands, imposes new requirements on Whatcom County and the cities. This request is to utilize grant money from the State to facilitate compliance with this new law.

3a. Options / Advantages:

The State has allocated:

o\$225,000 to Whatcom County for state fiscal year 2020 (July 1, 2019— June 30, 2020); and

o\$225,000 to Whatcom County for state fiscal year 2021 (July 1, 2020— June 30, 2021);

These funds will be used for reimbursing County staff time and other expenses, reimbursing city expenses, and consultant work on the buildable lands program. The other option would be for the County (and cities) to fund the work without assistance of the State.

3b. Cost savings:

The State allocated a total of \$450,000 to Whatcom County. Accepting these state funds will save the County and cities from spending local funds to comply with this new state mandate.

4a. Outcomes:

•What outcomes will be delivered and when?

Task # 1 - Public Participation – Develop and implement public participation approach for the Review and Evaluation Program.

Task # 2 - City/County Coordination - County/City collaboration to develop a unified Review and

Supplemental Budget Request

Status: Pending

Planning & Development Services

Planning

Suppl ID # 2863

Fund 1

Cost Center 2528

Originator: Matt Aamot

Evaluation Program approach.

Task # 3 - Countywide Planning Policies - Develop and adopt County-wide Planning Policies (CWPPs), in consultation with cities, to establish the buildable lands program.

Task # 4 - Data Collection and Analysis - Collect annual data to the extent necessary to assess achieved development densities and land suitable for development and conduct preliminary analysis of data.

Task # 5 - Methodology - Develop Whatcom County Review and Evaluation (Buildable Lands) Program Methodology.

Task # 6 - Review and Evaluation Program Report – Issue Review and Evaluation Program Report required by RCW 36.70A.215 by June 30, 2021.

Task # 7 - Preliminary draft housing element revisions.

Task # 8 - On-Going Implementation - Develop procedures and estimate resources needed for on-going implementation of the Review and Evaluation Program.

Task # 9 - Project management

All tasks will be completed between July 1, 2019 and June 30, 2021.

4b. Measures:

Work products including public participation approach, interlocal agreement(s), countywide planning policies, development and regulatory data collected in spreadsheets, methodology, Review and Evaluation Program Report, preliminary draft housing element amendments, and user manual for the program.

5a. Other Departments/Agencies:

The County's Information Technology Department will provide permit data reports.

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

Ben Glassett - Producing permit reports.

6. Funding Source:

The State Department of Commerce (state grant)

Supplemental Budget Request

Status: Pending

Auditor

Suppl ID # 2877

Fund 109

Cost Center 10924

Originator: Diana Bradrick

Year 1 2019

Add'l FTE ☐

Priority 2

Name of Request: State Grant Civic Engagement

X



9/19/19
Date

Department Head Signature (Required on Hard Copy Submission)

Costs:	Object	Object Description	Amount Requested
	4334.0031	State Elections Grant	(\$12,083)
	6810	Advertising	\$12,083
	Request Total		\$0

1a. Description of request:

Whatcom County received a grant from the state for civic engagement. This grant would fund voter outreach and advertising in order to educate voters about improvements in regard to state Election Laws that will impact the 2019 and 2020 elections. Funds would be used for media advertising (print, radio, and social media), brochures, posters and similar materials.

1b. Primary customers:

Voters of Whatcom County

2. Problem to be solved:

The Washington State Legislature appropriated funds and mandated that the Office of the Secretary of State and County Auditor collaborate to increase voter participation and educate voters.

3a. Options / Advantages:

There are no other options.

3b. Cost savings:

There are no cost savings.

4a. Outcomes:

Printing of materials will be completed by the end of the year, and a contract for media services will be executed for advertisements over a period of months leading up to the 2020 Presidential election.

4b. Measures:

The print materials will be distributed and the media ads will take place.

5a. Other Departments/Agencies:

None

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

None

6. Funding Source:

State grant funds.

Supplemental Budget Request

Status: Pending

Auditor

Suppl ID # 2874

Fund 109

Cost Center 10923


Originator: Diana Bradrick

Year 1 2019

Add'l FTE ☐

Priority 1

Name of Request: State Grant Pre-Paid Postage

X 

9/19/19
Date

Department Head Signature (Required on Hard Copy Submission)

Costs:	Object	Object Description	Amount Requested
	4334.0031	State Elections Grant	(\$15,295)
	6710	Postage/Shipping/Freight	\$15,295
	Request Total		\$0

1a. Description of request:

Whatcom County received a grant from the state to pay for the return postage related to the new mandate to provide prepaid postage envelopes for elections. The County paid \$15,295 for prepaid postage for the February special and August primary elections to be funded by the state grant

1b. Primary customers:

Voters of Whatcom County

2. Problem to be solved:

The State Legislature passed legislation requiring pre-paid return envelopes for elections ballots.

3a. Options / Advantages:

There are no other options

3b. Cost savings:

There are no cost savings.

4a. Outcomes:

Pre-paid postage was provided for return ballots delivered through USPS for the special and primary elections.

4b. Measures:

Pre-paid postage was provided for all ballots delivered via USPS.

5a. Other Departments/Agencies:

None

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

None

6. Funding Source:

Grant revenue for prepaid postage.

Supplemental Budget Request

Status: Pending

Non-Departmental

Suppl ID # 2904

Fund 332

Cost Center 332213

Originator: T. Helms

Year 1 2019

Add'l FTE ☐

Priority 1

Name of Request: **Housing Affordable Impact Fee Loan Program**

X

Department Head Signature (Required on Hard Copy Submission)

9/25/19

Date

Costs:	Object	Object Description	Amount Requested
	7220	Intergov Subsidies	\$205,692
	Request Total		\$205,692

1a. Description of request:

This budget supplemental will provide the remaining committed balance of \$206,692 to the 2019 budget. An additional commitment of \$500k will be brought forward in 2020.

1b. Primary customers:

Whatcom County Citizens and city governments.

2. Problem to be solved:

The County's Housing Affordability through the Workforce (HATWF) program was funded from local RCW 82.13.370 sales tax revenue, known locally as the Economic Development Investment (EDI) Program. The original \$1.2M was increased by \$500,000 in 2017. This remaining commitment is anticipated to be expended by year end.

3a. Options / Advantages:

The County Executive is supportive of the HATWF program as an investment in the construction of public facilities and in the construction of new homes.

3b. Cost savings:

n/a

4a. Outcomes:

Anticipated 2019 loans will be funded with the remaining funding committed in 2017 through Ordinance 2018-008

4b. Measures:

10 new loans will be awarded as anticipated in November, 2019.

5a. Other Departments/Agencies:

n/a

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

6. Funding Source:

Public Utilities Improvement Fund



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-534

File ID:	AB2019-534	Version:	1	Status:	Agenda Ready
File Created:	10/14/2019	Entered by:	SMildner@co.whatcom.wa.us		
Department:	County Executive's Office	File Type:	Interlocal		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the Washington State Office of Financial Management, in an amount not to exceed \$60,000, for the purposes of expanding outreach in our community for the 2020 Census

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See attached memorandum

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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MEMORANDUM

To: Whatcom County Executive Jack Louws
And Whatcom County Councilmembers
From: Suzanne Mildner, Grants Coordinator *SM*
Subject: Washington State Office of Financial Management Interlocal Agreement
Date: October 14, 2019

Enclosed are two (2) originals of an Interlocal Contract between Whatcom County and the Washington State Office of Financial Management for your review and signature.

▪ **Background and Purpose**

The State's Office of Financial Management is offering Opportunity Council funding for the purposes of expanding outreach in our community for the 2020 Census. The work will involve conducting outreach and census participation campaigns through community messengers, targeted especially at historically undercounted populations. This fund source is required to be processed through the County, and will be passed on by way of a contract for services agreement to Opportunity Council.

Funding Amount and Source

This is a revenue contract for an amount not to exceed \$60,000, and the funding will come from the Washington State Office of Financial Management. Budget authority for this grant is pending Council approval concurrently with this agreement at the Council's October 22nd meeting.


▪ **Differences from Previous Contract**

This is a one time agreement.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

Originating Department:	County Executive
Division/Program: (i.e. Dept. Division and Program)	Non Departmental - pass-through grant
Contract or Grant Administrator:	Suzanne Mildner
Contractor's / Agency Name:	WA State Office of Financial Management
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): K2919 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: 4041 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"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract work is for less than 120 days. <input checked="" 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): \$ 60,000 This Amendment Amount: \$ _____ Total Amended Amount: \$ _____ Summary of Scope: Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when : 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. This is a pass-through grant from the Washington State Office of Financial Management to the Opportunity Council as subrecipient. It provides support for Census 2020 outreach in the community. Term of Contract: approximately 8 months Expiration Date: 6/30/20	

Contract Routing:	1. Prepared by: sm	Date: 10/7/19
	2. Attorney signoff: 	Date: 10/14/19
	3. AS Finance reviewed: M Caldwell	Date: 10/14/19
	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:

**Interlocal Contract
Between the
State of Washington
Office of Financial Management
and
Whatcom County**

This Contract, OFM Contract No.K2919, is made and entered into by and between the state of Washington, Office of Financial Management, hereinafter referred to as the “AGENCY” and the below name firm, hereinafter referred to as “CONTRACTOR.”

Whatcom County Executive
311 Grand Avenue, Suite 108
Bellingham, WA 98225
360-778-5200
e-mail: executive@co.whatcom.wa.us
WA State UBI No.: 371010246

1. PURPOSE

Every 10 years, the federal government conducts a census to count every resident in the nation—and the next decennial census begins in mid-March 2020 and wraps up at the end of July 2020. A complete and accurate count of the population in Washington is essential because the collected data will determine the number of seats each state has in the US House of Representatives, and also will be used to distribute billions of dollars in federal funds to state and local communities for important health, education, housing, infrastructure, and rural assistance programs. Additionally, private and public agencies, organizations, businesses, and institutions will use census data to help determine where to build schools, roads, healthcare facilities, child care and senior centers, grocery stores, and new factories.

Recognizing the need for a complete count of all Washingtonians during the 2020 Census, the Washington Legislature appropriated to OFM money and a directive that it establish with nonprofit organizations and local and tribal governments deliverable-based outreach contracts to conduct outreach and census participation campaigns through community messengers, targeted especially at historically undercounted populations.

The purpose of this contract is to educate Washington residents about the 2020 census, mobilize “trusted messengers” within communities to build confidence and support broad participation in the census, support maximum self-response to the 2020 Census, and support cooperation in the Non-Response Follow-Up (NRFU) effort. This contract is between the AGENCY and CONTRACTOR but it is recognized by the AGENCY that this is a pass-through grant with services to be performed by the Opportunity Council as a subcontractor.

2. SCOPE OF WORK

- a. Exhibit A, attached hereto and incorporated by reference, contains the General Terms and Conditions governing work to be performed under this contract, the nature of the working relationship between the AGENCY and the CONTRACTOR, and specific obligations of both parties.

- b. The CONTRACTOR will provide services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth in Exhibit B, Scope of Work/Deliverables.

3. PERIOD OF PERFORMANCE

The period of performance under this contract will be October 15, 2019, or date of execution, whichever is latest, through June 30, 2020, or a date mutually agreed upon by the AGENCY and the CONTRACTOR.

4. COMPENSATION

Total compensation payable to CONTRACTOR for satisfactory performance of the work under this contract shall not exceed Sixty Thousand Dollars (\$60,000.00) including all travel and per diem expenses.

5. BILLING PROCEDURE AND PAYMENT

AGENCY will pay CONTRACTOR upon acceptance of service provided and receipt and approval of a properly completed invoice, which shall be submitted to the Contract Manager.

The invoice shall describe and document, to the AGENCY'S satisfaction, a description of the work performed and the fees. The invoice shall include reference to OFM Contract No.K2919.

Payment shall be considered timely if made by the AGENCY within thirty (30) calendar days after receipt of the properly completed invoice. Payment shall be sent to the address designated by the CONTRACTOR.

The AGENCY may, in its sole discretion, terminate the contract or withhold payments claimed by the CONTRACTOR for services rendered if the CONTRACTOR fails to satisfactorily comply with any term or condition of this contract.

No payment in advance or in anticipation of services or supplies to be provided under this contract shall be made by the AGENCY.

6. STATEWIDE VENDOR REGISTRATION

Contractors are required to be registered in the Statewide Vendor Payment system, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services/receiving-payment-state> prior to submitting a request for payment under this Contract. No payment shall be made until the registration is completed.

7. CONTRACT MANAGEMENT

The Contract Manager for each of the parties shall be the contact person for all communications and billings regarding the performance of this contract.

CONTRACTOR Contract Manager Information:	AGENCY Contract Manager Information:
Suzanne Mildner, Grant Coordinator 311 Grand Avenue, Suite 108 Bellingham, WA 98225 (360) 778-5200 smildner@co.whatcom.wa.us	Lisa McLean PO Box 43124 Olympia, WA 98504-3124 (360) 902-0854 Lisa.McLean@ofm.wa.gov

8. CONTRACT AMENDMENTS

With the exception of administrative changes, the contract may be changed, modified or amended only by written agreement executed by both parties. In the case of administrative changes, both parties agree that changes can be memorialized by letter.

9. INSURANCE

CONTRACTOR certifies that it is self-insured, and is a member of a risk pool. The CONTRACTOR shall pay for losses for which it is found liable.

10. ASSURANCES

AGENCY and the CONTRACTOR agree that all activity pursuant to this contract will be in accordance with all the applicable current federal, state and local laws, rules, and regulations.

11. PRIVACY OF COMMUNITY MEMBERS

Throughout the performance period of this contract, CONTRACTOR will make extensive contact with community members who are not parties to this agreement and may receive information from such community members, personal or otherwise. Information collected, used, or acquired in connection with this contract shall be protected against unauthorized use, disclosure, modification or loss, and CONTRACTOR shall ensure its directors, officers, employees, subcontractors, or agents use any information obtained solely for the purposes of accomplishing the services set forth herein. Any breach of this provision may result in termination of the contract. The CONTRACTOR agrees to indemnify and hold harmless the AGENCY for any damages related to the CONTRACTOR'S unauthorized use of this information.

12. PROHIBITION AGAINST LOBBYING OR POLITICAL ACTIVITIES

Per Section 131 of the 2019-21 operating budget (Chapter 415, Laws of 2019), no funds provided to CONTRACTOR pursuant to this Contract may be used for political purposes, including but not limited to lobbying, and encouraging campaign contributions. Any breach of this provision may result in termination of the contract.

13. SUBCONTRACTORS

In accordance with clause #32 of Exhibit A, SUBCONTRACTING, CONTRACTOR shall provide to AGENCY a list of all subcontractors that will be engaged as part of this CONTRACT.

14. ORDER OF PRECEDENCE

Each of the exhibits listed below is by this reference hereby incorporated into this contract. In the event of an inconsistency in this contract, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable federal and state of Washington statutes and regulations
- Special terms and conditions as contained in this basic contract instrument
- Exhibit A – General Terms and Conditions
- Exhibit B - Scope of Work/Deliverables
- Any other provision, term or material incorporated herein by reference or otherwise incorporated

15. ENTIRE AGREEMENT

This contract, including referenced exhibits, represents all the terms and conditions agreed upon by the parties. No other statements or representations, written or oral, shall be deemed a part hereof.

16. CONFORMANCE

If any provision of this contract violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

17. APPROVAL

This contract shall be subject to the written approval of the AGENCY'S authorized representative and shall not be binding until so approved. The contract may be altered, amended, or waived only by a written amendment executed by both parties.

WHATCOM COUNTY

OFFICE OF FINANCIAL MANAGEMENT

Signature

Roselyn Marcus

Title

Date

Assistant Director
Legal & Legislative Affairs

Date

Approved as to form:

Clee 10/14/19
Civil Deputy Prosecuting Attorney Date

EXHIBIT A -

GENERAL TERMS AND CONDITIONS

1. DEFINITIONS

As used throughout this contract, the following terms shall have the meaning set forth below:

- a. "AGENCY" shall mean the Office of Financial Management of the State of Washington, any division, section, office, unit or other entity of the AGENCY, or any of the officers or other officials lawfully representing that AGENCY.
- b. "AGENT" shall mean the Director, and/or the delegate authorized in writing to act on the Director's behalf.
- c. "CONTRACTOR" shall mean that firm, provider, organization, individual or other entity performing service(s) under this contract, and shall include all employees of the CONTRACTOR.
- d. "SUBCONTRACTOR" shall mean one not in the employment of the CONTRACTOR, who is performing all or part of those services under this contract under a separate contract with the CONTRACTOR. The terms "SUBCONTRACTOR" and "SUBCONTRACTORS" means SUBCONTRACTOR(s) in any tier.

2. ACCESS TO DATA

In compliance with RCW 39.26.180(2), the CONTRACTOR shall provide access to data generated under this contract to AGENCY, the Joint Legislative Audit and Review Committee, and the State Auditor at no additional cost. This includes access to all information that supports the findings, conclusions, and recommendations of the CONTRACTOR'S reports, including computer models and methodology for those models.

3. ADVANCE PAYMENTS PROHIBITED

No payments in advance of or in anticipation of goods or services to be provided under this contract shall be made by the AGENCY.

4. AMENDMENTS

With the exception of administrative changes, this contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties. In the case of administrative changes, both parties agree that changes can be memorialized by letter.

5. AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336, also referred to as the "ADA" 28 CFR Part 35

The CONTRACTOR must comply with the ADA, which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

6. ASSIGNMENT

Neither this contract, nor any claim arising under this contract, shall be transferred or assigned by the CONTRACTOR without prior written consent of the AGENCY.

7. ATTORNEYS' FEES

In the event of litigation or other action brought to enforce contract terms, each party agrees to bear its own attorney fees and costs.

8. CONFIDENTIALITY/SAFEGUARDING OF INFORMATION

The CONTRACTOR shall not use or disclose any information concerning the AGENCY, or information that may be classified as confidential, for any purpose not directly connected with the administration of this contract, except with prior written consent of the AGENCY, or as may be required by law.

9. CONFLICT OF INTEREST

Notwithstanding any determination by the Executive Ethics Board or other tribunal, the AGENCY may, in its sole discretion, by written notice to the CONTRACTOR terminate this contract if it is found after due notice and examination by the AGENT that there is a violation of the Ethics in Public Service Act, Chapter 42.52 RCW; or any similar statute involving the CONTRACTOR in the procurement of, or performance under this contract.

In the event this contract is terminated as provided above, the AGENCY shall be entitled to pursue the same remedies against the CONTRACTOR as it could pursue in the event of a breach of the contract by the CONTRACTOR. The rights and remedies of the AGENCY provided for in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law. The existence of facts upon which the AGENT makes any determination under this clause shall be an issue and may be reviewed as provided in the "Disputes" clause of this contract.

10. COPYRIGHT PROVISIONS

Unless otherwise provided, all materials produced under this contract shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by the AGENCY. The AGENCY shall be considered the author of such materials. In the event the materials are not considered "works for hire" under the U.S. Copyright laws, CONTRACTOR hereby irrevocably assigns all right, title, and interest in materials, including all intellectual property rights, to the AGENCY effective from the moment of creation of such materials.

Materials means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to copyright, patent, register and the ability to transfer these rights.

For materials that are delivered under the contract, but that incorporate pre-existing materials not produced under the contract, CONTRACTOR hereby grants to the AGENCY a nonexclusive, royalty-free, irrevocable license (with rights to sublicense others) in such materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The CONTRACTOR warrants and represents that CONTRACTOR has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to the AGENCY.

The CONTRACTOR shall exert all reasonable effort to advise the AGENCY, at the time of delivery of materials furnished under this contract, of all known or potential invasions of privacy contained therein and of any portion of such document that was not produced in the performance of this contract.

The AGENCY shall receive prompt written notice of each notice or claim of infringement received by the CONTRACTOR with respect to any data delivered under this contract. The AGENCY shall have the right to modify or remove any restrictive markings placed upon the data by the CONTRACTOR.

11. COVENANT AGAINST CONTINGENT FEES

The CONTRACTOR warrants that no person or selling agent has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established agents maintained by the CONTRACTOR for securing business.

The AGENCY shall have the right, in the event of breach of this clause by the CONTRACTOR, to annul this contract without liability or, in its discretion, to deduct from the contract price or consideration or recover by other means the full amount of such commission, percentage, brokerage or contingent fee.

12. DEBARMENT: CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY AND VOLUNTARY EXCLUSION—PRIMARY AND LOWER TIER COVERED TRANSACTIONS

- a. CONTRACTOR, defined as the primary participant and its principals, certifies by signing these General Terms and Conditions that to the best of its knowledge and belief that they:
- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
 - 2) Have not within a three-year period preceding this Contract, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
 - 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of federal Executive Order 12549; and
 - 4) Have not within a three-year period preceding the signing of this Contract had one or more public transactions (Federal, State, or local) terminated for cause of default.
- b. Where the CONTRACTOR is unable to certify to any of the statements in this Contract, the CONTRACTOR shall attach an explanation to this Contract.
- c. The CONTRACTOR agrees by signing this Contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by AGENCY.
- d. The CONTRACTOR further agrees by signing this Contract that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," as follows, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

LOWER TIER COVERED TRANSACTIONS

- 1) The lower tier CONTRACTOR certifies, by signing this Contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
 - 2) Where the lower tier CONTRACTOR is unable to certify to any of the statements in this Contract, such contractor shall attach an explanation to this Contract.
- e. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this section, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact AGENCY for assistance in obtaining a copy of these regulations.

13. DISALLOWED COSTS

The CONTRACTOR is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its Subcontractors.

14. DISPUTES

Except as otherwise provided in this contract, when a dispute arises between the parties and it cannot be resolved by direct negotiation, either party may request a dispute hearing with AGENT.

- a. The request for a dispute hearing must:
- Be in writing;
 - State the disputed issue(s);
 - State the relative positions of the parties;
 - State the CONTRACTOR'S name, address, and contract number; and
 - Be mailed to the AGENT and the other party's (respondent's) contract manager within 3 working calendar days after the parties agree that they cannot resolve the dispute.
- b. The respondent shall send a written answer to the requester's statement to both the agent and the requester within 5 working calendar days.

- c. The AGENT shall review the written statements and reply in writing to both parties within 10 working days. The AGENT may extend this period if necessary by notifying the parties.
- d. The parties agree that this dispute process shall precede any action in a judicial or quasi-judicial tribunal.

Nothing in this contract shall be construed to limit the parties' choice of a mutually acceptable alternate dispute resolution method in addition to the dispute resolution procedure outlined above.

15. DUPLICATE PAYMENT

The AGENCY shall not pay the CONTRACTOR, if the CONTRACTOR has charged or will charge the State of Washington or any other party under any other contract or agreement, for the same services or expenses.

16. COUNTY CERTIFICATION REGARDING ETHICS

By signing this Agreement, the County certifies that the County is in compliance with Chapter 42.23 RCW and shall comply with Chapter 42.23 RCW throughout the term of this Agreement and any Program Agreement.

17. GOVERNING LAW

This contract shall be construed and interpreted in accordance with the laws of the State of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

18. INDEMNIFICATION

To the fullest extent permitted by law, CONTRACTOR shall indemnify, defend, and hold harmless State, agencies of State and all officials, agents and employees of State, from and against all claims for injuries or death arising out of or resulting from the performance of the contract. "Claim," as used in this contract, means any financial loss, claim, suit, action, damage, or expense, including but not limited to attorney's fees, attributable for bodily injury, sickness, disease, or death, or injury to or destruction of tangible property including loss of use resulting therefrom.

CONTRACTOR'S obligations to indemnify, defend, and hold harmless includes any claim by CONTRACTORS' agents, employees, representatives, or any subcontractor or its employees.

CONTRACTOR expressly agrees to indemnify, defend, and hold harmless the State for any claim arising out of or incident to CONTRACTOR'S or any subcontractor's performance or failure to perform the contract. CONTRACTOR'S obligation to indemnify, defend, and hold harmless the

State shall not be eliminated or reduced by any actual or alleged concurrent negligence of State or its agents, agencies, employees and officials.

CONTRACTOR waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend and hold harmless State and its agencies, officials, agents or employees.

19. INDEPENDENT CAPACITY OF THE CONTRACTOR

The parties intend that an independent contractor relationship will be created by this contract. The CONTRACTOR and his or her employees or agents performing under this contract are not employees or agents of the AGENCY. The CONTRACTOR will not hold himself/herself out as or claim to be an officer or employee of the AGENCY or of the State of Washington by reason hereof, nor will the CONTRACTOR make any claim of right, privilege or benefit that would accrue to such employee under law. Conduct and control of the work will be solely with the CONTRACTOR.

20. INDUSTRIAL INSURANCE COVERAGE

The CONTRACTOR shall comply with the provisions of Title 51 RCW, Industrial Insurance. If the CONTRACTOR fails to provide industrial insurance coverage or fails to pay premiums or penalties on behalf of its employees, as may be required by law, AGENCY may collect from the CONTRACTOR the full amount payable to the Industrial Insurance accident fund. The AGENCY may deduct the amount owed by the CONTRACTOR to the accident fund from the amount payable to the CONTRACTOR by the AGENCY under this contract, and transmit the deducted amount to the Department of Labor and Industries, (L&I) Division of Insurance Services. This provision does not waive any of L&I's rights to collect from the CONTRACTOR.

21. LICENSING, ACCREDITATION AND REGISTRATION

The CONTRACTOR shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements/standards, necessary for the performance of this contract.

22. LIMITATION OF AUTHORITY

Only the AGENT or AGENT'S delegate by writing (delegation to be made prior to action) shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clause or condition of this contract. Furthermore, any alteration, amendment, modification, or waiver or any clause or condition of this contract is not effective or binding unless made in writing and signed by the AGENT.

23. NONCOMPLIANCE WITH NONDISCRIMINATION LAWS

In the event of the CONTRACTOR'S non-compliance or refusal to comply with any nondiscrimination law, regulation, or policy, this contract may be rescinded, canceled or terminated in whole or in part, and the CONTRACTOR may be declared ineligible for further contracts with the AGENCY. The CONTRACTOR shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the "Disputes" procedure set forth herein.

24. NONDISCRIMINATION

During the performance of this contract, the CONTRACTOR shall comply with all federal and state nondiscrimination laws, regulations and policies.

25. PRIVACY

Personal information including, but not limited to, "Protected Health Information," collected, used, or acquired in connection with this contract shall be protected against unauthorized use, disclosure, modification or loss. CONTRACTOR shall ensure its directors, officers, employees, subcontractors or agents use personal information solely for the purposes of accomplishing the services set forth herein. CONTRACTOR and its subcontractors agree not to release, divulge, publish, transfer, sell or otherwise make known to unauthorized persons personal information without the express written consent of the agency or as otherwise required by law.

Any breach of this provision may result in termination of the contract and the demand for return of all personal information. The CONTRACTOR agrees to indemnify and hold harmless the AGENCY for any damages related to the CONTRACTOR'S unauthorized use of personal information.

26. PUBLICITY

The CONTRACTOR agrees to submit to the AGENCY all advertising and publicity matters relating to this contract wherein the AGENCY'S name is mentioned or language used from which the connection of the AGENCY'S name may, in the AGENCY'S judgment, be inferred or implied. The CONTRACTOR agrees not to publish or use such advertising and publicity matters without the prior written consent of the AGENCY.

27. RECORDS MAINTENANCE

The CONTRACTOR shall maintain books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract.

CONTRACTOR shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the contract, shall be subject at all reasonable times to inspection, review or audit by the AGENCY, personnel duly authorized by the AGENCY, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

28. REGISTRATION WITH DEPARTMENT OF REVENUE

The CONTRACTOR shall complete registration with the Washington State Department of Revenue and be responsible for payment of all taxes due on payments made under this contract.

29. RIGHT OF INSPECTION

The CONTRACTOR shall provide right of access to its facilities to the AGENCY, or any of its officers, or to any other authorized agent or official of the state of Washington or the federal government, at all reasonable times, in order to monitor and evaluate performance, compliance, and/or quality assurance under this contract.

30. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this contract and prior to normal completion, the AGENCY may terminate the contract under the "Termination for Convenience" clause, without the ten-day notice requirement, subject to renegotiation at the AGENCY'S discretion under those new funding limitations and conditions.

31. SEVERABILITY

The provisions of this contract are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the contract.

32. SITE SECURITY

While on AGENCY premises, CONTRACTOR, its agents, employees, or subcontractors shall conform in all respects with physical, fire or other security policies or regulations.

33. SUBCONTRACTING

Neither the CONTRACTOR nor any SUBCONTRACTOR shall enter into subcontracts for any of the work contemplated under this contract without obtaining prior written approval of the AGENCY. In no event shall the existence of the subcontract operate to release or reduce the liability of the CONTRACTOR to the AGENCY for any breach in the performance of the contractor's duties. This clause does not include contracts of employment between the CONTRACTOR and personnel assigned to work under this contract.

Additionally, the CONTRACTOR is responsible for ensuring that all terms, conditions, assurances and certifications set forth in this agreement are carried forward to any subcontracts. CONTRACTOR and its subcontractors agree not to release, divulge, publish, transfer, sell or otherwise make known to unauthorized persons personal information without the express written consent of the agency or as provided by law.

34. TAXES

All payments accrued because of payroll taxes, unemployment contributions, any other taxes, insurance or other expenses for the CONTRACTOR or its staff shall be the sole responsibility of the CONTRACTOR.

35. TERMINATION DUE TO CHANGE IN FUNDING

If the funds AGENCY relied upon to establish this Contract are withdrawn or reduced, or if additional or modified conditions are placed on such funding, AGENCY may immediately terminate this Contract by providing written notice to the CONTRACTOR. The termination shall be effective on the date specified in the notice of termination.

36. TERMINATION FOR CAUSE

In the event the AGENCY determines the CONTRACTOR has failed to comply with the conditions of this contract in a timely manner, the AGENCY has the right to suspend or terminate this contract. Before suspending or terminating the contract, the AGENCY shall notify the CONTRACTOR in writing of the need to take corrective action. If corrective action is not taken within 30 calendar days, the contract may be terminated or suspended.

In the event of termination or suspension, the CONTRACTOR shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time.

The AGENCY reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the CONTRACTOR from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the

CONTRACTOR or a decision by the AGENCY to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the CONTRACTOR: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of the AGENCY provided in this contract are not exclusive and are, in addition to any other rights and remedies, provided by law.

37. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this contract, the AGENCY may, by 10 calendar days written notice, beginning on the second day after the mailing, terminate this contract, in whole or in part. If this contract is so terminated, the AGENCY shall be liable only for payment required under the terms of this contract for services rendered or goods delivered prior to the effective date of termination.

38. TERMINATION PROCEDURES

Upon termination of this contract, the AGENCY, in addition to any other rights provided in this contract, may require the CONTRACTOR to deliver to the AGENCY any property specifically produced or acquired for the performance of such part of this contract as has been terminated. The provisions of the "Treatment of Assets" clause shall apply in such property transfer.

The AGENCY shall pay to the CONTRACTOR the agreed upon price, if separately stated, for completed work and services accepted by the AGENCY, and the amount agreed upon by the CONTRACTOR and the AGENCY for (i) completed work and services for which no separate price is stated, (ii) partially completed work and services, (iii) other property or services that are accepted by the AGENCY, and (iv) the protection and preservation of property, unless the termination is for default, in which case the AGENT shall determine the extent of the liability of the AGENCY. Failure to agree with such determination shall be a dispute within the meaning of the "Disputes" clause of this contract. The AGENCY may withhold from any amounts due the CONTRACTOR such sum as the AGENT determines to be necessary to protect the AGENCY against potential loss or liability.

The rights and remedies of the AGENCY provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the AGENT, the CONTRACTOR shall:

- a. Stop work under the contract on the date, and to the extent specified, in the notice;
- b. Place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;

- c. Assign to the AGENCY, in the manner, at the times, and to the extent directed by the AGENT, all of the rights, title, and interest of the CONTRACTOR under the orders and subcontracts so terminated, in which case the AGENCY has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
- d. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the AGENT to the extent AGENT may require, which approval or ratification shall be final for all the purposes of this clause;
- e. Transfer title to the AGENCY and deliver in the manner, at the times, and to the extent directed by the AGENT any property which, if the contract had been completed, would have been required to be furnished to the AGENCY;
- f. Complete performance of such part of the work as shall not have been terminated by the AGENT; and
- g. Take such action as may be necessary, or as the AGENT may direct, for the protection and preservation of the property related to this contract, which is in the possession of the CONTRACTOR and in which the AGENCY has or may acquire an interest.

39. TREATMENT OF ASSETS

- a. Title to all property furnished by the AGENCY shall remain in the AGENCY. Title to all property furnished by the CONTRACTOR, for the cost of which the CONTRACTOR is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in the AGENCY upon delivery of such property by the CONTRACTOR. Title to other property, the cost of which is reimbursable to the CONTRACTOR under this contract, shall pass to and vest in the AGENCY upon (i) issuance for use of such property in the performance of this contract, or (ii) commencement of use of such property in the performance of this contract, or (iii) reimbursement of the cost thereof by the AGENCY in whole or in part, whichever first occurs.
- b. Any property of the AGENCY furnished to the CONTRACTOR shall, unless otherwise provided herein or approved by the AGENCY, be used only for the performance of this contract.
- c. The CONTRACTOR shall be responsible for any loss or damage to property of the AGENCY that results from the negligence of the CONTRACTOR or which results from the failure on the part of the CONTRACTOR to maintain and administer that property in accordance with sound management practices.

- d. If any AGENCY property is lost, destroyed or damaged, the CONTRACTOR shall immediately notify the AGENCY and shall take all reasonable steps to protect the property from further damage.
- e. The CONTRACTOR shall surrender to the AGENCY all property of the AGENCY prior to settlement upon completion, termination or cancellation of this contract
- f. All reference to the CONTRACTOR under this clause shall also include CONTRACTOR'S employees, agents or SUBCONTRACTORS.

40. U.S. Department of Treasury, Office of Foreign Assets Control

The agency complies with U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC) payment rules. OFAC prohibits financial transactions with individuals or organizations, which have been placed on the OFAC Specially Designated Nationals (SDN) and Blocked Persons sanctions list located at <http://www.treas.gov/offices/enforcement/ofac/index.html>. Compliance with OFAC payment rules ensures that the agency does not conduct business with individuals or organizations that have been determined to be supporters of terrorism and international drug dealing or that pose other dangers to the United States.

Prior to making payment to individuals or organizations, the agency will download the current OFAC SDN file and compare it to agency and statewide vendor files. In the event of a positive match, the agency reserves the right to: (1) make a determination of "reasonability" before taking the positive match to a higher authority, (2) seek assistance from the Washington State Office of the State Treasurer (OST) for advanced assistance in resolving the positive match, (3) comply with an OFAC investigation, if required, and/or (4) if the positive match is substantiated, notify the CONTRACTOR in writing and terminate the contract according to the Termination for Convenience provision without making payment. The agency will not be liable for any late payment fees or missed discounts that are the result of time required to address the issue of an OFAC match.

41. WAIVER

Waiver of any default or breach shall not be deemed a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this contract unless stated to be such in writing and signed by authorized representative of the AGENCY.

42. WAGE THEFT CERTIFICATION

CONTRACTOR certifies by signing this agreement that, to the best of its knowledge and belief, they have not been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082,

any provision of RCW chapters 49.46, 49.48, or 49.52 within three (3) years prior to the date of the above-referenced procurement solicitation date.

EXHIBIT B

SCOPE OF WORK/DELIVERABLES

The CONTRACTOR will contract with the Opportunity Council to provide services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth below:

Task 1. Complete Count Committee (CCC) support (October 2019-June 2020)

1. Tasks

- a. Provide Administrative support for the Whatcom County CCC including setting meeting dates and location, managing contact lists, creating agendas and meeting minutes.
- b. Opportunity Council (OC) staff from different departments will attend local complete count committee meetings to ensure participation in census activities throughout our 5-county reach.

2. Deliverable

Quarterly cover report (Due December, March and June) describing activities of the last period and detailing the impact/outcomes of these activities and including meeting minutes.

3. Task 1 Budget:

Staff support – Census Project Coordinator	\$ 5,500.00
Other OC staff as liaisons for other counties	\$ 5,000.00
Program Occupancy	<u>\$ 547.00</u>
SUBTOTAL	\$11,047.00

4. Task 1 Budget Invoices

a. December	\$ 4,558.00
b. March	\$ 3,245.00
c. June	\$ 3,244.00

Task 2. Skagit and San Juan Counties Census Solutions Workshops (Oct 2019-Nov 2019)

1. Task
Facilitate census solutions workshops similar to the one held in Whatcom County for Skagit and San Juan counties.
2. Deliverables
 - a. A final cover report including date, time, location, agenda, number of people trained (sign-in sheet), brief assessment of how training was received through an evaluation form.
 - b. A revised community action plan based on participant input during the event.
3. Task 2 Budget:

Location Rental	\$ 300.00
Program Occupancy Costs	\$ 156.00
Food	\$ 200.00
Printing	\$ 50.00
Travel	\$ 150.00
Staff Support – Census Project Coordinator	<u>\$ 3,000.00</u>
SUBTOTAL	\$ 3,856.00
4. Task 2 Budget Invoice
December \$ 3,856.00

Task 3. Partner outreach support: Census Outreach Kits (Oct 2019 - June 2020)

1. Task
Create Census Outreach Kits that will be distributed at Census Solutions workshops, community connector workshops, and upon request from partner organizations. These will include giveaway items and pre-printed materials (flyers, posters, handbills) in a variety of languages.
2. Task 3 Deliverables
 - a. Sample of Census Outreach Kit
 - b. A final cover report with details about the number of kits distributed and to whom.
3. Task 3 Budget

Giveaways (pens, key chains, etc.)	\$ 2,000.00
Standee/banners (3) - one for each county	\$ 300.00
Printing	<u>\$ 800.00</u>
SUBTOTAL	\$ 3,100.00
4. Task 3 Budget Invoice
June 2020 \$ 3,100.00

Task 4. Community Connector trainings in Whatcom, Skagit, and San Juan Counties
(January – February 2020)

1. Task
Provide training for community connectors, individuals and staff members who have been identified as critical contact points for hard to count populations.
2. Task 4 Deliverable
A final cover report including date, time, location, agenda, number of people trained (sign-in sheet), brief assessment of how training was received through an evaluation form.
3. Task 4 Budget

Trainer fees	\$ 4,500.00
Location rental	\$ 450.00
Program Occupancy Costs	\$ 234.00
Food	\$ 300.00
Printing	\$ 75.00
Travel	\$ 150.00
Staff Support - Census Project Coordinator	<u>\$ 4,500.00</u>
SUBTOTAL	\$ 10,209.00
4. Task 4 Budget Invoice
March 2020 \$ 10,209.00

Task 5. Questionnaire Assistance Center (QAC) training and support (Jan 2020 – May 2020)

1. Task
Provide Questionnaire Assistance Center training to staff and volunteers who will help staff identified Questionnaire Assistance Centers in Whatcom, Skagit, and San Juan counties
2. Task 5 Deliverables
 - a. A final cover report including date, time, location, agenda, number of people trained (sign-in sheet), and brief assessment of how training was received through an evaluation form.
 - b. Report on the use of the QAC kits, including the number of people assisted at the QACs and locations and hours of operations.
3. Task 5 Budget

Trainer fees	\$ 4,500.00
Location rental	\$ 450.00
Program Occupancy Costs	\$ 313.00

Food	\$ 300.00
Printing	\$ 75.00
Travel	\$ 150.00
Three (3) iPads	\$ 1,245.00
Cell Phone Activation for iPads	\$ 1,200.00
Workstation for East Whatcom QAC	\$ 950.00
Staff support for coordinating volunteers for QACs in Whatcom County and for assisting non-profits in Skagit, San Juan to set up QACs	
Staff Support - Census Project Coordinator	\$ 3,000.00
Other OC staff	<u>\$ 3,000.00</u>
SUBTOTAL	\$15,183.00

4. Task 5 Budget Invoice	
June 2020	\$ 15,183.00

Task 6. Radio Outreach (Mar 2020 – Apr 2020)

1. Tasks
 - a. Coordinate radio outreach to advertise a northwest region Questionnaire Assistance Center website with regional information about where to find assistance for census response. This will include information for Whatcom, Skagit, Island and San Juan Counties.
 - b. Work with Cascade Radio to bring local census advocates to news radio programming to provide more in-depth and regional information about the importance of the census.
2. Deliverables

Final cover report detailing radio advertising and QAC website hits. Copies of radio advertisement recordings.
3. Task 6 Budget

a. Cascade Radio Group Radio promotion for QACs in 4 counties (Whatcom, Skagit, Island, and San Juan)	\$10,176.00
SUBTOTAL	\$10,176.00
4. Task 6 Budget Invoice

June 2020	\$10,176.00
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TOTAL DIRECT COSTS	\$53,571
Indirect Costs – 12%	<u>\$ 6,429</u>
TOTAL CONTRACT BUDGET	\$60,000

Summary of Target Invoice Amounts

	<u>Direct Costs</u>	<u>Indirect Costs</u>	<u>TOTAL INVOICE</u>
December 2019 Invoice	\$ 8,414.00	\$ 1,010.00	\$ 9,424.00
March 2020 Invoice	\$13,454.00	\$ 1,614.00	\$15,068.00
June 2020 Invoice	\$31,703.00	\$ 3,805.00	\$35,508.00



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-515

File ID:	AB2019-515	Version:	1	Status:	Agenda Ready
File Created:	10/03/2019	Entered by:	LReid@co.whatcom.wa.us		
Department:	Sheriff's Office	File Type:	Resolution		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Resolution ordering the cancellation of unclaimed checks more than two years old for Whatcom County Jail Inmate Trust Fund prior to June 30, 2017

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The attached resolution will allow Administrative Services and the Treasurer's Office to cancel the unclaimed checks listed in Exhibit A and enable them to report and remit those funds to DOR Unclaimed Property Division.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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SPONSORED BY: Consent

PROPOSED BY: Executive

INTRODUCTION DATE: _____

RESOLUTION NO. _____

**ORDERING THE CANCELLATION OF UNCLAIMED CHECKS
MORE THAN TWO YEARS OLD**

WHEREAS, RCW 63.29.130 states that property held by courts and public agencies that remains unclaimed by the owner for more than two years is presumed abandoned; and,

WHEREAS, the Whatcom County Sheriff's Office/Jail has provided a list of Inmate Trust Fund checks that were issued prior to 06-30-17 and never presented or claimed by the owner.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that Administrative Services Finance and the Treasurer's Office are directed, pursuant to RCW 63.29.130, to cancel the unclaimed checks listed in Exhibit A, and to report and remit those funds to DOR Unclaimed Property Division.

APPROVED this _____ day of _____, 2019.

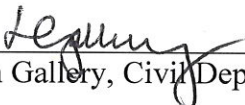
ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

APPROVED as to form:



Elizabeth Gallery, Civil Deputy Prosecutor

Exhibit A

Whatcom County Jail
Inmate Trust Fund
Unclaimed Inmate Release Checks over \$50
July 2016 to June 2017

Check #	Stamp	Amount	Inm Number	Inm Name	Multiple Check Totals
011003	09/18/2016 12:31 PM	205.00	00067092	CHANDLER, LUKE STANLEY	
011010	09/20/2016 03:24 PM	93.81	00036795	JENNINGS, SAMANTHA AFIA	
012568	05/02/2017 07:56 PM	109.50	00078112	MESSICK, CHAD GREGORY	
010779	08/27/2016 02:48 AM	130.62	00010110	SESTROM, JEROD KINDRED	
011412	10/28/2016 12:03 PM	146.81	00062754	SHANTI S, SPIRIT RAINWATER	

Whatcom County Jail
Inmate Trust Fund
Unclaimed Inmate Release
July 2016 to June 2017

Check #	Stamp	Amount	Inm Number	Inm Name	Multiple Check Totals
011644	12/17/2016 03:36 AM	8.80	00000007	ABITIA, JIMMY RAYMOND	
010704	08/11/2016 02:48 PM	11.65	00000007	ABITIA, JIMMY RAYMOND	\$ 20.45
011754	01/09/2017 06:45 PM	38.99	00000011	ACKERMAN, ROBERT CHARLES	
012802	06/29/2017 08:44 PM	1.75	00002271	ACOSTA, WILLIAM ANDREW	
011503	11/18/2016 03:32 AM	2.18	00002271	ACOSTA, WILLIAM ANDREW	\$ 3.93
010607	07/19/2016 05:04 PM	3.68	00007707	ADAMS, JAMES GARNETT	
010229	07/14/2016 08:21 PM	0.42	00051816	ALVAREZ, CHRISTIAN BRYANT	
00000011317	11/24/2016 07:18 PM	0.26	00048401	ALVES, DAVID MICHAEL	
011841	02/22/2017 07:11 PM	0.10	00000030	AMMAN, JESSE ERIC	
010634	07/27/2016 03:53 PM	0.67	00019159	ANDERSON, SARAH NOELLE	
012429	04/05/2017 07:24 PM	4.19	00003570	APPLEGATE JR, RONALD EUGENE	
010699	08/11/2016 09:55 AM	5.03	00065016	AZEKE, EMMANUEL	
011816	02/03/2017 07:11 PM	1.25	00015389	BAGNERISE, MARCUS TYLER	
011804	01/29/2017 10:12 PM	0.07	00037956	BAILEY, AUSTIN ARTHUR	
012566	05/02/2017 06:43 PM	9.35	00078111	BALCOMB, MADISON MUSTARI	
010273	08/15/2016 10:05 PM	0.05	00038500	BARBER, JORDAN	
011475	11/13/2016 02:02 PM	1.64	00051788	BARCUS, KEVIN LEO	
010804	08/21/2016 09:10 PM	0.57	00007385	BARROW, CODY MATTHEW	
010935	09/07/2016 05:58 AM	4.63	00066194	BEACH, SUSAN CAROL	
011862	03/08/2017 02:57 PM	0.92	00075332	BELDEN, NATHANIEL CARL	
010850	10/05/2016 06:49 PM	0.77	00019010	BERRY, JESSE ROY	
011856	03/03/2017 08:07 PM	1.88	00004045	BINSCHUS, STEVEN GLEN	
010573	07/12/2016 11:05 PM	0.67	00001560	BIRMAN, DANIEL JAMES	
012318	04/23/2017 07:04 AM	0.34	00050980	BOHN, MASON WILLIAM	
011356	12/31/2016 08:10 PM	0.15	00047813	BOOTH, KRISTINA DENISE	
011536	11/22/2016 01:28 PM	1.29	00011315	BOTTERON, GRANT ALLEN	
012152	02/27/2017 03:32 PM	3.00	00074991	BOUMA, REX GORDON	
010896	11/09/2016 12:15 AM	0.54	00038509	BOYD, JAKE RANDALL LEE	
011719	01/03/2017 10:50 AM	6.50	00072214	BRANCO, TODD ROBERT	
012378	06/09/2017 05:52 AM	0.62	00066054	BREHM, LINDSEY DANIELLE	
011912	01/26/2017 12:34 PM	3.32	00069425	BROWN, HEATHER LYNN	
011554	11/28/2016 06:46 PM	2.50	00043208	BROWN, SARAH JANE	
12339	05/10/2017 09:30 PM	1.50	00011762	BROWNE, MICHAEL JOSEPH	
012156	02/28/2017 11:11 PM	4.74	00006475	BUNTON JR, ROBERT CHRISTOPHER	
011375	01/09/2017 10:51 PM	0.57	00055184	BURNETT, BRITTANY NICOLE	
010265	08/13/2016 04:09 AM	1.97	00014291	BURNETT, JORDAN EDWARD	
0011605	12/08/2016 11:36 AM	16.57	00020357	BUTLER, ADRIAN HENRY	
010237	07/21/2016 11:20 PM	0.07	00035084	CAGEY, ALICIA MARIE ELIZABETH	
011652	12/19/2016 12:27 AM	6.62	00071680	CAHOON, ANTHONY JOSEPH	
010275	08/17/2016 09:40 AM	0.15	00061287	CARMONA, LOGAN SLADE	
011617	12/11/2016 02:56 PM	4.47	00000246	CARON, GERALD ROBERT	
011012	09/20/2016 08:24 PM	10.37	00000057	CASTRO, DIEGO MIGUEL ANTONIO	
011626	12/12/2016 04:24 PM	2.30	00065339	CHAHAL, HARBINDER SINGH	
011003	09/18/2016 12:31 PM	205.00	00067092	CHANDLER, LUKE STANLEY	
012616	05/11/2017 04:04 PM	3.68	00021243	CHARLIE, QUENTIN TYRONE	
011008	09/19/2016 07:07 PM	6.17	00067117	CHATHAM JR, LYLE DUANE	
011381	01/11/2017 09:31 PM	0.19	00059983	CHAUSSEE, JEREMIAH	
010286	08/28/2016 10:14 PM	0.46	00014295	CHENOWETH, RANDAL LEE	
010685	08/09/2016 02:13 AM	1.50	00000270	CHRISTION, MARCUS DWAYNE	
012579	05/07/2017 01:42 AM	3.51	00020545	CLARK, CHRISTOPHER JERMAINE	
011944	02/03/2017 06:32 AM	10.60	00013068	CLIZBE, ROLANDO LINCOLN	

Whatcom County Jail
Inmate Trust Fund
Unclaimed Inmate Release
July 2016 to June 2017

012636	05/15/2017 10:53 PM	2.07	00009172	COAKLEY, DANIELLE NICHOLE		
011382	01/12/2017 08:05 PM	0.35	00040959	COCHRAN, DANA MARIE A		
011247	10/11/2016 04:11 PM	0.07	00000279	COCHRAN, ORLIN WAYNE		
011879	03/17/2017 02:17 PM	0.61	00014602	COGLIANESE, ALANNA LEIGH		
011451	11/07/2016 07:21 PM	1.50	00067358	CONNORS DRIFTMIER, AARON		
011556	11/28/2016 07:34 PM	0.14	00018667	COOK, COREY DAVID		
010269	08/14/2016 10:06 PM	7.87	00008804	COUNTRYMAN, AUSTIN JAMES		
011461	11/08/2016 03:47 PM	15.33	00003943	CRAIG, WILLIAM RUSSELL		
012193	03/09/2017 08:11 AM	0.14	00004514	CRANEFIELD, MARK PATRICK		
010728	08/17/2016 05:42 AM	1.12	00038072	CRAWFORD JR, ARTHUR		
012755	06/10/2017 02:42 AM	0.90	00003752	CRONN, ADRIAN ROBERT		
011361	01/03/2017 08:37 PM	0.14	00049862	CROWDER III, JOE LOUISE PIERRE		
012367	06/03/2017 06:51 PM	0.03	00011611	CRUSON, KEVIN LEEROY		
011384	01/15/2017 07:44 AM	0.50	00011611	CRUSON, KEVIN LEEROY		
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010582	07/14/2016 11:51 PM	2.50	00000962	CULTEE, NATHAN ALLEN		
011864	03/09/2017 05:13 AM	0.40	00038591	DANCI, MARC PETROVICH		
012731	06/05/2017 01:12 PM	7.50	00041330	DAVIS, BRAD HUNTER		
012439	04/07/2017 11:48 AM	2.06	00025502	DAWSON JR, DAVID ALLEN		
011205	10/05/2016 05:44 PM	3.58	00016260	DEATHERAGE, JOSHUA LUKE		
011870	03/13/2017 10:51 PM	1.01	00063098	DEERING, JOSEPH GREGORY		
010546	07/07/2016 07:24 PM	5.78	00063098	DEERING, JOSEPH GREGORY	\$	6.79
010217	07/03/2016 08:26 PM	0.12	00016040	DEMENT, RODNEY WAYNE		
011377	01/10/2017 04:03 AM	0.23	00017875	DENUNZIO, ANTHONY DRE		
012264	03/23/2017 10:15 AM	6.45	00021476	DESDIER, SEREN MARIAH		
010751	08/21/2016 05:56 PM	5.42	00065156	DIAZ-ACOSTA, JOSE LUIS		
012177	03/05/2017 12:41 PM	2.06	00075236	DICKSON, REUBEN ALVIN		
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012399	06/29/2017 05:46 AM	0.35	00017338	DIORENZO, JACOB ARMOND		
012540	04/25/2017 04:32 AM	1.25	00013861	DOMINGUEZ, MARIO ADRIAN		
010292	09/01/2016 04:04 AM	3.14	00009550	DOMINIQUE, KATRINA MARIE		
011940	02/02/2017 01:50 PM	2.41	00073899	DOTSON, REBECCA LEE		
011630	12/13/2016 06:55 PM	0.19	00067127	DUPUIE, ZACHARY STEPHEN		
012265	03/23/2017 03:19 PM	7.25	00076199	EAGLE, JONATHAN RYAN		
010564	07/11/2016 05:30 AM	0.13	00011302	EATON, HANS ROBERT		
012573	05/03/2017 07:09 PM	0.81	00047128	EHR, ETHAN GREGORY		
011858	03/07/2017 02:08 AM	0.50	00027516	ELDRIDGE, KELSIE LEE		
012430	04/05/2017 07:28 PM	3.82	00064072	ELLISON, COURTNEY ALLEN		
010759	08/23/2016 03:13 AM	4.39	00031037	ELMORE, JENNIFER MARIE		
012365	06/02/2017 07:07 PM	0.31	00030642	ELTING, CATHY LOUISE		
012387	06/16/2017 07:54 PM	4.36	00051701	ERICKSON, CODY ALAN		
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012171	03/04/2017 12:45 PM	0.26	00036442	EUBANKS, SY		
010244	07/27/2016 04:06 AM	0.03	00045224	EWING, JEREMY ADAMS		
011812	02/01/2017 03:29 PM	0.73	00015172	EZRRE, LISA TERESA		
011507	11/18/2016 05:34 PM	4.50	00039035	FAULKS III, ROBERT JOSEPH		
011328	12/05/2016 12:07 PM	0.68	00007362	FAVER, TYLER LEWIS		
011496	11/16/2016 12:41 AM	3.00	00015923	FEHLMAN, DANIEL EVERETT		
011395	01/25/2017 04:04 AM	0.20	00004902	FERNANDEZ, EDUARDO		
010864	10/13/2016 01:32 PM	3.50	00054181	FIGUEROA JR, DAVID ALEXANDER		
011908	01/25/2017 03:52 PM	1.42	00010334	FINKBONNER, KYLE OWEN		
012388	06/17/2017 07:13 PM	0.14	00067507	FISK JR, RONALD WAYNE		

Whatcom County Jail
Inmate Trust Fund
Unclaimed Inmate Release
July 2016 to June 2017

011777	01/15/2017 05:32 PM	6.00	00039165	FLAKE, JASON DALE		
012937	06/28/2017 02:55 PM	9.50	00081033	FLEMING, MALCOLM TYBIRIAS		
010949	09/09/2016 10:36 AM	7.03	00066645	FLIPPIN, KATHERINE LORETTA		
010221	07/10/2016 06:41 PM	0.53	00004572	FLOREZ, SAMUEL ANGEL		
011895	03/27/2017 01:28 AM	25.30	00056137	FOUNTAIN, PAIGE DANIELLE		
010987	09/14/2016 07:09 PM	10.50	00056137	FOUNTAIN, PAIGE DANIELLE	\$	35.80
010843	09/27/2016 02:47 PM	0.36	00066573	FOWKES, EVAN ROBERTS		
010884	11/03/2016 08:38 AM	3.25	00035884	FOX, JASON DONALD		
010904	09/01/2016 07:23 PM	2.50	00066159	FRECHETTE, JEREMY ANDREW		
012537	04/24/2017 07:10 PM	10.50	00077722	GANO, JASON DOUGLAS		
011334	12/11/2016 08:41 PM	10.16	00051188	GARCIA JR, SILVANO		
010867	10/15/2016 06:44 PM	0.09	00000074	GARCIA, HUMBERTO		
012756	06/10/2017 02:45 AM	1.54	00000408	GARZA JR, FELIX		
011419	10/30/2016 04:04 PM	0.05	00000409	GARZA, JADE MATTHEW		
011979	02/12/2017 07:33 PM	4.00	00063682	GASTON, BRIAN DEWAYNE		
011454	11/07/2016 09:10 PM	6.03	00033194	GEE, SHAYLA MARIE		
012261	03/22/2017 08:29 PM	10.45	00032055	GENTILE, LISA MARIE		
010586	07/15/2016 07:13 PM	5.14	00063547	GILLOCK, TARA SUE MARIE		
010279	08/22/2016 11:58 PM	0.05	00023965	GLENMAN, RICHARD EARL		
010846	09/29/2016 02:24 AM	0.75	00014526	GOLOVIN, SVETLANA VLADIMIROVNA		
010807	09/07/2016 06:47 PM	0.56	00035863	GONZALEZ-VAZQUEZ, FERNANDO		
011251	10/13/2016 04:00 AM	3.09	00062867	GOODWIN, KATHERINE MILLER		
010532	07/05/2016 10:13 PM	4.50	00062867	GOODWIN, KATHERINE MILLER	\$	7.59
010240	07/24/2016 05:57 PM	0.33	00005847	GRIMES, CALVIN ROSS		
010294	09/01/2016 11:10 AM	0.59	00007416	GUDDE, CURTIS ALAN		
010853	10/06/2016 09:19 AM	22.07	00040286	GUTIERREZ JR, GABRIEL		
011566	11/30/2016 06:19 PM	0.34	00058386	GUTIERREZ, VANIA LETICIA MARIE		
011096	10/03/2016 04:14 PM	4.50	00010119	HALE, NICHOLAS AARON		
010691	08/09/2016 07:15 PM	1.77	00000457	HALL, ECHO RENA		
012256	03/21/2017 03:15 PM	12.32	00053032	HALL, MARY KATHERINE		
010596	07/17/2016 10:25 AM	0.50	00046675	HAMILTON, IAN PHILLIP		
011397	01/25/2017 10:50 PM	1.40	00013875	HAMMONDS JR, LAWRENCE		
010235	07/20/2016 11:19 PM	0.84	00001923	HARRIMAN, KARI LYNN		
011874	03/14/2017 10:52 AM	0.66	00057662	HARRINGTON, CARRIE LYNN		
011440	11/03/2016 03:09 PM	5.50	00041377	HARRIS, AUSTIN DANIEL		
011885	03/20/2017 09:28 PM	45.35	00048279	HARRISON, CECIL EDWARD		
012381	06/14/2017 06:29 AM	0.67	00062903	HARRISON, GEOFFREY ALAN		
011364	01/06/2017 04:06 AM	0.38	00039560	HAWLEY, AMBER NICOLE		
011332	12/09/2016 09:44 PM	2.45	00004951	HAYDEN, CHRISTINA RAE		
010813	09/13/2016 12:40 PM	0.29	00001935	HEAY, JESSICA LOU		
010989	09/14/2016 08:15 PM	17.50	00011335	HEGDEM, BRANDON RICHARD		
011840	02/22/2017 12:40 AM	0.05	00022140	HEINLEN, DIANNE FERN		
010274	08/15/2016 10:08 PM	0.03	00058593	HENRY, RYAN LEE		
011231	10/09/2016 11:04 PM	23.50	00000085	HERNANDEZ, EDUARDO PEDRO		
010277	08/16/2016 10:42 AM	13.69	00024756	HERNANDEZ-CARMONA, TOMAS A		
010768	08/24/2016 05:50 PM	2.56	00045752	HERNANDEZ-ESTRADA, RAPHAELLA M		
010500	07/02/2016 12:54 PM	2.48	00062842	HERRON, BRENDAN DAVID		
010895	11/09/2016 12:13 AM	7.47	00020565	HICKS, JUDY KAREN		
010820	09/20/2016 02:13 AM	0.14	00061682	HILDEBRAND, JEFFREY LEE		
011915	01/26/2017 07:08 PM	1.50	00005344	HILLAIRES, MARCUS DALE		
010655	08/02/2016 02:54 PM	39.50	00064526	HILLAIRES, MIRANDA N		
011848	02/23/2017 08:23 PM	0.72	00014070	HITE, GREGORY ALLEN		

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012319	04/23/2017 07:14 AM	0.12	00006894	HOPP, LOGAN MICHAEL	
012151	02/27/2017 02:56 PM	15.00	00010093	HUFF, JACOB MACKENZIE	
012682	05/26/2017 06:31 PM	2.07	00022656	INGELS, JAMIE LEE	
010247	07/30/2016 02:26 AM	0.66	00003562	INGRAM, KEVIN MICHAEL	
011094	10/03/2016 02:47 PM	2.93	00004530	IZHEVSKIY, ESTHER TAMARA	
012338	05/09/2017 07:29 PM	0.75	00059020	JACKSON, DEREK BENJAMIN	
012646	05/18/2017 11:40 AM	21.50	00029356	JAMALUDDIN, SARWAT MD	
012705	06/01/2017 05:31 PM	1.98	00004285	JAMES, JESSICA KELLY	
011599	12/07/2016 02:39 AM	1.38	00070103	JANZEN, MICHAEL LEE	
010266	08/13/2016 10:08 PM	0.36	00009613	JAVIER, JESSICA	
010980	09/13/2016 05:53 PM	1.55	00063901	JEFFERSON, DOROTHEA MARY	
011898	03/28/2017 03:52 PM	4.96	00016184	JEFFERSON, ERNEST JOSEPH	
011569	12/02/2016 06:39 AM	1.50	00009206	JEFFERSON, JORDAN ARLISS	
011832	02/15/2017 07:13 PM	0.36	00045441	JEFFERSON, JOSEPH MQ	
012303	03/30/2017 10:47 PM	4.12	00013154	JEFFERSON, MERIAH JEAN	
012331	05/05/2017 08:41 AM	1.78	00052678	JENKINS, JUSTIN AARON	
011010	09/20/2016 03:24 PM	93.81	00036795	JENNINGS, SAMANTHA AFIA	
011851	03/01/2017 11:58 PM	0.50	00004176	JENSEN, CYNTHIA GAYLE	
011230	10/09/2016 11:00 PM	0.31	00014792	JIMENEZ, TREVER RENE	
011321	11/27/2016 07:25 AM	21.10	00043909	JOHAL, PARAMJIT SINGH	
011755	01/10/2017 12:18 PM	4.35	00007212	JOHNSTON, KENNETH MICHAEL	
010862	10/12/2016 07:41 PM	0.38	00040670	JONELI, JASON DYLAN	
011826	02/09/2017 08:54 PM	0.09	00024572	JONES, GUY EVERETT	
012790	06/18/2017 12:43 PM	8.00	00080451	JONES, JAMES ISRAEL	
010958	09/10/2016 07:17 PM	7.83	00007275	JONES, JASON EDWARD	
010745	08/20/2016 10:40 AM	4.66	00065567	JONES, JENNIFER WHITNEY	
011869	03/13/2017 12:16 AM	1.98	00042174	JONES, LETREZ CLAYTON	
011333	12/10/2016 09:02 PM	7.61	00057757	JONES, RYAN CHRISTOPHER	
010957	09/10/2016 02:54 PM	1.55	00007276	JORDAN, AUSTIN LEE	
011604	12/08/2016 06:37 AM	15.18	00042862	JORDAN, BRYCE JEFFERY	
011593	12/05/2016 06:26 PM	1.50	00067473	JUAREZ JR, BENITO JOSE	
011417	10/29/2016 06:38 PM	2.50	00069456	JUDSON, INGVAR ORION ULYSSES	
012377	06/08/2017 08:44 PM	0.17	00031618	JULIUS, REBECCA NAOMI	
011097	10/03/2016 04:34 PM	3.15	00067956	KAEMINGK, CLAYTON JAMES	
011890	03/22/2017 02:22 PM	5.00	00076067	KALIMA, JUSTIN KEANU	
010819	09/20/2016 02:11 AM	0.75	00039090	KAUTZ, MATTHEW JOSEPH	
011023	09/22/2016 09:47 PM	2.00	00047092	KEIM, CAMERON JAMES	
012167	03/03/2017 12:49 PM	3.00	00075174	KIFFNEY, CONLON IAN	
011612	12/10/2016 10:45 AM	4.00	00071370	KOCHMAN, MARIE ELIZABETH	
010770	08/25/2016 01:10 PM	2.21	00063061	KOHLER, KASHON NATHANIEL	
012721	06/02/2017 09:45 PM	1.15	00024352	KUNKEL, NICHOLAS PAUL	
011487	11/14/2016 07:26 PM	0.50	00070093	LA CROIX, PAUL JASON	
011237	10/10/2016 06:47 PM	0.50	00034945	LAFORTUNE JR, ROBERT ERNEST	
012793	06/19/2017 04:05 PM	2.96	00008009	LAHATT, LAWRENCE SIDNEY	
010670	08/06/2016 09:36 AM	8.81	00008009	LAHATT, LAWRENCE SIDNEY	\$ 11.77
011728	01/04/2017 05:46 PM	2.22	00028791	LAMB, MATTHEW DAVID	
012317	04/23/2017 05:38 AM	9.62	00005773	LANCE, JOSEPH PATRICK BENJAMI	
010897	11/09/2016 07:54 PM	0.32	00028588	LANE, SHANNON LEE	
012380	06/13/2017 10:04 AM	0.51	00010477	LAWRENCE, BRITTANY DANYELLE	
011835	02/16/2017 04:59 PM	0.34	00015568	LAWRENCE, ZACKERY CHARLES	
011485	11/14/2016 04:14 PM	2.50	00070136	LAZINSKI, DOUGLAS ARTHUR	
011798	01/23/2017 02:49 PM	2.93	00014954	LEBEDEV, ANATOLIY PAVLOVICH	

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010825	09/20/2016 10:05 PM	0.74	00066760	LEGG, JEREMY MICHAEL
012223	03/15/2017 02:34 PM	1.00	00075767	LENNON, DANE CONNER
011239	10/10/2016 08:59 PM	3.16	00011056	LEONE, JOLENE LYNN
012797	06/20/2017 02:37 AM	27.35	00059860	LEVASSEUR, CHRISTOPHER JAMES
011274	10/18/2016 12:28 AM	2.69	00005062	LINDOR, DEBORAH LEA
011919	01/27/2017 04:18 PM	8.00	00072183	LIRA, HALEY LYNN
012499	04/17/2017 04:37 PM	1.03	00015590	LITTLE, ROBERT EZELL
010281	08/24/2016 04:02 AM	0.36	00003555	LOEHR, TAMRA JEAN
011767	01/13/2017 01:54 PM	0.32	00000778	LONG, JONATHAN WILLIAM
010510	07/04/2016 10:17 AM	8.00	00062941	LONGO, LAUREN CHRISTINE
012724	06/03/2017 04:37 PM	8.50	00035425	LOPEZ-GEORGE, SUNDREA
010512	07/04/2016 07:41 PM	2.24	00062935	LUND, KENT GREGORY
010814	09/13/2016 01:06 PM	0.35	00060187	MACK, JASON HAROLD
010282	08/24/2016 04:04 AM	0.06	00048658	MADYKA, VITALIY
010974	09/12/2016 07:01 PM	1.16	00035611	MALIN, MICHAEL JAMES
010991	09/15/2016 12:39 PM	1.10	00066997	MANGE, AUBREY ELISE
011387	01/17/2017 07:53 PM	0.66	00011713	MANKE, ALAN SCOT
011539	11/23/2016 02:22 PM	0.07	00003448	MARIN, MICHAEL JOHN
012902	06/20/2017 01:11 PM	6.00	00046970	MARKOSKI, JOSEPH BLAIR
010734	08/18/2016 01:11 PM	3.00	00033865	MARQUART, DUSTY JAMES
011884	03/20/2017 09:26 PM	0.35	00005139	MARTIN, CLARENCE CHARLES
011441	11/03/2016 03:12 PM	0.60	00069707	MASSOT, MATTHEW CHRISTIAN
010908	09/02/2016 05:31 PM	9.75	00013996	MATHESON, BRETT MICHAEL
010259	08/09/2016 11:39 PM	1.90	00031225	MCCALLISTER, GARET NATHANIEL
012385	06/16/2017 07:52 PM	0.14	00025677	MCDANIEL, JAMES CRAIG
011819	02/06/2017 10:00 PM	2.83	00000111	MCGRAW, KEVIN ALLEN
011221	10/08/2016 12:57 AM	2.00	00068338	MCINTYRE, GEORGE SIDNEY
011269	10/17/2016 10:49 AM	8.00	00003830	MCNAMARA, LEILA DAWN
012568	05/02/2017 07:56 PM	109.50	00078112	MESSICK, CHAD GREGORY
011535	11/23/2016 06:53 PM	3.50	00070617	METCALF, JOSHUA THOMAS
012737	06/06/2017 12:53 PM	2.77	00079863	MILLER, CARINA MARIE
011551	11/27/2016 02:12 PM	4.50	00016946	MILLER, RYAN ROBERT
011918	01/27/2017 02:27 PM	17.06	00023886	MILLER, TERRY SCOTT
011824	02/09/2017 08:51 PM	0.44	00038688	MOERIKE, JEREMIAH LEE
012336	05/09/2017 07:27 PM	2.24	00003715	MONDARES, NICHOLE CANDICE
010964	09/11/2016 02:30 PM	20.50	00066768	MOORE, ANDREW WAYNE
011806	01/29/2017 10:16 PM	0.31	00004747	MOORE, JUSTIN SCOTT
012928	06/25/2017 11:50 AM	16.50	00058607	MOORE, SEAN GERRIT
011784	01/18/2017 02:45 PM	20.10	00054906	MORA, RACQUEL *
010231	07/18/2016 06:18 AM	0.44	00018426	MORALES JR, ROBERTO
010243	07/27/2016 04:05 AM	0.09	00019026	MORISSETTE, LUANN AILEEN
010587	07/16/2016 12:52 AM	2.08	00000719	MORRIS, ALAN JOHN
010866	10/14/2016 07:17 PM	0.97	00005016	MORRISSETTE, JORDAN CHRISTOPHER
012178	03/05/2017 01:38 PM	16.50	00075239	MOTES, DANIEL CRAYTON
010851	10/05/2016 06:50 PM	2.59	00002247	MURRAY, HARLEY JOE
010263	08/11/2016 08:38 PM	0.21	00019200	NEILAN, CHASE THOMAS
012428	04/05/2017 05:37 PM	1.27	00014759	NEILY, BRANDON SCOTT
012346	05/17/2017 08:27 AM	1.05	00063909	NEWTON, QUINN HAWK
010873	10/23/2016 05:28 AM	0.48	00036159	NIENABER, MARK DARRYL
011878	03/15/2017 07:48 PM	25.20	00014818	NIXT, SAMANTHA JO
012238	03/18/2017 08:39 AM	0.43	00040946	NOISEY, SHAWN DALE
012172	03/04/2017 02:15 PM	13.00	00022740	NYBERG GILES, JESSE NEAL

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010644	07/31/2016 04:43 PM	11.31	00022740	NYBERG GILES, JESSE NEAL	\$	24.31
012583	05/03/2017 08:50 PM	10.27	00022199	CONNOR, DOMONICK AARON		
011433	11/01/2016 08:20 PM	0.66	00004006	OKEEFE, TYLER JAMES		
011761	01/11/2017 12:44 PM	0.03	00071109	OLANDER, TRAVIS M		
012159	03/02/2017 12:47 PM	1.03	00022614	OLSEN, JASON JEFFREY		
012485	04/14/2017 09:37 PM	3.07	00072251	OREKHOV, ANDREY VASILYEVICH		
011354	12/27/2016 07:55 PM	0.10	00001878	ORTIZ, HECTOR JOSEPH		
010534	07/06/2016 07:04 AM	12.35	00025241	OWEN, DUSTIN TYLER		
012162	03/02/2017 02:44 PM	3.00	00018159	PAIGE, NICHOLAS DAVID		
010812	09/12/2016 07:41 PM	11.45	00048923	PANTOLEON, LILY HARULA		
012695	05/30/2017 09:16 PM	32.65	00042958	PEARCE, HOWARD ESTON		
011887	03/20/2017 09:35 PM	0.82	00029311	PENALOZA, ATANACIO		
11817	02/03/2017 08:05 PM	1.48	00000896	PEREZ, NICHOLAS RENE		
011836	02/17/2017 12:34 AM	0.15	00040388	PETER, CODY JAMES		
010861	10/12/2016 07:39 PM	0.51	00027313	PETERSON, JASON TIMOTHY		
011849	02/25/2017 12:18 AM	0.22	00069005	PICKARD-AGUILAR, EMANUEL ENOCH		
012551	04/28/2017 08:15 PM	7.15	00014870	PIGGEE, ROBERT LEE		
012245	03/19/2017 06:18 PM	10.00	00000916	PIGOTT, JAMORIE MIKALE		
010868	10/15/2016 06:45 PM	0.58	00007109	POSTMA, CLIFTON RICHARD		
011771	01/14/2017 05:45 PM	0.54	00032343	PRAY, CALVIN JAMES		
012455	04/09/2017 07:44 PM	1.50	00076992	PROUSE, ROBERT MICHAEL		
010254	08/04/2016 10:10 PM	0.03	00015434	RAMIREZ, RICARDO		
012229	03/17/2017 04:29 AM	2.08	00075899	REECE, CAMERON ISAAC		
012321	04/24/2017 07:01 AM	2.18	00029640	REED, ALEXANDER EDWARD		
012504	04/18/2017 01:21 PM	30.20	00071760	REYNA, AUSTIN LOUIS		
011701	12/30/2016 01:05 AM	3.85	00024794	REYNOLDS, JUSTIN DAVID		
012617	05/12/2017 03:43 AM	5.13	00017513	RHODES, DODGE KELLY		
010583	07/15/2016 12:57 AM	1.12	00017513	RHODES, DODGE KELLY	\$	6.25
010216	07/01/2016 12:33 PM	0.25	00032288	RICHSTEIN, DALTON JAMES		
010800	08/19/2016 01:37 PM	0.50	00055204	RIEDLINGER, DUSTIN STEPHEN		
011346	12/21/2016 08:17 PM	2.47	00032786	RITCHIE, MORGAN JASON		
011348	12/21/2016 08:31 PM	3.32	00002830	ROBINSON, JENESSA ELIZABETH		
011465	11/09/2016 06:22 PM	44.82	00026241	ROBINSON, SCOTT NIKKI		
012618	05/12/2017 03:44 AM	1.17	00001930	RODRIGUEZ, BENITO MICHAEL		
012386	06/16/2017 07:54 PM	4.39	00019133	RODRIGUEZ, JESSE KYLER		
012272	03/25/2017 08:22 AM	7.31	00039391	RODRIGUEZ, MICHAEL		
011852	03/02/2017 06:49 AM	0.62	00052109	ROGERSON, JOSEPH P		
011474	11/13/2016 01:08 PM	2.11	00070112	ROPP, ASHLEY NICOLE		
010817	09/13/2016 06:51 PM	0.13	00051793	ROSSITER, JOSEPH PAUL		
012362	05/30/2017 08:44 PM	4.10	00004165	ROYSTER, STEFFAN DUJUAN		
011302	11/15/2016 04:39 PM	0.29	00031779	RUSKIN, JEREMEY DEAN		
011349	12/22/2016 07:39 PM	0.92	00001125	RUSSELL, AUBREY ANNE		
010891	11/06/2016 07:48 PM	0.26	00012418	SACHA, CHRISTOPHER MICHAEL		
010806	09/07/2016 06:43 PM	0.62	00028572	SAMORA, DAWN G		
011808	01/30/2017 08:39 PM	0.27	00005861	SAMPSON, DIMITRI JAY		
0012332	05/06/2017 05:58 PM	0.07	00035078	SAVCHUK, DIMITRY JASON		
010885	11/03/2016 09:44 AM	0.65	00062958	SCHIEFELBEIN, AARON THOMAS		
010296	09/02/2016 05:18 PM	2.12	00004169	SCOTT, BRYTTANI MONIQUE		
010779	08/27/2016 02:48 AM	130.62	00010110	SESTROM, JEROD KINDRED		
011690	12/27/2016 05:42 PM	4.50	00056397	SEWELL, WAYNE DANIEL		
011412	10/28/2016 12:03 PM	146.81	00062754	SHANTI S, SPIRIT RAINWATER		
012266	03/23/2017 03:22 PM	2.26	00076201	SHOEMAKER, KAYLA PATRICIA		

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011098	10/03/2016 04:46 PM	1.96 00051239	SHORE, NICHOLAS DARIO	
012800	06/29/2017 05:48 AM	1.94 00008549	SIBLEY, KARLA SUE	
011770	01/13/2017 09:24 PM	0.13 00033954	SIFTSOFF, ANDRE MARCEL	
012312	04/05/2017 09:10 PM	0.48 00031770	SIGUAW, DAVID MANUEL	
011053	09/26/2016 04:46 PM	0.50 00013147	SIRES, MARK PAUL	
011534	11/23/2016 06:39 PM	1.50 00062438	SMITH JR, KEVIN CRAIG	
010494	07/01/2016 06:27 PM	12.18 00034109	SMITH, DOUGLAS CALVIN	
012650	05/19/2017 01:46 AM	1.50 00005172	SMITH, MICHELE RENEE	
010858	10/10/2016 07:28 PM	1.95 00008161	SMITH, RUTH MARIE	
010705	08/11/2016 03:03 PM	2.79 00049080	SOLOMON, EDITH CHRISTINE	
012188	03/07/2017 02:42 PM	3.27 00028314	SOLOMON, NICKI EDMUND	
010297	09/03/2016 06:06 PM	8.59 00027165	STAHLECKER, MARK A	
011872	03/13/2017 10:58 PM	0.24 00054920	STARKS, DANIEL ALLEN	
011511	11/20/2016 02:29 PM	2.56 00070489	STREMLER, BRANDON DUANE	
012397	06/28/2017 06:18 AM	0.88 00049297	STUBBS, JENNIFER LYNN	
010627	07/26/2016 05:27 AM	0.42 00015725	STURGEON, SETH HARRISON	
012340	05/10/2017 09:33 PM	0.34 00004888	SVEGE, DANIEL LEE	
010923	09/06/2016 05:57 AM	0.43 00014002	SWEET, ROBERT RICHARD	
011853	03/02/2017 10:38 PM	0.22 00018383	SWEET, VICTOR RYAN CHARLES	
011695	12/28/2016 04:36 PM	0.05 00018383	SWEET, VICTOR RYAN CHARLES	\$ 0.27
012493	04/16/2017 03:31 PM	1.07 00009201	SYLVESTER, JOHN BICKFORD	
012484	04/14/2017 01:42 PM	3.00 00077230	TEICH, TIKA MAE	
012247	03/20/2017 10:13 AM	3.50 00031792	TELLEZ, ZACHARY IVAN	
011608	12/09/2016 10:44 AM	3.00 00071347	TEPLY, COREY J	
011390	01/20/2017 03:46 AM	0.17 00001700	THOMPSON, SIERRA LEANNE	
011307	11/20/2016 07:08 AM	0.87 00028926	THORNTON, GHAN JAK	
012801	06/29/2017 08:14 AM	0.12 00051335	TIFFANY, JACOB EARL	
011089	10/02/2016 06:22 PM	10.50 00067955	TJOELKER, JESSICA KORIN	
011666	12/21/2016 02:32 AM	2.11 00011016	TOM, STEVEN JOSEPH	
011316	11/24/2016 07:15 PM	0.11 00039013	TOMMA, RAINBOW	
012393	06/21/2017 07:18 PM	5.14 00000148	TOWNE, MICHAEL ALLAN	
011641	12/16/2016 05:16 AM	0.24 00030543	TOY JR, ROBERT THOMAS	
010639	07/28/2016 09:40 AM	1.34 00064010	TOYAMA, RODNEY MASAO	
010298	09/04/2016 12:13 AM	7.53 00031156	TRECKER, KYLEY KALAHAN	
012133	02/24/2017 01:15 AM	0.50 00037220	TUCKER, TYRE JAMES	
011786	01/19/2017 07:44 AM	0.70 00013946	UMAR, JAMILU	
011407	10/26/2016 06:12 PM	2.50 00035835	VANWEERDUIZEN, CHASE MATTHEW	
012329	05/02/2017 11:46 AM	0.18 00077764	VARGAS, MICHAEL KIMBALL	
010802	08/20/2016 05:51 AM	0.31 00001759	VERDUIN, CYNTHIA LYNN	
011409	10/26/2016 08:28 PM	0.10 00001274	VEST, MARIAH MARIE	
011896	03/27/2017 01:30 AM	0.61 00007257	VILLANUEVA, MELISSA MAE LOUISE	
012351	05/24/2017 07:18 PM	0.41 00024142	VINYARD, RONELL LEA	
011300	11/13/2016 12:43 PM	1.01 00018515	VOEGELE, SAMUEL DAVID	
012112	02/19/2017 01:41 PM	40.50 00074562	WAGNER, ROBERT NICHOLAS	
010723	08/15/2016 07:52 PM	3.50 00031922	WALBRUN, RUDOLPH ROBERT	
011036	09/25/2016 01:50 PM	4.50 00003100	WASHINGTON, AUTUMN ROSE	
011632	12/14/2016 02:10 PM	0.50 00067935	WASHINGTON, WILFRED DARRELL	
012155	02/28/2017 06:35 PM	4.53 00016569	WATERS, CHRISTOPHER CAIN	
011369	01/07/2017 07:56 PM	0.31 00000154	WATSON, JUSTIN TANNER	
012305	03/31/2017 08:33 PM	0.11 00001332	WESTBROOK, CHEPHREN ANTHONY	
010676	08/07/2016 01:18 PM	1.50 00064842	WEYHRAUCH, JACOB ARRON	
010264	08/11/2016 08:40 PM	0.94 00007867	WGEISHOFSKI, KYLE ALLEN	

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010276	08/17/2016 07:32 PM	0.15 00003030	WHEELER, SARAH SOO
012469	04/11/2017 01:15 PM	3.67 00016082	WHITE, DUSTIN CRAIG
010880	10/28/2016 06:27 PM	0.88 00022332	WIBBENS, VIRGINIA MAE
011519	11/21/2016 01:49 AM	10.00 00001365	WILSON, DUSTIN MONROE
012361	05/30/2017 06:59 AM	4.44 00045444	WOOD, TIMOTHY JOSEPH
012394	06/22/2017 06:22 PM	0.43 00051795	WOODMANSEE, CAROLEANN
010788	08/29/2016 07:17 PM	1.41 00005392	WOODS, TYLER JOSEPH
011627	12/13/2016 01:08 AM	1.95 00010689	YRIZARRIS, MICHAEL JOVANNY
010233	07/19/2016 01:28 PM	0.14 00007317	YURONEN, VIKTOR V
012348	05/19/2017 02:56 AM	11.80 00025434	ZAPIEN, TOREY JAMES
011723	01/03/2017 01:07 PM	5.00 00072298	ZARATE, CHASE ZACHARY
012224	03/16/2017 09:39 AM	0.23 00020125	ZENDER, JEFFREY NICHOLAS
010842	09/26/2016 11:59 PM	17.00 00004926	ZWIERS, MICHAEL TODD

2,207.03



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-516

File ID:	AB2019-516	Version:	1	Status:	Agenda Ready
File Created:	10/04/2019	Entered by:	JThomson@co.whatcom.wa.us		
Department:	Health Department	File Type:	Contract		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

Primary Contact Email: JFuller@co.whatcom.wa.us <<mailto:JFuller@co.whatcom.wa.us>>

TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Family & Community Network to provide youth prevention programs designed to reduce risk for substance use and poor mental health, in the amount of \$65,000

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See attachments

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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MEMORANDUM

TO: Jack Louws, County Executive

FROM: ^{RAD} Regina A. Delahunt, Director

RE: Whatcom Family & Community Network – Building Healthy Communities Contract

DATE: September 30, 2019

Enclosed are two (2) originals of a contract between Whatcom County and Whatcom Family & Community Network (WFCN) for your review and signature.

▪ **Background and Purpose**

This contract provides funding for youth prevention programs designed to reduce risk for substance use and poor mental health by providing evidence-based programming to promote healthy children, families and communities through positive and pro-social development opportunities. Services include outreach, education, mentoring, family programming, case management and wrap-around supports, and training on restorative and conflict resolution practices.

▪ **Funding Amount and Source**

Funding for this contract is provided by the Behavioral Health Program Fund in an amount not to exceed \$65,000. These funds are included in the 2020 budget and Council approval is required as funding exceeds \$40,000.

▪ **Differences from Previous Contracts**

This is a new contract resulting from RFP 19-40 and is similar to services provided by WFCN since 2013.

Please contact Joe Fuller at extension #6045 if you have any questions regarding this agreement.

Encl.



WHATCOM COUNTY CONTRACT INFORMATION SHEET		Whatcom County Contract No. _____	
Originating Department:		85 Health	
Division/Program: (i.e. Dept. Division and Program)		8550 Human Services / 855060 Substance Abuse	
Contract or Grant Administrator:		Joe Fuller	
Contractor's / Agency Name:		Whatcom Family & Community Network	
Is this a New Contract? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="checkbox"/> No <input 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? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		If yes, grantor agency contract number(s): _____ CFDA#: _____	
Is this contract grant funded? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Contract Cost Center: 124113	
If yes, RFP and Bid number(s): 19-40			
Is this agreement excluded from E-Verify? No <input type="checkbox"/> Yes <input checked="" 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 checked="" 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): \$ 65,000		Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when : 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.	
This Amendment Amount: \$			
Total Amended Amount: \$			
Summary of Scope: This contract provides funding for services to reduce risk for substance use and poor mental health by providing evidence-based programming. Services include outreach, education, mentoring, family programming, case management.			
Term of Contract: 1 Year		Expiration Date: 12/31/2020	
Contract Routing:		1. Prepared by: JT Date: 07/23/2019 2. Health Budget Approval: KR Date: 09/26/2019 3. Attorney signoff: RB Date: 09/27/2019 4. AS Finance reviewed: <i>MDX</i> Date: 10/3/19 5. IT reviewed (if IT related): Date: _____ 6. Contractor signed: Date: _____ 7. Submitted to Exec.: Date: _____ 8. Council approved (if necessary): Date: _____ 9. Executive signed: Date: _____ 10. Original to Council: Date: _____	

CONTRACT FOR SERVICES AGREEMENT
Building Healthy Communities

Whatcom County Contract No.

Whatcom Family & Community Network, hereinafter called **Contractor**, and Whatcom County, hereinafter referred to as **County**, agree and contract as set forth in this Agreement, including:

General Conditions, pp. 3 to 8,
Exhibit A (Scope of Work), pp. 9 to 12,
Exhibit B (Compensation), p. 13,
Exhibit C (Certificate of Insurance).

Copies of these items are attached hereto and incorporated herein by this reference as if fully set forth herein.

The term of this Agreement shall commence on the 1st day of January, 2020, and shall, unless terminated or renewed as elsewhere provided in the Agreement, terminate on the 31st day of December, 2020.

The general purpose or objective of this Agreement is to **deliver youth prevention programs designed to reduce substance use and promote healthy youth and families**, as more fully and definitively described in Exhibit A hereto. The language of Exhibit A controls in case of any conflict between it and that provided here.

The maximum consideration for the initial term of this agreement or for any renewal term shall not exceed \$65,000. The contract number, set forth above, shall be included on all billings or correspondence in connection therewith.

Contractor acknowledges and by signing this contract agrees that the Indemnification provisions set forth in Paragraphs 11.1, 21.1, 30.1, 31.2, 32.1, 34.2, and 34.3, if included, are totally and fully part of this contract and have been mutually negotiated by the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement this 27th day of SEPT., 2019.


CONTRACTOR:

Whatcom Family & Community Network

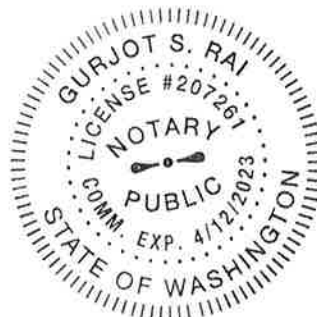

Kristi Slette, Executive Director

STATE OF WASHINGTON)
) ss.
COUNTY OF Whatcom)

On this 27th day of September, 2019, before me personally appeared Kristi Slette to me known to be the Executive Director of the Whatcom Family & Community Network and who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

 Gurjot S. Rai
NOTARY PUBLIC in and for the State of Washington, residing at
Whatcom County. My commission expires 4-12-2023.

CONTRACTOR INFORMATION:
Whatcom Family & Community Network
Kristi Slette, Executive Director
1231 N Garden Street, Suite 210
Bellingham, WA 98225
360-738-1196
Kristi.Slette@wfcn.org



WHATCOM COUNTY:

Recommended for Approval:

Anne Deacon 9/30/19
Anne Deacon, Human Services Manager Date

Regina Delahunt 10/1/19
Regina Delahunt, Director Date

Approved as to form:

Royce Buckingham 10-1-19
Royce Buckingham, Prosecuting Attorney Date

Approved:

Accepted for Whatcom County:

By: _____
Jack Louws, Whatcom County Executive

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

On this _____ day of _____, 2019, before me personally appeared Jack Louws, 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 _____.

GENERAL CONDITIONS

Series 00-09: Provisions Related to Scope and Nature of Services

0.1 Scope of Services:

The Contractor agrees to provide to the County services and any materials as set forth in the project narrative identified as Exhibit "A", during the agreement period. No material, labor, or facilities will be furnished by the County, unless otherwise provided for in the Agreement.

Series 10-19: Provisions Related to Term and Termination

10.1 Term:

Services provided by Contractor prior to or after the term of this contract shall be performed at the expense of Contractor and are not compensable under this contract unless both parties hereto agree to such provision in writing. The term of this Agreement may be extended by mutual agreement of the parties; provided, however, that the Agreement is in writing and signed by both parties.

10.2 Extension:

The duration of this Agreement may be extended by mutual written consent of the parties, for a period of up to one year, and for a total of no longer than three years.

11.1 Termination for Default:

If the Contractor defaults by failing to perform any of the obligations of the contract or becomes insolvent or is declared bankrupt or commits any act of bankruptcy or insolvency or makes an assignment for the benefit of creditors, the County may, by depositing written notice to the Contractor in the U.S. mail, first class postage prepaid, terminate the contract, and at the County's option, obtain performance of the work elsewhere. Termination shall be effective upon Contractor's receipt of the written notice, or within three (3) days of the mailing of the notice, whichever occurs first. If the contract is terminated for default, the Contractor shall not be entitled to receive any further payments under the contract until all work called for has been fully performed. Any extra cost or damage to the County resulting from such default(s) shall be deducted from any money due or coming due to the Contractor. The Contractor shall bear any extra expenses incurred by the County in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained by the County by reason of such default.

11.2 Termination for Reduction in Funding:

In the event that funding from State, Federal or other sources is withdrawn, reduced, or limited in any way after the effective date of this Agreement, and prior to its normal completion, the County may summarily terminate this Agreement as to the funds withdrawn, reduced, or limited, notwithstanding any other termination provisions of this Agreement. If the level of funding withdrawn, reduced or limited is so great that the County deems that the continuation of the programs covered by this Agreement is no longer in the best interest of the County, the County may summarily terminate this Agreement in whole, notwithstanding any other termination provisions of this Agreement. Termination under this section shall be effective upon receipt of written notice as specified herein, or within three days of the mailing of the notice, whichever occurs first.

11.3 Termination for Public Convenience:

The County may terminate the Agreement in whole or in part whenever the County determines, in its sole discretion, that such termination is in the interests of the County. Whenever the Agreement is terminated in accordance with this paragraph, the Contractor shall be entitled to payment for actual work performed at unit contract prices for completed items of work. An equitable adjustment in the contract price for partially completed items of work will be made, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination of this Agreement by the County at any time during the term, whether for default or convenience, shall not constitute breach of contract by the County.

Series 20-29: Provisions Related to Consideration and Payments

20.1 Accounting and Payment for Contractor Services:

Payment to the Contractor for services rendered under this Agreement shall be as set forth in Exhibit "B." Where Exhibit "B" requires payments by the County, payment shall be based upon written claims supported, unless otherwise provided in Exhibit "B," by documentation of units of work actually performed and amounts earned, including, where appropriate, the actual number of days worked each month, total number of hours for the month, and the total dollar payment requested, so as to comply with municipal auditing requirements.

Unless specifically stated in Exhibit "B" or approved in writing in advance by the official executing this Agreement for the County or his designee (hereinafter referred to as the "Administrative Officer") the County will not reimburse the Contractor for any costs or expenses incurred by the Contractor in the performance of this contract. Where required, the County shall, upon receipt of appropriate documentation, compensate the Contractor, no more often than monthly, in accordance with the County's customary procedures, pursuant to the fee schedule set forth in Exhibit "B."

21.1 Taxes:

The Contractor understands and acknowledges that the County will not withhold Federal or State income taxes. Where required by State or Federal law, the Contractor authorizes the County to withhold for any taxes other than income taxes (i.e., Medicare). All compensation received by the Contractor will be reported to the Internal Revenue Service at the end of the calendar year in accordance with the applicable IRS regulations. It is the responsibility of the Contractor to make the necessary estimated tax payments throughout the year, if any, and the Contractor is solely liable for any tax obligation arising from the Contractor's performance of this Agreement. The Contractor hereby agrees to indemnify the County against any demand to pay taxes arising from the Contractor's failure to pay taxes on compensation earned pursuant to this Agreement.

The County will pay sales and use taxes imposed on goods or services acquired hereunder as required by law. The Contractor must pay all other taxes, including, but not limited to, Business and Occupation Tax, taxes based on the Contractor's gross or net income, or personal property to which the County does not hold title. The County is exempt from Federal Excise Tax.

22.1 Withholding Payment:

In the event the County's Administrative Officer determines that the Contractor has failed to perform any obligation under this Agreement within the times set forth in this Agreement, then the County may withhold from amounts otherwise due and payable to Contractor the amount determined by the County as necessary to cure the default, until the Administrative Officer determines that such failure to perform has been cured. Withholding under this clause shall not be deemed a breach entitling Contractor to termination or damages, provided that the County promptly gives notice in writing to the Contractor of the nature of the default or failure to perform, and in no case more than 10 days after it determines to withhold amounts otherwise due. A determination of the Administrative Officer set forth in a notice to the Contractor of the action required and/or the amount required to cure any alleged failure to perform shall be deemed conclusive, except to the extent that the Contractor acts within the times and in strict accord with the provisions of the Disputes clause of this Agreement. The County may act in accordance with any determination of the Administrative Officer which has become conclusive under this clause, without prejudice to any other remedy under the Agreement, to take all or any of the following actions: (1) cure any failure or default, (2) to pay any amount so required to be paid and to charge the same to the account of the Contractor, (3) to set off any amount so paid or incurred from amounts due or to become due the Contractor. In the event the Contractor obtains relief upon a claim under the Disputes clause, no penalty or damages shall accrue to Contractor by reason of good faith withholding by the County under this clause.

23.1 Labor Standards:

The Contractor agrees to comply with all applicable state and federal requirements, including but not limited to those pertaining to payment of wages and working conditions, in accordance with RCW 39.12.040, the Prevailing Wage Act; the Americans with Disabilities Act of 1990; the Davis-Bacon Act; and the Contract Work Hours and Safety Standards Act providing for weekly payment of prevailing wages, minimum overtime pay, and providing that no laborer or mechanic shall be required to work in surroundings or under conditions which are unsanitary, hazardous, or dangerous to health and safety as determined by regulations promulgated by the Federal Secretary of Labor and the State of Washington.

Series 30-39: Provisions Related to Administration of Agreement

30.1 Independent Contractor:

The Contractor's services shall be furnished by the Contractor as an independent contractor, and nothing herein contained shall be construed to create a relationship of employer-employee or master-servant, but all payments made hereunder and all services performed shall be made and performed pursuant to this Agreement by the Contractor as an independent contractor.

The Contractor acknowledges that the entire compensation for this Agreement is specified in Exhibit "B" and the Contractor is not entitled to any benefits including, but not limited to: vacation pay, holiday pay, sick leave pay, medical, dental, or other insurance benefits, or any other rights or privileges afforded to employees of the County. The Contractor represents that he/she/it maintains a separate place of business, serves clients other than the County, will report all income and expense accrued under this contract to the Internal Revenue Service, and has a tax account with the State of Washington Department of Revenue for payment of all sales and use and Business and Occupation taxes collected by the State of Washington.

Contractor will defend, indemnify and hold harmless the County, its officers, agents or employees from any loss or expense, including, but not limited to, settlements, judgments, setoffs, attorneys' fees or costs incurred by reason of claims or demands because of breach of the provisions of this paragraph.

30.2 Assignment and Subcontracting:

The performance of all activities contemplated by this agreement shall be accomplished by the Contractor. No portion of this contract may be assigned or subcontracted to any other individual, firm or entity without the express and prior written approval of the County.

30.3 No Guarantee of Employment:

The performance of all or part of this contract by the Contractor shall not operate to vest any employment rights whatsoever and shall not be deemed to guarantee any employment of the Contractor or any employee of the Contractor or any subcontractor or any employee of any subcontractor by the County at the present time or in the future.

31.1 Ownership of Items Produced:

When the Contractor creates any copyrightable materials or invents any patentable property, the Contractor may copyright or patent the same, but the County retains a royalty-free, nonexclusive and irrevocable license to reproduce, publish, recover, or otherwise use the materials or property and to authorize other governments to use the same for state or local governmental purposes. Contractor further agrees to make research, notes, and other work products produced in the performance of this Agreement available to the County upon request.

31.2 Patent/Copyright Infringement: Not Applicable

32.1 Confidentiality:

The Contractor, its employees, subcontractors, and their employees shall maintain the confidentiality of all information provided by the County or acquired by the Contractor in performance of this Agreement, except upon the prior written consent of the County or an order entered by a court after having acquired jurisdiction over the County. Contractor shall immediately give to the County notice of any judicial proceeding seeking disclosure of such information. Contractor shall indemnify and hold harmless the County, its officials, agents or employees from all loss or expense, including, but not limited to, settlements, judgments, setoffs, attorneys' fees and costs resulting from Contractor's breach of this provision.

33.1 Right to Review:

This contract is subject to review by any Federal, State or County auditor. The County or its designee shall have the right to review and monitor the financial and service components of this program by whatever means are deemed expedient by the Administrative Officer or by the County Auditor's Office. Such review may occur with or without notice and may include, but is not limited to, on-site inspection by County agents or employees, inspection of all records or other materials which the County deems pertinent to the Agreement and its performance, and any and all communications with or evaluations by service recipients under this Agreement. The Contractor shall preserve and maintain all financial records and records relating to the performance of work under this Agreement for three (3) years after contract termination, and shall make them available for such review, within Whatcom County, State of Washington, upon request. Contractor also agrees to notify the Administrative Officer in advance of any inspections, audits, or program review by any individual, agency, or governmental unit whose purpose is to review the services provided within the terms of this Agreement. If no advance notice is given to the Contractor, then the Contractor agrees to notify the Administrative Officer as soon as it is practical.

34.1 Proof of Insurance:

The Contractor shall carry for the duration of this Agreement general liability and property damage insurance with the following minimums:

Property Damage per occurrence - \$500,000.00 (this amount may vary with circumstances)

General Liability & Property Damage for bodily injury- \$1,000,000.00 (this amount may vary with circumstances)

A Certificate of insurance, that also identifies the County as an additional insured, is attached hereto as Exhibit "C". This insurance shall be considered as primary and shall waive all rights of subrogation. The County insurance shall be noncontributory.

a. Professional Liability - \$1,000,000 per occurrence:

If the professional liability insurance is a claims made policy, and should the contractor discontinue coverage either during the term of this contract or within three years of completion, the contractor agrees to purchase tail coverage for a minimum of three years from the completion date of this contract or any amendment to this contract.

34.2 Industrial Insurance Waiver: Not Applicable

34.3 Defense & Indemnity Agreement:

The Contractor agrees to defend, indemnify and save harmless the County, its appointed and elective officers and employees, from and against all loss or expense, including, but not limited to, judgments, settlements, attorneys' fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons and on account of damage to property, including loss of use thereof, whether such injury to persons or damage to property is due to the negligence of the Contractor, its subcontractors, its successor or assigns, or its agents, servants, or employees, the County, its appointed or elected officers, employees or their agents, except only such injury or damage as shall have been occasioned by the sole negligence of the County or its appointed or elected officials or employees. In case of damages caused by the concurrent negligence of Contractor, its subcontractors, its successors or assigns, or its agents, servants, or employees, and the County, its appointed or elected officers, employees or their agents, then this indemnification provision is enforceable only to the extent of the negligence of the Contractor, its agents, or its employees.

It is further provided that no liability shall attach to the County by reason of entering into this contract, except as expressly provided herein. The parties specifically agree that this agreement is for the benefit of the parties only and this agreement shall create no rights in any third party.

35.1 Non-Discrimination in Employment:

The County's policy is to provide equal opportunity in all terms, conditions and privileges of employment for all qualified applicants and employees without regard to race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, disability, or veteran status. The Contractor shall comply with all laws prohibiting discrimination against any employee or applicant for employment on the grounds of race, color, creed, religion, national origin, sex, sexual orientation, age, marital status, disability, or veteran status, except where such constitutes a bona fide occupational qualification.

Furthermore, in those cases in which the Contractor is governed by such laws, the Contractor shall take affirmative action to insure that applicants are employed, and treated during employment, without regard to their race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability, or veteran status, except where such constitutes a bona fide occupational qualification. Such action shall include, but not be limited to: advertising, hiring, promotions, layoffs or terminations, rate of pay or other forms of compensation benefits, selection for training including apprenticeship, and participation in recreational and educational activities. In all solicitations or advertisements for employees placed by them or on their behalf, the Contractor shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

The foregoing provisions shall also be binding upon any subcontractor, provided that the foregoing provision shall not apply to contracts or subcontractors for standard commercial supplies or raw materials, or to sole proprietorships with no employees.

35.2 Non-Discrimination in Client Services:

The Contractor shall not discriminate on the grounds of race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, disability, or veteran status; or deny an individual or business any service or benefits under this Agreement; or subject an individual or business to segregation or separate treatment in any manner related to his/her/its receipt any service or services or other benefits provided under this Agreement; or deny an individual or business an opportunity to participate in any program provided by this Agreement.

36.1 Waiver of Noncompetition: Not Applicable

36.2 Conflict of Interest:

If at any time prior to commencement of, or during the term of this Agreement, Contractor or any of its employees involved in the performance of this Agreement shall have or develop an interest in the subject matter of this Agreement that is potentially in conflict with the County's interest, then Contractor shall immediately notify the County of the same. The notification of the County shall be made with sufficient specificity to enable the County to make an informed judgment as to whether or not the County's interest may be compromised in any manner by the existence of the conflict, actual or potential. Thereafter, the County may require the Contractor to take reasonable steps to remove the conflict of interest. The County may also terminate this contract according to the provisions herein for termination.

37.1 Administration of Contract:

This Agreement shall be subject to all laws, rules, and regulations of the United States of America, the State of Washington, and political subdivisions of the State of Washington. The Contractor also agrees to comply with applicable federal, state, county or municipal standards for licensing, certification and operation of facilities and programs, and accreditation and licensing of individuals.

The County hereby appoints, and the Contractor hereby accepts, the Whatcom County Executive, and his or her designee, as the County's representative, hereinafter referred to as the Administrative Officer, for the purposes of administering the provisions of this Agreement, including the County's right to receive and act on all reports and documents, and any auditing performed by the County related to this Agreement. The Administrative Officer for purposes of this agreement is:

Joe Fuller, Program Specialist
Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225
360-778-6045
JFuller@co.whatcom.wa.us

- 37.2 Notice:
Except as set forth elsewhere in the Agreement, for all purposes under this Agreement except service of process, notice shall be given by the Contractor to the County's Administrative Officer under this Agreement. Notice to the Contractor for all purposes under this Agreement shall be given to the address provided by the Contractor herein above in the "Contractor Information" section. Notice may be given by delivery or by depositing in the US Mail, first class, postage prepaid.
- 38.1 Certification of Public Works Contractor's Status under State Law: Not Applicable
- 38.2 Certification Regarding Federal Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions: Not Applicable
- 38.3 E-Verify: Not Applicable

Series 40-49: Provisions Related to Interpretation of Agreement and Resolution of Disputes

- 40.1 Modifications:
Either party may request changes in the Agreement. Any and all agreed modifications, to be valid and binding upon either party, shall be in writing and signed by both of the parties.
- 40.2 Contractor Commitments, Warranties and Representations: Not Applicable
- 41.1 Severability:
If any term or condition of this contract or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this contract are declared severable.
- 41.2 Waiver:
Waiver of any breach or condition of this contract shall not be deemed a waiver of any prior or subsequent breach. No term or condition of this contract shall be held to be waived, modified or deleted except by an instrument, in writing, signed by the parties hereto. The failure of the County to insist upon strict performance of any of the covenants and agreements of this Agreement, or to exercise any option herein conferred in any one or more instances, shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.
- 42.1 Disputes:
- a. General:
Differences between the Contractor and the County, arising under and by virtue of the Contract Documents, shall be brought to the attention of the County at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. Except for such objections as are made of record in the manner hereinafter specified and within the time limits stated, the records, orders, rulings, instructions, and decisions of the Administrative Officer shall be final and conclusive.

b. **Notice of Potential Claims:**

The Contractor shall not be entitled to additional compensation which otherwise may be payable, or to extension of time for (1) any act or failure to act by the Administrative Officer or the County, or (2) the happening of any event or occurrence, unless the Contractor has given the County a written Notice of Potential Claim within ten (10) days of the commencement of the act, failure, or event giving rise to the claim, and before final payment by the County. The written Notice of Potential Claim shall set forth the reasons for which the Contractor believes additional compensation or extension of time is due, the nature of the cost involved, and insofar as possible, the amount of the potential claim. Contractor shall keep full and complete daily records of the work performed, labor and material used, and all costs and additional time claimed to be additional.

c. **Detailed Claim:**

The Contractor shall not be entitled to claim any such additional compensation, or extension of time, unless within thirty (30) days of the accomplishment of the portion of the work from which the claim arose, and before final payment by the County, the Contractor has given the County a detailed written statement of each element of cost or other compensation requested and of all elements of additional time required, and copies of any supporting documents evidencing the amount or the extension of time claimed to be due.

d. **Arbitration:**

Other than claims for injunctive relief brought by a party hereto (which may be brought either in court or pursuant to this arbitration provision), and consistent with the provisions hereinabove, any claim, dispute or controversy between the parties under, arising out of, or related to this Agreement or otherwise, including issues of specific performance, shall be determined by arbitration in Bellingham, Washington, under the applicable American Arbitration Association (AAA) rules in effect on the date hereof, as modified by this Agreement. There shall be one arbitrator selected by the parties within ten (10) days of the arbitration demand, or if not, by the AAA or any other group having similar credentials. Any issue about whether a claim is covered by this Agreement shall be determined by the arbitrator. The arbitrator shall apply substantive law and may award injunctive relief, equitable relief (including specific performance), or any other remedy available from a judge, including expenses, costs and attorney fees to the prevailing party and pre-award interest, but shall not have the power to award punitive damages. The decision of the arbitrator shall be final and binding and an order confirming the award or judgment upon the award may be entered in any court having jurisdiction. The parties agree that the decision of the arbitrator shall be the sole and exclusive remedy between them regarding any dispute presented or pled before the arbitrator. At the request of either party made not later than forty-five (45) days after the arbitration demand, the parties agree to submit the dispute to nonbinding mediation, which shall not delay the arbitration hearing date; provided, that either party may decline to mediate and proceed with arbitration.

Unless otherwise specified herein, this Agreement shall be governed by the laws of Whatcom County and the State of Washington.

43.1 **Venue and Choice of Law:**

In the event that any litigation should arise concerning the construction or interpretation of any of the terms of this Agreement, the venue of such action of litigation shall be in the courts of the State of Washington in and for the County of Whatcom. This Agreement shall be governed by the laws of the State of Washington.

44.1 **Survival:**

The provisions of paragraphs 11.1, 11.2, 11.3, 21.1, 22.1, 30.1, 31.1, 31.2, 32.1, 33.1, 34.2, 34.3, 36.1, 40.2, 41.2, 42.1, and 43.1, if utilized, shall survive, notwithstanding the termination or invalidity of this Agreement for any reason.

45.1 **Entire Agreement:**

This written Agreement, comprised of the writings signed or otherwise identified and attached hereto, represents the entire Agreement between the parties and supersedes any prior oral statements, discussions or understandings between the parties.

Exhibit "A" Scope of Work

I. Background

The services provided under this contract have been designed to prevent youth substance use and poor mental health by reducing risks for those behaviors. Research shows that youth are more at risk of anti-social behaviors if they are socially isolated, do not feel like they belong, and have no hope or sense of purpose. In Whatcom County, many youth are struggling with issues that challenge their ability to connect and build resilience. 38% of 10th graders in Whatcom County reported feeling so sad or hopeless for two weeks or more that they stopped doing usual activities. 24% of 10th graders also reported seriously contemplating suicide. 22% of 10th graders reported using alcohol in the past month, and 32% of 8th graders report being bullied in the past month. Individuals who feel connected and 'bonded' to peers, family, school, and community are less likely to use drugs, experience poor mental health, commit crimes, join gangs, or engage in other unhealthy behaviors.

The purpose of this contract is to provide opportunities for youth and families to participate in healthy activities that strengthen relationships. The Contractor will provide youth development classes, parent skill building activities, community training, mentoring, and multiple evidence-based best practice programming.

The use of evidence-based activities in this project will help achieve **both positive behavioral outcomes**, as well as demonstrate **financial benefits** to the public. *Cost savings for these strategies, according to the Washington State Institute on Public Policy, range from \$1,167 per participant to as much as \$20,706 per participant. Savings by service/program can be found at <https://www.wsipp.wa.gov/BenefitCost>.* Behavioral outcomes evidenced by these federally recognized best practice programs also include:

1. 25% reduction in the rate of child maltreatment
2. 33% reduction in the rate of out-of-home placements – e.g., in foster homes
3. 35% reduction in the rate of hospitalizations or emergency room visits for child maltreatment injuries
4. Reduced rates of skipping school and increased academic performance
5. Reduced rates of initiating alcohol and other substance use
6. Decreased rates of past month use of alcohol and other substance use
7. 88% of parents reported a decrease in harsh discipline and 76% reported an increase in positive parenting
8. 76% of parents reported decreased antisocial behavior in their child
9. 79% of youth reported increased emotional competence and 75% reported improved concentration/attention
10. 83% of students met their academic performance standards

Research has also shown that individuals who develop skills (communication, peer refusal, conflict resolution, etc.) while increasing knowledge about risks, develop essential resilience to negative behaviors.

II. Statement of Work

The primary target locations for this initiative are the schools and surrounding communities for the Birchwood and Roosevelt neighborhoods, along with areas of Mt. Baker, Blaine, Ferndale, and Nooksack school district boundaries. Other sites may be included if they have demonstrated heightened levels of substance use, gang activity, poverty, child abuse, and other identified risk factors.

This initiative will target 400 individuals, including 100 parents and 300 school-aged youth. Additional community-wide trainings and family engagement opportunities will also target 1,500 youth and families. An emphasis on outreach will focus on youth vulnerable to mental health and substance abuse risks due to exposure to Adverse Childhood Experiences, community health disparities, or other circumstances that elevate risk.

Some of the following services will be provided through the use of subcontracts to community providers who have already demonstrated success with the programs. All subcontracts will be subject to the review and approval of the County.

The Contractor will provide the following services:

1. **Conflict Resolution Training** – deliver conflict resolution workshops and restorative practices using best practices for small-group facilitation, classroom management, and strategies for engaging with at-risk youth. Skill-building activities include 3 – 4 hour classroom presentations, 6 – 8 hour small group workshops, generally once per week in one-hour sessions. Additional skill-building activities include conflict coaching (1 – 4, one-hour sessions, weekly) and leadership training (1 – 2, 2-hour sessions, weekly). Intervention activities may include peer-peer mediation, restorative circles, and restorative conferences, generally 1 – 2 sessions, 2 hours each.
 - a. The goal is for 70% of participants to report positive change in their knowledge and attitudes relating to conflict.
2. **Mentoring Services** – target mentoring services to 15 – 20 youth. Services will be delivered weekly during the academic school year. Mentoring staff will perform enrollment activities, training, match support, and services to engage youth in positive, healthy activities that increase connection to positive individuals.
 - a. Program Outcome Evaluation surveys designed for these services will be completed by mentors/parents to document improvement in confidence, competence, and other subject improvements.
 - b. The goal is for 80% of students to demonstrate improvements in measured behaviors.
3. **Parenting Training and Support** – Program will partner with individual families to provide individual parent coaching in one of four evidence-based curriculums. Focusing on parents with children ages 0 – 8 years, services will target at least 30 adults and 30 children. Parenting Coaches provide initial interviews that are trauma-informed and utilize motivational interviewing, identifying risks and protective factors. Families receive 0 – 12 parent coaching sessions (4 sessions per family on average). Parent Coaches provide outreach to families and partner organizations including attendance at partner meetings, participation and report at Whatcom Prevention Coalition meetings, and participate at Shuksan Community Family Night. The evidence based curriculums include:
 - a. **Incredible Years** – A program guided by developmental theory on the role of multiple interacting risk and protective factors in the development of conduct problems. The program is designed to work jointly to promote emotional and social competence and to prevent, reduce, and treat behavioral and emotional problems in young children. Provide two, 6-week evidence-based Incredible Years Attentive Parenting Classes in rural communities currently lacking these services. Each series serves up to 12 families (24 families–36 parents and 48 children). Each session is 2.5 hours and includes two Brigid Collins Incredible Years-trained facilitators, onsite childcare, a meal, and a weekly check-in phone call with a facilitator. Incredible Years is for parents of children ages 2 – 6 years.
 - b. **Parent Child Interaction Therapy (PCIT)** – A treatment program for young children with conduct disorders that place emphasis on improving the quality of the parent-child relationship and changing parent-child interaction patterns. PCIT was developed for children ages 2 – 7 years with externalizing behavior disorders.

- c. **Positive Parenting Program (Triple P)** – Triple P is a multilevel system of parenting and family support strategies for families with children from birth to age 12, with extensions to families with teenagers ages 13 to 16. Triple P is designed to prevent social, emotional, behavioral, and developmental problems in children by enhancing their parent's knowledge, skills, and confidence. Triple P has five intervention levels of increasing intensity to meet each family's specific needs. Triple P has a great deal of flexibility and is very effective with parent's more complex mental health needs and creates a therapeutic relationship that deals with case management issues and behavioral plans.
- d. **Promoting First Relationships** - Promoting First Relationships (PFR) is a home-based program designed to strengthen relationships between infants and toddlers and their caregivers, to support socio-emotional development in these children, and to improve caregiver sensitivity.

The goals for parent training and support are for 80% of parents to increase their knowledge of child development and non-punitive discipline, and for 80% of parents to improve their relationship/bond with their child.
4. **Youth Development Opportunities** – provide development opportunities a minimum of 15 times through school based prevention clubs, youth leadership events, service opportunities, and related events. Topics address issues/risks that youth face like substance use, family concerns, depression, and bullying. Sessions provide opportunities for youth to participate in positive events that build skills, including communication, social skills, and leadership. Material and experience will be delivered to 10-20 individuals per session.
 - a. The goal is that 80% of youth participants will report being engaged authentically as a leader in the work, as demonstrated through participant surveys.
5. **Youth Outreach** - provide direct services to youth, which can include afterschool programming, and coordinate community volunteers and partnerships that provide opportunities and skill building for high-risk youth, including youth who are at-risk of gang engagement or currently living where gang-related activity is a priority of law enforcement. Youth outreach will target 20 youth, grades 5 to 12, for prevention services. This includes face-to-face interaction or other direct communication with young people, connecting with parents and schools to gain support for youth participation, and to connect families to vital community resources. The Youth Outreach Coordinator will perform at least (100) one-hundred hours of direct services across the calendar year. Additional effort is dedicated to engage coalition members and other community organizations to support youth development activities and training. The goal of the coordinator is to increase connection of youth to peers, family, and community, and will be documented through program records.
6. **Prevention Training** - provide a minimum of six training events. Training will be used to educate the community on risks associated with exposure to toxic stress, substance abuse, violence (including gang activity and domestic violence), and other problem behaviors; increase understanding of healthy youth development; and build essential skills (i.e., communication and conflict resolution). Ten to twenty individuals will participate in each training event.
 - a. The goal is for 80% of attendees to increase knowledge of the training topic area, as demonstrated through training participant evaluations.

The Contractor will also:

1. Encourage youth to participate in school prevention clubs where youth can engage in healthy social opportunities through community service and leadership activities.

2. Convene members of the Whatcom Prevention Coalition, Mount Baker Community Coalition and Building Healthy Communities Team at least twice a year to discuss ongoing implementation of this project and its activities.
3. Utilize stipends as an engagement tool for hard to reach youth and parents, providing additional capacity to deliver activities in this contract.
4. Information about services delivered through this contract will be shared with school staff in the targeted areas. School staff can refer students or families to the available services. Similarly, youth and families served through this contract will be made aware of resources available in school settings.
5. Participate in County evaluation efforts, including evaluation planning, data collection, and reporting.
6. Service reports will be submitted at least twice each year according to the following timetable:

Service Period	Due Date
January – June	July 31 st
July – December	January 31 st

- a. Service reports will include the following information for each service area:
 - i. Number of single service events provided (community events, trainings, etc.).
 - ii. Number of individuals reached through single service events.
 - iii. Number of recurring service events provided (groups, classes, etc.).
 - iv. Number of individuals reached through recurring service events.
- b. Outcome reports will be submitted as appropriate for the area of service. Anticipated outcomes are included in each service description. Data may be collected through program records, pre/post surveys, school records, interviews with providers, or other measurement tools.
- c. Collect additional documentation to verify activities, provided to the County upon request. This may include copies of event/training/class flyers or posters, registrations lists, sign-in sheets, case files, outreach materials, and other documents demonstrating the work performed.

Exhibit "B"
Compensation

The source of funding for this contract, in an amount not to exceed \$65,000, is the Behavioral Health Program Fund.
The budget for services is as follows:

Item	Documentation Required with Invoice	Budget
Program Coordinator, Youth Outreach Coordinator, Director (salary, benefits, taxes)	Approved hourly billing rate and timesheet showing total hours and hours charged to this contract.	\$23,802
Mileage	Mileage log to include name of traveler, dates, start and end point, and purpose. Reimbursement will be at the Federal rate (www.gsa.gov).	\$2,000
Supplies, Materials, Printing	Receipts	\$1,989
Stipends	Stipend documentation must detail each individual, number of hours, activity supported, dates of support, and include a signature of the stipend recipient (5 stipends: 1 at \$100; 4 at \$50)	\$300
Subcontracted Services		
Mentoring and Wrap Around Support	Subcontractor's invoice with dates of service, # of participants	\$3,000
Restorative & Conflict Resolution Practices		\$9,000
Parent Training & Support Program		\$19,000
Administration @ 10%		\$5,909
TOTAL		\$65,000

The Contractor may transfer funds between budget line items with prior County approval but under no circumstances will the Administration rate exceed 10%.

Invoicing

- 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 day of the month, following the month of service.
- The Contractor shall submit invoices to (include contract #):
Business Office – HL-BusinessOffice@co.whatcom.wa.us
Whatcom County Health Department
509 Girard Street
Bellingham, WA 98225
- Payment by the County will be considered timely if it is made within 30 days of the receipt and acceptance of billing information from the Contractor. The County may withhold payment of an invoice if the Contractor submits it more than 30 days after the expiration of this contract.
- 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 in this invoice.
- Duplication of Billed Costs or Payments for Services: 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.

Exhibit "C"
Insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/20/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Rice Insurance LLC 1400 Broadway P.O. Box 639 Bellingham WA 98227	CONTACT NAME: Michael Palmer PHONE (A/C, No, Ext): (360) 734-1161 FAX (A/C, No): (360) 734-1173 E-MAIL ADDRESS: MichaelP@riceinsurance.com																					
INSURED Whatcom Family & Community Network 1231 N Garden St #210 Bellingham WA 98225-5162	<table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>Philadelphia Indemnity Ins Co</td><td></td></tr><tr><td>INSURER B:</td><td></td><td></td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Philadelphia Indemnity Ins Co		INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:		
INSURER(S) AFFORDING COVERAGE		NAIC #																				
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INSURER B:																						
INSURER C:																						
INSURER D:																						
INSURER E:																						
INSURER F:																						

COVERAGES**CERTIFICATE NUMBER:** 19-20**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		PHPK1772615	03/26/2019	03/26/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Professional Liability \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A	N/A					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Whatcom County, its departments, elected and appointed officials, employees, agents and volunteers are listed as Additional Insureds per form PI-GLD-HS 1011 attached. This insurance shall be considered as primary and shall waive all rights of subrogation. The County insurance shall be noncontributory per form PI-GL-005 0712. Waiver of subrogation applies per form CG2404 0509 attached.

CERTIFICATE HOLDER**CANCELLATION**

Whatcom County 311 Grand Ave Bellingham WA 98225	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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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: AB2019-526

File ID:	AB2019-526	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	SWinger@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Resolution		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Resolution in the matter of the sale of surplus personal property and the setting of a date for a public hearing thereon pursuant to WCC 1.10

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The County Purchasing Agent is required by Whatcom County Code 1.10.180 to submit a list (see Exhibit 'A') of surplus personal property to the Council for authority to dispose of said personal property

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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PROPOSED BY: Finance

DATE INTRODUCED: 10/22/2019

RESOLUTION NO. _____

A RESOLUTION IN THE MATTER OF THE SALE OF SURPLUS PERSONAL PROPERTY

AND THE SETTING OF A DATE FOR PUBLIC HEARING THEREON PURSUANT TO WCC 1.10

WHEREAS, the following described property listed in Exhibit "A", hereby incorporated by reference, is now and has been the property of Whatcom County; and

WHEREAS, the County Purchasing Agent has determined that it is in the best interest of the County to sell such property;

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that a public hearing on the matter of the sale of such property be held on _____, 2019 or as soon thereafter as is possible, in the Whatcom County Council Chambers at 311 Grand Avenue, Bellingham, Washington, for the purpose of admitting testimony for and against the propriety of selling such property; and

BE IT FURTHER RESOLVED that the Clerk of the County Council is directed to give notice of such hearing in the manner prescribed by law.

APPROVED this ____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecuting Attorney

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**

Brad Bennett, Finance Manager



FINANCE/ACCOUNTING
Whatcom County Courthouse
311 Grand Avenue, Suite #503
Bellingham, WA 98225-4082
Phone – (360) 778-5320
Fax – (360) 778-5321

Exhibit "A"
Capital Asset Surplus Request
October 2019

General Fixed Assets

Description	Year	Make/Model	Serial Number	Dept	Hours (Est)	Comments
Courthouse backup generator	1992 (Est)	Aptec AVD275	11062-1	AS Facilities	191	Water pump leaking into crankcase; Parts not readily available; too costly to repair



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-527

File ID:	AB2019-527	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	SWinger@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Resolution		
Assigned to:	Council Finance and Administrative Services Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Resolution in the matter of the sale of surplus real property (building only) and setting a date for a public hearing thereon, pursuant to WCC 1.10

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The County Purchasing Agent is required by Whatcom County Code 1.10.180 to submit a list (see Exhibit 'A') of surplus real property to the Council for authority to dispose of said real property

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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PROPOSED BY: Finance

DATE INTRODUCED: 10/22/2019

RESOLUTION NO. _____

A RESOLUTION IN THE MATTER OF THE SALE OF SURPLUS REAL PROPERTY (BUILDING ONLY)

AND THE SETTING OF A DATE FOR PUBLIC HEARING THEREON PURSUANT TO WCC 1.10

WHEREAS, the following described property listed in Exhibit "A", hereby incorporated by reference, is now and has been the property of Whatcom County; and

WHEREAS, the County Purchasing Agent has determined that it is in the best interest of the County to sell such property;

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that a public hearing on the matter of the sale of such property be held on _____, 2019 or as soon thereafter as is possible, in the Whatcom County Council Chambers at 311 Grand Avenue, Bellingham, Washington, for the purpose of admitting testimony for and against the propriety of selling such property; and

BE IT FURTHER RESOLVED that the Clerk of the County Council is directed to give notice of such hearing in the manner prescribed by law.

APPROVED this ____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecuting Attorney

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**

Brad Bennett, Finance Manager



FINANCE/ACCOUNTING
Whatcom County Courthouse
311 Grand Avenue, Suite #503
Bellingham, WA 98225-4082
Phone – (360) 778-5320
Fax – (360) 778-5321

Exhibit "A"
Capital Asset Surplus Request
October 2019

Year	Description	Department	Comments
1942 (Est)	Former managers house located at Silver Lake Park; 1 ½ story house; 1428 Sq Ft;	Parks & Recreation	House in poor condition; too costly to repair. Structure to be removed from property.

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**

Brad Bennett, Finance Manager



FINANCE/ACCOUNTING
Whatcom County Courthouse
311 Grand Avenue, Suite #503
Bellingham, WA 98225-4082
Phone – (360) 778-5320
Fax – (360) 778-5321

Exhibit "A"
Capital Asset Surplus Request
October 2019

Year	Description	Department	Comments
1942 (Est)	Former managers house located at Silver Lake Park; 1 ½ story house; 1428 Sq Ft;	Parks & Recreation	House in poor condition; too costly to repair. Structure to be removed from property.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-523

File ID:	AB2019-523	Version:	1	Status:	Agenda Ready
File Created:	10/09/2019	Entered by:	KGoens@co.whatcom.wa.us		
Department:	Human Resources Division	File Type:	Contract		
Assigned to:	Council Finance and Administrative Services Committee				Final Action:
Agenda Date:	10/22/2019	Enactment #:			

Primary Contact Email: kgoens@co.whatcom.wa.us <<mailto:kgoens@co.whatcom.wa.us>>

TITLE FOR AGENDA ITEM:

Request authorization for the County Executive to accept Sun Life Stop Loss Policy renewal for insurance protection for the self-insured medical program for 2020

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Please refer to Staff memo for background and more information.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Karen Sterling Goens
Manager

MEMORANDUM

TO: Jack Louws, County Executive
FROM: Karen Goens, Human Resources Manager
RE: **Medical – Stop Loss Insurance Policy**
DATE: October 9, 2019

A handwritten signature in blue ink, appearing to read "Karen", is written over the "FROM:" line of the memorandum.

Enclosed is a recommended Renewal Proposal for Whatcom County's Group Policy for Specific and Aggregate Stop Loss Insurance for your review and signature.

▪ **Background and Purpose**

The County is required by law to protect its financial assets in the self-insured medical program with reserves and excess insurance coverage (also called stop loss or reinsurance) [RCW 48.62.071(4)]. Each year our benefit consulting contractor, USI (formerly Kibble & Prentice), seeks bids from the market, obtains and analyzes quotes (pursuant to Resolution No. 2007-058), recommends coverage levels, and includes the rates in the medical plan renewal pricing.

For January 1, 2020, USI was able to secure a favorable renewal from current carrier SunLife Assurance Company. Due to the reduced size of the group, last year the County increased Aggregate Stop Loss (ASL) protection for the fund from 200% to 125% and Individual Stop Loss (ISL) for individual claims from \$275,000 to \$200,000 per occurrence. In 2019, claims costs are running 14% higher than expected. Sun Life has reimbursed Whatcom County \$847,981 year to date. The renewal quote for 2020 is 13.4% higher than the 2019 premium which is reasonable in light of the adverse claims experience.

▪ **Funding Amount and Source**

The anticipated annual premium, \$791,757 will be covered from cost center 507340.

▪ **Differences from Previous Contract**

The only difference is the cost as described above.

Please feel free to contact me at extension 5305, if you have any questions or concerns regarding this recommendation.

WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No.

Originating Department:	Administrative Services
Division/Program: (i.e. Dept. Division and Program)	Human Resources
Contract or Grant Administrator:	Karen S. Goens, HR Manager
Contractor's / Agency Name:	Sun Life Assurance Company
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 #: <u>Insurance Policy</u>	
Does contract require Council Approval? Yes <input type="radio"/> No <input checked="" 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#: _____	
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? Yes <input checked="" type="radio"/> No <input type="radio"/> If yes, RFP and Bid number(s): <u>Bid by benefit consultant</u> Contract _____ Cost Center: _____	
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 checked="" 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): \$ <u>698,477</u> This Amendment Amount: \$ <u>93,310 (13.4%)</u> Total Amended Amount: \$ <u>791,757</u>	Council approval required for; all property leases, contracts or bid awards exceeding \$40,000 , and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: 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: _____	
Insurance renewal for Stop Loss protection for the self-insured medical plan. Although not technically a contract, we bring this forward for Council consideration if the cost increases more than 10%.	
Term of Contract: January 1, 2020 Expiration Date: March 31, 2021	

Contract Routing:	1. Prepared by: Karen S. Goens	Date: 10/09/2019
	2. Attorney signoff: <u>kg</u>	Date: 10/9/19
	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: _____

Renewal options

October 9, 2019

To accept the renewal proposal, please do the following:

- At the bottom of this page, select a renewal option and sign where indicated.
- Email, fax, or mail all of the pages in the 'Renewal options' and 'Renewal options, continued' tabs to me by December 1, 2019, in order to avoid a lapse in coverage.

Policyholder name:	Whatcom County	Account number:	89876
Policyholder Address:	311 Grand Ave Ste 503	Renewal status:	Open
	Bellingham, WA 98225	TPA Name:	Healthcare Management Administrators Inc
Situs State:	WA	PPO Name:	BS Regence, HMA preferred plan
Renewal Eff. Date:	January 1, 2020		

Current and renewal rate summary	
Tier	Employees
Single	77
Family	225
Total	302

Specific Stop-Loss policy details and renewal options				
Plan thresholds	Current	Renewal		
Individual Specific deductible	\$200,000	\$200,000		
Aggregating Specific deductible	None	None		
Annual maximum	Unlimited	Unlimited		
Lifetime maximum	Unlimited	Unlimited		
Specific rates	Current	Renewal		
Claims basis	12/15 gapless	12/15 gapless		
Gapless Renewal		Included		
Benefits covered	Medical and Rx	Medical and Rx		
Single	\$97.58	\$110.61		
Family	\$225.29	\$255.39		
Total monthly premium	\$58,203.91	\$65,979.72		
Renewal rate action as a % increase to current monthly premium		13.4%		

Aggregate Stop-Loss policy details and renewal options				
Aggregate rates	Current	Renewal		
Aggregate Benefit Maximum	\$1,000,000	\$1,000,000		
Per employee per month rate	\$6.59	\$6.59		
Total monthly premium	\$1,990.18	\$1,990.18		
Renewal rate action as a % increase to current monthly premium		0.0%		

Aggregate thresholds and rates	Current	Renewal		
Claims basis	12/15	12/15		
Benefits covered	Medical/PDP	Medical/PDP		
Corridor	125%	125%		
Minimum Attachment Point %	100%	100%		
Composite Aggregate deductible factor	\$1,553.34	\$1,553.34		
- Medical	\$1,087.37	\$1,087.37		
- Rx Drug	\$465.97	\$465.97		
Minimum Attachment Point	\$469,108.68	\$469,108.68		
Estimated monthly renewal liability	\$469,108.68	\$469,108.68		
Renewal rate action as a % increase to current monthly aggregate deductible factors.		0.0%		

Total estimated annual plan costs				
Total costs	Current	Renewal		
Total annual premium	\$722,329.08	\$815,638.80		
Annual Aggregate Attachment Point	5,629,304.16	5,629,304.16		
Total estimated self-funded plan costs	\$6,351,633.24	\$6,444,942.96		
Renewal rate action as a % increase to total estimated annual plan cost.		1.5%		

Select renewal option	X		
-----------------------	---	--	--

Please acknowledge acceptance of the terms and conditions of the renewal proposal by signing below and returning all pages of the proposal to Brian Partridge.

Please indicate the renewal option you have selected by initialing one of the three boxes above. Your signature on the renewal proposal constitutes your acceptance of the terms, conditions, assumptions and contingencies set forth in the proposal. The premium rates agreed upon as part of the renewal will be effective on the Policy Renewal Effective Date.

Authorized Signature: _____	Date: _____ 10/23/2019
Printed Name: _____ Jack Louws	Printed Title: _____ County Executive



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-521

File ID:	AB2019-521	Version:	1	Status:	Agenda Ready
File Created:	10/08/2019	Entered by:	EWest@co.whatcom.wa.us		
Department:	Health Department	File Type:	Discussion		
Assigned to:	Council Public Works & Health Committee				Final Action:
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Discussion of the Whatcom County Health Department Syringe Services Program Expansion

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See Attachment

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Memorandum

TO: Jack Louws – County Executive

FROM: Regina A. Delahunt, Director

DATE: 9/28/2019

RE: Whatcom County Health Department Syringe Services Program Update

Please find attached a Public Works and Health Committee update on work currently in progress to implement a mobile Syringe Services Program (SSP) and a request to support the additional service request to purchase a vehicle for the mobile exchange.

Background and Purpose

In October 2018, the WCHD expanded the hours of the on-site SSP at the State St location due to increased demand for services and an assessed need to increase the quality of the interaction with the program participants.

Additionally, in 2018, planning began to implement a mobile service model as the SSP exceeded the capacity to appropriately and safely serve clients at the State St Clinic location. Additionally, it is difficult for rural county residents to access services located in Bellingham.

As of June 2019, we are implementing a pilot mobile SSP using a rented vehicle. We have weekly parking locations in both East and West Whatcom County. Results of the pilot demonstrate the need to continue this service in rural Whatcom County. While the rental van has worked to get the pilot started, we need a specialized van to adequately provide an array of medical and prevention services in the field. This van could also be used for emergency response and other types of mobile medical services if needed.



Syringe Services: Expansion Update

Cindy Hollinsworth MSN RN, Communicable Disease Manager

October 2019
Health Committee



Whatcom County
HEALTH
Department



Syringe Services Program

- Testing for HIV, Hepatitis C and other sexually transmitted or blood borne diseases.
- Vaccination (Hepatitis A and B)
- Referrals and linkage to drug treatment, housing, healthcare and family planning services.
- Provide harm reduction education
 - provide clean supplies and exchange clean syringes for used ones
- Provide overdose prevention education and naloxone.
- Offer other health services such as wound assessment and discussion of other health concerns.



Best Practices & Research

Mobile and Satellite Syringe Services Programs

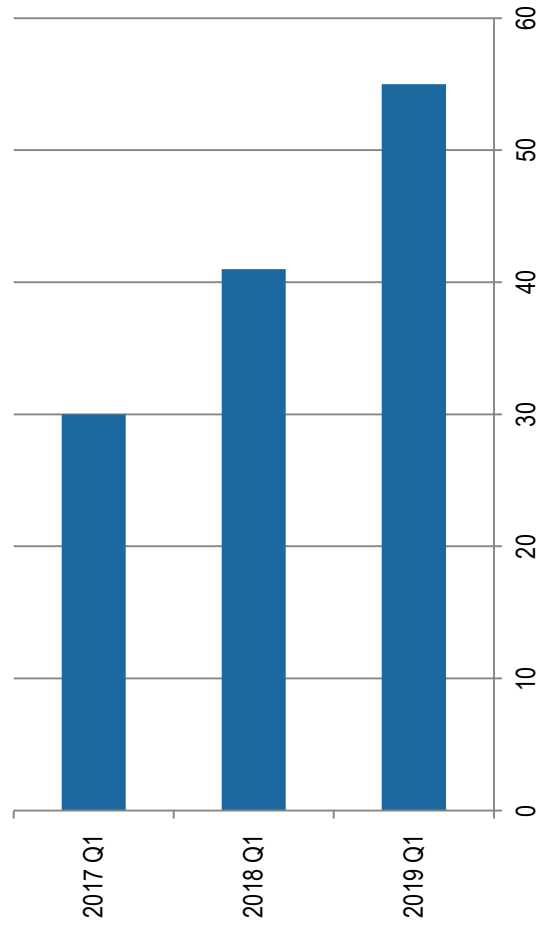
- Increase access to treatment in real time.
- Increase opportunities for connection in underserved areas
- Attract different clients through variety of venues and locations.
- Increase the availability of sterile injecting equipment at times and places where coverage is poor.
 - Prevent blood-borne infections by parking in convenient locations.
 - Decrease infections associated with reusing/sharing supplies
- Mobile vans increase accessibility for clients who
 - do not have a vehicle or money for transportation, and/or
 - may be too drug-impaired to drive to the fixed-site

2017 WA State Syringe Exchange Health Survey

- Most people who used heroin as their main drug were interested in reducing or stopping their opioid use (78%).
- The proportion of people who used opioids who had a naloxone kit more than doubled from 24% in 2015 to 59% in 2017 (among those outside of King County.)
- Whatcom Syringe Services participants have a wide and complex range of health concerns beyond substance use and face multiple hurdles and stigma when accessing health care.
 - 50% of respondents said there was a time they should have gotten medical care but didn't.
 - 68% are very or somewhat concerned about their mental health

Washington State Fentanyl Related Deaths

166



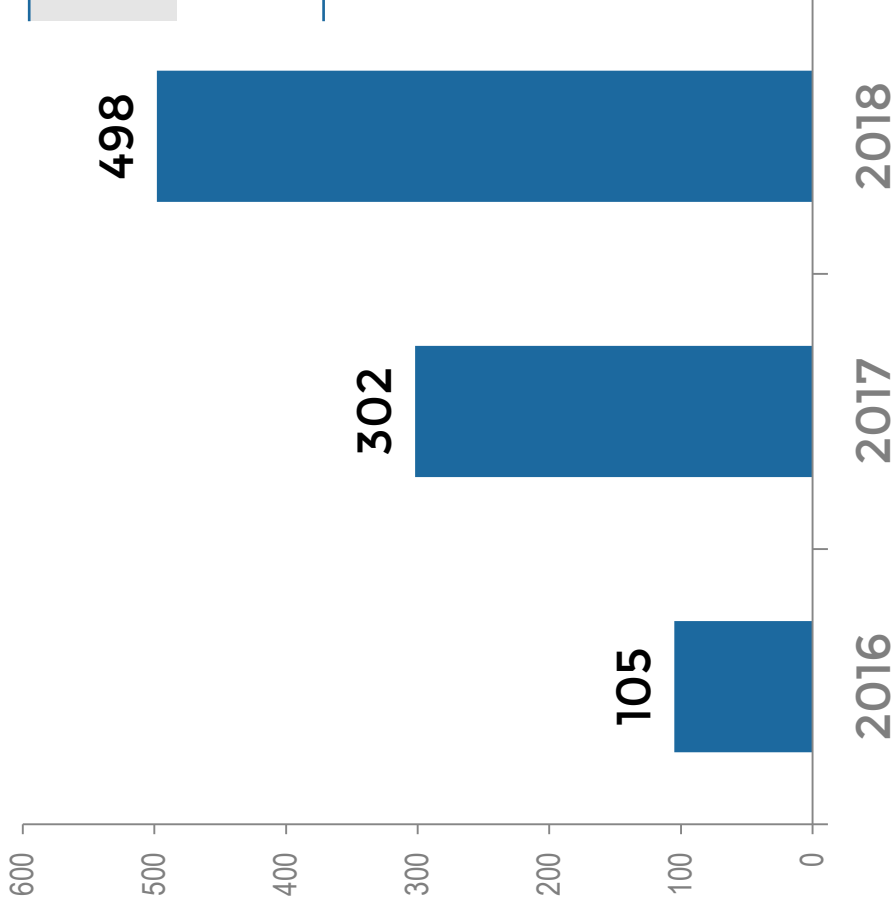
Source: UWADAI

WCHD SSP Program Naloxone Distribution

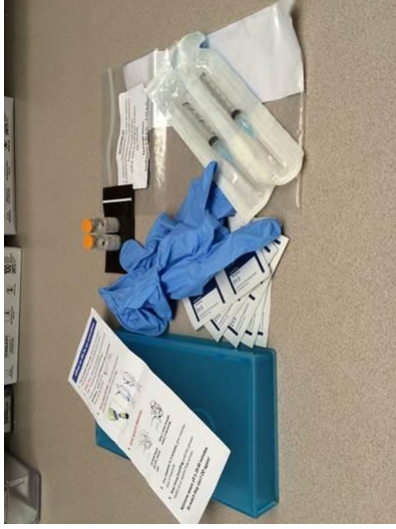
Naloxone Distribution

Number of naloxone kits distributed since the beginning of the syringe services program.

Source: Whatcom County Health Department

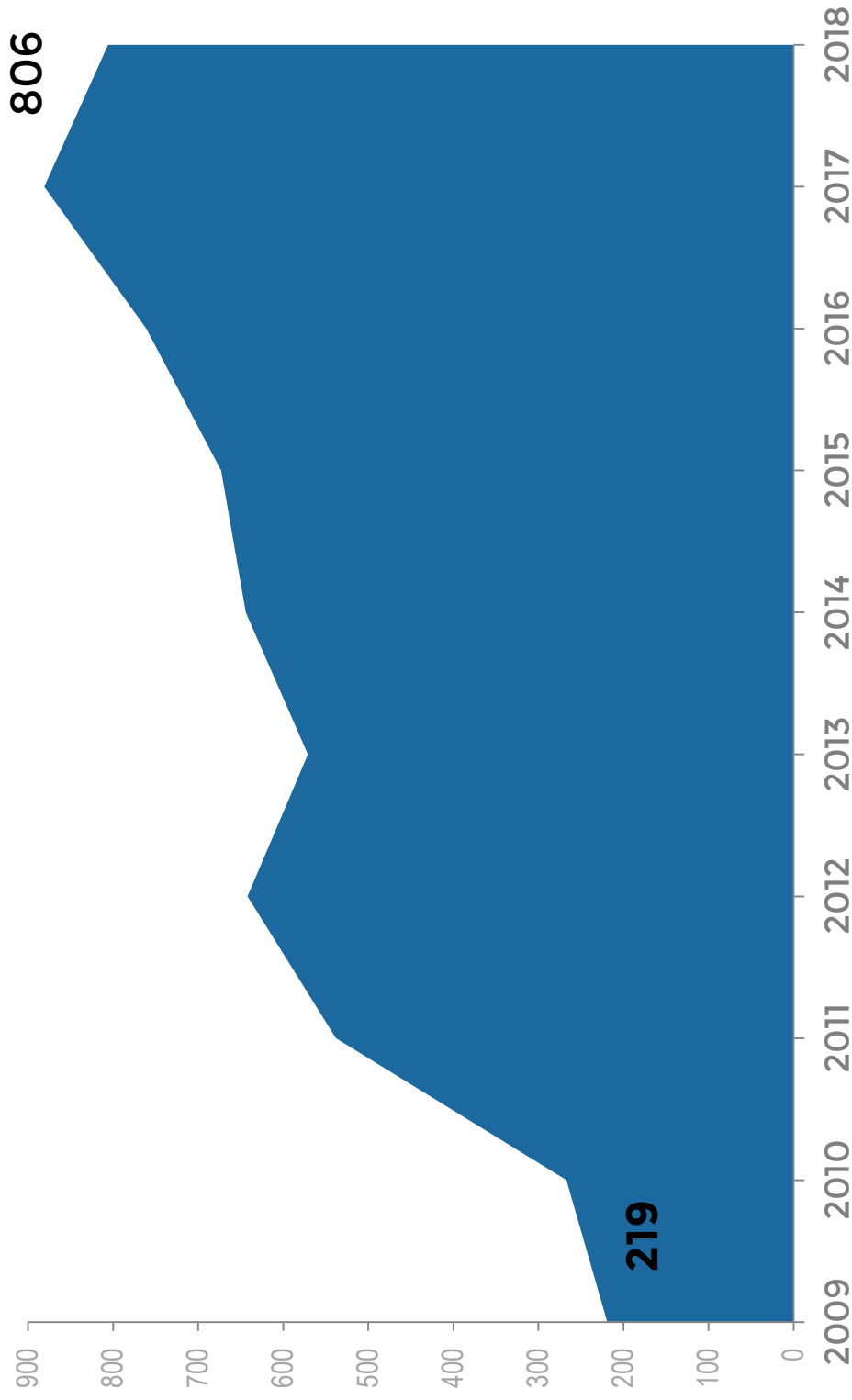


360	Kits distributed from Jan - June 2019
1265	Kits distributed 2016 to date
331	Kits used for overdose 2016 to date



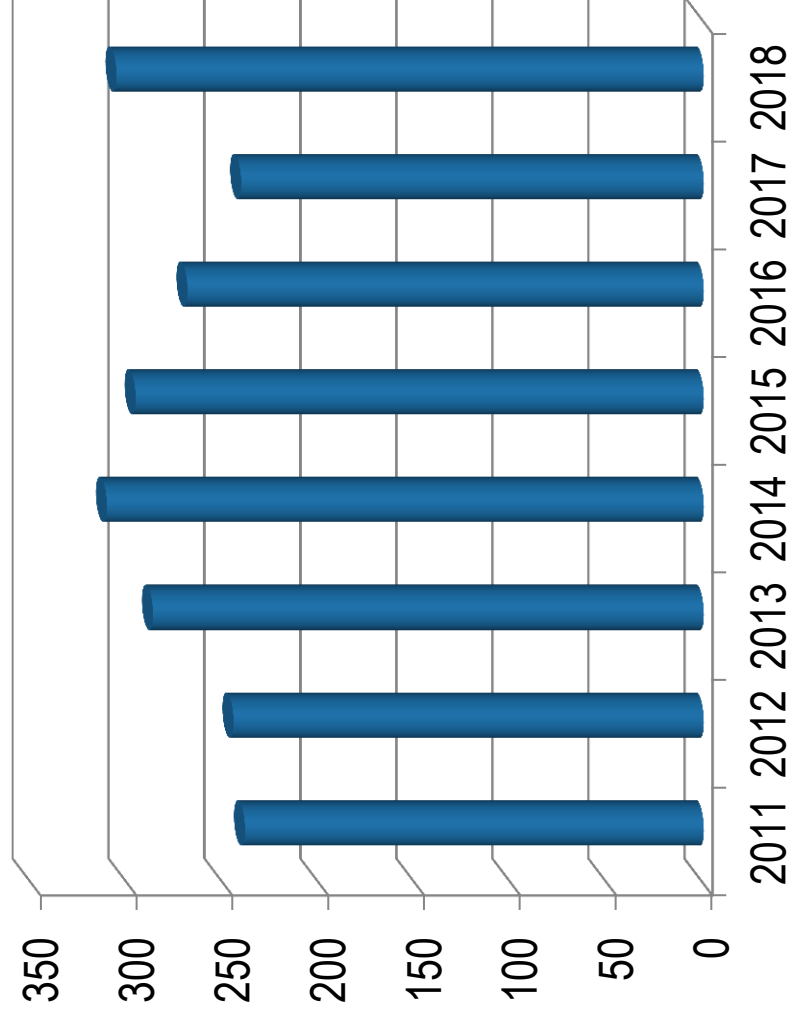
Whatcom County:

Number of unique syringe services clients at WCHD



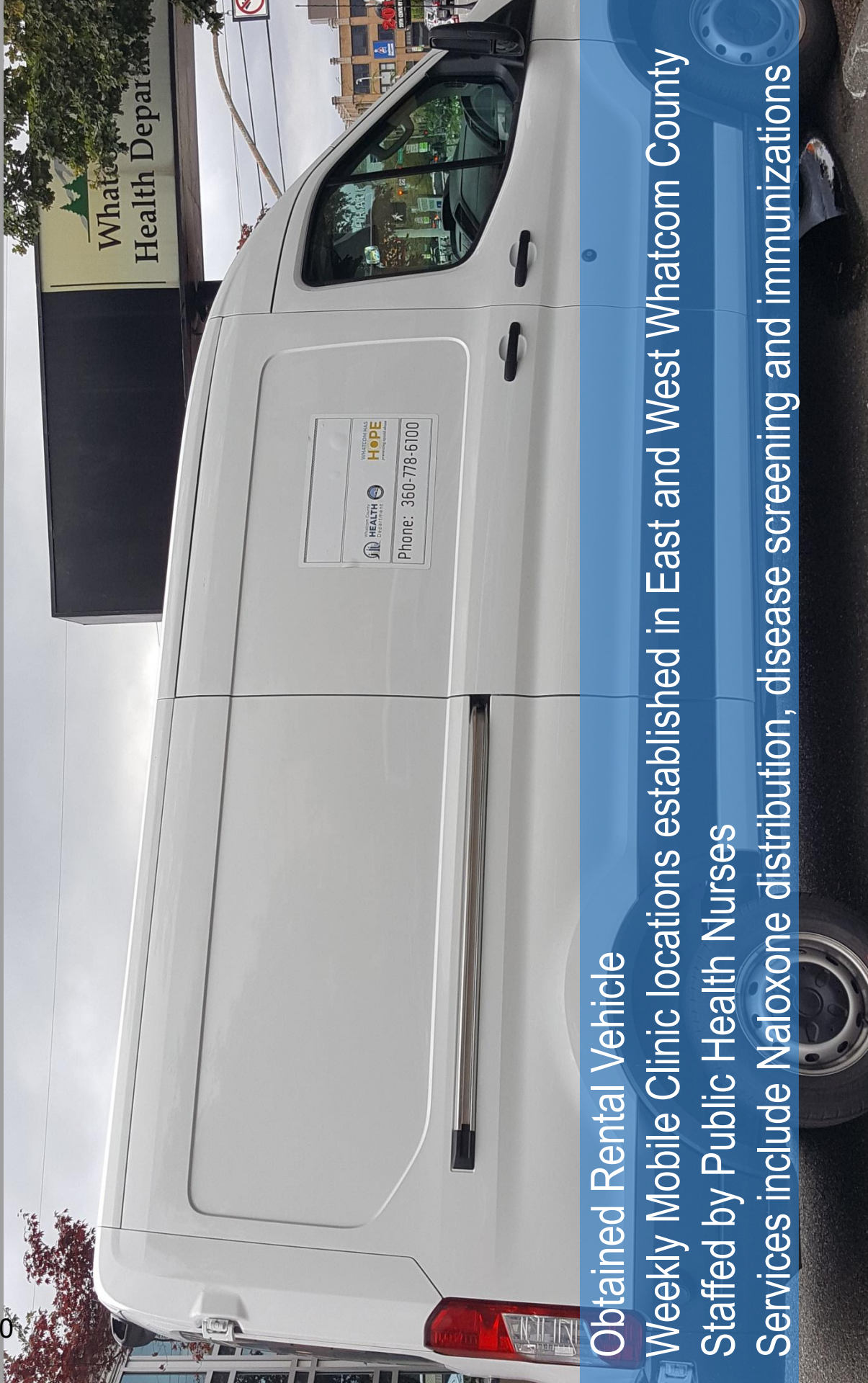
Source: Whatcom County Health Department

Whatcom County: Chronic Hepatitis New Cases Annually



Mobile Syringe Services Update

170



Obtained Rental Vehicle

Weekly Mobile Clinic locations established in East and West Whatcom County

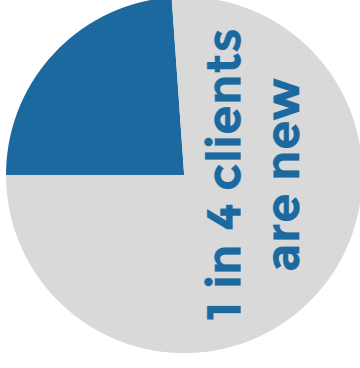
Staffed by Public Health Nurses

Services include Naloxone distribution, disease screening and immunizations

Mobile Syringe Services

June – September 2019

79 clients served



54 naloxone kits provided



2 people tested for communicable diseases

13,260 syringes collected

Program Hours and Locations

State St Clinic

- Monday 9:30-12pm
- Thursday 2:30-5:15

Mobile Clinic

- Tuesday, 9:00am-12:00pm, Maple Falls
- Wednesday, 1:00pm-3:00pm, Birch Bay
- New site pending for Ferndale

Next Steps

- **Additional Service Request to Purchase Vehicle in 2020**
- **Obtain grant funding to do customization work to fully equip for mobile medical response**
 - Immunizations, testing, mobile clinics



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-517

File ID:	AB2019-517	Version:	1	Status:	Agenda Ready
File Created:	10/07/2019	Entered by:	skorthui@co.whatcom.wa.us		
Department:	County Executive's Office	File Type:	Report		
Assigned to:	Council Criminal Justice and Public Safety Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Report from District Court

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Annual report from District Court

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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: AB2019-518

File ID:	AB2019-518	Version:	1	Status:	Agenda Ready
File Created:	10/07/2019	Entered by:	skorthui@co.whatcom.wa.us		
Department:	County Executive's Office	File Type:	Report		
Assigned to:	Council Criminal Justice and Public Safety Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Report from Superior Court

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Annual report from Superior Court

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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: AB2019-530

File ID:	AB2019-530	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	CHalka@co.whatcom.wa.us		
Department:	Council Office	File Type:	Resolution		
Assigned to:	Council Criminal Justice and Public Safety Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Resolution establishing a Stakeholder Advisory Committee for the Public Health, Safety, and Justice Facility Needs Assessment

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Resolution establishing a Stakeholder Advisory Committee to guide the development of the Whatcom County Public Health, Safety, and Justice Facility Needs Assessment

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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RESOLUTION NO. _____

**ESTABLISHING A STAKEHOLDER ADVISORY COMMITTEE
FOR THE PUBLIC HEALTH, SAFETY, AND JUSTICE FACILITY NEEDS ASSESSMENT**

WHEREAS, Whatcom County and its municipalities and Tribes desire to coordinate, contribute, and cooperate in enhancing public safety, and in particular our communities' behavioral health and criminal justice systems; and

WHEREAS, the County Council is taking leadership on the issue and would like to engage the community and other legislative bodies to guide future behavioral health and public safety/justice facility planning, and will seek constructive engagement with the public and other elected officials throughout the county; and

WHEREAS, all parties believe there is a need for an improved County jail that addresses the communities' full range of needs and values with a combined public health and public safety initiative that focuses on reducing our need for jail by funding treatments options first, and is built with community input; and

WHEREAS, the Whatcom County Council approved Resolution 2019-036 on August 7, 2019, adopting a statement of public health, safety, and justice facility planning principles for Whatcom County; and

WHEREAS, on September 10, 2019, the Whatcom County Council Criminal Justice and Public Safety Committee discussed next steps for the Whatcom County Public Health, Safety, and Justice Initiative (Resolution 2019-036), including contracting for professional service to complete a needs assessment; and

WHEREAS, the Whatcom County Public Health, Safety, and Justice Facility Needs Assessment will include robust community participation to ensure the report reflects community values. A public engagement plan will include a variety of stakeholders and outreach techniques; and

WHEREAS, receiving input and recommendations through a Stakeholder Advisory Committee is necessary to ensure the needs assessment draws in feedback and participation from a variety of stakeholders.

NOW THEREFORE BE IT RESOLVED by the Whatcom County Council that the Stakeholder Advisory Committee for the Public Health, Safety, and Justice Facility Needs Assessment project is hereby established as described in Exhibit A, attached hereto and incorporated by reference.

APPROVED this _____ day of _____, 2019.

ATTEST:

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON**

Dana Brown Davis, Clerk of the Council

Rud Browne, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecutor

EXHIBIT A

PURPOSE OF THE STAKEHOLDER ADVISORY COMMITTEE

Committee Established

The Stakeholder Advisory Committee (SAC) for the Public Health, Safety, and Justice Facility Needs Assessment is hereby established.

Purpose

The purpose of the Public Safety, Health and Justice Facility Needs Assessment is to guide the development of a needs assessment for public health, safety and justice facility needs. SAC members will act as **liaisons** to the communities or agencies they represent. They will **share information** about the study, **bring feedback** to the SAC meetings, and **help build a plan** that is reflective of community values. Through engaging communities and agencies they represent, SAC members will help **develop community support** for the recommendations in the Needs Assessment.

Membership Appointment

The Whatcom County Council will appoint members of the Stakeholder Advisory Committee consisting of 21 voting members as follows:

1. Whatcom County Council Member
2. Whatcom County Administration
3. Bellingham City Councilmember
4. Bellingham Administration
5. Tribal Nations
6. Small Cities
7. Behavioral Health and Social Service Providers (4)
May include but not limited to:
 - Mental Health and Substance Use Disorder (SUD)
 - Housing Specialists
 - Domestic Violence Prevention
 - Re-entry Job Training
 - Philanthropic Specialists
8. Incarceration Prevention and Reduction Task Force (4)
9. Bellingham Police
10. Whatcom County Sheriff
11. Whatcom County Health Department
12. Citizen - Behavioral Health (mental health and substance use disorder (SUD)) Advocate
13. Citizen - Criminal Justice Advocate
14. Individual with lived experience in the criminal justice system
15. Jail Resources/Service Providers

Term of Office

The term of office for all committee members will be 2 years or as determined by further action of the Whatcom County Council.

Organization – Meetings

- A. SAC meetings shall be open to the public and shall be subject to the Washington State Open Public Meetings Act, Chapter 42.30 RCW.
- B. Twelve members of the SAC shall constitute a quorum for the transaction of business.
- C. The SAC will generally meet on a monthly basis at a location to be determined. Additional meetings will be held as needed to facilitate the completion of the Needs Assessment.
- D. Written and audio recordings of meetings, findings, and recommendations shall be kept and available as a public record.
- E. The SAC will elect a chairperson or co-chairpersons from among its members to preside at its meetings.
- F. The SAC is authorized to develop subcommittees as needed to accomplish their goals.

Committee Staffing

Whatcom County designated staff in conjunction with the consultant team will provide general staffing support. The likely tasks will be leading the meetings (including creating agendas and presentations and leading activities/discussions) and creating meeting summaries.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-519

File ID:	AB2019-519	Version:	1	Status:	Agenda Ready
File Created:	10/07/2019	Entered by:	skorthui@co.whatcom.wa.us		
Department:	County Executive's Office	File Type:	Report		
Assigned to:	Council Planning and Development Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Report from Planning and Development Services

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Report from Planning and Development Services Director Mark Personius

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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: AB2019-479

File ID:	AB2019-479	Version:	1	Status:	Held In Committee
File Created:	09/18/2019	Entered by:	DBrown@co.whatcom.wa.us		
Department:	Council Office	File Type:	Discussion		
Assigned to:	Council Planning and Development Committee	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Discussion of proposed ordinance amending Whatcom County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

This proposed ordinance would amend Code language recently adopted by the Council related to use and protection of Lake Samish. Lake Samish property owners, boaters, and recreational users have come together to understand the concerns of each group and identify a compromise which would be mutually agreeable to all parties and have developed this alternative solution supported by a majority of area residents.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
09/24/2019	Council Planning and Development Committee	HELD IN COMMITTEE	Council Planning and Development Committee
10/08/2019	Council Planning and Development Committee	HELD IN COMMITTEE	Council Planning and Development Committee

ORDINANCE NO. _____

AMENDING WHATCOM COUNTY CODE CHAPTERS 11.16 AND 11.20 TO
PROTECT LAKE SAMISH SHORELINE PROPERTIES AND LAKE SAMISH
WATER RECREATION

WHEREAS, a relatively new class of recreational boats carrying large amounts of water for ballast (weight) are designed to displace maximum amounts of lake water around and behind the boats; and

WHEREAS, these vessels are operating on Lake Samish, and wakes from these boats have been observed travelling to shores of Lake Samish with force sufficient to damage private property; and

WHEREAS, property owners around Lake Samish desire a balance between damage to personal property and the need for ongoing water recreation; and

WHEREAS, Lake Samish property owners, boaters, and recreational users have come together to understand the concerns of each group and identify a compromise which would be mutually agreeable to all parties; and

WHEREAS, these parties have developed an alternative solution supported by an overwhelming majority; and

WHEREAS, the Whatcom County Code currently recognizes the need to protect public health, safety, and property with regulations on the speed of vessels on Lake Whatcom, and with regulations on the manner and distance that vessels operate from the shore of Lake Whatcom; and

WHEREAS, the Whatcom County Council values the opinions of our community, the time and effort invested by community members to discuss and find a mutually agreeable solution, and the flexibility and willingness of all parties to agree to such a compromise; and

NOW BE IT ORDAINED by the Whatcom County Council that Whatcom County Code Chapters 11.16 and 11.20 shall be amended to include the following (as outlined in Exhibit A to this ordinance):

- A six mile per hour speed limit shall apply 300 feet from the shore of Lake Samish shoreline for all vessels utilized to displace water for the purpose of surfing or wakesurfing or similar activities that produce wakes for surfing and 150 feet for all other vessels.
- The no wake zone shall be adjusted to the east of the W. Lake Samish Drive Bridge, to a point where the 300 foot no wake zone meet, forming a distance 600 feet between shorelines.

- 1
2
3 • Vessels and persons under tow on water skis, aquaplane, innertube or
4 a similar contrivance will not operate within 150 feet from the shore on
5 Lake Samish and vessels or 300 feet from the shore when wake
6 surfing as defined in the Exhibit A to this ordinance.

7 APPROVED this _____ day of _____, 2019.

8
9 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY,

10
11 WASHINGTON

12
13 _____
14 Dana Brown Davis, Clerk of the Council

Rud Browne, Council Chair

15
16
17 APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

18
19
20
21 _____
22 Civil Deputy Prosecutor

Jack Louws, County Executive

23
24 () Approved () Denied

25
26
27 Date Signed: _____

EXHIBIT A

Chapter 11.16 OPERATION AND SPEED REGULATIONS

Sections:

11.16.010 Operation – Overloading prohibited.

11.16.020 Operation – Right-of-way rules.

11.16.030 Speed regulations.

11.16.010 Operation – Overloading prohibited.

It is unlawful for any vessel to be loaded with passengers or cargo which exceed the safe-carrying capacity of the vessel where the safe-carrying capacity of the vessel is specified by the manufacturer. Such limitation shall be considered the maximum safe load, and in no event shall a vessel be loaded beyond a capacity which is reasonable and prudent under given atmospheric conditions and other actual and potential hazards affecting operation. (Ord. 90-83 (part)).

11.16.020 Operation – Right-of-way rules.

The operation rules as between vessels are provided as follows:

- A. When two vessels are approaching each other head on, or so nearly so as to involve the risks of collision, each boat shall bear to the right and pass the other boat on its left side.
- B. One vessel may overtake another on either side but shall grant the right-of-way to the overtaken boat.
- C. When two vessels are approaching each other obliquely or at right angles, the boat approaching on the right side has the right-of-way.
- D. A vessel underway must yield the right-of-way to a craft not underway.
- E. A motor-powered vessel underway must yield the right-of-way to a sailboat, rowboat, canoe, or other vessel not propelled by a motor.
- F. A seaplane underway shall yield the right-of-way to all other vessels.
- G. A swimmer including a person on a flotation device, or a fallen skier, has the right-of-way over any craft.

H. No vessel shall approach within 50 feet of a diver's flag indicating the presence of a person operating under water.

I. All vessels shall reduce speed and, if necessary, stop and, in any event, yield the right-of-way upon the approach of an emergency vessel. (Ord. 90-83 (part)).

11.16.030 Speed regulations.

A. Speed Limits. No vessel shall exceed the following speeds, except as provided in Chapter 11.36 WCC:

1. Within 100 feet of a swimmer, six miles per hour;

2. Within 150 feet from docks, floats, or the shoreline on every lake except Lake Whatcom and Lake Samish where the distance shall be 300 feet from docks, floats, or the shoreline (except when necessary for a safe take off as defined in WCC 11.20.010(C)), six miles per hour;

3. Within 100 feet of any vessel not propelled by a motor, six miles per hour;

4. One-half hour after sunset to one-half hour before sunrise, eight miles per hour;

5. During daylight hours in unrestricted areas, 40 miles per hour;

6. Within 300 feet of any public boat launch, six miles per hour;

7. Within South Bay Lake Whatcom south of a line approximately as defined as extending from 48° 40' 48" N, 122° 18' 49" W to 48° 40' 43" N, 122° 18' 36", shall be designated as a "no-wake" zone.

8. Within Lake Samish the area between county bridge No. 107 (bridge located south of, and adjacent to, Lake Samish Park) and the North-South line of 122° 24' 00" West shall be designated as a "no-wake" zone;

9. Where the distance on Lake Whatcom shall be 300 feet from docks, floats, or the shoreline (except when necessary for a safe take off as defined in WCC 11.20.010(C)), six miles per hour;

10. Where the distance on Lake Samish shall be 300 feet from docks, floats, or the shoreline for all vessels utilized to displace water for the purpose of surfing or wakesurfing or similar activities that produce wakes for surfing, or 150 feet from docks, floats, or the shoreline for all other vessels (except when necessary for a safe take off as defined in WCC 11.20.010(C)), six miles per hour;

B. Due Care and Caution Required. Compliance with the speed regulations contained herein shall not relieve the operator of any vessel from the further exercise of due care and caution as circumstances shall require. (Ord. 2004-036 § 1; Ord. 2002-027; Ord. 90-83 (part)).

1

2 **Chapter 11.20**

3 **WATER SKIING, SWIMMING AND SKIN DIVING**

4 **REGULATIONS**

5 Sections:

6 11.20.010 Water skiing.

7 11.20.020 Swimming.

8 11.20.025 Floatation devices on the South Fork of the Nooksack River.

9 11.20.030 Skin diving.

10 **11.20.010 Water skiing.**

11 A. Age Requirements. No vessel which has in tow or is otherwise assisting a person on water skis,
12 aquaplane, surfboard, innertube or similar contrivances, shall be operated unless such vessel is occupied
13 by at least two persons, one at least the age of 16 years, and one of at least eight years of age who shall
14 be observer or ski-tender in addition to the operator; provided that this prohibition shall not apply to
15 vessels used in duly authorized ski tournaments.

16 B. Intoxication Prohibited. No person shall ride or manipulate any water skis, aquaplane, surfboard,
17 innertube or similar contrivance while in tow, or being assisted by a vessel, when such person is under
18 the influence of intoxicating liquor or drugs to a degree which renders said person incapable of safely
19 riding or manipulating such a contrivance.

20 C. Distance from Shoreline. Except on safe takeoffs and safe landing, vessels and persons under tow on
21 water skis, aquaplane, surfboard, innertube or a similar contrivance, and vessels being utilized to displace
22 water for the purpose of surfing or wakesurfing or similar activities that produce wakes for surfing must
23 keep 150 feet or more from the dock, float, or shoreline with the exception of Lake Whatcom which shall
24 remain at except for Lake Whatcom and Lake Samish where the distance shall be 300 feet from the
25 shore, dock or float, and Lake Samish where the distance shall be 300 feet from the shore, dock or float
26 for vessels being utilized to displace water for the purpose of surfing or wakesurfing or similar activities
27 that produce wakes for surfing and 150 feet for all other vessels. A takeoff will not be considered "safe"
28 unless the person(s) under tow are heading away from the shore and the takeoff can be accomplished
29 without any risk to swimmers or vessels. The person(s) under tow, but not the vessel, may come within
30 150 feet of the shoreline when in the process of landing, provided that the return to the shore must be at
31 any angle of 45 degrees or more to the shoreline.

1 D. Other Vessels. No vessel shall follow behind a skier closer than 300 feet, not cross the towing boat
2 bow by less than 200 feet, nor alongside a skier closer than 100 feet.

3 E. Personal Flotation Devices Required. Any person on water skis, aquaplane, surfboard, innertube or
4 similar contrivance shall wear about his body a type I, II, or III personal flotation device as defined and
5 required by the U.S. Coast Guard.

6 F. Conduct. Any person on water skis, aquaplanes, surfboards, innertubes, or similar contrivances shall
7 conduct himself upon the same in a careful and prudent manner, and shall remain at all times a
8 reasonable and prudent distance from other persons and from the property of others, and shall not come
9 within 100 feet of a swimmer or any other vessel.

10 G. Hours. No vessel shall have in tow or shall otherwise assist a person on water skis, aquaplane,
11 surfboard, innertube or a similar contrivance from one-half hour after sunset to one-half hour before
12 sunrise; provided, that this subsection shall not apply to vessels engaged in duly authorized water ski
13 competitions or expositions.

14 H. Pattern. All boats towing skiers shall go in a counterclockwise pattern.

15 I. Public Boat Launches. No drop-off or take-off of skier or having a person in tow within 300 feet of public
16 boat launch.

17 J. Skier Down Flags. When your skier is in the water the observer must display a red or orange "skier
18 down" flag. This flag must be 12 inches square and mounted on a two-foot pole. (Ord. 90-83 (part)).

19 **11.20.020 Swimming.**

20 No person shall swim or operate a paddleboard, innertube, rubber raft or similar unlicensed device except
21 in restricted swimming areas or within a distance of 150 feet from the shore, unless the swimmer is
22 accompanied by a vessel. (Ord. 90-83 (part)).

23 **11.20.025 Floatation devices on the South Fork of the Nooksack River.**

24 No person shall operate a paddleboard, innertube, inflatable floatation device, foam floatation device,
25 limb-propelled floatation device, or rubber raft intended for limb use on the section of the South Fork of
26 the Nooksack River between Edfro Creek and the Acme Bridge between the dates of June 1st and
27 October 31st. The provisions of this section shall not apply to:

28 A. Devices engaged principally in commercial operations constituting an act of interstate or foreign
29 commerce or bona fide scientific research;

1 B. Use for emergency purposes when there is reasonable belief that such use is necessary to protect or
2 preserve persons, animals or property;

3 C. Use by law enforcement agencies to enforce the above provisions;

4 D. Department of Natural Resources-designated and Whatcom County-designated swimming/boating
5 areas on the South Fork of the Nooksack River. (Ord. 2005-089 Exh. A).

6 **11.20.030 Skin diving.**

7 A. No person shall operate (swim, float or walk) under water with the aid of any artificial device such as
8 snorkel or self-contained underwater breathing apparatus (scuba) beyond 100 feet from the shoreline
9 unless closely accompanied by a boat displaying a diver's flag or unless marked by a diver's flag above
10 the water surface and above the operator's position in the water.

11 B. The underwater operator shall keep within a 50-foot horizontal radius of the diver's flag at all times.

12 C. No person shall display any diver's flag except during the period a person is operating under water
13 within the vicinity of the diver's flag.

14 D. Separate diver's flags shall be displayed for each person so operating under water.

15 E. No person shall operate under water, except with a permit issued at the discretion of the sheriff's
16 department, within a 300-foot horizontal radius of any boat ramp or landing wharf of any boat marina, nor
17 shall such person operate within a 100-foot horizontal radius of any platform normally used for diving.
18 (Ord. 90-83 (part)).



Whatcom County

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

Agenda Bill Master Report

File Number: MIN2019-112

File ID:	MIN2019-112	Version:	1	Status:	Agenda Ready
File Created:	10/02/2019	Entered by:	KFelbing@co.whatcom.wa.us		
Department:	Council Office	File Type:	Minutes Consent		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Regular County Council for September 24, 2019

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Whatcom County Council

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



Minutes - Draft Minutes

Tuesday, September 24, 2019

7 PM

Council Chambers

COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 7 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: 7 - Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

Brenner moved to accept the minutes consent items. The motion was seconded (see votes on individual items below).

1. [MIN2019-063](#) Regular County Council for September 10, 2019

Brenner moved and Donovan seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [MIN2019-064](#) Committee of the Whole for September 10, 2019

Brenner moved and Donovan seconded that the Minutes Consent be . The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [MIN2019-065](#) Special Committee of the Whole for September 10, 2019

Brenner moved and Donovan seconded that the Minutes Consent be

APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

4. [MIN2019-066](#) Surface Water Work Session for September 17, 2019

**Brenner moved and Donovan seconded that the Minutes Consent be
APPROVED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

PUBLIC HEARINGS

1. [AB2019-366](#) Ordinance granting Comcast Cable Communications Management, LLC, a non-exclusive franchise for the provision of cable services

Browne opened the public hearing, and the following people spoke:

Vincent Buys, Comcast Government and Regulatory Affairs, thanked the administrative staff and stated he is available for questions

Patrick Alesse spoke about the importance of good internet service.

Hearing no one else, Browne closed the public hearing.

Brenner moved and Byrd seconded that the ordinance be adopted.

Councilmembers discussed and Buys answered questions about the differences in the agreements between Comcast and the City of Bellingham and Comcast with the County, density requirements in both the old and new franchises, whether the one percent increase will be passed on to the consumer, the company policy on helping people in rural areas gain access to internet services, not having to raise costs for service, how many miles of transmission line are laid in a year and how that is coordinated with the power company's projects, the state of the system in Sumas, and different ways of adding lines in rural areas.

Brenner's motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu

Nay: 1 - Donovan

Absent: 0

Enactment No: ORD 2019-063

2. [AB2019-368](#) Ordinance granting WaveDivision I, LLC, a non-exclusive franchise for the provision of cable services

Browne opened the public hearing, and the following people spoke:

Thomas Steele spoke for Wave and answered questions about why he relocated to this area, and whether his company would be interested in working in rural areas.

Hearing no one else, Browne closed the public hearing.

Brenner moved and Frazey seconded that the Ordinance be adopted.

Councilmembers discussed holding the item to ensure that the terms of the franchise include giving better service to rural communities by decreasing density thresholds.

Andrew Hester, Public Works Department, answered a question about why both franchises were recommended, how the franchise would be affected if the item were held and the Comcast franchise was reconsidered, and whether there are examples of how other cable companies work with rural areas.

Tyler Schroeder, Executive's Office, gave some background and answered questions about the process of negotiating the terms of the Comcast franchise.

Hester answered whether there is any other jurisdiction that allocates its franchise fee back to the provider to subsidize the cost of infrastructure.

Brenner's motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 0

Abstain: 1 - Donovan

Enactment No: ORD 2019-064

3. [AB2019-379](#) Resolution vacating Safsten Road

Browne opened the public hearing, and the following people spoke:

Pam Brady, BP Cherry Point Refinery, spoke in favor of the vacation of Safsten Road.

Hearing no one else, Browne closed the public hearing.

Councilmembers discussed and Brady answered questions whether there was a specific project for which the vacation would be an advanced mitigation and how the vacation is consistent with Ordinance 2018-044 (Imposing an interim moratorium on Cherry Point applications and permits), whether the Whatcom County Code addresses planning for advanced mitigation, and how the County could assist in the process.

Brenner moved and Byrd seconded that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-039

4. [AB2019-445](#) Resolution in the matter of the Whatcom County Six-Year Transportation Improvement Program (STIP) for the years 2020 through 2025

Joe Rutan, Public Works Department, gave a staff report and stated the Birch Bay project has gone out for bid.

Browne opened the public hearing, and the following people spoke:

Eileen Kadesh, Whatcom County Bicycle Pedestrian Advisory Committee, requested that the Council include portions of the Nooksack Loop trail and the Bay to Bay International trail in the six-year plan and that a feasibility study for a bicycle pedestrian trail be done on Dearborn between Drayton Harbor Road and Dakota Creek Bridge.

Hearing no one else, Browne closed the public hearing.

Jon Hutchings, Public Works Department Director, spoke about projects that are currently included and building more specific projects into the Six-Year Transportation Improvement Program that address issues for bicycles and pedestrians, the challenges of implementing the proposals from the Bicycle Pedestrian Advisory Committee, and focusing on projects such as shoulders on roads which contribute to bicycle and pedestrian safety.

Rutan and Hutchings answered questions and Councilmembers discussed traffic issues on Pacific Highway and on Euclid Street in Bellingham, adding shoulders and other modifications to such roadways and the challenges of that, and whether possible funding for bicycle and pedestrian trails could come from private sources.

Donovan moved and Byrd seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-040

5. [AB2019-450](#) Ordinance establishing a speed limit for portions of East Smith Road and Everson Goshen Road

Joe Rutan, Public Works gave a staff report.

Browne opened the public hearing, and the following people spoke:

Kathy Sable spoke in support of the ordinance.

Rutan and Councilmembers discussed the current speed limit and the required distance to reduce speed before a roundabout; the use of other methods to slow traffic including blinking lights, reflective pole wraps, and traffic radar signs.

Brenner moved and Buchanan seconded that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: ORD 2019-065

6. [AB2019-456](#) Resolution adopting the Six-Year Water Resources Improvement Program (WRIP), 2020-2025

Browne opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved and Donovan seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-041

7. [AB2019-458](#) Ordinance amending WCC 8.13, Solid Waste Disposal District, regarding the Solid Waste Excise Privilege Tax

Browne opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved and Frazey seconded that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: ORD 2019-066

OPEN SESSION (20 MINUTES)

The following people spoke about AB2019-480 and AB2019-479 regarding proposed amendments to Whatcom County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation:

Debra Noonan
Meredith Skully
Annie Jewitt
Jerry Johnson
Richard Herman
Dave Morrow
Paul Joosten
Janet Monks
Anne Bremer
Eric McHenry
James Wilson
John F. Bremer

Hearing no one else, Browne closed the open session.

Councilmember Byrd spoke about his process for gathering opinions of residents of Lake Samish and finding the best solution.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2019-471](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Opportunity Council for the East Whatcom Regional Resource Center Phase II Construction project, in the amount of \$172,000

Sidhu moved that the Contract be AUTHORIZED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [AB2019-474](#) Request authorization for the County Executive to enter into a contract between Whatcom County and SAZAN Group for design and construction services for Plantation Indoor Range HVAC and Roof Replacement, in the amount of \$53,650
- Councilmembers discussed the gun range losing money over the last five years, how the program is a resource for public safety and recreation for the community, whether the range should be privatized, and investing money into the property to maintain its value.

Sidhu moved that the Contract be AUTHORIZED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu

Nay: 1 - Frazey

Absent: 0

3. [AB2019-477](#) Request approval for the County Executive to award Bid #19-59 for the purchase of one 27' full cabin patrol boat to low bidder, Inventech Marine Solutions, in an amount not to exceed \$373,499.26

Sidhu moved that the Bid Award be AUTHORIZED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

OTHER ITEMS

(From Council Natural Resources Committee)

1. [AB2019-475](#) Resolution declaring the County Council's support for the update to the Rural Land Study to identify areas deserving heightened agricultural protection measures

Donovan reported for the Natural Resources Committee moved and moved that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-042

(From Council Finance and Administrative Services Committee)

2. [AB2019-451](#) Ordinance amending the project budget for the Birch Bay Drive and Pedestrian Facility Project Fund, Request No. 5

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: ORD 2019-067

3. [AB2019-460](#) Ordinance amending the project budget for the East Whatcom Regional Resource Center Expansion project, in the amount of \$172,000

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: ORD 2019-068

4. [AB2019-464](#) Ordinance amending the project budget for the Triage Center Expansion Fund, request no. 3

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 0

Enactment No: ORD 2019-069

5. [AB2019-465](#) Ordinance amending the 2019 Whatcom County budget, request no. 12, in the amount of \$2,759,531

Sidhu reported for the Finance and Administrative Services Committee and

moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 0

Enactment No: ORD 2019-070

6. [AB2019-446](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham so that the City may install, maintain, and repair communications equipment for the Whatcom County Sheriff's Office

Sidhu reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

(From Council Planning and Development Committee)

7. [AB2019-481](#) Consideration of Hearing Examiner's recommendation on Preliminary Long Subdivision application filed by Wesley Herman (WD-40 Cluster Long Subdivision)

Byrd reported for the Planning and Development Committee and moved that the Hearing Examiner Recommended Decision be AFFIRMED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

8. [AB2019-417](#) Resolution to replace the Business Rules of the Whatcom County Hearing Examiner

Byrd reported for the Planning and Development Committee and reported that this agenda item was HELD IN COMMITTEE.

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-473](#) Request confirmation of the County Executive's appointment of Alec Howard to the Whatcom County Bicycle Pedestrian Advisory Committee

Donovan moved and Buchanan seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

INTRODUCTION ITEMS

1. [AB2019-472](#) Ordinance amending Whatcom County Code 9.32, Unlawful Discharge of Firearms, to establish a no shooting zone in the Drayton Harbor area of Whatcom County

Brenner moved and Buchanan seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 0

2. [AB2019-480](#) Ordinance amending Whatcom County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation

This agenda item was WITHDRAWN.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Committee Chair Todd Donovan gave a committee report from Natural Resources. Councilmembers discussed the motion made in committee to recommend that the Planning Unit give its approval of the workplan within 60 days, giving the Executive a recommendation for how to vote at the Management Board Meeting, a request to reconsider the motion from the Natural Resources Committee, revisiting the role and functions of the Planning Unit and the Watershed Management Board, and the process for recommendations and decision-making.

Browne moved to support allowing the County Executive to approve the recommended amendments to the Watershed Management's five-year plan.

Councilmembers discussed whether they should wait to get approval from the Planning Unit before giving a recommendation to the Executive.

Tyler Schroeder, Executive's Office, read from and summarized comments that were emailed to the Council from Planning Unit members Henry Bierlink, Dan Eisses, and Karlee Deatherage.

Councilmembers discussed the Council's role and authority, whether

recommendations on the five-year plan have already come from the Planning Unit, and what those recommendations are.

Browne moved to call the question. The motion was seconded.

The motion to call the question carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, Sidhu

Nay: 0

The motion to recommend that the Executive approve the Watershed Management Board's five-year work plan amendments carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner and Byrd

Councilmembers discussed and agreed to schedule another discussion about the watershed planning process to Committee.

Committee Chairs gave committee reports and updates on recent activities and recent events.

ADJOURN

The meeting adjourned at 10:42 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Rud Browne, 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: MIN2019-113

File ID:	MIN2019-113	Version:	1	Status:	Agenda Ready
File Created:	10/03/2019	Entered by:	KFelbing@co.whatcom.wa.us		
Department:	Council Office	File Type:	Minutes Consent		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Health Board for October 1, 2019

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Whatcom County Council as the Health Board

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



Minutes - Draft Minutes

**Tuesday, October 1, 2019
10 AM
Council Chambers**

COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair, Rud Browne, called the meeting to order at 10 a.m.

Roll Call

Present: 6 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey and Satpal Sidhu

Absent: 1 - Barbara Brenner

Director/Health Officer Report

Regina Delahunt, Health Department Director, gave a report about the groundbreaking ceremony of the Crisis Stabilization Facility and introduced an update by Greg Stern.

Greg Stern, Health Department, gave a briefing about health concerns and issues of vaping and possible causes of recent vaping-related lung injuries. He spoke about the intervention measures the Health Department has taken, the use of vaping products by youth, the consequences of a total ban of commercial sales, a recent recommendation by the Governor to ban flavors, and the challenge of knowing exactly what substances are used in e-cigarettes.

Public Health Advisory Board (PHAB) Update

Rachel Lucy, Public Health Advisory Board Chair, gave an update about an upcoming report on the Child and Family Action Plan process.

Health Protection for Immigrant Families Presentation

Regina Delahunt introduced the presentation.

The following submitted and gave a presentation (in the packet).

Sterling Chick, Public Health Advisory Board and Clinical Director, Catholic Community Services

Lindsey Karas, Public Health Advisory Board and Resident Services Coordinator, Mercy Housing Northwest

Public Session

Browne opened the public session and the following people spoke:

Amy Day, State certified medical interpreter, spoke about limited access to resources for non-English speakers as a consequence of fear and lack of help.

Sue Weber, spoke about the need of leaders to support community-wide wellness, awareness, and belonging.

Michael Betz, Bellingham Unitarian Fellowship, spoke about families who have been separated because of Immigration and Customs Enforcement (I.C.E.).

Bill Elfo, Whatcom County Sheriff, spoke about the importance of building community trust and not getting involved in the civil aspects of immigration law, and the current development of a draft policy that mirrors Keep Washington Working. He answered questions about issues with enstating requirements about informing the public of immigration enforcement raids by the Enforcement Removal Operations (ERO).

Jessica Sankey, director of wellness for Bellingham Public Schools, spoke about the harm of disrupting families and the need to meet the basic needs of students.

Norma (last name not given), case manager at the Bellingham Good Will, spoke about her job working with immigrant families and her own experience of being undocumented.

Andy Besabe, Vamos Outdoors Project Executive Director, spoke about working with Spanish-speaking youth, helping them to get needed documents or to access resources, and how to build trust with the families to be more able to help them.

Browne closed the public session.

Health Board Discussion and Action

Regina Delahunt answered questions and Councilmembers discussed the recommended Health Board actions from the Public Health Advisory Board (PHAB) from packet page 36, a timeline for the Health Department to put the recommendations in the form of a proposal to the Council, what a culturally and linguistically responsive health navigation system might look like (Recommendation #3(b), packet page 36), creating a Whatcom County Trust ordinance or resolution that states how the County abides by various laws and conveys that citizens can trust law enforcement.

The following people answered questions:

Steve Gatterman, Sheriff's Office Chief Deputy, answered a question about what a U-Visa certification as referenced on packet page 38.

Sterling Chick, Catholic Community Services, stated that one thing that is missing in Whatcom County is a navigation system for families. Families do not know where to go.

Councilmembers discussed the need for a County health navigation system, finding out how other communities have established one, and working with an existing agency and providing support for them to establish a central communication and navigation system for services, and working with the Sheriff to establish a Whatcom County Trust resolution or ordinance.

Buchanan moved to request that the Health Department work with the Sheriff and legal staff to establish a Whatcom County Trust ordinance or resolution as stated in Recommendation #1(a) on packet page 36.

The motion carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Brenner

Councilmembers discussed having the Health Department schedule the proposed legislation for a Public Works, Health, and Safety Committee when it is ready as opposed to waiting for the next Health Board meeting, and the process for getting a proposal to the Health Board for Recommendation #3(b) on packet page 36.

Buchanan moved to request that the Health Department work on a proposal for Recommendation #3(b) along with any associated funding requests to bring to the Health Board. The motion was seconded.

The motion carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Brenner

Councilmembers discussed being more specific about who would be required to do mandatory training as referenced in Recommendation #3(a) on packet page 36, and incorporating Recommendation #2(a) into Recommendations #1 and #3 as opposed to making a separate motion.

Rachel Lucy, Public Health Advisory Board, stated it would be better to have a separate motion.

Buchanan moved to request the Health Department to bring forward a proposal for accomplishing the recommendations for Recommendation #2(a) and (b). The motion was seconded.

Councilmembers spoke about concerns with the proposed recommendations and

when it is appropriate for local government to act on federal laws.

The motion carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Brenner

Adjournment

The meeting adjourned at 11:56 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Rud Browne, 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: MIN2019-114

File ID:	MIN2019-114	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	KFelbing@co.whatcom.wa.us		
Department:	Council Office	File Type:	Minutes Consent		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Committee of the Whole for October 8, 2019

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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

**Tuesday, October 8, 2019
10:15 AM
Council Conference Room**

COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

CLERK OF THE COUNCIL

Call To Order

Council Vice Chair Todd Donovan called the meeting to order at 10:15 a.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

Roll Call

Present: 6 - Barbara Brenner, Barry Buchanan, Tyler Byrd, Council Vice Chair Todd Donovan, Satpal Sidhu and Carol Frazey

Absent: 1 - Rud Browne

Committee Discussion

1. [AB2019-500](#) Discussion regarding potential property acquisitions for the Flood Control Zone District [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(b)]

Attorney Present: None.

Donovan stated that discussion of agenda item one may take place in executive session pursuant to RCW 42.30.140(4)(a). Executive session will conclude no later than 11 a.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Buchanan moved to go into executive session until no later than 11 a.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Vice Chair. The motion was seconded.

The motion carried by the following vote:

Aye: 5 - Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Browne

Temp Absent: 1 - Brenner out of the room

This agenda item was DISCUSSED in Executive Session.

Other Business

Adjournment

The meeting adjourned at 10:40 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Todd Donovan, Council Vice 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: MIN2019-115

File ID:	MIN2019-115	Version:	1	Status:	Agenda Ready
File Created:	10/14/2019	Entered by:	KFelbing@co.whatcom.wa.us		
Department:	Council Office	File Type:	Minutes Consent		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Regular County Council for October 8, 2019

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Whatcom County Council

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



Minutes - Draft Minutes

AGENDA REVISED 10.8.2019

Tuesday, October 8, 2019

7 PM

Council Chambers

COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 7 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: 7 - Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

Donovan moved to authorize the County Executive, acting on behalf of the Whatcom County Flood Control Zone District Board of Supervisors, to execute an option agreement to purchase property as discussed in executive session (AB2019-500). The motion was seconded.

The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

SPECIAL PRESENTATION

1. [AB2019-497](#) Report from the Behavioral Health Advisory Committee on the Behavioral Health Program Fund

Chris Phillips, Behavioral Health Advisory Board Chair, gave a presentation. He introduced the following staff from the Blaine School District:

Randy Elsbree, Executive Director of Federal and Special Programs
Kaatri Jones, Mental Health Counselor - submitted a handout (on file)

This agenda item was REPORTED.

PUBLIC HEARINGS

1. [AB2019-472](#) Ordinance amending Whatcom County Code 9.32, Unlawful Discharge of Firearms, to establish a no shooting zone in the Drayton Harbor area of Whatcom County

Browne invited representatives from the City of Blaine to speak.

Bonnie Onyon, City of Blaine Mayor, spoke in favor of the ordinance.

Michael Jones, Blaine City Manager, answered why the area in question can not be

annexed and why it was taken out of Blaine's Urban Growth Area (UGA). He also spoke in favor of the ordinance.

Mary Lou Steward, Blaine City Councilmember, spoke in favor of the ordinance.

Jennifer Plombon, Semiahmoo Resort Association Board member, spoke in favor of the ordinance and about the lack of enforcement.

Ryan Valentine, Washington Department of Fish and Wildlife (WDFW), stated he has only received a handful of just noise-related calls from Drayton Harbor and answered question about buffers, whether signs are posted, whether visiting hunters are required to take safety courses, whether Blaine Police Officers refer citizens outside of the city to the WDFW, what firearms are allowed, different state requirements for hunter education courses, how long the area has been open to hunting, how many hours he spends working in Drayton Harbor, and whether he patrols from land or water.

Browne opened the public hearing, and the following people spoke:

Tyler Schroeder, Executive's Office, answered questions about noise regulations and discharge of firearms.

Karen Frakes, Prosecuting Attorney's Office, answered questions about noise and firearms regulations, and whether the State law would supercede County code.

John Arrabito, Washington Waterfowl Association, spoke about State laws concerning firearms, and firearm noise.

Gerry Heys spoke about noise from hunters and spoke in favor of the ordinance.

Richard Holt, President of the Washington Waterfowl Association, submitted a handout (on file), stated the association's mission and purpose, and spoke against the ordinance.

Paul Johnson stated Drayton Harbor is used for many other purposes and spoke in favor of the ordinance.

Linda Marshall stated Drayton Harbor is not the only option for hunters and spoke in favor of the ordinance.

Matthew Goggins stated he signed up for the wrong hearing.

Patrick Allese stated these are areas outside the City limits.

Andrew Scoular stated City development has increased, this is no longer a rural area, and people don't always abide by the rules. He spoke in favor of the ordinance.

Frank Bob stated his ancestors have always hunted as a food source and the ordinance infringes on tribal rights. He does not support the ordinance.

Matt Berry read from a statement about a petition against the no shooting zone, spoke about education for the public, and does not support the ordinance. He submitted his comments.

Tino Villaluz spoke about finding solutions for enforceable boundaries that support public safety and spoke against the ordinance.

Pete Adams stated he hunts to provide for his family and spoke against the ordinance.

Randall Miller stated no-shooting boundaries should take density into account.

Lyle Galloway, acting president for the Whatcom County chapter of the Washington Waterfowl Association, spoke about the association's mission and existing hunting laws, and stated he is opposed to the ordinance.

Dave Turner stated he is opposed to the ordinance.

Anthony Giebol stated that hunting allows for conservation and management of waterfowl populations and spoke against the ordinance.

Blair Smith submitted a handout (on file) and stated he supports the City of Blaine Resolution 1765-19 concerning the creation of a no shooting zone in Drayton Harbor because of population growth and safety concerns.

John Sitkin, City of Blaine attorney, spoke about the state statute that defines County Council authority in firearm regulations and answered questions about the amount of people who use Drayton Harbor for various activities and about UGA boundaries.

Jesse Dewite stated he hunts to provide for his family and hunters do not want to break the laws because they don't want to lose their hunting rights.

Mark Walker stated that a no shooting zone would encourage development and in turn, a loss of habitat for birds.

Rodney Vandersypen stated there are no safety issues with the current boundary lines and spoke against the ordinance.

Hearing no one else, Browne closed the public hearing.

Donovan moved and Buchanan seconded that the Ordinance be REFERRED TO COMMITTEE to get more information about treaty rights, noise versus safety concerns, and UGA boundary lines, and to leave the item open for comment.

Council members discussed making rules for all hunters as opposed to just hunters in one area, and respecting tribal treaty rights.

Browne suggested a friendly amendment to hold for four weeks.

Donovan accepted the friendly amendment.

Donovan moved and Buchanan seconded that the Ordinance be REFERRED TO COMMITTEE and sent to Council Special Committee of the Whole on 11/6/2019. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

[AB2019-452](#)

Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the 2019 Byrne Justice

Assistance Grant to purchase ballistic resistant vests for a total of \$13,391

Browne opened the public hearing, and hearing no one, closed the public hearing.

Brenner moved and Byrd seconded that the Special Council Only Item be AUTHORIZED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

OPEN SESSION (20 MINUTES)

Heather Dahlberg spoke about the issue of homelessness, her volunteer efforts at Unity Village and with HomesNow! Not Later, and the need for warming centers.

Patrick Alesse spoke about concerns with people speeding and running stop signs in Birch Bay.

The following people spoke about like Samish

Erik McHenry

Sharon Cody

Jerry Johnson

Tim Slesk

Mark Walker

Dave Morrow

Paul Joostens

Mary Walker

Heather Katahdin spoke about opening warning centers.

Brown closed the Open Session and recognized Karen Frakes, Prosecuting Attorney's Office, for her 35 years of service.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Sidhu stated that item number three received a split vote of one to one in committee and requested to consider it separately.

Sidhu reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda item three. Councilmembers voted on this item (see vote on individual item below).

Sidhu reported for the Finance and Administrative Services Committee and ***moved***

to approve Consent Agenda items one, two, and four separately. Councilmembers discussed and voted on those items (see votes on individual items below).

3. [AB2019-486](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority for treatment and recovery support services to individuals involved in the criminal justice system, in the amount of \$174,881

Sidhu moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

1. [AB2019-494](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Geneva Consulting Services for coordination of the Whatcom Lead Integrating Organization, in the amount of \$68,616.11

Sidhu moved and Donovan seconded that the Contract (WCFCZDBS) be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 0

2. [AB2019-485](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority for substance use prevention services in high-need communities, in the amount of \$577,550

Sidhu moved and Buchanan seconded that the Interlocal be AUTHORIZED BY CONSENT.

Councilmembers discussed the definition of “Health Equity“ from packet page 139.

The motion to AUTHORIZE BY CONSENT carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 0

4. [AB2019-501](#) Request authorization for the County Executive to enter into a contract between Whatcom County and FLO Analytics to assist with the developing of the 2020 Lake

Whatcom Stormwater Utility Fee in the amount of \$28,715.00

Sidhu moved and Frazey seconded that the Contract be AUTHORIZED BY CONSENT.

Brenner stated she prefers incentives as opposed to punitive actions.

The motion TO AUTHORIZE BY CONSENT carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2019-478](#) Request authorization for the County Executive to enter into an interagency agreement between Whatcom County Flood Control Zone District and State of Washington Puget Sound Partnership for coordination of the Whatcom County Local Integrating Organization (LIO), in the amount of \$75,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu moved that the Contract (WCFCZDBS) be AUTHORIZED.

Councilmembers discussed the function of the Local Integrating Organization in the water resource planning process.

The motion to AUTHORIZE carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Brenner

Absent: 0

Abstain: 1 - Byrd

2. [AB2019-487](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the State of Washington Department of Ecology to fund administrative support and action projects for the Whatcom County Marine Resources Committee, in the amount of \$182,313 (Council Acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu moved that the Contract (WCFCZDBS) be AUTHORIZED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-498](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Birch Bay Water and Sewer District for implementation of stormwater and water quality programs (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu moved that the Contract (WCFCZDBS) be AUTHORIZED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

(From Council Public Works and Health Committee)

4. [AB2019-499](#) Resolution in the matter of considering vacating a portion of Horton Road

Brenner moved that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-043

(From Council Planning and Development Committee)

5. [AB2019-417](#) Resolution to replace the Business Rules of the Whatcom County Hearing Examiner

This agenda item was WITHDRAWN.

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-509](#) Request confirmation of the County Executive's appointment of Steve Bennett and Galen Herz to the Public Health Advisory Board

Donovan moved and Brenner seconded that the Executive Appointments be CONFIRMED.

They voted for each candidate individually.

The motion to confirm Bennett carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 0

Abstain: 1 - Byrd

The motion to confirm Herz carried by the following vote:

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Both appointments were CONFIRMED.

INTRODUCTION ITEMS

Tyler Schroeder, Executives Office, answered a question about when the following agenda bill will be on the agenda for introduction:

Discussion regarding draft interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities (AB2019-511).

Brenner moved to introduce items one through six. The motion was seconded (see votes on individual items below).

1. [AB2019-489](#) Ordinance establishing the Affordable and Supportive Housing Fund

Brenner moved and Donovan seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [AB2019-508](#) Ordinance amending the 2019 Whatcom County Budget, request no. 13, in the amount of \$375,570

Brenner moved and Donovan seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-495](#) Ordinance reauthorizing a Golf Cart Zone on certain roads in the Birch Bay Area

Brenner moved and Donovan seconded that the Ordinance Requiring a Public Hearing be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

4. [AB2019-503](#) Appointments to two vacancies on the Horticulture Pest and Disease Board, applicants: Andrew Taylor and Diana Bedlington (committee controls and prevents the spread of horticultural pests and diseases)

Brenner moved and Donovan seconded that the Current Year Council Appointment be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

5. [AB2019-502](#) Resolution amending WCC 100.7 Birch Bay Watershed Aquatic Resources Management District Funding Mechanism by adding an exemption for the Birch Bay Water and Sewer District (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Brenner moved and Donovan seconded that the Resolution Requiring a Public Hearing be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

6. [AB2019-504](#) Resolution adopting the 2020 Annual Road Construction Program (ACP)

Brenner moved and Donovan seconded that the Resolution Requiring a Public Hearing be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and updates on recent activities and upcoming events.

ADJOURN

The meeting adjourned at 10:08 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Rud Browne, 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: AB2019-524

File ID:	AB2019-524	Version:	1	Status:	Agenda Ready
File Created:	10/10/2019	Entered by:	ALandry@co.whatcom.wa.us		
Department:	County Executive's Office	File Type:	Presentation		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Executive Jack Louws will read the proclamation for the 75th anniversary of the Whatcom County Library System

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

N/A

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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: AB2019-489

File ID:	AB2019-489	Version:	1	Status:	Introduced for Public Hearing
File Created:	09/20/2019	Entered by:	SMurdoch@co.whatcom.wa.us		
Department:	Health Department	File Type:	Ordinance		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Ordinance establishing the Affordable and Supportive Housing Fund

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Ordinance pursuant to RCW 82.14.540 to receive an additional tax distribution from the state sales and use tax to be used for affordable and supportive housing

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
10/08/2019	Council	INTRODUCED FOR PUBLIC HEARING	Council



Memorandum

TO: JACK LOUWS

FROM: Anne Deacon

DATE: September 12, 2019

RE: Ordinance for Affordable and Supportive Housing

An ordinance and corresponding County Code will be introduced at the October 8, 2019 County Council meeting in response to new state legislation for housing. The 2019 state legislative session passed Substitute House Bill 1406 (SHB 1406) allowing local governments to take a tax credit against a portion of the state's share of local sales and use tax. The purpose of these additional monies available to local government is to fund affordable and supportive housing. SHB 1406 has been codified in RCW 82.14.540 and that statute are attached to this packet as reference.

The tax credit expires twenty years after the date on which it is first imposed. Monies must be directed to the following:

1. Assisting people who are at or below 60% of the Area Median Income (AMI)
2. Acquiring, rehabilitating, or constructing affordable housing. This may include new units of affordable housing within an existing structure, or for facilities providing supportive housing services
3. Operations and maintenance costs of new units of affordable or supportive housing
4. Rental Assistance

Whatcom County has been in discussion with all seven city partners to determine who will take this tax credit on behalf of the community, as well as expectations for the use of the additional funds. Maximum taxing capacity is available if the County takes it, and the cities have agreed to this option. The Whatcom County Housing Advisory Committee (WCHAC), formed through an Interlocal agreement among the county and all seven cities, will act as the advisory body for use of these additional funds. This Interlocal will be amended to capture this added responsibility. The Interlocal amendment will also outline membership for the WCHAC to include two representatives from the city of Bellingham. Small cities currently hold a position on the WCHAC under the Interlocal agreement and will continue to have representation.

The City Council of Bellingham passed a resolution on September 9, 2019 declaring their intent to have the County take the tax credit, providing that the county takes formal action before November 30, 2019. A copy of the city's resolution is also attached as reference.





As recipient of the tax, the County has agreed to facilitate a community-wide housing action plan, collaborating with cities, and collating and coordinating existing plans from all seven cities to identify common goals. The WCHAC will submit an annual report to the community on the activities related to this new funding source. Additionally, the county will submit an annual report on activities to Commerce as required by state statute.

State statute reads that by December 31, 2019, or within thirty days of the county authorizing the tax, *whichever is later*, the state's Department of Revenue must calculate the maximum amount of tax distributions. This calculation will be equal to the taxable retail sales within the county in state fiscal year 2019 multiplied by the tax rate of .0146 percent. It is estimated that the annual tax distribution will be between \$650,000 to \$700,000.

Exhibit A is attached and will serve as the County Code for this new funding source. The Affordable and Supportive Housing Fund will be established to account for these monies.



09/17/2019

PROPOSED BY: Health
INTRODUCTION DATE: _____

ORDINANCE NO. _____

ESTABLISHING AN AFFORDABLE AND SUPPORTIVE HOUSING FUND

WHEREAS, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) ("SHB 1406"); and

WHEREAS, RCW 82.14.540 was established as statute pursuant to SHB 1406; and

WHEREAS, RCW 82.14.540 authorizes the governing body of a county to impose a local sales and use tax for affordable and for supportive housing to persons whose income is at or below sixty percent of the Whatcom County area median income, with said tax expiring twenty years after the date on which the tax is first imposed; and

WHEREAS, RCW 82.14.540 authorizes use for the following: the acquisition, construction or rehabilitation of affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing, and for funding the operations and maintenance costs of new units of affordable or supportive housing, and for counties with populations of 400,000 or less, for providing rental assistance to tenants; and

WHEREAS, Whatcom County is a participating county that currently imposes a qualifying local sales and use tax in accordance with requirements of RCW 82.14.540; and

WHEREAS, the City of Bellingham also has a qualifying local tax; and

WHEREAS, the City of Bellingham has stated in a resolution on September 9, 2019 that Whatcom County is authorized to retain the tax at the maximum rate and will not be a participating city by retaining the tax; and

WHEREAS, Whatcom County and the cities within the county have agreed that Whatcom County is authorized to retain the tax at the maximum rate; and

WHEREAS, Whatcom County has declared on September 10, 2019 through resolution an intent to adopt legislation to authorize the maximum capacity of the sales and use tax authorized by RCW 82.14.540; and

WHEREAS, the tax will be credited against state sales taxes collected within Whatcom County and, therefore, will not result in higher sales and use taxes within the County and will represent an additional source of funding to address housing needs in the County; and

WHEREAS, Whatcom County will facilitate a county-wide housing plan by collating the various city and county housing plans and then identifying common goals; and

WHEREAS, the Whatcom County Housing Advisory Committee was formed through an interlocal agreement among the county and the seven cities and serves in an advisory capacity to Whatcom County issues related to housing; and

1 **WHEREAS**, the current interlocal agreement establishing the Whatcom County
2 Housing Advisory Committee states membership status for cities as well as scope of the
3 committee's activities; and

4 **WHEREAS**, the city of Bellingham desires two representatives on the Whatcom
5 County Housing Advisory Committee; and

6 **WHEREAS**, an amendment to the interlocal agreement that established the
7 Whatcom County Housing Advisory Committee will reflect the change in membership to add
8 an additional representative from the city of Bellingham, as well as expanded scope as an
9 advisory body for said tax distribution; and

10 **WHEREAS**, the County has a need for supportive and affordable housing units and
11 has determined that retaining the maximum rate of the sales and use tax to address this
12 need will benefit its citizens; and

13 **WHEREAS**, the state Department of Revenue will set the maximum amount of tax
14 distributions for a participating county no later than December 31, 2019; and

15 **WHEREAS**, a new fund must be established to collect the tax distributions;

16 **NOW, THEREFORE, BE IT ORDAINED** that:

17
18 1. Whatcom County adopts Exhibit A into law.

19 2. The Affordable & Supportive Housing fund is hereby established to collect this new
20 revenue.

21 3. An annual report reflecting housing priorities, strategies, and accomplishments of
22 the entire county will be submitted by the Whatcom County Housing Advisory
23 Committee.

24 This ordinance shall take effect immediately upon its passage and adoption.

25
26 **ADOPTED** this ____ day of _____, 20____.

27
28
29
30 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

31
32
33 _____
34 Dana Brown-Davis, Clerk of the Council

(Current Chair's Name), Council Chair

35
36 WHATCOM COUNTY EXECUTIVE
37 APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

38
39 _____
40 Civil Deputy Prosecutor
41 Executive

(Current Executive's Name), County

42
43 () Approved () Denied

44
45 Date Signed: _____
46

Exhibit A

Chapter 3.45

AFFORDABLE AND SUPPORTIVE HOUSING SALES AND USE TAX FUND

Sections

3.45.010	Sales and use tax revenue
3.45.020	Administration and collection
3.45.030	Affordable and Supportive Housing Fund
3.45.040	Use of funds
3.45.050	Administration of fund
3.45.060	Whatcom County Housing Advisory Committee
3.45.070	Effective date
3.45.080	Severability

3.45.010 Sales and use tax revenue.

Pursuant to RCW 82.14.540, Whatcom County is a participating county that imposes a qualifying sales and use tax, and may retain a portion of the existing “qualifying tax” as defined in Chapter 82.14.540 RCW. The rate at which the tax will be retained is .0146 percent of the taxable retail sales within the county in state fiscal year 2019, the maximum allowable per RCW 82.14.540 for a participating county. This revenue is not a new tax to the citizens of Whatcom County. This amount is calculated by the Department of Revenue and the tax imposed by a county under this legislation expires twenty years after the date on which the tax is first imposed. (Ord. Exh.; Ord. Exh.).

3.45.020 Administration and collection.

The revenue retained by this chapter shall be administered and collected in accordance with RCW [82.14.540](#). The county executive or designee is hereby authorized and directed to execute any contracts with the Washington State Department of Revenue that may be necessary to provide for the administration or collection of the tax. (Ord. Exh.; Ord. Exh.).

3.45.030 Affordable and Supportive Housing Fund.

The Whatcom County treasurer shall deposit moneys collected pursuant to this chapter in the Affordable and Supportive Housing Fund. The treasurer may invest the fund balance and any interest earned shall be deposited into this fund. (Ord. Exh.; Ord. Exh.).

3.45.040 Use of funds.

Moneys deposited into the Affordable and Supportive Housing Fund shall be used solely for the purpose of acquiring, rehabilitating or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.385, or for funding the operations and maintenance costs of new units of affordable or supportive

housing. Funds may also be used for rental assistance throughout Whatcom County as long as the county population remains 400,000 or less. The housing and services provided may only be provided to persons whose income is at or below 60% area median income for Whatcom County. Funds may also be used as otherwise authorized by the laws of the state of Washington as referenced in RCW 82.14.540. (Ord. Exh.; Ord. Exh).

3.45.050 Administration of fund.

The county executive shall administer the Affordable and Supportive Housing Fund with assistance of the Whatcom County Health Department, in accordance with budgetary processes and Whatcom County administrative policies and state statutes. Whatcom County must report annually to the Department of Commerce on the collection and use of the revenue. (Ord. Exh.; Ord. Exh).

3.45.060 Whatcom County Housing Advisory Committee

The Whatcom County Housing Advisory Committee serves in an advisory capacity to the county executive via Whatcom County Health Department on uses of the Affordable and Supportive Housing Fund. The county will facilitate a community-wide housing action plan with support from the committee. Collaborative efforts include convening city partners, collating existing housing plans and identifying common themes and goals. The committee will submit an annual report reflecting priorities, strategies and accomplishments related to this funding source, as well as identification of action steps for the coming year. This report will be submitted to the County Executive and community partners by the committee.

3.45.070 Effective date.

In accordance with the Whatcom County budget cycle, this chapter shall take effect upon passage. Start date for the collection of the tax credit will be determined by the state Department of Revenue. (Ord. Exh.; Ord. Exh).

3.45.080 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions to other persons or circumstances is not affected. (Ord. Exh.; Ord. Exh).

RCW 82.14.540**Affordable and supportive housing—Sales and use tax.**

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Nonparticipating city" is a city that does not impose a sales and use tax in accordance with the terms of this section.

(b) "Nonparticipating county" is a county that does not impose a sales and use tax in accordance with the terms of this section.

(c) "Participating city" is a city that imposes a sales and use tax in accordance with the terms of this section.

(d) "Participating county" is a county that imposes a sales and use tax in accordance with the terms of this section.

(e) "Qualifying local tax" means the following tax sources, if the tax source is instated no later than twelve months after July 28, 2019:

(i) The affordable housing levy authorized under RCW **84.52.105**;

(ii) The sales and use tax for housing and related services authorized under RCW **82.14.530**, provided the city has imposed the tax at a minimum or [of] at least half of the authorized rate;

(iii) The sales tax for chemical dependency and mental health treatment services or therapeutic courts authorized under RCW **82.14.460** imposed by a city; and

(iv) The levy authorized under RCW **84.55.050**, if used solely for affordable housing.

(2)(a) A county or city legislative authority may authorize, fix, and impose a sales and use tax in accordance with the terms of this section.

(b) The tax under this section is assessed on the selling price in the case of a sales tax, or value of the article used, in the case of a use tax.

(c) The rate of the tax under this section for an individual participating city and an individual participating county may not exceed:

(i) Beginning on July 28, 2019, until twelve months after July 28, 2019:

(A) 0.0073 percent for a:

(I) Participating city, unless the participating city levies a qualifying local tax; and

(II) Participating county, within the limits of nonparticipating cities within the county and within participating cities that do not currently levy a qualifying tax;

(B) 0.0146 percent for a:

(I) Participating city that currently levies a qualifying local tax;

(II) Participating city if the county in which it is located declares they will not levy the sales and use tax authorized under this section or does not adopt a resolution in accordance with this section; and

(III) Participating county within the unincorporated areas of the county and any city that declares they will not levy the sales and use tax authorized under this section or does not adopt a resolution in accordance with this section;

(ii) Beginning twelve months after July 28, 2019:

(A) 0.0073 percent for a:

(I) Participating city that is located within a participating county if the participating city is not levying a qualifying local tax; and

(II) Participating county, within the limits of a participating city if the participating city is not levying a qualifying local tax;

(B) 0.0146 percent within the limits of a:

(I) Participating city that is levying a qualifying local tax; and

(II) Participating county within the unincorporated area of the county and within the limits of any nonparticipating city that is located within the county.

(d) A county may not levy the tax authorized under this section within the limits of a participating city that levies a qualifying local tax.

(e)(i) In order for a county or city legislative authority to impose the tax under this section, the authority must adopt:

(A) A resolution of intent to adopt legislation to authorize the maximum capacity of the tax in this section within six months of July 28, 2019; and

(B) Legislation to authorize the maximum capacity of the tax in this section within one year of July 28, 2019.

(ii) Adoption of the resolution of intent and legislation requires simple majority approval of the enacting legislative authority.

(iii) If a county or city has not adopted a resolution of intent in accordance with the terms of this section, the county or city may not authorize, fix, and impose the tax.

(3) The tax imposed under this section must be deducted from the amount of tax otherwise required to be collected or paid to the department of revenue under chapter **82.08** or **82.12** RCW. The department must perform the collection of such taxes on behalf of the county or city at no cost to the county or city.

(4) By December 31, 2019, or within thirty days of a county or city authorizing the tax under this section, whichever is later, the department must calculate the maximum amount of tax distributions for each county and city authorizing the tax under this section as follows:

(a) The maximum amount for a participating county equals the taxable retail sales within the county in state fiscal year 2019 multiplied by the tax rate imposed under this section. If a county imposes a tax authorized under this section after a city located in that county has imposed the tax, the taxable retail sales within the city in state fiscal year 2019 must be subtracted from the taxable retail sales within the county for the calculation of the maximum amount; and

(b) The maximum amount for a city equals the taxable retail sales within the city in state fiscal year 2019 multiplied by the tax rate imposed under subsection (1) of this section.

(5) The tax must cease to be distributed to a county or city for the remainder of any fiscal year in which the amount of tax exceeds the maximum amount in subsection (4) of this section. The department must remit any annual tax revenues above the maximum to the state treasurer for deposit in the general fund. Distributions to a county or city meeting the maximum amount must resume at the beginning of the next fiscal year.

(6)(a) If a county has a population greater than four hundred thousand or a city has a population greater than one hundred thousand, the moneys collected or bonds issued under this section may only be used for the following purposes:

(i) Acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW **71.24.385**; or

(ii) Funding the operations and maintenance costs of new units of affordable or supportive housing.

(b) If a county has a population of four hundred thousand or less or a city has a population of one hundred thousand or less, the moneys collected under this section may only

be used for the purposes provided in (a) of this subsection or for providing rental assistance to tenants.

(7) The housing and services provided pursuant to subsection (6) of this section may only be provided to persons whose income is at or below sixty percent of the median income of the county or city imposing the tax.

(8) In determining the use of funds under subsection (6) of this section, a county or city must consider the income of the individuals and families to be served, the leveraging of the resources made available under this section, and the housing needs within the jurisdiction of the taxing authority.

(9) To carry out the purposes of this section including, but not limited to, financing loans or grants to nonprofit organizations or public housing authorities, the legislative authority of the county or city imposing the tax has the authority to issue general obligation or revenue bonds within the limitations now or hereafter prescribed by the laws of this state, and may use, and is authorized to pledge, the moneys collected under this section for repayment of such bonds.

(10) A county or city may enter into an interlocal agreement with one or more counties, cities, or public housing authorities in accordance with chapter **39.34** RCW. The agreement may include, but is not limited to, pooling the tax receipts received under this section, pledging those taxes to bonds issued by one or more parties to the agreement, and allocating the proceeds of the taxes levied or the bonds issued in accordance with such interlocal agreement and this section.

(11) Counties and cities imposing the tax under this section must report annually to the department of commerce on the collection and use of the revenue. The department of commerce must adopt rules prescribing content of such reports. By December 1, 2019, and annually thereafter, and in compliance with RCW **43.01.036**, the department of commerce must submit a report annually to the appropriate legislative committees with regard to such uses.

(12) The tax imposed by a county or city under this section expires twenty years after the date on which the tax is first imposed.

[2019 c 338 § 1.]



City of Bellingham
210 Lottie Street
Bellingham, WA 98225

MEMORANDUM

TO: MAYOR KELLI LINVILLE
FROM: TARA SUNDIN, COMMUNITY & ECONOMIC DEVELOPMENT MANAGER
CC: BRIAN HEINRICH, DEPUTY ADMINISTRATOR
SUBJECT: RESOLUTION ON SHB 1406
DATE: SEPTEMBER 9, 2019

City and Whatcom County staff have been coordinating on our approach regarding collection and administration of a sales and use tax for affordable and supportive housing under SHB 1406. Per your direction, we have been working toward a collaborative approach whereby the County would collect and administer the monies while providing the City with an opportunity for meaningful input. If the Whatcom County Council passes a resolution stating it intends to collect the sales and use tax in the full amount authorized by the legislation, we propose the following measures be included in the ordinance the County Council is required to pass:

1. Whatcom County facilitates a county-wide housing action plan. Whatcom County is aware that the cities and the county have existing housing plans. The Whatcom County Housing Advisory Committee can take the lead in convening these partners, collate the various plans and identify common themes and goals. The committee will then create an Annual Report that reflects the priorities, strategies, and accomplishments of the entire county, with acknowledgment of action steps for the coming year.
2. The Housing Advisory Committee members. Whatcom County staff are proposing that this Committee be the body that makes recommendations on the SHB 1406 funds (estimated at \$650-\$700k in 2019). Bellingham currently has one representative on this committee. Given the largest portion of sales tax revenue is generated in Bellingham, we request two City representatives be on this committee. County staff has indicated the Housing Advisory Committee is in the process of updating its by-laws and will ensure that two representatives from the City of Bellingham are members. The committee will also take this opportunity to re-evaluate membership generally to optimize input from all relevant sectors.
3. Use of SHB 1406 funds. We propose no limitation on the use of the funds authorized by the State so long as they are used consistently with the legislation.

As a reminder, in order for a city or county to impose the tax, within six months of the effective date of SHB 1406, or January 28, 2020, the governing body must adopt a resolution of intent to authorize the maximum capacity of the tax, and within twelve months of the effective date of SHB 1406, or July 28, 2020, must adopt legislation to authorize the maximum capacity of the tax.

RESOLUTION NO. _____

**A RESOLUTION OF THE BELLINGHAM CITY COUNCIL
REGARDING A SALES AND USE TAX FOR AFFORDABLE AND
SUPPORTIVE HOUSING UNDER SUBSTITUTE HOUSE BILL 1406
(CHAPTER 338, LAWS OF 2019)**

WHEREAS, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) (“SHB 1406”); and

WHEREAS, SHB 1406 authorizes the governing body of a city or county to impose a local sales and use tax for the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, for the operations and maintenance costs of affordable or supportive housing, and for certain cities and counties, providing rental assistance to tenants; and

WHEREAS, the tax will be credited against sales and use taxes collected by the State of Washington within the city and county imposing the tax, including Bellingham and, therefore, will not result in higher sales and use taxes within the city and county and will represent an additional source of funding to address housing needs in the city and county; and

WHEREAS, the tax must be used to assist persons whose income is at or below sixty percent of the county median income; and

WHEREAS, both Whatcom County (the “County”) and the City of Bellingham (the “City”) have a need for more housing units affordable to those earning at or below sixty percent of median income; and

WHEREAS, in order for a city or county to impose the tax, within six months of the effective date of SHB 1406, or January 28, 2020, the governing body must adopt a resolution of intent to authorize the maximum capacity of the tax, and within twelve months of the effective date of SHB 1406, or July 28, 2020, must adopt legislation to authorize the maximum capacity of the tax; and

WHEREAS, the City and the County are currently working on a proposal under which the County will impose the maximum amount of the tax instead of the City, and the jurisdictions will work collaboratively to ensure the funds are administered in a manner that is consistent with the attached memorandum; and

WHEREAS, the City Council now desires that the County pass a resolution stating its intent to impose a local sales and use tax as authorized by SHB 1406 as set forth herein and pass an ordinance consistent with the memorandum attached hereto.

Resolution Regarding Sales and Use Tax
under SHB 1406

(1)

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:

Section 1. The City Council expresses its support for the proposal attached to this resolution.

Section 2. The City Council anticipates declaring that it will not levy the sales and use tax so that the County may proceed with the attached proposal.

Section 3. It is the intent of the City Council that following passage by the Whatcom County Council of a resolution and legislation that (1) authorizes the maximum capacity of the tax, and (2) is consistent with the attached proposal, the City Council will adopt a resolution declaring that it will not levy the tax.

Section 4. In the event the County Council does not complete the actions set forth in Section 3 of this resolution by November 30, 2019, the City intends to pass a resolution of intent to impose the tax under SHB 1406.

PASSED by the Council this _____ day of _____, 2019.

Council President

APPROVED by me this _____ day of _____, 2019.

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Resolution Regarding Sales and Use Tax
under SHB 1406 (2)

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-495

File ID:	AB2019-495	Version:	1	Status:	Introduced for Public Hearing
File Created:	09/23/2019	Entered by:	RMcconne@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Ordinance Requiring a Public Hearing		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Ordinance reauthorizing a Golf Cart Zone on certain roads in the Birch Bay Area

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

See attached memo

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
10/08/2019	Council	INTRODUCED FOR PUBLIC HEARING	Council



MEMORANDUM

TO: The Honorable Jack Louws, Whatcom County Executive and
The Honorable Members of the Whatcom County Council

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Joseph P. Rutan, P.E., County Engineer/Assistant Director *JLR*

DATE: September 24, 2019

SUBJECT: Ordinance reauthorizing a Golf Cart Zone on certain roads in the Birch Bay Area

Requested Action

At the request of the Whatcom County Council, the Public Works Department respectfully submits the attached ordinance reauthorizing a Golf Cart Zone on certain roads in the Birch Bay area.

Background and Purpose

On May 22, 2018, the Whatcom County Council adopted Ordinance 2018-023 creating a Golf Cart Zone on certain roads in the Birch Bay area. This ordinance is set to expire on October 31, 2019. Public Works has reviewed all collisions within the Golf Cart Zone following the adoption of the ordinance and found that none involved golf carts. The Whatcom County Sheriff's Department supports reauthorizing this ordinance.

Information

Creation of golf cart zones is allowed per RCW 46.08.175 while "golf carts" are defined under RCW 46.04.1945 (see attached). RCW 46.08.175 requires that a roadway designated as a "Golf Cart Zone" have a posted speed limit of 25 MPH or less. All roads within this zone have posted speed limits of 25 MPH or less.

Please contact Joe Rutan at extension 6219 with any questions regarding this ordinance.

PROPOSED BY: Public Works-Engineering
INTRODUCTION DATE: _____

ORDINANCE NO. _____

REAUTHORIZING A GOLF CART ZONE ON CERTAIN ROADS IN THE BIRCH BAY AREA

WHEREAS, Birch Bay area residents have requested to operate golf carts in the Birch Bay area; and

WHEREAS, RCW 46.08.175 allows for the creation of golf cart zones; and

WHEREAS, the Birch Bay Chamber of Commerce supports the reauthorization of a golf cart zone in the Birch Bay area; and

WHEREAS, the speed limit on all of the roads in the proposed Golf Cart Zone are 25 MPH or less; and

WHEREAS, the operators of golf carts shall be licensed motor vehicle operators as required by RCW 46.20.001.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that a Golf Cart Zone is hereby established on Birch Bay Drive and all county roads posted 25 MPH or less that lead to, and are contiguous with, Birch Bay Drive;

BE IT FURTHER ORDAINED, that the County Engineer is hereby directed to install the appropriate signs and the Whatcom County Sheriff and the Washington State Patrol be notified by a copy of this ordinance.

ADOPTED this ____ day of _____, 2019.

ATTEST:

Dana Brown-Davis, Clerk of the Council

APPROVED AS TO FORM:

 9/26/19

Christopher Quinn,
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Rud Browne, Council Chair

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Jack Louws, County Executive

() Approved () Denied

Date Signed: _____

SITUATE IN A PORTION OF SECTION 24
TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON



LEGEND

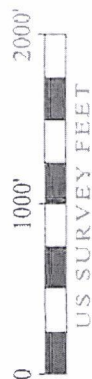
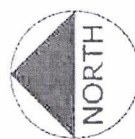
GOLF CART ZONE =



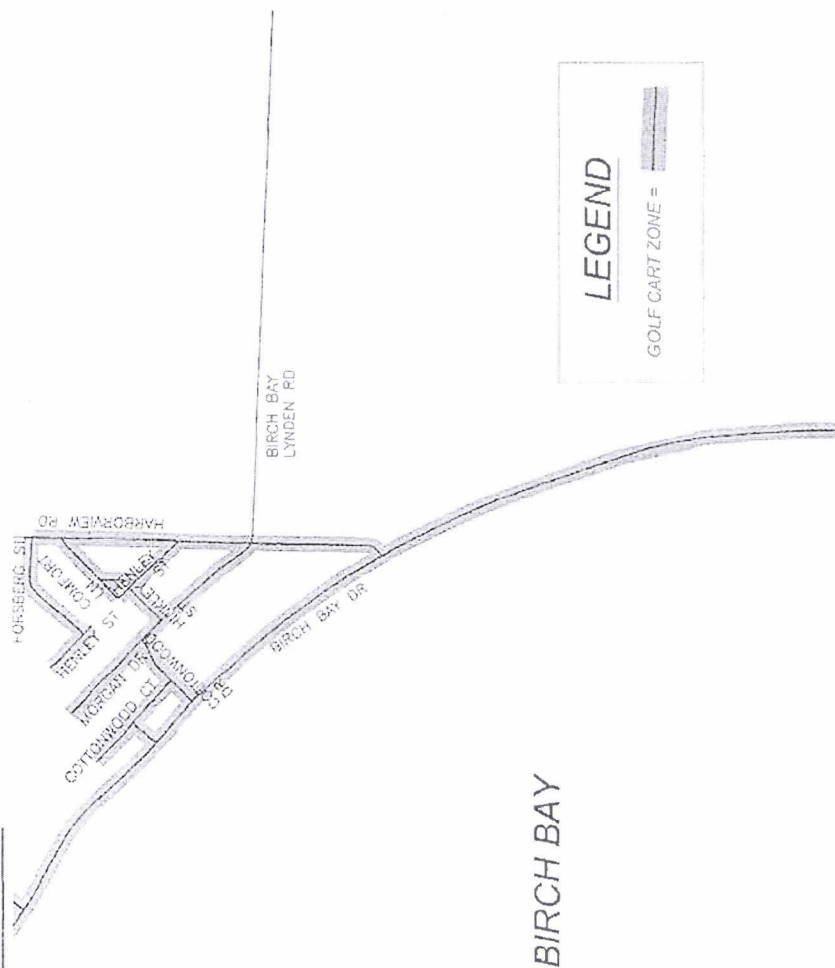
ATTACHMENT "B"

DEPARTMENT OF PUBLIC WORKS
322 N. COMMERCIAL ST., SUITE 301
BELLINGHAM, WA 98225
1-800-378-6210

SITUATE IN A PORTION OF SECTION 24
TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON



SEE ATTACHMENT "A"

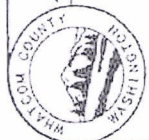


BIRCH BAY

LEGEND

GOLF CART ZONE =

SEE ATTACHMENT "C"



ATTACHMENT "C"

DEPARTMENT OF PUBLIC WORKS
322 N. COMMERCIAL ST., SUITE 301
BELLINGHAM, WA 98225
(360) 778-6210

SEE ATTACHMENT "B"

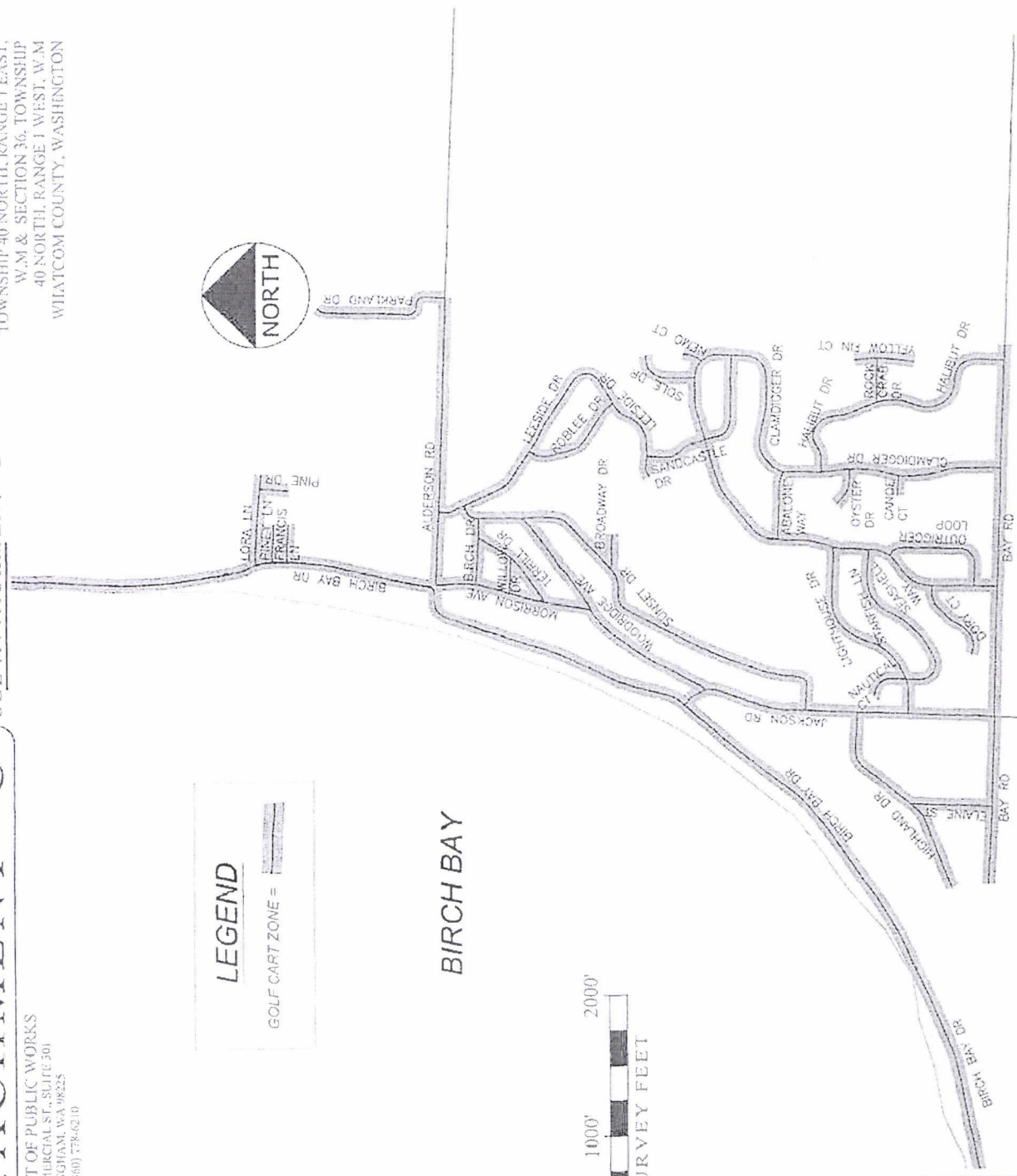
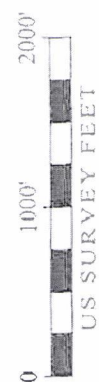
SITUATE IN A PORTION OF SECTION 31
TOWNSHIP 40 NORTH, RANGE 1 EAST,
W.M. & SECTION 36, TOWNSHIP
40 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON

LEGEND

GOLF CART ZONE =



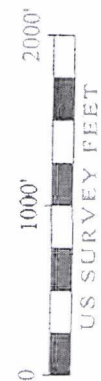
BIRCH BAY



SEE ATTACHMENT "D"

SITUATE IN A PORTION OF SECTION 2
TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M.
WHATCOM COUNTY, WASHINGTON

SEE ATTACHMENT "C"



GOLF CART ZONE - - -



BIRCH BAY



Jason Ardt

From: Kevin Moyes
Sent: Wednesday, September 11, 2019 11:37 AM
To: David Hower; Mike Donahue; Jason Ardt
Subject: FW: Birch Bay Golf Cart Zone Ordinance
Attachments: image001.png

FYI,

Pretty much same thing we discussed yesterday.

-----Original Message-----

From: George Ratayczak
Sent: Tuesday, September 10, 2019 10:19 PM
To: Kevin Moyes
Subject: RE: Birch Bay Golf Cart Zone Ordinance

Kevin,

I have not seen any great issues with the Golf Cart Zone other than in a few areas it should be expanded a block or so to include a couple of the major campground entrances the carts come from.

The one issue that did come up was the original email referencing the golf cart zone indicates no night time driving but the actual county ordinance does not specifically address this. The way I read the state law RCW 48.08.175 (5) the county MAY limit driving during hours of darkness. The temporary ordinance does not specifically address night time driving indicating that golf carts at night are legal. This has caused some confusion with deputies enforcing it differently some saying it's legal some saying it's not.

This should be clarified in the ordinance if it is to continue. I personally think it should be legal/ authorized.

Be safe,
G

Deputy George Ratayczak
Whatcom County Sheriff's Office
311 Grand Avenue,
Bellingham, WA 98225

360-778-6705

From: Kevin Moyes
Sent: Monday, September 9, 2019 13:22
To: DL-SH_CommissionedDeputies
Subject: Birch Bay Golf Cart Zone Ordinance

The one year temporary ordinance is scheduled to end in October 2019. The traffic engineers are asking for any feedback on issues with any of the current regulations or needs for change to the ordinance. They will be providing information to the Council, who will then decide to end it, keep it or make additional requirements.

Please feel free to provide me with any information for or against this ordinance. I will need the information by September 25th.

Thanks!

[cid:image001.png@01D56711.9484BE10]

Jason Ardt

From: Jason Ardt
Sent: Thursday, April 25, 2019 9:25 AM
To: www.TimothyLambert.com
Subject: RE: Birch Bay Area Golf Cart Zone

Timothy –

If you'd like to produce a better map, I can certainly include it in our items to council on this, but it is not a necessity. Public Works knows where you are referring to and in the correspondence I received from Councilwoman Brenner on the issue, I believe she is aware of the area as well. I did copy her on my email to you, as well as the public works director, county engineer and traffic engineer, unfortunately I was a little confused on your email address and the first one I sent came back undeliverable, that's why you received one without all the cc's. You are also welcome to give public testimony at the Council meeting when the golf cart zone comes up for renewal in September, I can make sure to keep you informed as to the dates of the meetings.

Regards,
Jason

Jason Ardt

Engineering Technician III – Traffic
Whatcom County Public Works
5280 Northwest Dr.
Bellingham, WA 98226
(360) 778-6272 – Office
jardt@co.whatcom.wa.us

NOTE: Incoming and outgoing emails may be subject to public disclosure and/or records retention requirements pursuant to the Public Records Act (RCW 42.56).

From: www.TimothyLambert.com [<mailto:timothy@timothylambert.com>]
Sent: Thursday, April 25, 2019 9:14 AM
To: Jason Ardt
Subject: Re: Birch Bay Area Golf Cart Zone

Hello Mr. Ardt,

Thank you for your response to my suggestion. I am confident that you will present it to the Council for their consideration.

Do you think it would help if I were to draw up a more professional looking map? Or do you feel the one I attached is sufficient? It is not rocket science, as everyone always says, but I do want it to be clear to the council. Please let me know.

Thanks again, Tim

Timothy Lambert

US Cell (202)250-0746
Canada Cell (778)240-9143
www.timothylambert.com

From: Jason Ardt <JArdt@co.whatcom.wa.us>
To: "timothy@timothylambert.com" <timothy@timothylambert.com>
Sent: Thursday, April 25, 2019 9:03 AM
Subject: Birch Bay Area Golf Cart Zone

Mr. Lambert –

Thank you for your suggestion regarding the speed limit change on Bay Rd. and the use of the Bay Crest Subdivisions for golf carts to access Jackson Road leading to Birch Bay Drive. The Golf Cart Zone ordinance must be renewed by the Whatcom County Council no later than October 31st, 2019. As such, Public Works will be evaluating the current Golf Cart Zone and will incorporate your suggestion into our evaluation. Public Works will be bringing forth the renewal of the ordinance for the Council's consideration in September and at that time we will also propose any modifications to speed limits in the area that would better serve both the community and the traveling public. Should you wish to discuss this further, you can reach Traffic Engineer Mike Donahue or me at (360) 778-6220.

Regards,
Jason

Jason Ardt

Engineering Technician III – Traffic
Whatcom County Public Works
5280 Northwest Dr.
Bellingham, WA 98226
(360) 778-6272 – Office
jardt@co.whatcom.wa.us

NOTE: Incoming and outgoing emails may be subject to public disclosure and/or records retention requirements pursuant to the Public Records Act (RCW 42.56)

Jason Ardt

From: Joe Rutan
Sent: Tuesday, April 16, 2019 3:37 PM
To: Mike Donahue; David Hower; Jason Ardt
Cc: Jon Hutchings
Subject: Fwd: Golf Cart Zone
Attachments: FW: Golf Cart Zone; ATT00001.htm; Golf Zone FinalIMG_20190412_0001_NEW.pdf; ATT00002.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Traffic group,

Please review the attached suggestion. I will reach out to you Wednesday afternoon to discuss.

Joe

Sent from my iPhone

Begin forwarded message:

From: "Barbara Brenner" <BBrenner@co.whatcom.wa.us>
To: "Jon Hutchings" <JHutchin@co.whatcom.wa.us>, "Joe Rutan" <JRutan@co.whatcom.wa.us>
Cc: "timothy@timothylambert.com" <timothy@timothylambert.com>, "BBGUN1010@aol.com" <BBGUN1010@aol.com>, "NaDean Hanson" <NHanson@co.whatcom.wa.us>
Subject: FW: Golf Cart Zone

Jon or Joe,

Will someone please respond to the e-mail below and copy me to keep me in the loop regarding whether this type of change would work.

Thank you.

Barbara Brenner, Whatcom County Council Member

NOTICE: All emails, and attachments, sent to and from Whatcom County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

From: bbgun1010@aol.com [mailto:bbgun1010@aol.com]
Sent: Monday, April 15, 2019 7:30 PM
To: Barbara Brenner
Subject: Fwd: Golf Cart Zone

From: BBrenner@co.whatcom.wa.us
To: BBGUN1010@aol.com
Sent: 4/15/2019 8:09:39 AM Pacific Standard Time
Subject: FW: Golf Cart Zone

From: www.TimothyLambert.com [<mailto:timothy@timothylambert.com>]
Sent: Sunday, April 14, 2019 3:47 PM
To: Council; Sheriff; Barbara Brenner
Subject: Golf Cart Zone

Hello,

This message is regarding the "Golf Cart Zone" recently established in the area of Bay Crest North and Bay Crest South subdivisions, a one square mile zone bordered by Blaine Rd., Bay Rd., Alderson Rd., and Jackson Rd. in Birch Bay. Please see the attached diagrams.

The top diagram represents the "Golf Cart Zone" as it now exists, highlighted in red.

Without commenting on the questionable merit of the zone, I would like to propose changing

the zone (if it is to be kept) to the area in the 2nd diagram, eliminating the unnecessary stretch along Bay Rd. My proposal is also highlighted in red.

It is unnecessary because this stretch only allows access to to Bay Crest North and South,

which are already accessible off Jackson Rd., where the speed limit has been 25mph for years.

As a major artery to both I-5 and the Cherry Point Refinery, Bay Rd. is heavily trafficked.

Inconveniencing those of us who regularly use this stretch of Bay Rd. for absolutely no benefit to Golf Cart users, who would still have complete access to the Bay Crest subdivisions

is unfair, unnecessary, and counter-productive.

Please contact me with any questions you may have.

Thank you,

Timothy Lambert

timothy@timothylambert.com

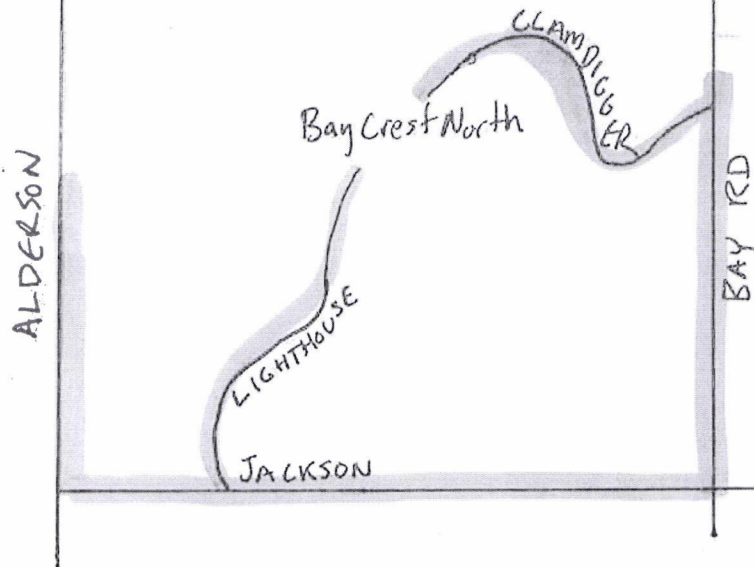
Timothy Lambert

US Cell (202)250-0746

Canada Cell (778)240-9143

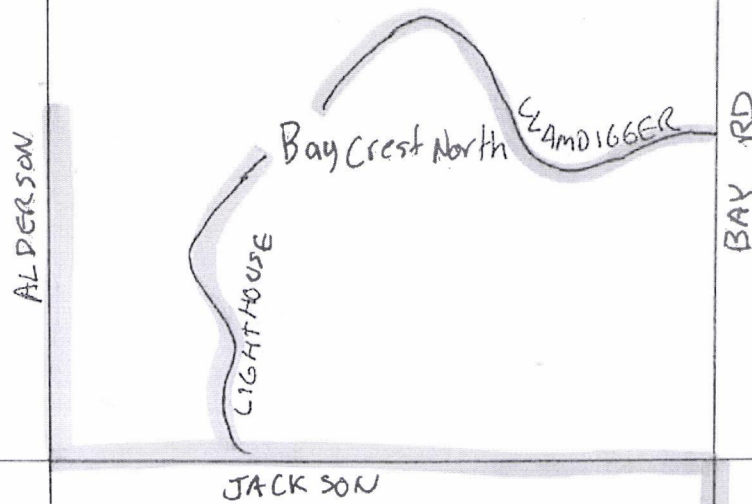
www.timothylambert.com

CURRENT
BLAINE RD



PROPOSED

BLAINE RD



RCW 46.08.175**Golf cart zones.**

(1) The legislative authority of a city or county may by ordinance or resolution create a golf cart zone, for the purposes of permitting the incidental operation of golf carts, as defined in RCW 46.04.1945, upon a street or highway of this state having a speed limit of twenty-five miles per hour or less.

(2) Every person operating a golf cart as authorized under this section is granted all rights and is subject to all duties applicable to the driver of a vehicle under chapter 46.61 RCW.

(3) Every person operating a golf cart as authorized under this section must be at least sixteen years of age and must have completed a driver education course or have previous experience driving as a licensed driver.

(4) A person who has a revoked license under RCW 46.20.285 may not operate a golf cart as authorized under this section.

(5) The legislative authority of a city or county may prohibit any person from operating a golf cart as authorized under this section at any time from a half hour after sunset to a half hour before sunrise.

(6) The legislative authority of a city or county may require a decal or other identifying device to be displayed on golf carts authorized on the streets and highways of this state under this section. The city or county may charge a fee for the decal or other identifying device.

(7) The legislative authority of a city or county may prohibit the operation of golf carts in designated bicycle lanes that are within a golf cart zone.

(8) Golf carts must be equipped with reflectors, seat belts, and rearview mirrors when operated upon streets and highways as authorized under this section.

(9) A city or county that creates a golf cart zone under this section must clearly identify the zone by placing signage at the beginning and end of the golf cart zone on a street or road that is part of the golf cart zone. The signage must be in compliance with the department of transportation's manual on uniform traffic control devices for streets and highways.

(10) Accidents that involve golf carts operated upon streets and highways as authorized under this section must be recorded and tracked in compliance with chapter 46.52 RCW. The accident report must indicate that a golf cart operating within a golf cart zone is involved in the accident.

[2010 c 217 § 4.]

RCW 46.04.1945**Golf cart.**

"Golf cart" means a gas-powered or electric-powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty miles per hour. A golf cart is not a nonhighway vehicle or off-road vehicle as defined in RCW 46.04.365.

[2011 c 171 § 12; 2010 c 217 § 3.]

NOTES:

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-502

File ID:	AB2019-502	Version:	1	Status:	Introduced for Public Hearing
File Created:	09/24/2019	Entered by:	BBushaw@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution Requiring a Public Hearing		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

Primary Contact Email: sdraper@co.whatcom.wa.us <<mailto:sdraper@co.whatcom.wa.us>>

TITLE FOR AGENDA ITEM:

Resolution amending WCC 100.7 Birch Bay Watershed Aquatic Resources Management District Funding Mechanism by adding an exemption for the Birch Bay Water and Sewer District (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

An amendment to the Birch Bay Watershed and Aquatic Resources Management District Funding Mechanism which adds an exemption for the Birch Bay Water and Sewer District

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
10/08/2019	Council	INTRODUCED FOR PUBLIC HEARING	Council

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

**Jon Hutchings
Director**



STORMWATER

322 N. Commercial, Suite 224
Bellingham, WA 98225
Main: (360) 778-6210
FAX: (360) 778-6201
www.whatcomcounty.us

MEMORANDUM

TO: The Whatcom County Flood Control Zone District Board of Supervisors and
The Honorable Jack Louws, County Executive

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Kraig Olason, Stormwater Program Manager *KO*

DATE: September 5, 2019

RE: Resolution to Amend 100.07 Birch Bay Watershed and Aquatic Resources
Management District Funding Mechanism

Requested Action

Please find enclosed for your review and consideration a proposed resolution to amend the Birch Bay Watershed and Aquatic Resource Management District Funding Mechanism (WCC 100.07) and Rate Resolutions (Res 2008-049 & 2008-050).

Background and Purpose

One change is being proposed to WCC 100.07.080 – Exemption – Birch Bay Watershed and Aquatic Resources Management District. It provides the Birch Bay Water and Sewer District (BBWSD) an exemption from fees associated with impervious surfaces as long as an interlocal agreement between BBWSD and the Whatcom County Flood Control Zone District (FCZD) is in effect.

BBWSD works regularly with the FCZD through its Sub-Flood Zone, the Birch Bay Watershed and Aquatic Resources Management (BBWARM) district. Both districts share the same goals of protecting Birch Bay's water quality, managing stormwater and providing critical utility services to rate payers in the districts. In 2011, an interlocal agreement (ILA) was signed by the two districts that describes the relationship between the two agencies, common areas of concern and shared goals. This agreement also provides a rationale for dispensing with charging fees by either party and emphasizes the types of planning, programming and collaborative projects that would be undertaken. This agreement expired at the end of 2016 and has recently been revised to reflect recent changes and updates. If approved, the new ILA will be in effect from 2020-2024.

A review of the revised ILA by the County's attorney resulted in a suggestion to amend the resolution establishing the BBWARM rates and exemptions criteria to provide basis for not charging the BBWSD. The resolution is enclosed for your review.

Please contact Holly Faulstich at extension 6290 if you have any questions or concerns regarding this proposed resolution.

Encl.

RESOLUTION NO. _____

**ADOPTING CHANGES TO WCC 100.07 BIRCH BAY WATERSHED AND AQUATIC
RESOURCES MANAGEMENT DISTRICT FUNDING MECHANISM, BY ADDING AN
EXEMPTION FOR THE BIRCH BAY WATER AND SEWER DISTRICT**

**(Council acting as the Whatcom County Flood Control Zone District Board of
Supervisors)**

WHEREAS, on March 13, 2007, the Whatcom County Flood Control Zone District Board of Supervisors adopted Ordinance 2007-019 which created the Birch Bay Watershed and Aquatic Resources Management (BBWARM) District pursuant to RCW 86.15; and,

WHEREAS, RCW 86.15.160 (4) authorizes a charge for the furnishing of service to those who are receiving or will receive benefits from stormwater control facilities and programs and who are contributing to an increase in surface water runoff (Res 2008-049 & Res 2008-050); and,

WHEREAS, implementation of the Birch Bay Comprehensive Stormwater Plan is needed to solve many of the current stormwater management problems in the Birch Bay Watershed; and,

WHEREAS, the Birch Bay Water and Sewer District (BBWSD) works regularly with BBWARM and both districts share the same goals of protecting Birch Bay's water quality, managing stormwater and providing critical utility services to rate payers in the districts; and,

WHEREAS, the majority of BBWARM rate payers are also BBWSD rate payers; and,

WHEREAS, collaborative efforts between the districts that seek to improve stormwater drainage options often result in reduced quantities of stormwater entering the systems, which can reduce the amount of effluent requiring treatment and subsequent treatment costs; and,

WHEREAS, in 2011, an interlocal agreement was signed by the two districts that describes the relationship between the two agencies, common areas of concern and shared goals; and,

WHEREAS, this interlocal agreement also provides a rationale for dispensing with charging fees by either party and emphasizes the types of planning, programming, and collaborative projects that would be undertaken; and,

WHEREAS, while endeavoring to renew the expired interlocal agreement, it was suggested by the County's attorney that the resolution establishing the BBWARM rates and exemptions criteria be amended to provide a provision for not charging the BBWSD,

1 **NOW, THEREFORE, BE IT RESOLVED** by the Whatcom County Flood Control Zone
2 District Board of Supervisors that Whatcom County Code 100.07 Birch Bay Watershed and
3 Aquatic Resources Management District Funding Mechanism is hereby amended as outlined
4 in Exhibit A of this resolution. The new text appears as underlined.
5

6 **APPROVED** this ____ day of _____, 20____.

7
8
9
10 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

11
12
13 _____
14 Dana Brown-Davis, Clerk of the Council

Rud Browne, Council Chair

15
16
17 APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

18 *Cee* 9/26/19
19 _____
20

21 Civil Deputy Prosecutor

Jack Louws, County Executive

() Approved () Denied

Date Signed: _____

EXHIBIT A

New language appears as underlined.

100.07.080 Exemptions.

A. Property that is owned by, and is the personal residence of, a person or persons approved by the county assessor for a senior citizen or disabled persons property tax exemption under RCW 84.36.381 shall be exempt from the service charge. Any person eligible for this low-income, senior citizen, or disabled persons exemption shall be provided a refund of annual service charges for the subject property for the first year the exemption is sought and for up to three prior years; provided, that eligibility for each year has been approved by the assessor's office; and provided further, that refunds shall not be approved for any year prior to 2009. (Res. 2009-015 § 1 (Exh. A); Res. 2008-049 § 1 (Exh. A § 8)).

B. Properties owned by BBWSD are exempted from BBWARM stormwater fees provided an interlocal agreement is in effect between BBWSD and WCFCZD.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-504

File ID:	AB2019-504	Version:	1	Status:	Introduced for Public Hearing
File Created:	09/25/2019	Entered by:	SMock@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution Requiring a Public Hearing		
Assigned to:	Council	Final Action:			
Agenda Date:	10/22/2019	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Resolution adopting the 2020 Annual Road Construction Program (ACP)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Resolution adopting the Whatcom County 2020 Annual Construction Program (ACP). The ACP is an integral part of the County budget process and reflects the first year of the adopted 2020-2025 Six Year Transportation Improvement Program


HISTORY OF LEGISLATIVE FILE


Date:	Acting Body:	Action:	Sent To:
10/08/2019	Council	INTRODUCED FOR PUBLIC HEARING	Council



Memorandum

To: The Honorable Jack Louws, Whatcom County Executive, and
Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director 

From: Joseph P. Rutan, P.E., County Engineer/Assistant Director 

Date: September 25, 2019

Re: 2020 Annual Construction Program (ACP)

Requested Action:

Public Works Committee work session and Introduction on October 8, 2019, followed by a Public Hearing and adoption on October 22, 2019.

Background and Purpose:

RCW 36.81.130 requires the adoption of the Annual Construction Program (ACP). Adoption of this program is an element of the County budget process.

This ACP is identical to the 1st year of the Six Year Transportation Improvement Program (STIP) approved on September 24, 2019.

Information:

A proposed resolution is enclosed for your consideration. In addition, each project that has funding available in 2020 has a project summary sheet for your review.

If you have questions or require additional information, please contact me at the number provided above.

PROPOSED BY: Public Works

INTRODUCED: 10/8/2019

RESOLUTION NO. _____

APPROVING THE WHATCOM COUNTY 2020 ANNUAL CONSTRUCTION PROGRAM

WHEREAS, pursuant to RCW 36.81.130, the Whatcom County Engineer did file with the Whatcom County Council a recommended plan for laying out, construction, maintenance and special maintenance of County roads for the fiscal year of 2020; and,

WHEREAS, the Whatcom County Council held a public meeting on the 24th day of September, 2019, and has considered the testimony given as well as the recommended plan; and,

WHEREAS, the Whatcom County Council had determined that said plan is necessary as nearly as practicable to the Whatcom County 2020-2025 Six-Year Transportation Program, approved by Resolution 2019-040 on September 24, 2019.

NOW, THEREFORE, BE IT RESOLVED that the 2020 Whatcom County Annual Construction Program is hereby approved as shown on the attachment hereto; and

BE IT FURTHER RESOLVED that no changes be made in the program without the unanimous vote of the Whatcom County Council; and

BE IT FINALLY RESOLVED that the 2020 Annual Construction Program be filed with the Director of Highways of the State of Washington.

APPROVED this ____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Rud Browne, Chair of the Council

APPROVED AS TO FORM:

 9/26/19

Chris Quinn, Senior Civil Deputy Prosecutor Attorney

Whatcom County

2020

Annual Construction Program

WAC 136-16

(A) TOTAL CONSTRUCTION DONE (total sum of column 13 + column 14): \$14,175,000.00
 (B) COMPUTED COUNTY FORCES LIMIT: \$1,801,002.00
 (C) TOTAL COUNTY FORCES CONSTRUCTION (total sum of column 14): \$1,150,000.00

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
Annual Program Item No.	6 Year Road Program Item No.	Project Name	Road #	Road Segment Information Road Name	Project Type Code	Environmental Assessment	County Road Funds	Other Funds Amount	Program Source	PE & CE (995.10)	Right of Way (995.20)	Construction Contract	County Forces	Grand Total (All 995)
1	R1	CRP #910001 Birch Bay Drive & Pedestrian Facility from Lora Lane to Cedar Avenue	20010	Road Name: Birch Bay Drive From: Lora Lane To: Cedar Avenue	P&T FP DR Other	S	\$5,290,000	\$810,000.00	STP (US)	\$1,100,000		\$5,000,000		\$6,100,000
2	R2	CRP #915005 Samish Way/Galbraith Lane	44060	Road Name: Samish Way To: Samish Way To: Galbraith Lane Road Name: Galbraith Lane From: 0 To: 0	IS Other Safety Ilm	S	\$500,000			\$125,000	\$10,000	\$395,000		\$500,000
3	R3	CRP #920001 ADA Barrier Removal			SW		\$50,000			\$50,000				\$50,000
4	R4	CRP #915009 Lake Whatcom Blvd. Water Quality Improvements	44120	Road Name: Lake Whatcom Blvd From: Cable Street To: Strawberry Point	3R P&T DR FP	S	\$25,000			\$25,000				\$25,000
5	R5	CRP #916002 Horton Road, Northwest Drive to Aldrich Road	74230	Road Name: Horton Road From: Horton Road To: Aldrich Road	NEW SW DR IS	S	\$10,000			\$10,000				\$10,000
6	R6	CRP #914001 Slater Road & Northwest Drive	14760	Road Name: Slater Road From: Slater Road To: Northwest Drive Road Name: Northwest Drive From: Slater Road To: Northwest Drive	RC FP IS Ilm Safety	S	\$25,000			\$25,000				\$25,000
7	R7	CRP #916003 Slater Road, I5 Interchange to 0.10 M.E. of Pacific Hwy	14760	Road Name: Slater Road From: Slater Road To: Slater Road	RC IS Ilm Safety	S	\$25,000			\$25,000				\$25,000
8	R9	CRP #918019 Smith Road & Northwest Drive	75080	Road Name: Smith Road From: 0 To: 0 Road Name: Northwest Drive From: 0 To: 0	RC IS Ilm Safety	S	\$25,000			\$25,000				\$25,000
9	R10	CRP #917001 Marine Drive, Locust Avenue to Alderwood Avenue	12790	Road Name: Marine Drive From: Locust Avenue To: Alderwood Avenue	RC SW P&T Safety	S	\$550,000			\$300,000	\$250,000			\$550,000
10	R12	CRP #912017 Lummi Nation Transportation Projects					\$2,000,000			\$350,000	\$150,000	\$1,500,000		\$2,000,000
11	R13	CRP 910002 Point Roberts Transportation Improvements					\$150,000			\$50,000		\$0	\$100,000	\$150,000

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)			(10)	(11)	(12)	(13)	(14)	(15)
Annual Program Item No.	6 Year Road Program Item No.	Project Name	Road #	Road Segment Information Road Name	Road Segment Information		Project Length (mi)	Project Type Code	Environmental Assessment	Sources of Funds			Estimated Expenditures Dollars			
					BMP	EMP				County Road Funds	Other Funds Amount	Program Source	PE & CE (\$95.10)	Right of Way (\$95.20)	Construction Contract	County Forces
12	R14	CRP #917002 Slater Road/Haxton Way	14760 12659	Road Name: Slater Road From: Slater Road To: Haxton Way Road Name: Haxton Way From: Slater road To: Haxton Way	3.59 3.59	3.79 3.79	07 07	2R IS Safety	E	\$10,000			\$10,000			\$10,000
13	R15	CRP #916006 East Smith Road/Everson-Goshen Road	55080	Road Name: East Smith Road From: Everson Goshen Road To: SR 542	4.98	8.23	07	2R Safety FP	E	\$605,000	\$1,000,000.00	RAP	\$200,000	\$5,000	\$1,400,000	\$1,605,000
14	R16	CRP #914002 East Smith Road & Hannegan Road	55080 55110	Road Name: East Smith Road From: East Smith Road To: Hannegan Road Road Name: Hannegan Road From: East Smith Road To: Hannegan Road	1.86 1.86	2.06 2.06	07 07	3R IS Ilm Safety	S	\$500,000			\$200,000	\$300,000		\$500,000
15	R18	CRP #915013 Turkington Road/Jones Creek	89200	Road Name: Turkington Road From: Turkington Road To: Turkington Road	0.40	0.60	09	RC Other	S	\$117,000			\$85,000	\$32,000		\$117,000
16	R19	CRP #906001 Birch Bay Lynden Rd & Blaine Rd.	21580	Road Name: Birch Bay Lynden Rd From: Birch Bay Lynden Rd To: Blaine Rd	0.90	1.10	17	IS Ilm SW Safety 3R	S	\$100,000			\$100,000			\$100,000
17	R22	CRP #916007 East Hemmi Road Flood Mitigation	56320	Road Name: East Hemmi Road From: East Hemmi Road To: East Hemmi Road	2.30	2.60	08	2R DR Other	S	\$150,000			\$100,000	\$50,000		\$150,000
18	R23	CRP #915014 Innis Creek Road	88850	Road Name: Innis Creek Road From: Innis Creek Road To: Innis Creek Road	2.45	2.65	09	2R DR Other Safety	S	\$5,000			\$5,000			\$5,000
19	R26	CRP #919001 Ferndale Road/Levee Improvements	12800	Road Name: Ferndale Road From: Ferndale Road To: Ferndale Road	2.50	3.82	08	Other	S	\$150,000			\$150,000			\$150,000
20	R27	CRP #919002 Abbott Road/Levee Improvements	55560	Road Name: Abbott Road From: Abbott Road To: Abbott Road	1.70	1.90	09	RC Other	S	\$620,000			\$90,000	\$30,000	\$500,000	\$620,000
21	R28	CRP #919003 Northwest Drive Overlay	74050	Road Name: Northwest Drive From: City of Bellingham To: Axton Road	1.11	4.65	16	2R Safety FP	E	\$1,760,000			\$200,000	\$10,000	\$1,550,000	\$1,760,000
22	R29	CRP #918018 E Smith Rd, Hannegan Rd to Everson Goshen Rd.	55080	Road Name: East Smith Road From: Hannegan Road To: Everson Goshen Rd	1.96	4.98	07	2R Safety	E	\$465,000	\$1,035,000.00	RAP	\$200,000		\$1,300,000	\$1,500,000
23	R30	CRP #919018 Birch Bay Lynden Rd, Enterprise Rd to Rathbone Rd	21580	Road Name: Birch Bay Lyndert Rd From: Enterprise Rd To: Rathbone Rd	7.92	9.95	07	2R Safety	E	\$25,000			\$25,000			\$25,000
24	R31	CRP #919022 Slater Road, Pacific Hwy to Northwest Drive	14760	Road Name: Slater Road From: Pacific Hwy To: Northwest Dr.	7.55	8.29	16	2R Safety	E	\$500,000			\$150,000		\$350,000	\$500,000
25	R32	CRP #920002 2020 Small Area Paving											\$50,000		\$200,000	\$250,000
26	B2	CRP #917004 Jackson Road/Terrell Creek Bridge No. 81	21950	Road Name: Jackson Road From: Jackson Road To: Jackson Road	0.00	0.10	18	Br	S	\$270,000			\$250,000	\$20,000		\$270,000
27	B4	CRP #913006 North Lake Samish Road Bridge No. 107	44170	Road Name: North Lake Samish From: North Lake Samish To: North Lake Samish	0.01	0.11	08	P&T Br	S	\$250,000			\$200,000	\$50,000		\$250,000

(1)	(2)	(3)	(4)				(5)	(6)	(7)	(8)	Sources of Funds			(10)	(11)	(12)	(13)	(14)	(15)
Annual Program Item No.	6 Year Road Program Item No.	Project Name	Road #	Road Segment Information Road Name	BMP	EMP	FFC	Project Length (mi.)	Project Type Code	Environmental Assessment	County Road Funds	Other Funds		Program Source	PE & CE (995.10)	Right of Way (995.20)	Construction		Grand Total (All 995)
												Amount	County Forces				Contract	County Forces	
28	B5	CRP #920003 Goshen Road/Anderson Creek Bridge No. 248	56140	Road Name: Goshen Rd From: At Bridge No. 248 To: At Bridge No. 248	0.61	0.71	08	0.10	Br		\$170,000				\$150,000	\$20,000			\$170,000
29	B11	CRP #919006 Mosquito Lake Road/Hutchinson Creek Tributary	84190	Road Name: Mosquito Lake Road From: Mosquito Lake Road To: Mosquito Lake Road	3.10	3.20	08	0.10	FP	S	\$160,000				\$150,000	\$10,000			\$160,000
30	B12	CRP #919007 North Fork Road/Kenney Creek	89510	Road Name: North Fork Road From: North Fork Road To: North Fork Road	1.00	1.10	09	0.10	FP	S	\$80,000	\$240,000.00	FBRB		\$300,000	\$20,000			\$320,000
31	B13	CRP #920004 Truck Road/Deal Road (3) Fish Passage						N/A	FP		\$250,000				\$30,000	\$10,000	\$110,000	\$100,000	\$250,000
32	F1	CRP #919008 Replacement of Whitson Chief & Terminal Modification						N/A	Ferry	E	\$400,000				\$400,000				\$400,000
33	F2	CRP #919020 Lummi Island Terminal Preservation Project						N/A	Ferry	E	\$169,000	\$656,000.00	FBP		\$75,000		\$750,000		\$825,000
34	F3	CRP #919021 Gooseberry Pt. Terminal Preservation Project						N/A	Ferry		\$50,000				\$50,000				\$50,000
35	F4	CRP #914015 Lummi Island Breakwater Replacement						N/A	Ferry	E	\$45,000	\$80,000.00	FBP		\$125,000				\$125,000
36	F5	CRP #919009 Relocation of Gooseberry Terminal						N/A	Ferry	E	\$50,000				\$50,000				\$50,000
37	Y1	CRP #920005 Various Bridge Rehabilitation/Replacement						N/A	Br	S	\$300,000				\$50,000		\$250,000		\$300,000
38	Y2	CRP #920006 Right of Way Acquisition						N/A		E	\$50,000					\$50,000			\$50,000
39	Y3	CRP #920007 Unanticipated Site Improvements						N/A		E	\$300,000				\$30,000		\$270,000		\$300,000
40	Y4	CRP #920008 Unanticipated Stormwater Quality Improvements						N/A		S	\$100,000				\$100,000				\$100,000
41	Y5	CRP #920009 Unanticipated Non- motorized Transportation Improvements						N/A	SW P&T Safety	I	\$100,000				\$10,000			\$90,000	\$100,000
42	Y6	CRP #920010 Fish Passage Project						N/A	FP		\$50,000				\$50,000				\$50,000
43	Y7	CRP #920011 Swift Creek Transportation Impact						N/A			\$100,000				\$10,000			\$90,000	\$100,000
44	Y8	CRP #920012 Railroad Crossing Improvements						N/A	Other 2R Safety	I	\$200,000				\$50,000			\$150,000	\$200,000

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8) Sources of Funds			(11)	(12)	(13)	(14)	(15)
Annual Program Item No.	6 Year Road Program Item No.	Project Name	Road #	Road Segment Information Road Name	Project Length (mi.)	Project Type Code	Environmental Assessment	County Road Funds	Other Funds Amount	Program Source	Right of Way (995.20)	Construction Contract	County Forces	Grand Total (All 995)
45	Y9	CRP #620013 Beam guardrail Replacements/Upgrades			N/A	Safety		\$100,000					\$100,000	\$100,000
								\$17,101,000	\$3,821,000	\$5,730,000	\$1,017,000	\$13,025,000	\$1,150,000	\$20,922,000

Birch Bay Drive and Pedestrian Facility CRP #907001

Construction Funding Year(s): 2019 thru 2022

Project Narrative:

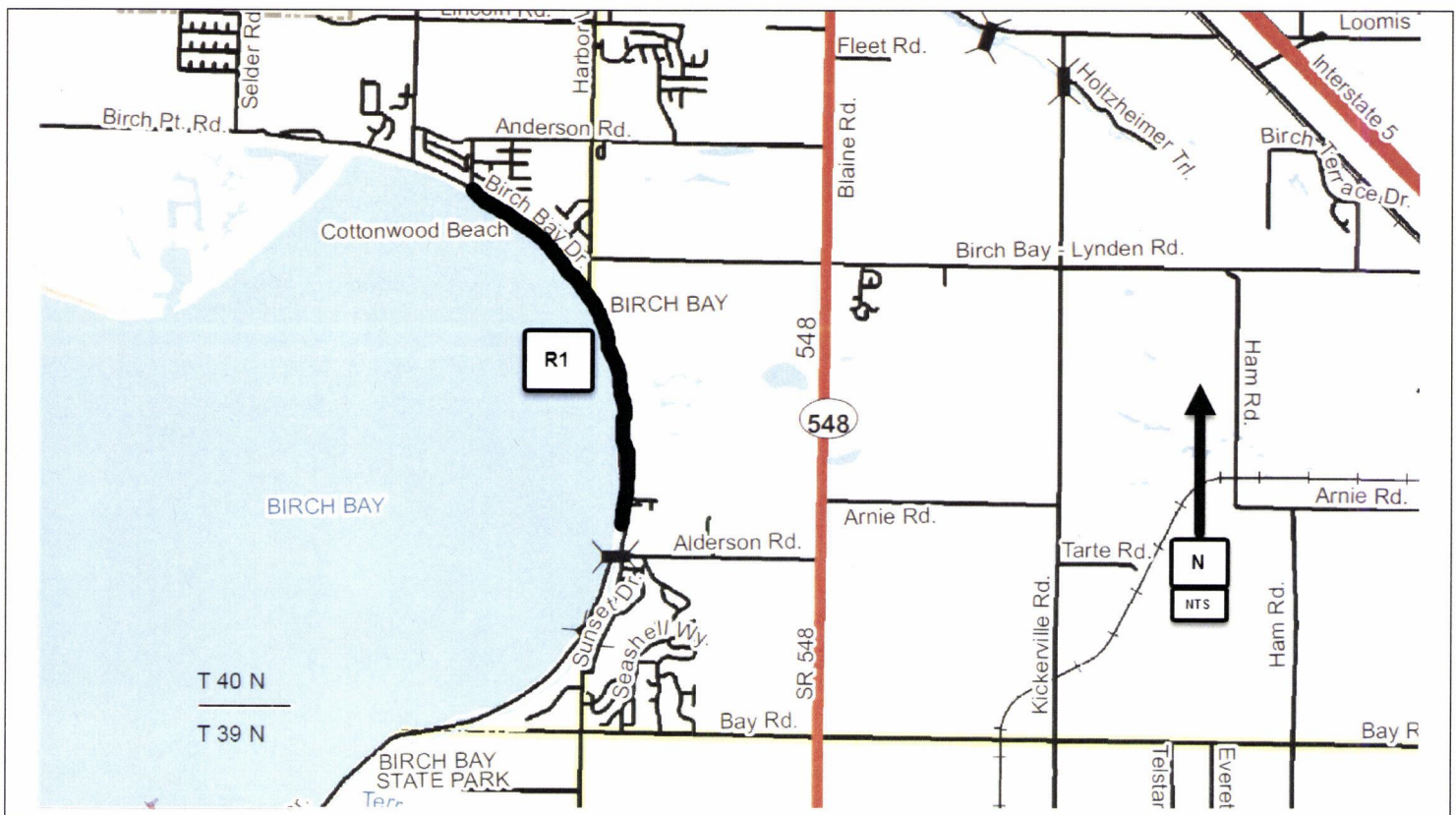
This project is located parallel to Birch Bay Drive from Cedar Avenue to the mouth of Terrell Creek, in Sections 30 and 31, T40N, R1E, and Sections 24 and 25, T40N, R1W. This is a 1.58 mile separated berm with pathway to encourage pedestrian use along Birch Bay Drive to support safety and to protect the roadway from storm damage. In addition, the project will provide mitigation for both beach erosion and roadway protection. This project is listed **#R1** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

Phase I of the Feasibility Study was completed in 2006. Phase 2A (Preliminary Construction Cost Estimate) was completed in 2007, and updated in spring of 2013. Preliminary Engineering began in late 2013, R/W acquisition began in 2016 (100% complete), permitting is 100% complete, and construction is planned for 2019 thru 2022. Due to the long duration monitoring periods required by project permits, it is anticipated that the contract may be open through 2025.

Total Estimated Project Cost: \$14,150,000 Expenditures to Date: \$4,300,000	Funding Sources:	
	Federal	\$3,172,000 (STP and TAP)
	State	\$0
	Local	\$10,978,000

Environmental Permitting	Whatcom County-Shorelines; WDFW-HPA, Army Corps of Engineers, DOE; Sec 404 Clean Water Act; NEPA
Right-of-Way Acquisition (Actual)	\$1,686,000
County Forces (Estimate)	N/A



Samish Way & Galbraith Lane Pedestrian Crosswalk CRP # 919005

Construction Funding Year(s): 2020

Project Narrative:

Construct a pedestrian-actuated crosswalk for access across Samish Way at Galbraith Lane in response to the City of Bellingham's expansion of the upper Lake Padden parking lot on Samish Way. The existing and projected high use of this parking lot for mountain bike and pedestrian use will result in numerous pedestrians and bikes crossing Samish Way. This project is listed **#R2** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Working to get a traffic consultant under contract services to design pedestrian-actuated crosswalk, with expected design to occur late 2019 and construction planned for spring 2020.

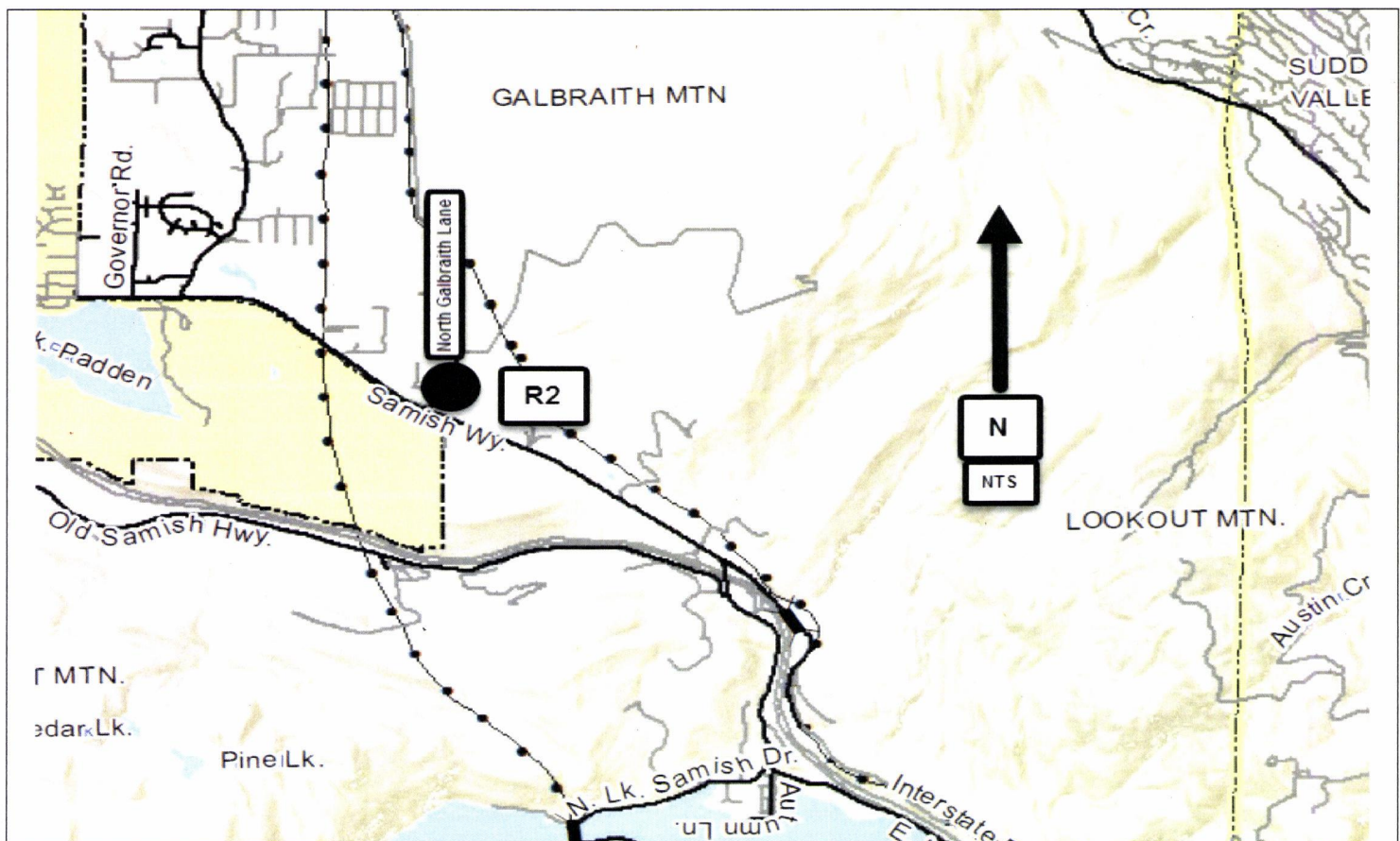
Total Estimated Project Cost: \$ 500,000

Expenditures to Date: - 0 -

Funding Sources:

Federal	\$0
State	\$0
Local	\$500,000

Environmental Permitting	SEPA, Land Disturbance, Critical Areas
Right-of-Way Acquisition (Estimate)	\$10,000
County Forces (Estimate)	TBD



**ADA Barrier Removal
ADA Transition Plan, Multiple Locations
CRP # 920001**

Construction Funding Year(s): TBD

Project Narrative:

Whatcom County will be addressing an update to its Americans with Disabilities Act (ADA) Transition Plan in 2019, concentrating on an assessment of facilities in County road rights-of-way. This project will involve the removal of a number of barriers yearly, in a systematic and prioritized method. This project is listed **#R3** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: ADA Transition Plan update will be completed in 2019, with a number of priority barrier locations highlighted by the study, addressed by design efforts in 2020.

Total Estimated Project Cost: \$

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$0
Local	\$50,000

Environmental Permitting

Right-of-Way Acquisition (Estimate)

County Forces (Estimate)

Due to the nature of this item, no map exists. Location and priority of the ADA Barrier Removals will be determined when the updated Transition Plan is complete.

Lake Whatcom Boulevard, Phase II Water Quality Improvements CRP # 915009

Construction Funding Year(s): TBD

Project Narrative:

This project is located approximately 1 mile east of Bellingham, in Sections 35 and 36, T38N, R3E. The work will involve drainage improvements and pedestrian improvements to a 1.3 mile section of Lk Whatcom Blvd between Cable Street and Strawberry Point, addressing stormwater quality issues. This project is listed **R4** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

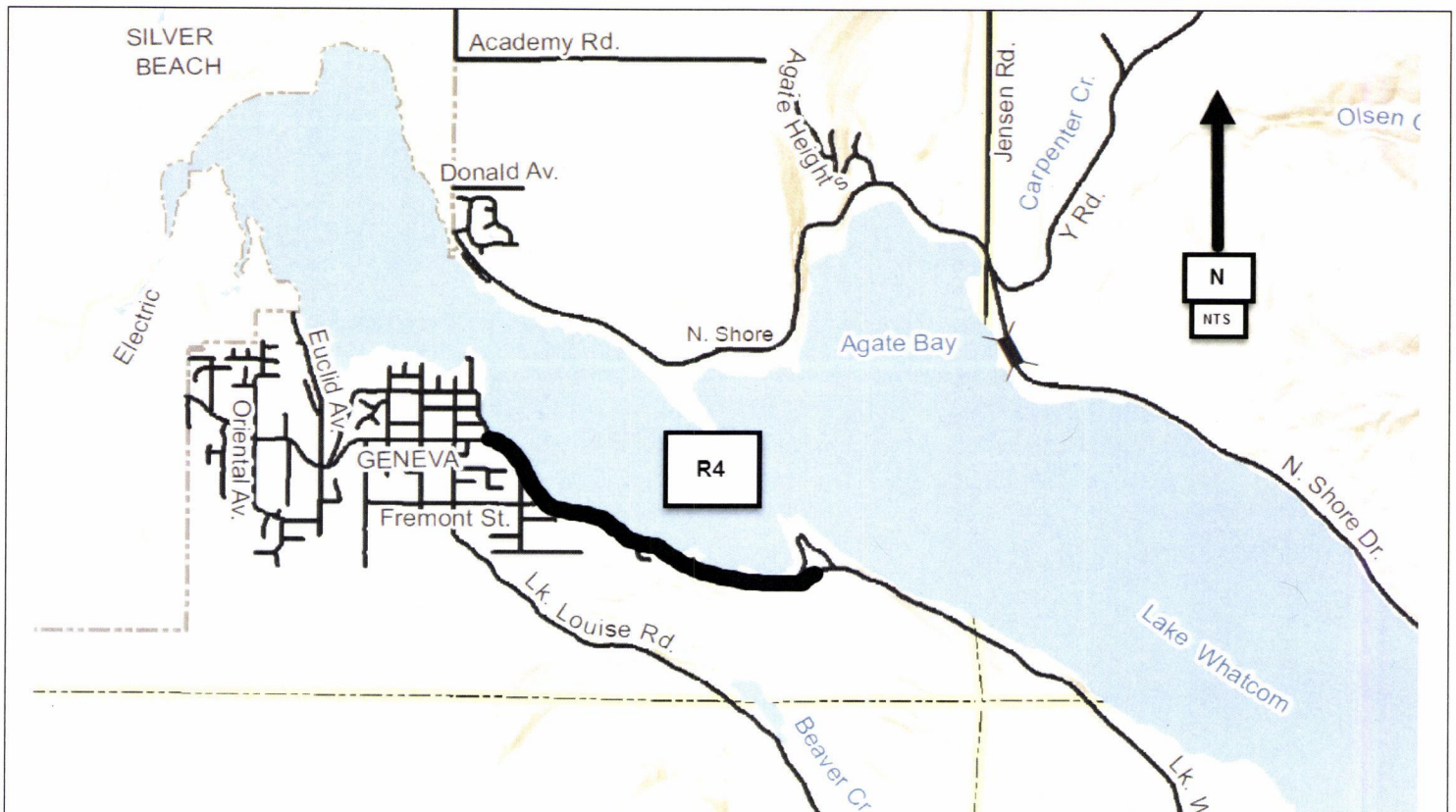
Survey work with associated base map and R/W research began in 2015. Preliminary design will be initiated to evaluate R/W needs, permit requirements and overall project costs. Construction time frame will be contingent on addressing funding needs along with resolution of permitting and R/W issues.

Total Estimated Project Cost: \$ TBD
Expenditures to Date: \$ 50,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$100,000 (Grant funding will be sought)

Environmental Permitting	SEPA, CLR/CAO, Shorelines
Right-of-Way Acquisition (Estimate)	\$50,000
County Forces (Estimate)	\$10,000



Horton Road Northwest Drive to Aldrich Road CRP # 916002

Construction Funding Year(s): TBD

Project Narrative:

This new roadway project is located between Northwest Drive and Aldrich Road in Section 2 of T38N, R2E. The work involves a ½ mile of new roadway alignment and intersection with NW Drive, along with all the associated permitting, storm water and R/W issues. This project is listed **#R5** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

Design, right-of-way, and permitting to begin in 2017 with Surface Transportation Program (STP) Grant awarded to Whatcom County and transferred to the City of Bellingham. An interlocal agreement is in place for the City of Bellingham to perform design of the project in coordination with their section of Horton Road construction. Construction schedule dependent upon funding agreements with City of Bellingham and other sources.

Total Estimated Project Cost: TBD

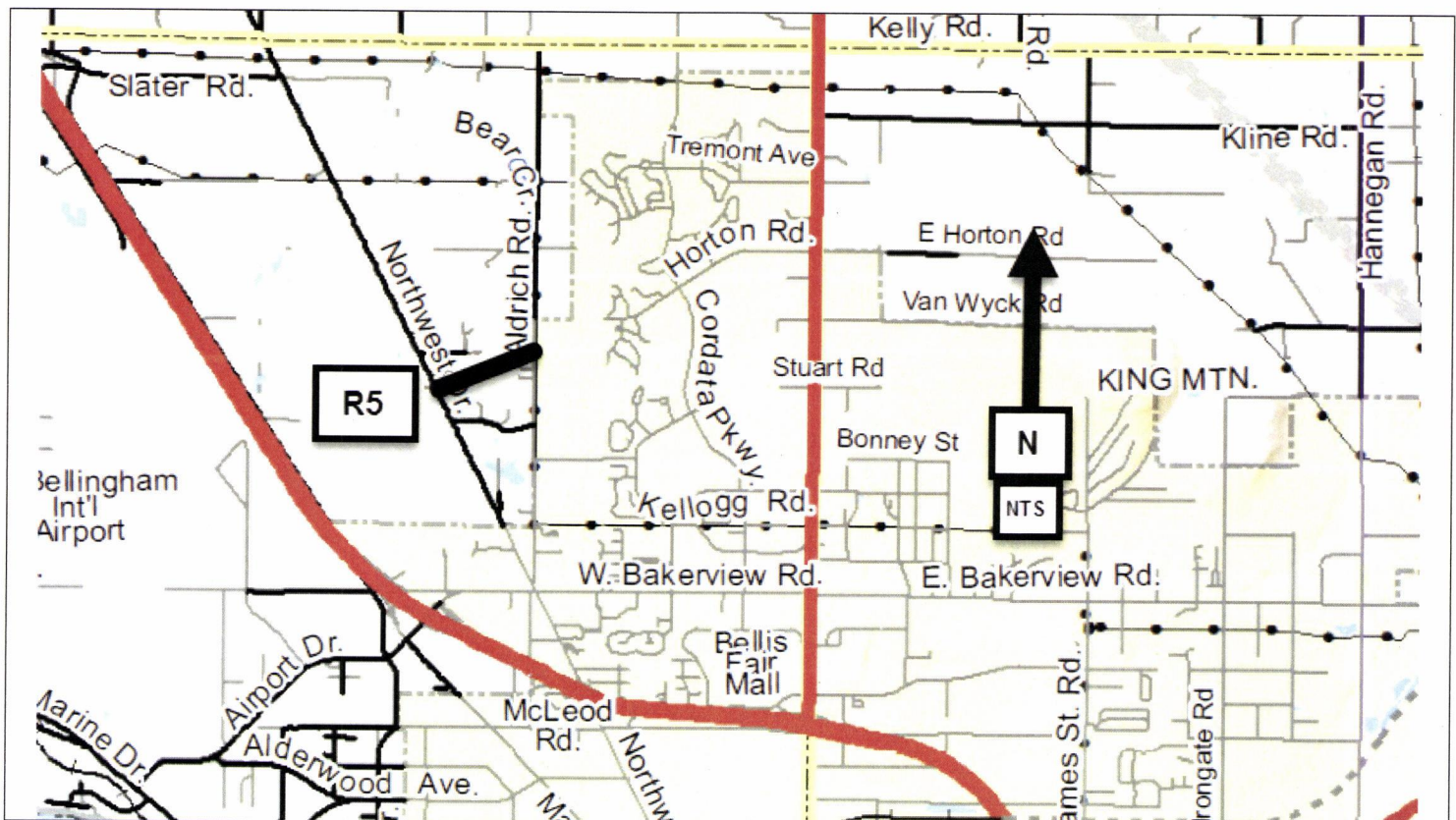
Expenditures to Date: \$5,000

***\$1,000,000 STBG Grant transferred to COB for design of county portion.**

Funding Sources:

Federal	(\$1,000,000)*
State	0
Local	\$157,000

Environmental Permitting	ECS, BA, NEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Slater Road & Northwest Drive CRP # 914001

Construction Funding Year(s): TBD

Project Narrative:

The intersection of Slater and Northwest Roads is in Section 2 of T38N, R2E. The intersection will be reconstructed per recommendations by a professional traffic consultant. Fish passage improvements will also be constructed on Bear Creek which passes underneath Slater Road at this location. This project is listed **#R6** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

\$21,000,000 in state funding available for this project and project #R5, Slater Road/I5 Interchange, in July 2019. Design and permitting expected to take 3-4 years with construction in 2022 or 2023.

Total Estimated Project Cost: \$21,000,000*

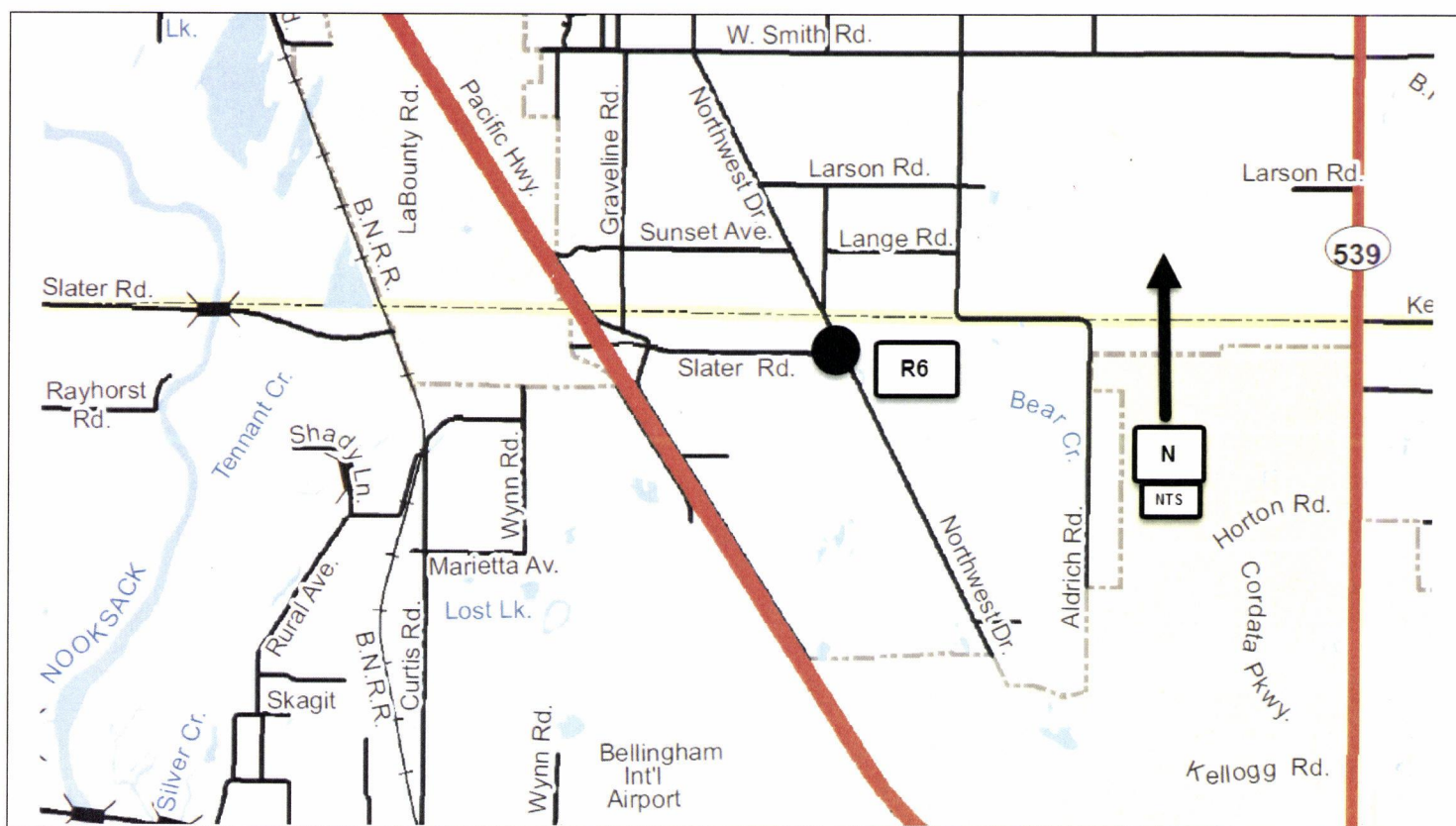
*Includes Project #R7

Expenditures to Date: \$21,000

Funding Sources:

Federal	\$0
State	\$21,000,000*
Local	\$25,000

Environmental Permitting	ECS, BA, SEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Slater Road I-5 Interchange CRP # 916003

Construction Funding Year(s): TBD

Project Narrative:

This project is located north of Bellingham in Section 3, T38N, R2E. This project will improve the interchange/intersection of Interstate 5 and Slater Road. This includes the intersection of Slater Road with Rural Road and Pacific Highway. This project is listed **#R7** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status: \$21,000,000 available for this project and project #R4, Slater Road /Northwest, in July 2019. Design and permitting expected to take 3-4 years with construction in 2022 or 2023.

Total Estimated Project Cost: \$21,000,000*
*Includes Project #R6
Expenditures to Date: \$ 0

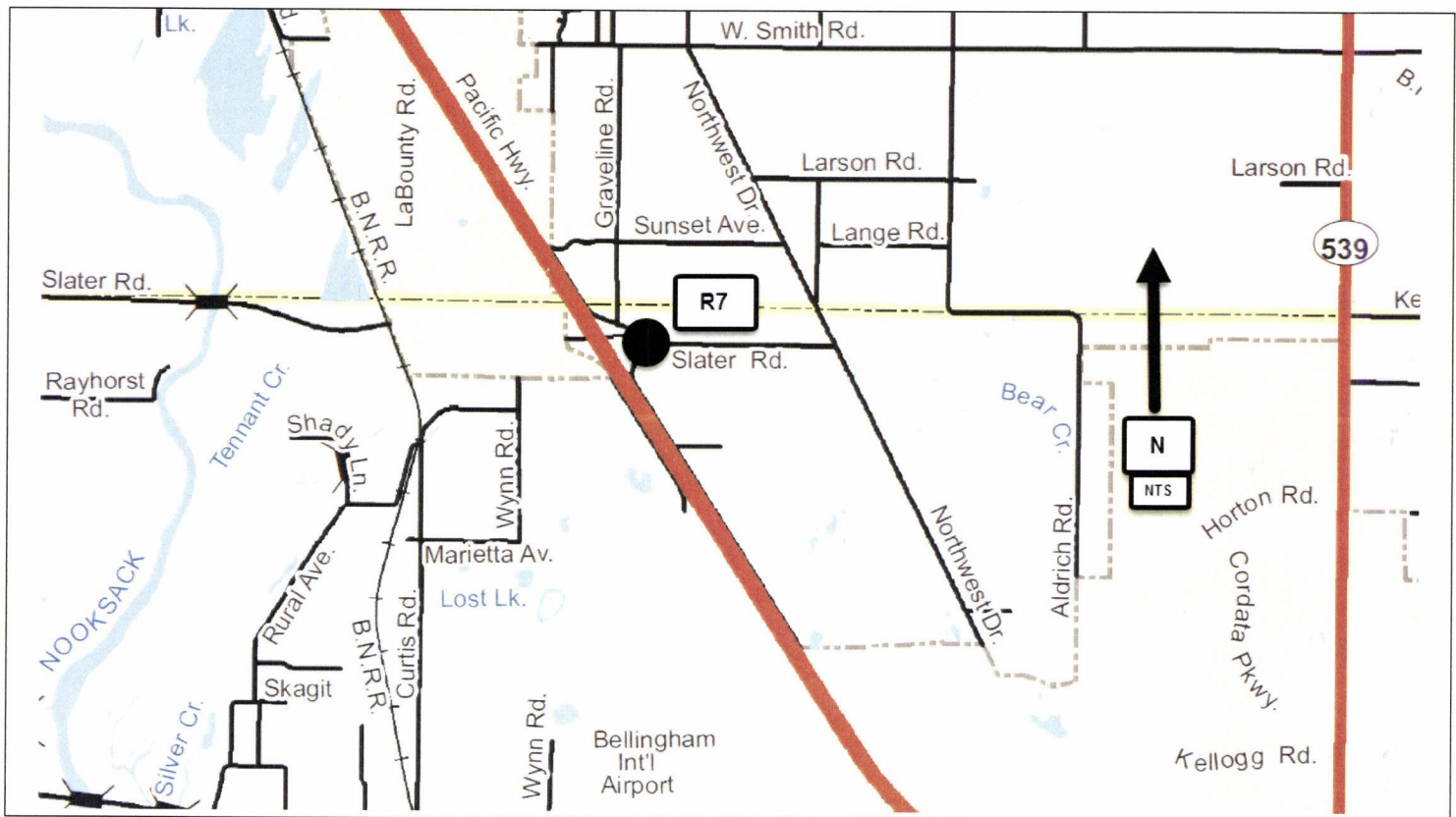
Funding Sources:

Federal	\$0
State	\$21,000,000*
Local	\$25,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Smith Road & Northwest Drive Intersection Improvements CRP # 918019

Construction Funding Year(s): TBD

Project Narrative:

This project is located in Section 27 & 34 of T39N, R2E. The work involves intersection improvements that will likely be a roundabout or traffic signal at the current 4-way stop. This project will also require drainage upgrades and R/W acquisition, and is dependent on the NW Annex building being demolished at a future date. This project is listed **#R9** on the 2020-2025 Six-Year Transportation Improvement Program.

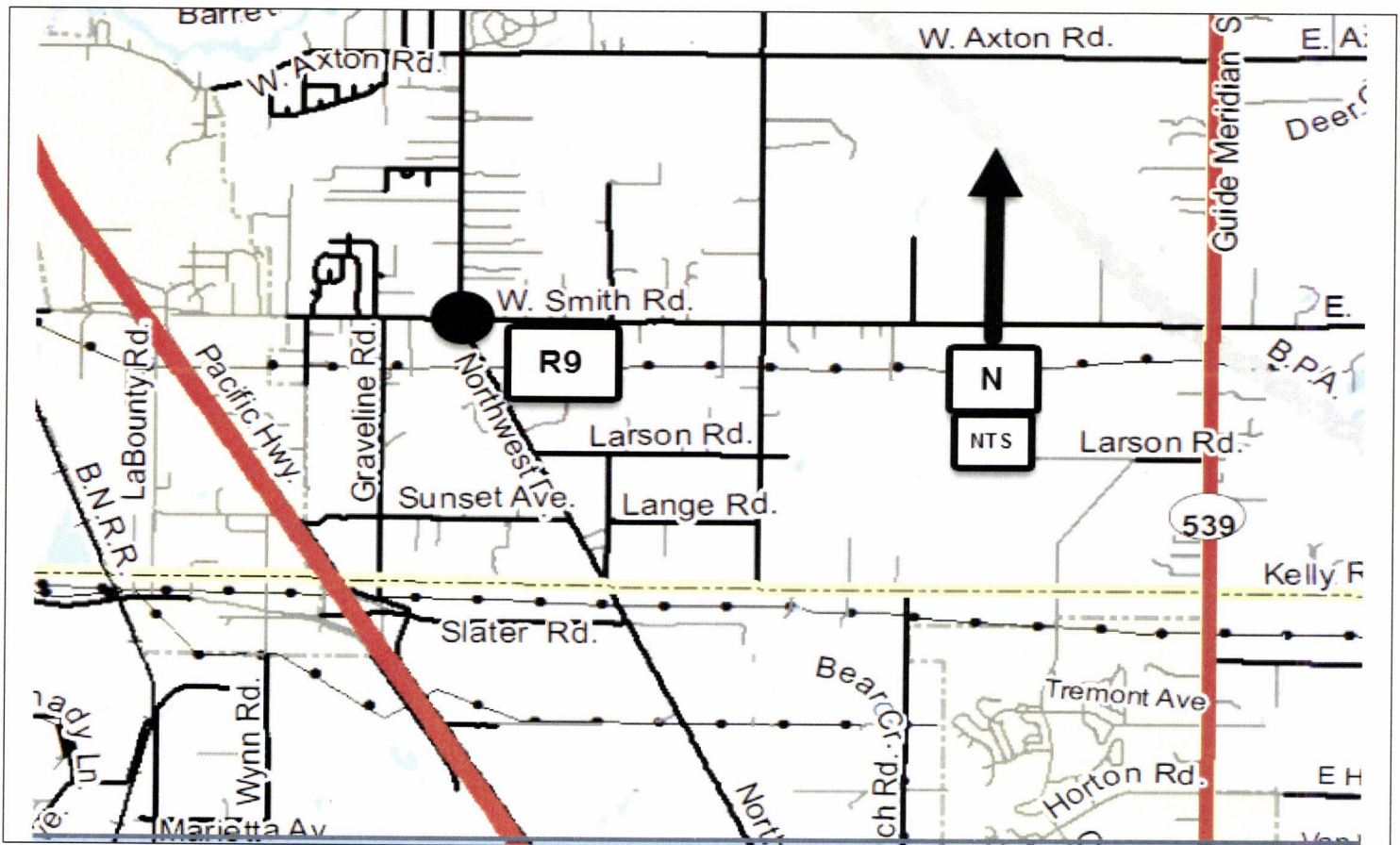
Project Status: The project is currently being scoped and surveyed. Public Works is working with Whatcom Council of Governments (WCOG) to submit this project for Regional Transportation Funding with a request for \$5 million.

Total Estimated Project Cost: TBD
Expenditures to Date: \$ 25,000

Funding Sources:

Federal	\$ 0
State	\$ 0
Local	\$25,000 (Grant funds sought thru WCOG)

Environmental Permitting	SEPA, Critical Areas, DOE
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Marine Drive Locust Avenue to Alderwood Avenue Reconstruction and Bike/Ped Facilities CRP # 917001

Construction Funding Year(s): 2021

Project Narrative:

This Marine Drive project is located between Locust Ave. and Alderwood Avenue in Section 15 of T38N, R2E. The work involves reconstruction of approximately ½ mile of roadway with emphasis on bike/pedestrian and stormwater quality enhancements. This project is listed **#R10** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Survey completed and design initiated in 2019.

Total Estimated Project Cost: \$3,210,000

Expenditures to Date: \$56,000

Funding Sources:

Federal	\$1,509,000 (STBG) Available in 2021
State	\$0
Local	\$1,701,000

Environmental Permitting	ECS, BA, SEPA, CLR/CAO, Corps of Engrs
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A



Lummi Nation Transportation Projects CRP #912017

Construction Funding Year(s): 2020

Project Narrative:

The Lummi Nation Transportation Projects is located in Section 2, T37N, R1E and Section 34, T38N, R1E. This work, in fulfillment of the ferry lease obligation, involves the construction of transportation improvement projects in accordance with Exhibit C of the October 27, 2011 Uplands Lease Agreement for Lummi Island Ferry Use at Gooseberry Point. This project is listed **#R12** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

Projects funds will be available for expenditure when funds of equal or greater value are matched by the Lummi Nation.

Total Estimated Project Cost: \$4,000,000

Expenditures to Date: \$2,000,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$2,000,000

Environmental Permitting N/A

Right-of-Way Acquisition (Estimate) N/A

County Forces (Estimate) N/A

Due to the nature of this item, no map exists. Location of the new transportation projects will be determined in 2020.

Point Roberts Transportation Improvements CRP # 910002

Construction Funding Year(s): 2020

Project Narrative:

Point Roberts is located in T40N and T41N, R3W. The proposed improvements would be specific to area needs and the development of projects to be funded by the Pt. Roberts Transportation Benefit District. This project is listed **#R13** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

Public Works has assigned staff working with the Point Roberts Transportation Benefit District Advisory Committee to coordinate project evaluation, selection, and development.

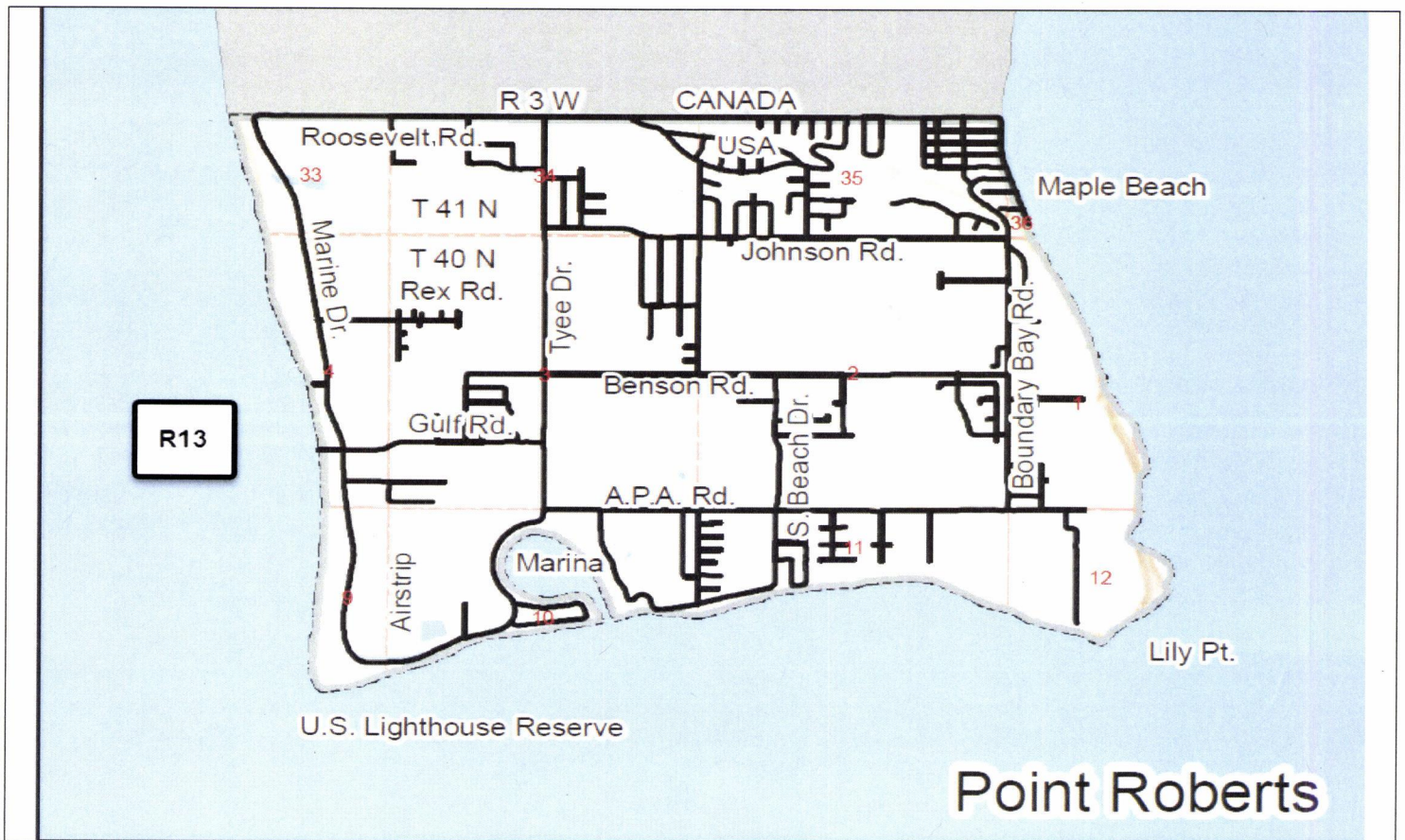
Total Estimated Project Cost: \$150,000

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$0
Local	\$150,000

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Slater Road & Haxton Way CRP # 917002

Construction Funding Year(s): TBD

Project Narrative: This project is located on Slater Road in Section 36, T39N, R1E. The project is to improve the intersection, through location of a dedicated left hand turn signal, pavement, drainage, signing, and striping improvements. This project is listed **#R14** on the 2020-2025 Six Year Transportation Improvement Program.

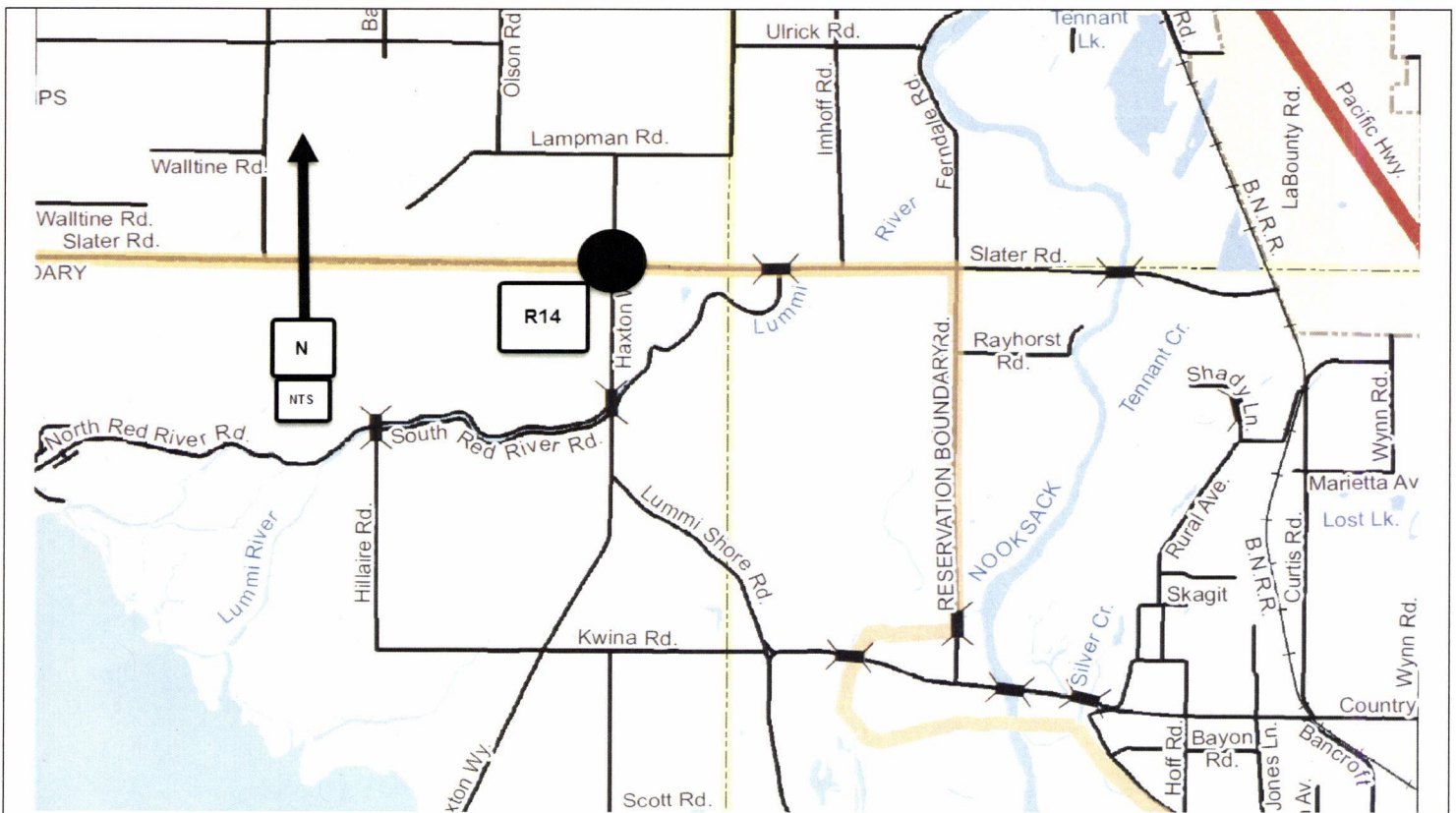
Project Status: The County has completed the design of a protected left hand turn lane for both legs of Slater Road. Working with the Lummi Nation on coordination of the project, as the ultimate plan is to address a portion of Haxton Way pavement and channelization with the signal upgrades. Additional preliminary engineering for pavement design is anticipated for 2020.

Total Estimated Project Cost: \$ TBD
Expenditures to Date: \$ 43,000

Funding Sources:

Federal	
State	
Local	\$10,000

Environmental Permitting	HPA, SEPA, Sec 404, NEPA
Right-of-Way Acquisition (Estimate)	\$ TBD
County Forces (Estimate)	TBD



East Smith Road Everson-Goshen Road to SR 542 CRP # 916006

Construction Funding Year(s): 2020

Project Narrative:

This East Smith Road project is located between Everson-Goshen Road and State Route 542 in Section 25 of T39N, R3E and Sections 28, 29, 30 T39N, R4E. The work will involve the pavement rehabilitation of approximately 3.25 miles of roadway and one fish passage culvert upgrade. This project is listed **#R15** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

Design, permitting and temporary easements to be completed in late 2019 / early 2020. Construction is anticipated for 2021.

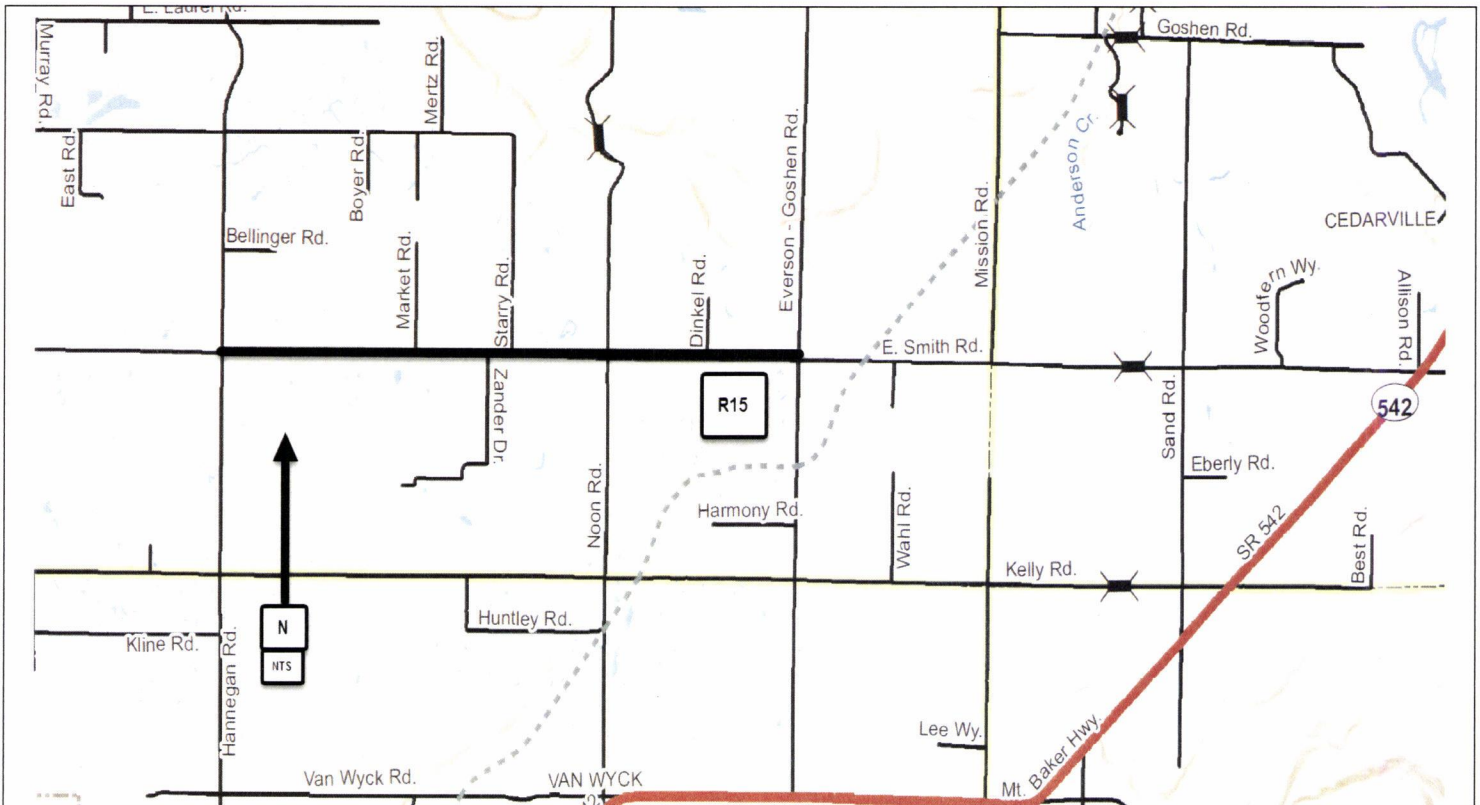
Total Estimated Project Cost: \$1,460,000

Expenditures to Date: \$14,500

Funding Sources:

Federal	
State	\$1,000,000 (RATA)
Local	\$605,000

Environmental Permitting	SEPA, ESA, HPA, Clrg/CAO
Right-of-Way Acquisition (Estimate)	5,000
County Forces (Estimate)	N/A



East Smith Road & Hannegan Road Intersection Improvements CRP # 914002

Construction Funding Year(s): 2021

Project Narrative:

The intersection of East Smith and Hannegan Roads is located in Sections 28, 29, 32 and 33, T39N, R3E. This intersection currently experiences delays due to the lack of left-turn channelization on Smith Road. The project work entails the construction of a two-lane Roundabout at the intersection. This project is listed **#R16** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

The 'Alternatives Analysis' completed by a traffic consultant in 2018 determined a two-lane Roundabout as the best design solution. Design proceeding, and expected to be completed in late 2019 / early 2020, with Construction planned for 2021.

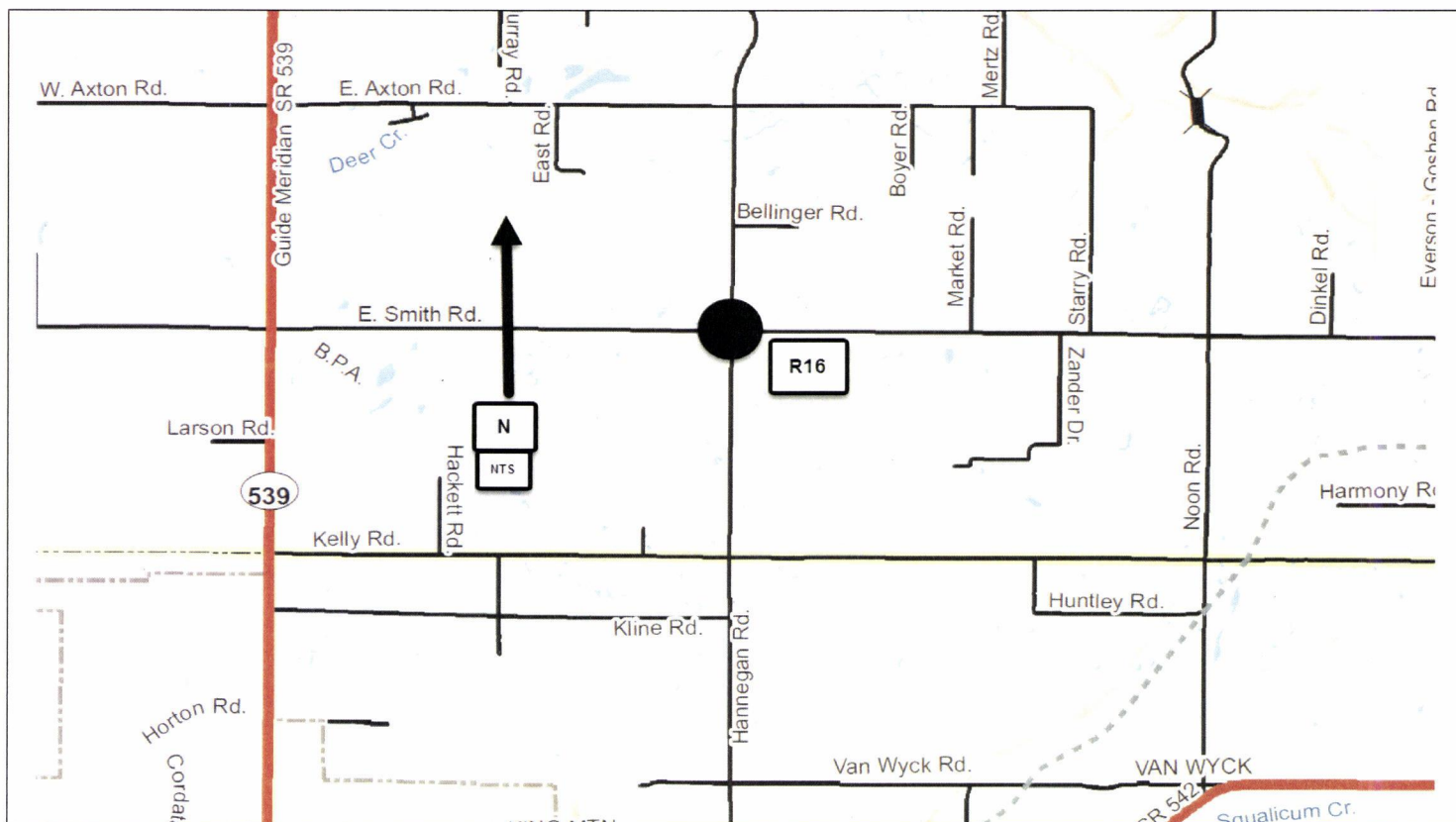
Total Estimated Project Cost: \$3,965,000

Expenditures to Date: \$80,000

Funding Sources:

Federal	\$1,000,000 STBG available in 2021
State	\$0
Local	\$2,965,000

Environmental Permitting	NEPA, ESA, Corp of Engr, Clrg/CAO, DOE
Right-of-Way Acquisition (Estimate)	\$350,000
County Forces (Estimate)	N/A



Turkington Road/Jones Creek CRP # 915013

Construction Funding Year(s): 2022

Project Narrative:

This project is located in Sections 6 & 7, T37N, R5E. This work involves completing design of road and bridge modifications in this area in coordination with a debris flow berm project being developed by the River and Flood Division. The project is listed **#R18** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

Alternate analysis work is underway by the River & Flood Division.

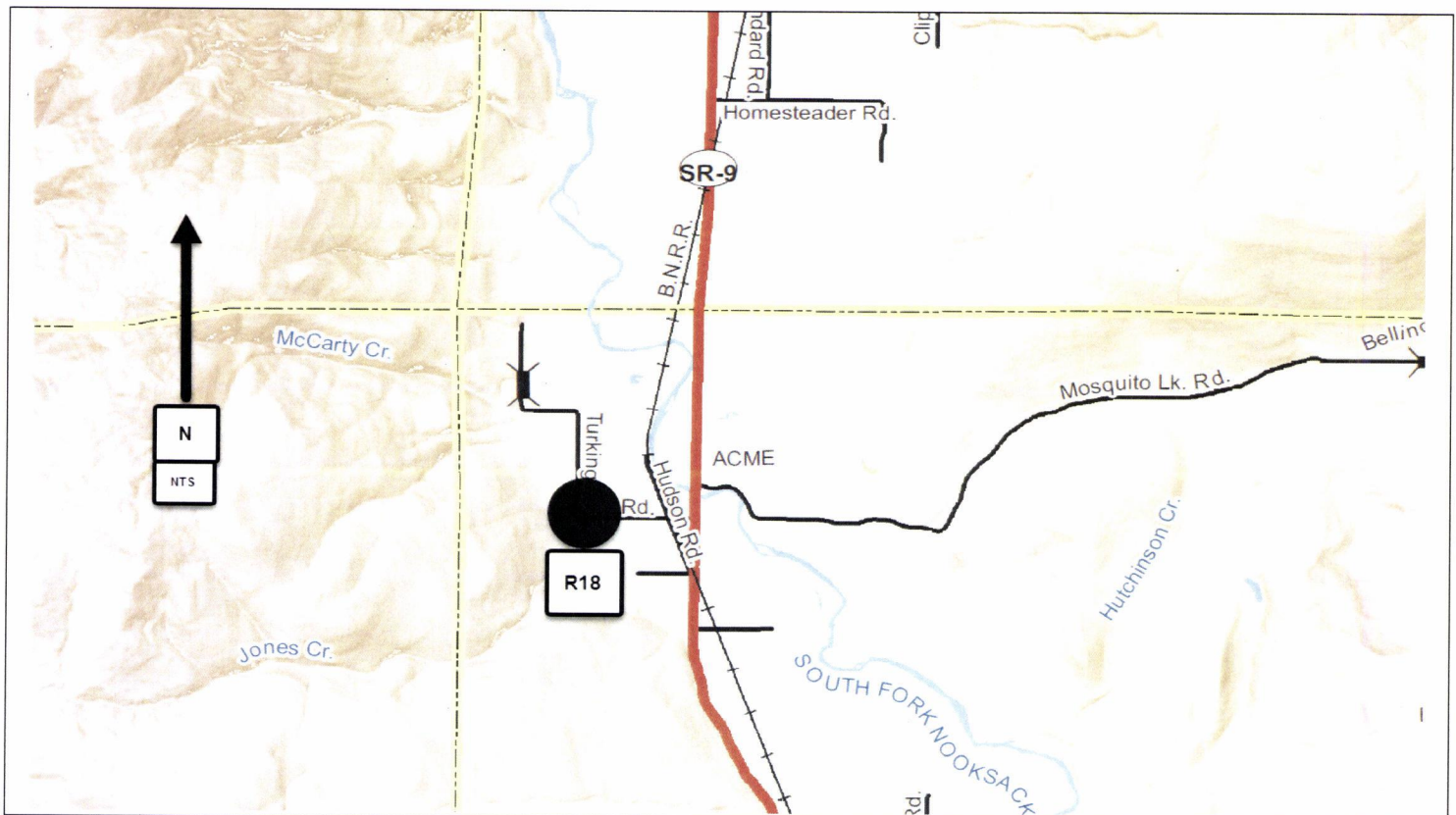
Total Estimated Project Cost: \$ 1,097,000

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$0
Local	\$1,097,000 (2020-2022)

Environmental Permitting	BA, HPA, SEPA, Corps of Engrs, CLR/CAO, Shorelines, DNR
Right-of-Way Acquisition (Estimate)	\$50,000
County Forces (Estimate)	N/A



Birch Bay Lynden Rd. & Blaine Rd. Intersection Improvements CRP # 906001

Construction Funding Year(s): TBD

Project Narrative:

This project is located 4.6 miles south of Blaine, at the corners common to Sections 19, 20, 29, and 30, T40N, R1E. Intersection improvements being considered are a roundabout or a signal. This is a joint project with the Washington State Department of Transportation; however, it is unlikely that they will participate as a funding source. This project is listed **#R19** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Survey work and R/W Plan started. Consultant contract underway to evaluate & decide on preferred design alternative, and is due by end of 2019. Applied for and received federal STBG funding of \$800K which is available in 2023-2024. Additional grant funds will be looked for through other sources.

Total Estimated Project Cost: \$4,250,000

Expenditures to Date: \$0

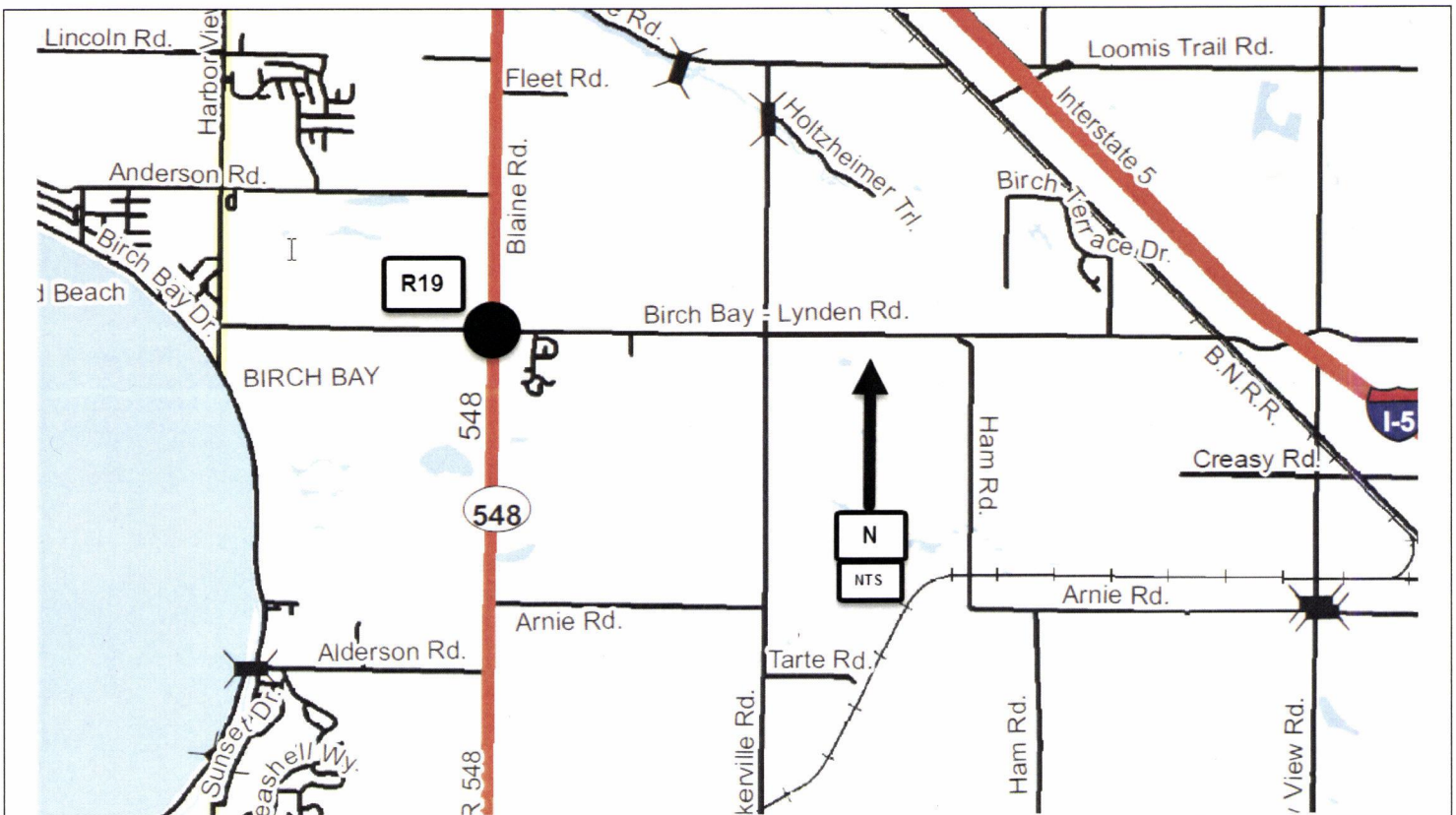
Funding Sources:

Federal	\$800,000 STBG available in 2023-2024
State	\$0
Local	\$3,450,000 (add'l Grant funds sought)

Environmental Permitting ESA, NEPA, Crlg/CAO, Corp of Engr, DOE,

Right-of-Way Acquisition (Estimate) \$500,000

County Forces (Estimate)



Hemmi Road Flood Mitigation CRP # 916007

Construction Funding Year(s): 2021

Project Narrative:

This Hemmi Road Flood Mitigation project is located on Hemmi Road approximately a half mile east of Hannegan Road, located in Section 16 and 21 of T39N, R3E. Hemmi Road is submerged several months of the year at this location. Project work will include raising this portion of the road, installing a larger culvert and associated road work. This project is listed **#R22** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Engineering, permitting and real estate work expected to be completed in 2020 with construction scheduled in 2021.

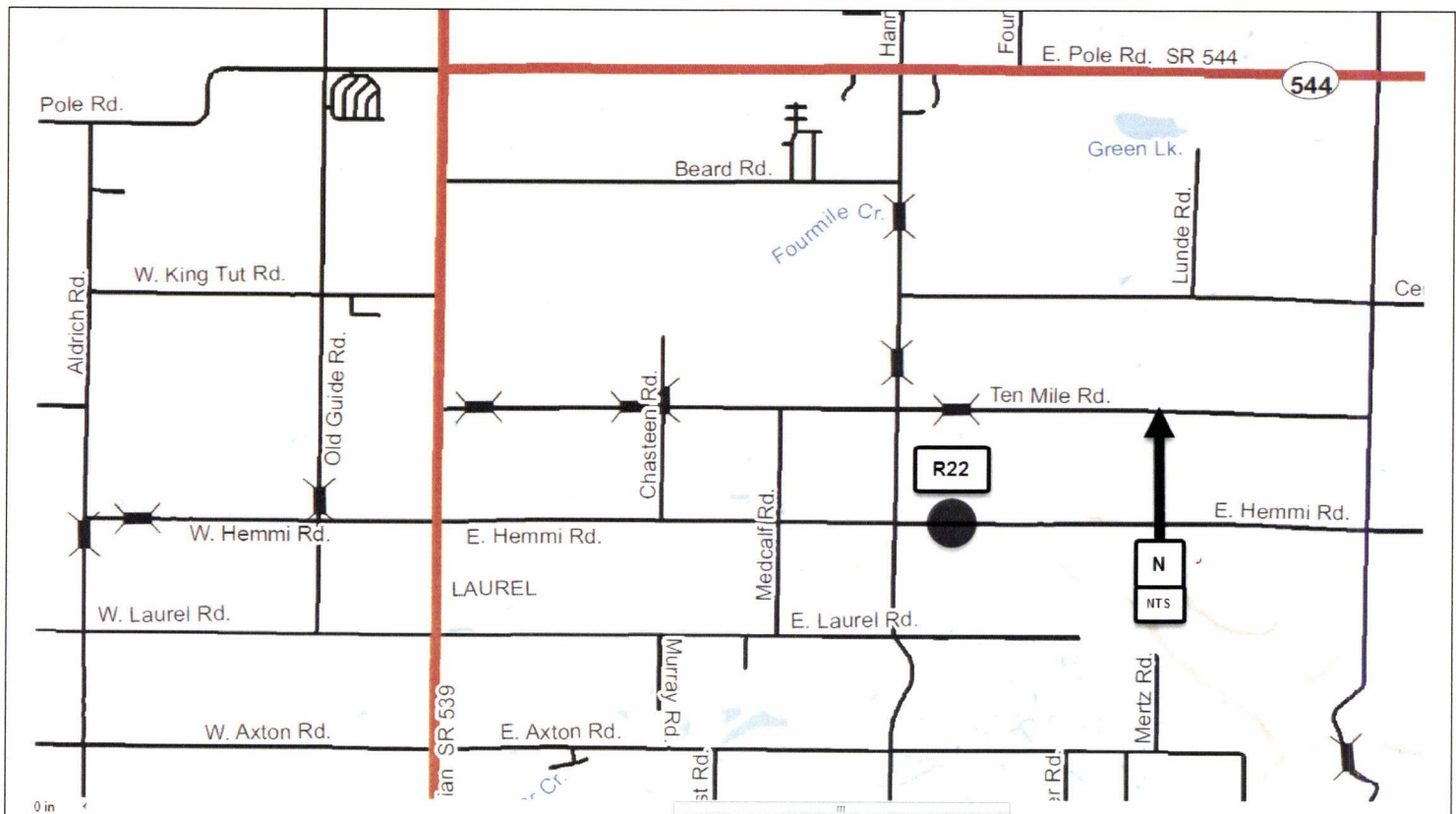
Total Estimated Project Cost: \$1,350,000

Expenditures to Date: \$200,000

Funding Sources:

Federal	
State	
Local	\$1,350,000

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Innis Creek Road CRP # 915014

Construction Funding Year(s): TBD

Project Narrative:

This project is located northeast of Wickersham in Section 29, T37N, R5E. The work involves raising a quarter mile section of Innis Creek Road to mitigate flooding issues. This project is listed **#R23** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

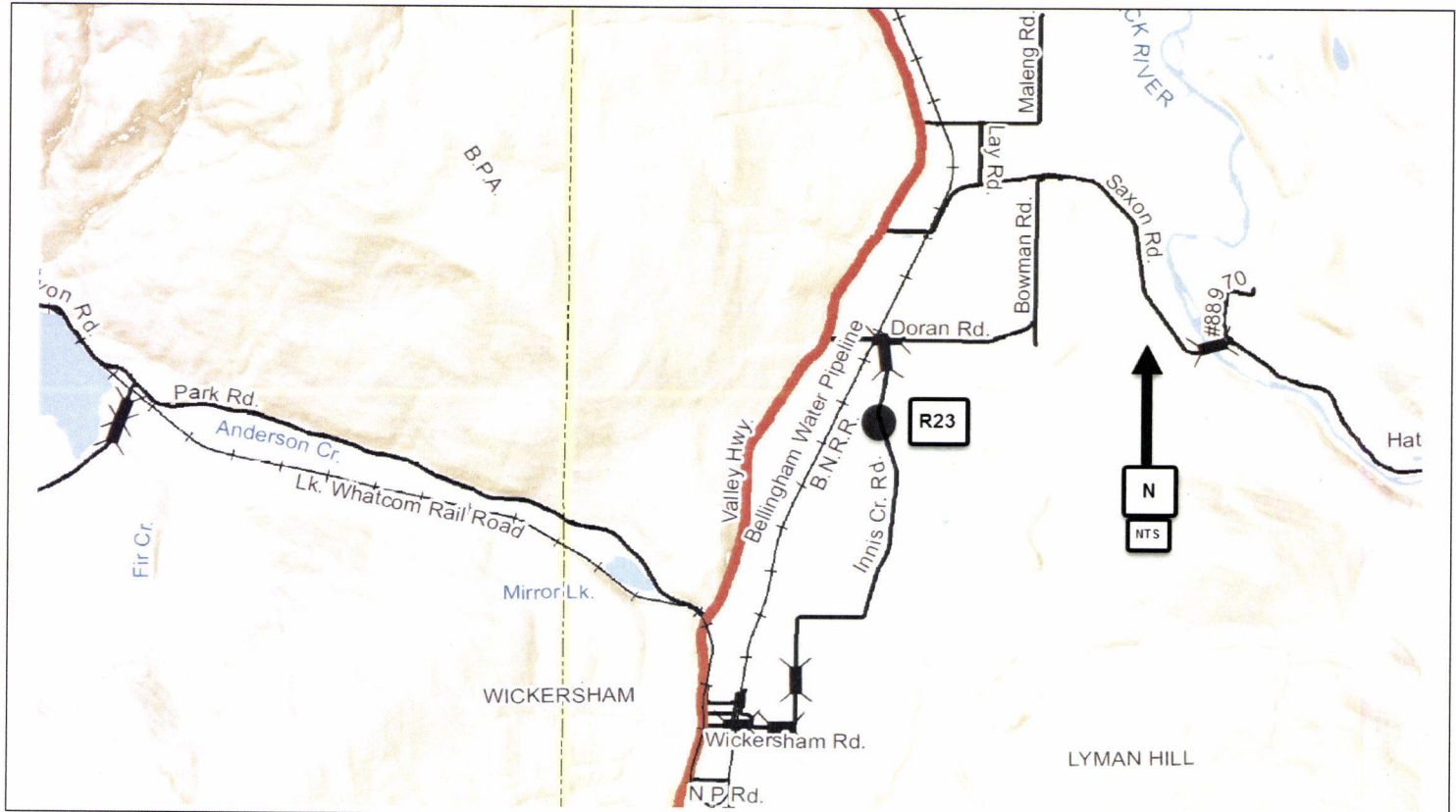
Preliminary design completed in 2019 with alternatives developed; however, environmental mitigation, due to presence of endangered species, has initiated re-evaluation of options.

Total Estimated Project Cost: TBD
Expenditures to Date: \$ 15,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$15,000

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Ferndale Road/Levee Improvements CRP # 919001

Construction Funding Year(s): TBD

Project Narrative:

This project is located in Sections 30 and 31, T39N, R2E. This project includes reconstruction of 1.2 miles of levee including the Ferndale Levee and Ferndale Treatment Plant Levee segments. The new levee will be set back slightly to Ferndale Road with the roadway serving as the crest of the levee. This project is listed **#R26** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Due to the high cost, outside funding will be sought. The WCFCZD will pursue funding through the Floodplains by Design grant program administered by the DOE.

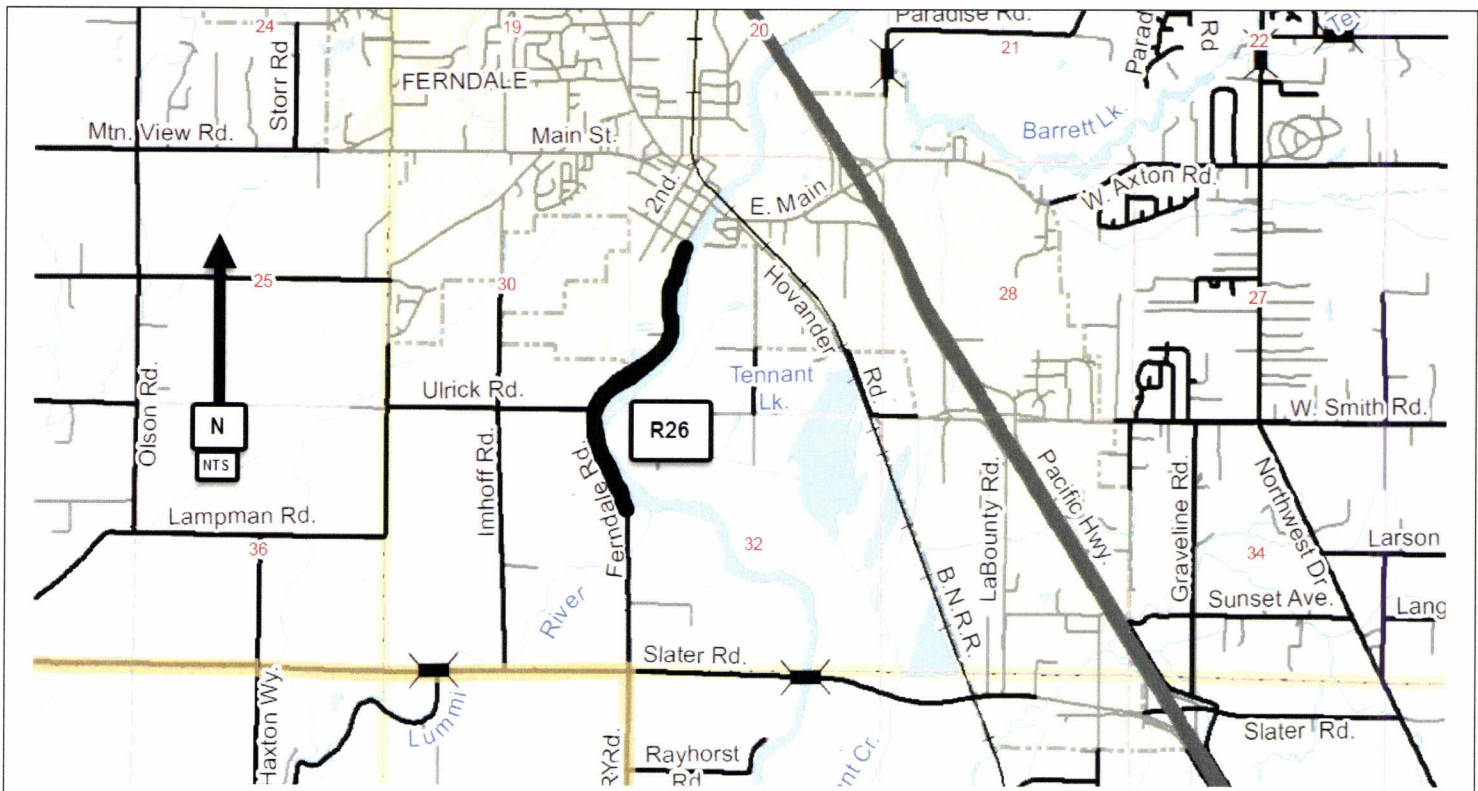
Total Estimated Project Cost: \$7,000,000

Expenditures to Date: \$0

Funding Sources:

Federal	\$
State	\$
Local	\$300,000 (2020-2021)

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Abbott Road/Levee Improvements CRP # 919002

Construction Funding Year(s): 2020

Project Narrative:

This project is located in Section 27, T40N, R3E. This project proposes to stabilize an approximately 600-LF section of the left bank of the Nooksack River adjacent to Abbott Road and to extend the upstream end of the Abbott Levee and realigned it to run under Abbott Road. This project is listed **#R27** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: The funding sources will likely include the County Road fund, the WCFCZD and the LE Subzone.

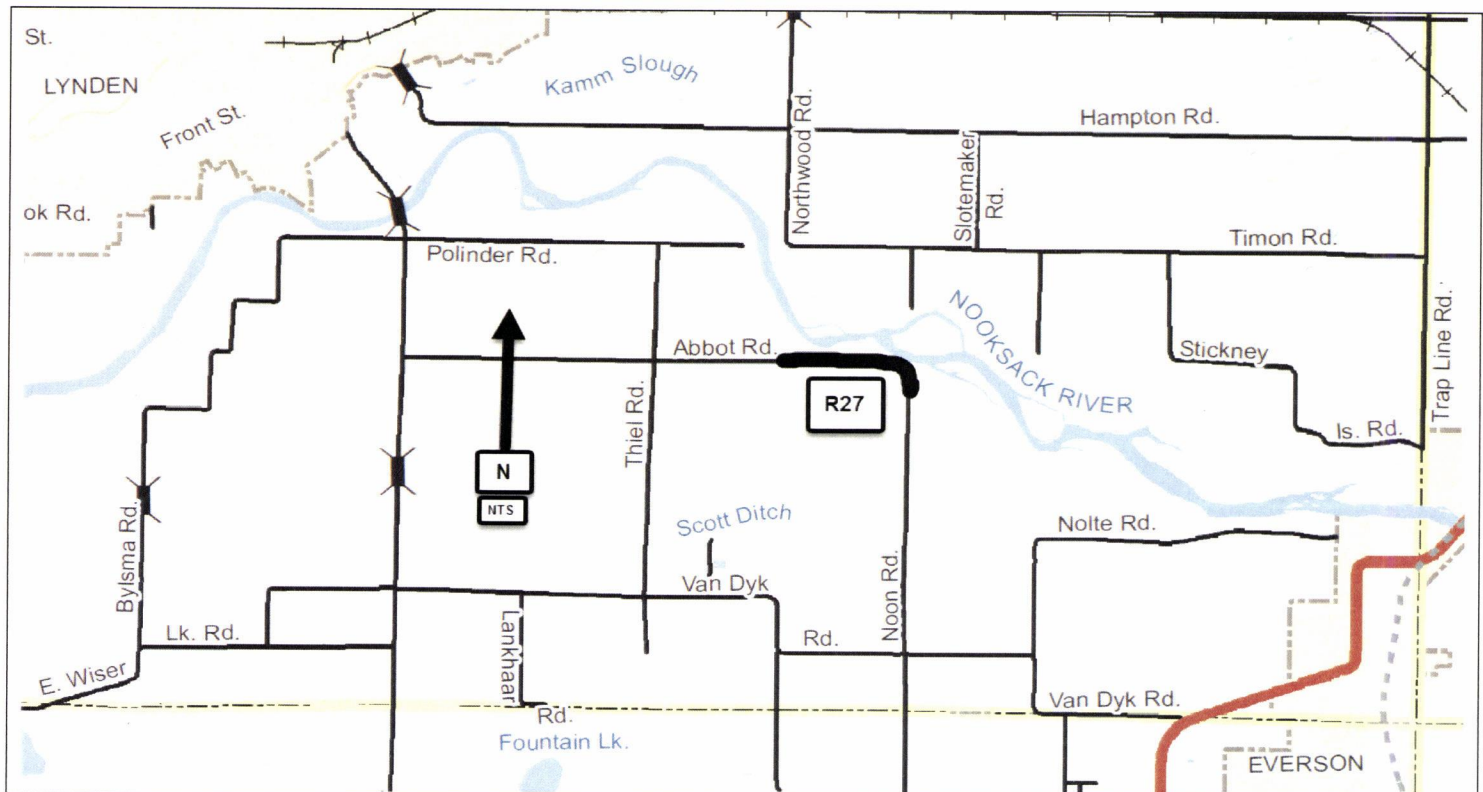
Total Estimated Project Cost: \$1,170,000

Expenditures to Date: \$0

Funding Sources:

Federal	\$
State	\$
Local	\$1,170,000 (2020-2022)

Environmental Permitting	HPA, ACOE, Shorelines, SEPA
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



Northwest Drive, City of Bellingham to Axton Road Structural Overlay CRP # 919003

Construction Funding Year(s): 2020

Project Narrative:

This project is located between the City Limits of Bellingham and Axton Road in Sections 2, 11, 26, & 35 of T38N & T39N, R2E. The work will involve a structural overlay of 3.45 miles of roadway, a culvert upgrade for fish passage, and other minor improvements. This project is listed **#R28** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Design proceeding for structural overlay and one (1) culvert upgrade for fish passage. Anticipate completing design and permitting by early 2020, with construction planned for Summer 2020.

Total Estimated Project Cost: \$1,760,000

Expenditures to Date: \$20,000

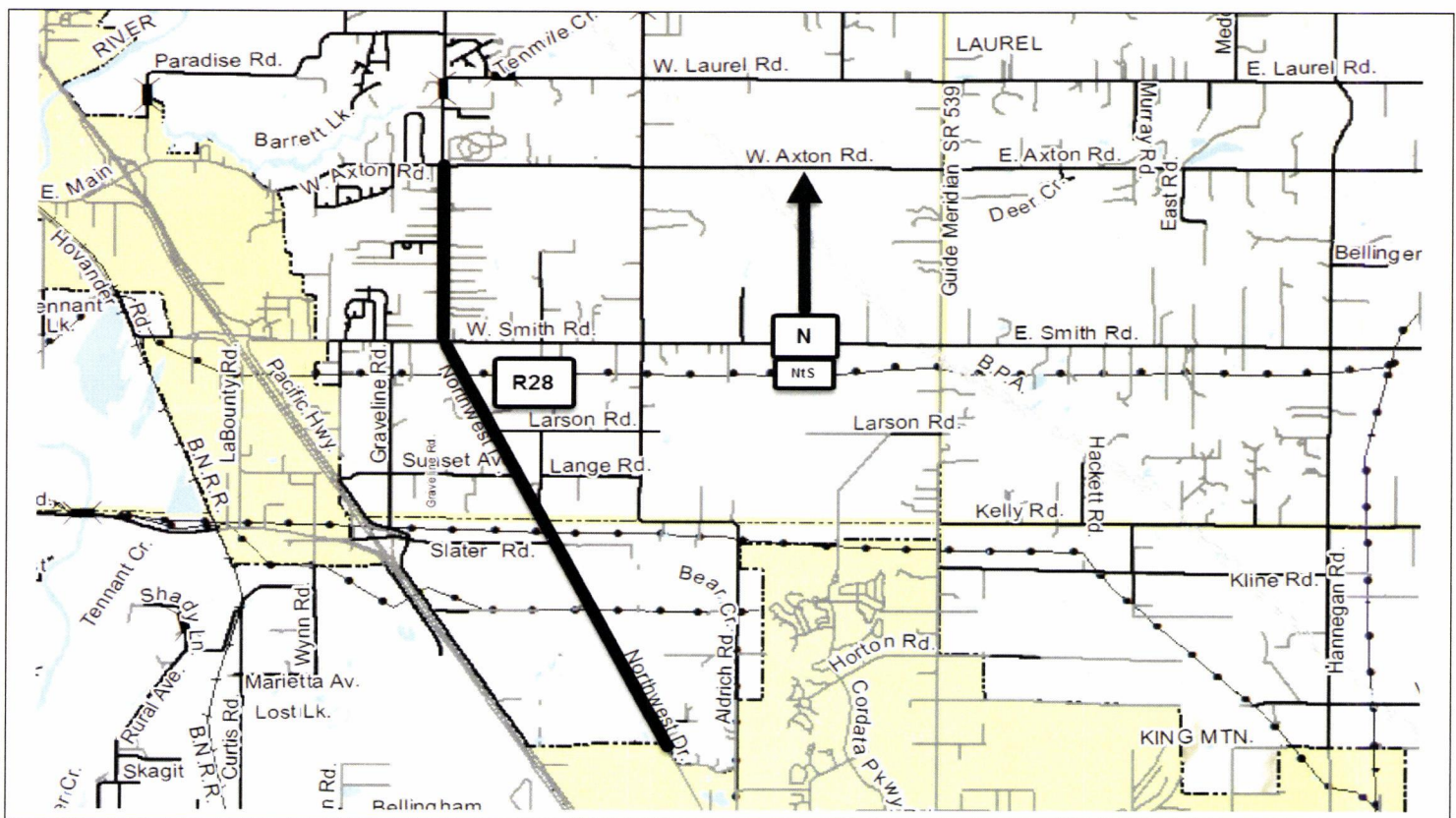
Funding Sources:

Federal	\$0
State	\$
Local	\$1,760,000

Environmental Permitting HPA, SEPA, CLR/CAO,

Right-of-Way Acquisition (Estimate) \$10,000

County Forces (Estimate) N/A



E. Smith Rd., Everson Goshen Rd. to SR 542 Pavement Rehabilitation CRP # 918018

Construction Funding Year(s): 2020

Project Narrative:

This East Smith Road project is located between Hannegan Road and Everson-Goshen Road in Sections 26, 27, 28 of T39N, R3E. The work will involve the pavement rehabilitation of approximately 3 miles of roadway. This project is listed #R29 on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Project received Rural Arterial Preservation Program (RAPP) grant funds in mid-2019. Working on design in late 2019, with good possibility of construction in 2020. Will combine with other E. Smith paver if allowed by funding source (CRAB).

Total Estimated Project Cost: \$1,500,000

Expenditures to Date: \$0

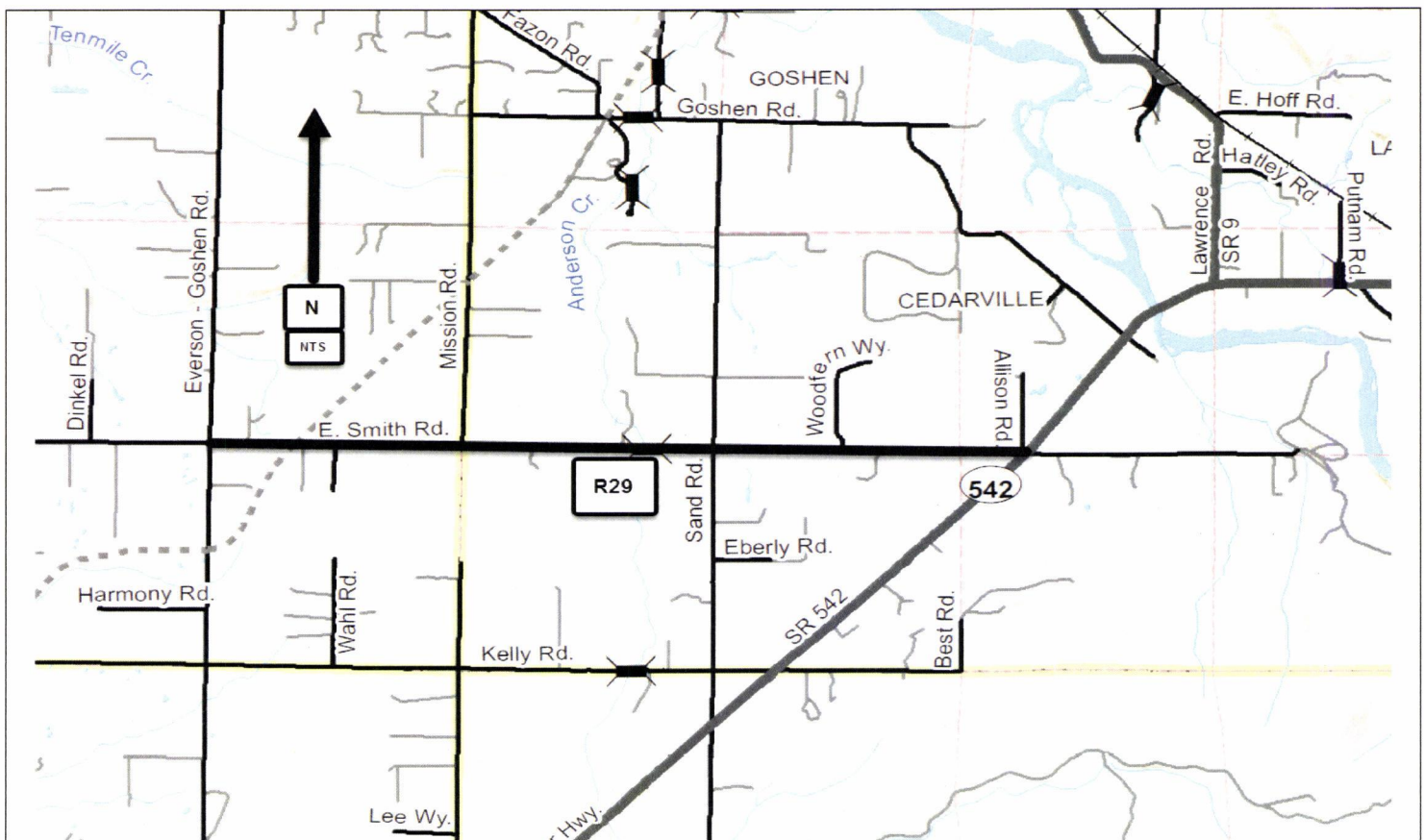
Funding Sources:

Federal	\$0
State	\$1,035,000 of RATA funds
Local	\$465,000

Environmental Permitting SEPA,

Right-of-Way Acquisition (Estimate) N/A

County Forces (Estimate) N/A



Birch Bay Lynden Rd, Enterprise Rd. to Rathbone Rd. Pavement Rehabilitation CRP # 919018

Construction Funding Year(s): TBD

Project Narrative:

This Birch Bay Lynden Road project is located between Enterprise Road and Rathbone Road in Sections 27 & 28 of T40N, R2E. The work will involve the pavement rehabilitation of approximately 2 miles of roadway. This project is listed #R30 on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Project received Rural Arterial Preservation Program (RAPP) grant funds of \$165,000 in mid-2019. Will initiate design work in late 2019 / early 2020, with construction planned for 2024.

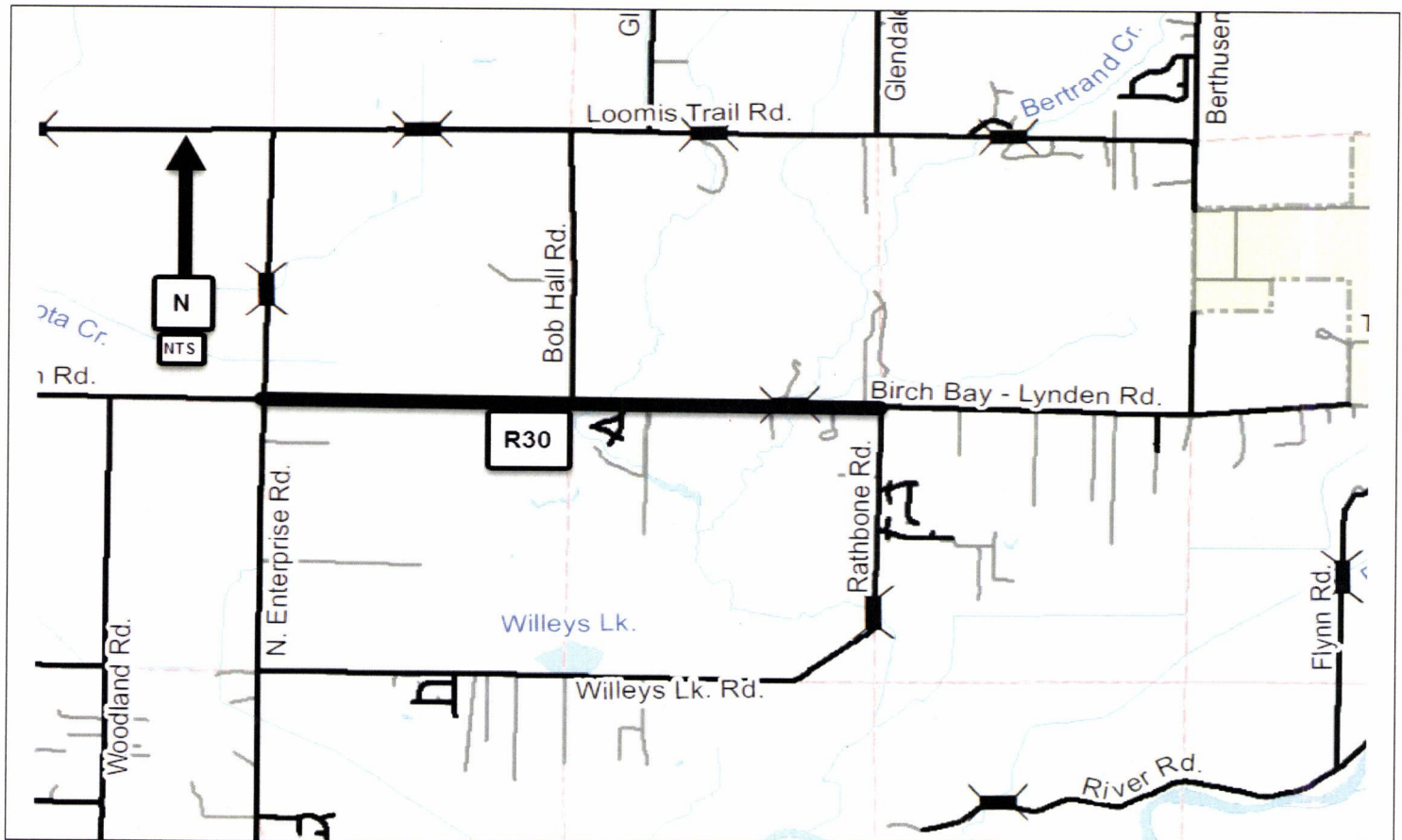
Total Estimated Project Cost: \$1,210,000

Expenditures to Date: \$0

Funding Sources:

Federal	\$0
State	\$165,000 RATA funds
Local	\$1,045,000

Environmental Permitting	SEPA
Right-of-Way Acquisition (Estimate)	N/A
County Forces (Estimate)	N/A



Slater Road, Pacific Hwy to Northwest Dr. CRP #919022

Construction Funding Year(s): 2020

Project Narrative:

This project is located in Sections 3 of T38N, R2E. The work will involve the structural overlay of approximately ¾ miles of roadway along with other minor improvements. This project is listed **#R31** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Design work will occur in late 2019, with Construction planned for Summer of 2020.

Total Estimated Project Cost: \$500,000

Expenditures to Date: \$ 0

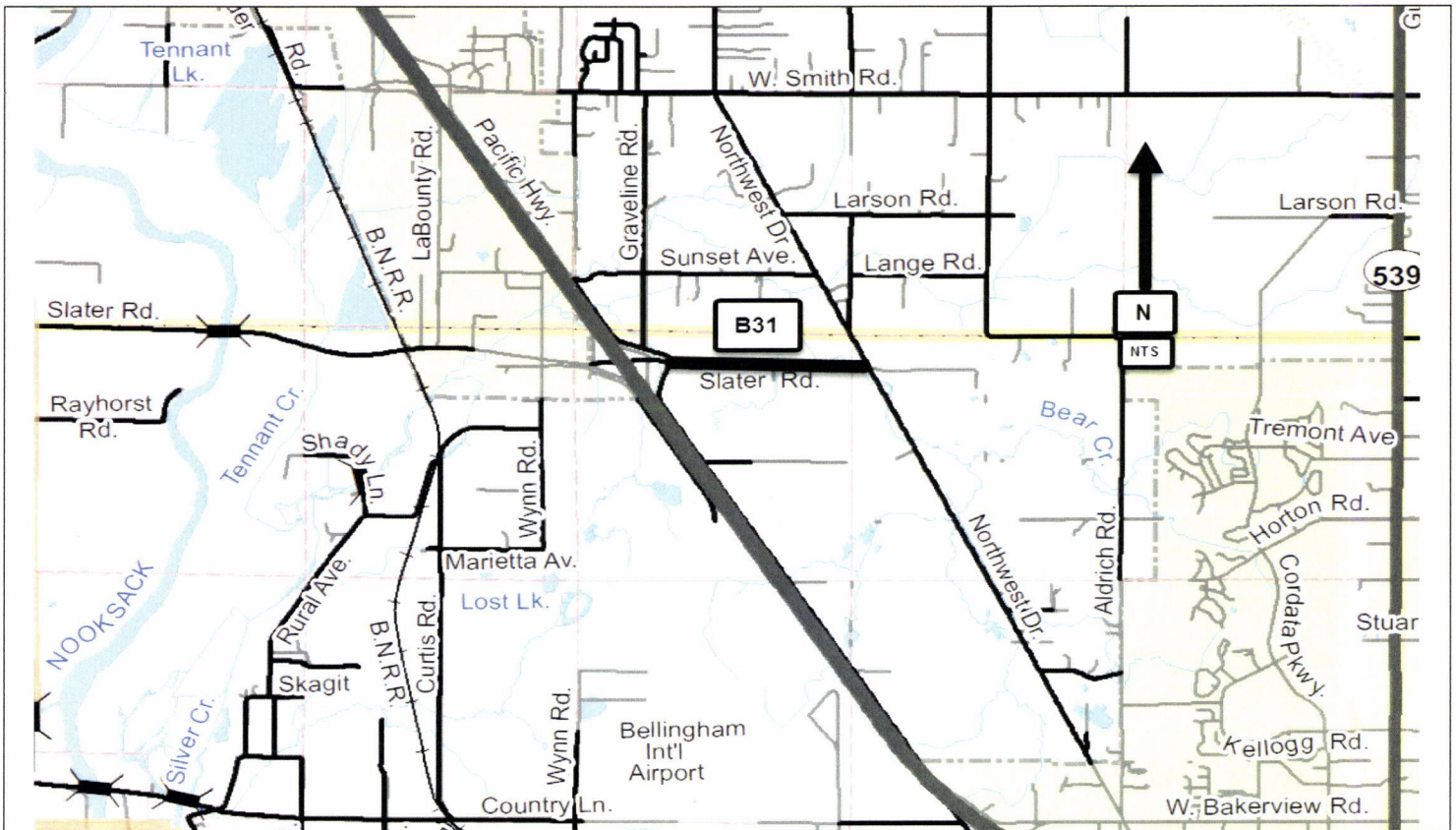
Funding Sources:

Federal	\$ 0
State	\$ 0
Local	\$500,000

Environmental Permitting SEPA,

Right-of-Way Acquisition (Estimate) \$0

County Forces (Estimate) TBD



**2020 Small Area Paving
Bridge Approach, Pavement Rehabilitation, Minor Widening
CRP #920002**

Construction Funding Year(s): 2020

Project Narrative:

This work will address multiple locations throughout Whatcom County that are in need of corrections to settling bridge approaches, minor widening for safety issues, and pavement rehabilitation. This project is listed **#R32** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Working with the Maintenance & Operations Division to scope out potential projects.

Total Estimated Project Cost: \$250,000

Expenditures to Date: \$ 0

Funding Sources:

Federal	\$ 0
State	\$ 0
Local	\$250,000

Environmental Permitting

Right-of-Way Acquisition (Estimate)

County Forces (Estimate)

Due to the nature of this item, no map exists. Final locations of the Small Area Paving sites will be determined in late 2019 / early 2020.

Jackson Road / Terrell Creek - Bridge No. 81 Replacement CRP # 917004

Construction Funding Year(s): TBD

Project Narrative:

This project is located near Birch Bay in Section 31, T40N, R1W. This is a project to replace the existing 62-foot structurally deficient bridge. This project is listed **#B2** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Project was submitted for BRAC funding in 2017 and was not selected for funding. Preliminary design work, including a type, size, and location study to begin in 2020. Outside funding will be pursued for the construction phase of this project.

Total Estimated Project Cost: \$ TBD

Expenditures to Date: \$ 0

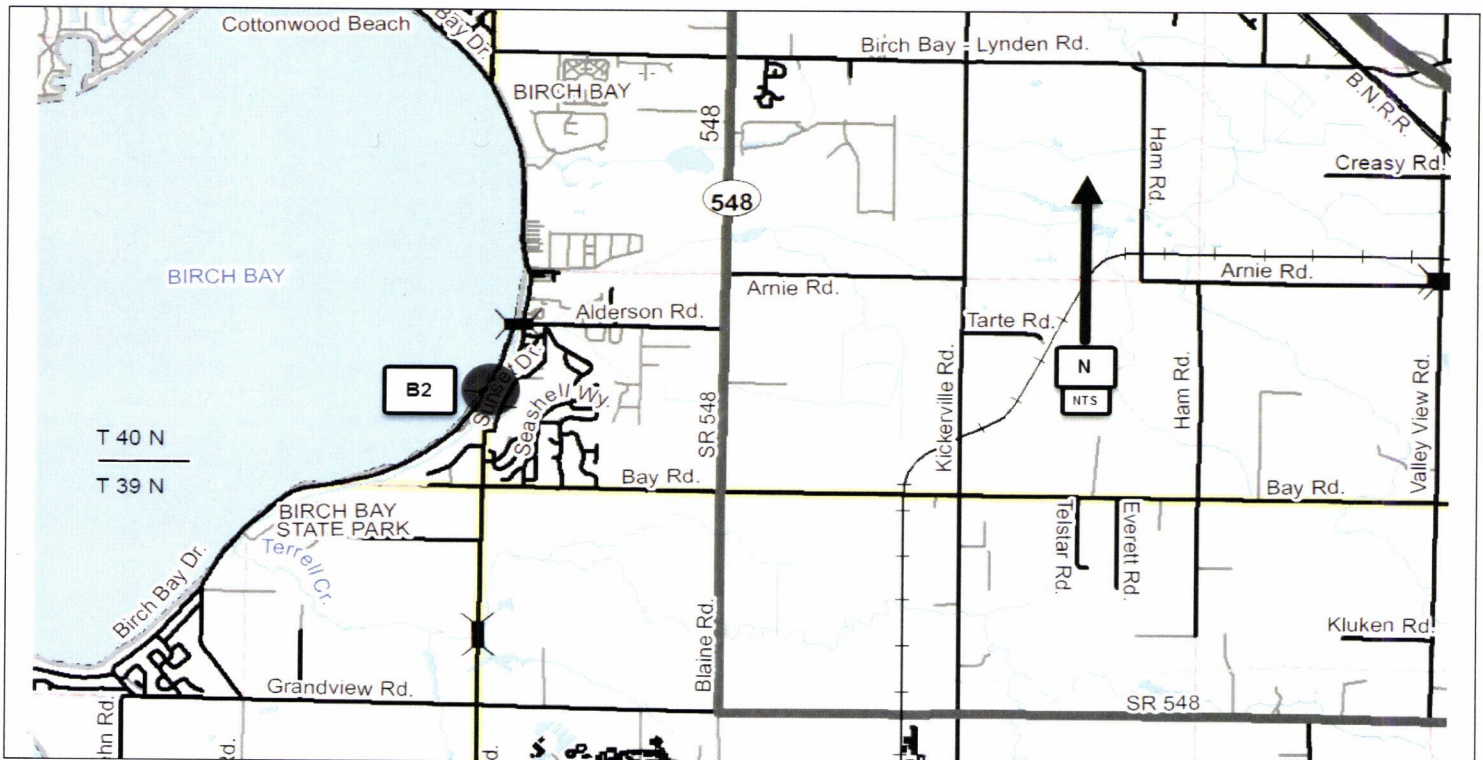
Funding Sources:

Federal	\$TBD
State	\$TBD
Local	\$390,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



N. Lake Samish Road Bridge No. 107 Replacement CRP # 913006

Construction Funding Year(s): TBD

Project Narrative:

This project is located on Lake Samish in Section 27, T37N, R3E. This project will replace the existing 250-foot timber bridge which is structurally deficient. This project is listed **#B4** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status:

The type, size, and location study for the replacement bridge was completed in 2017. Design, permitting, and real estate work is underway and it is anticipated that the design will be nearing the 90% stage by the end of 2019. An application for federal bridge replacement funds for the construction phase of this project was submitted to WSDOT in May of 2019 and it is expected that successful applicants will be notified in October of 2019.

Total Estimated Project Cost: \$10,000,000

Expenditures to Date: \$550,000

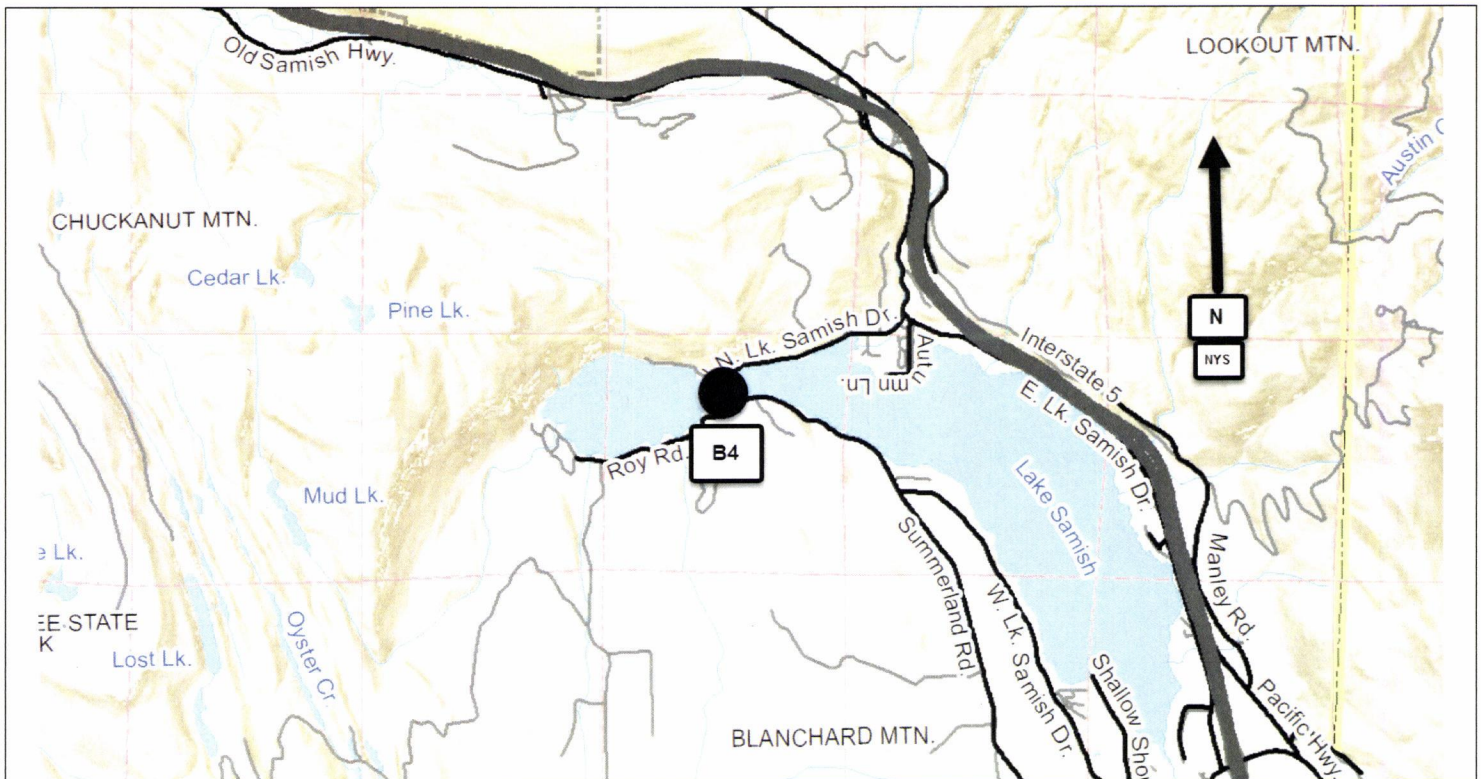
Funding Sources:

Federal	\$0
State	\$0
Local	\$770,000

Environmental Permitting TBD

Right-of-Way Acquisition TBD

County Forces TBD



Goshen Road/Anderson Creek Bridge No. 248 Replacement CRP # 920003

Construction Funding Year(s): TBD

Project Narrative:

This project is located south of Everson/Goshen in Section 19, T39N, R4E. This is a project to replace the existing 62-foot structurally deficient bridge. This project is listed **#B5** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status: Preliminary design, permitting and real estate work to begin in 2020. An application for federal bridge replacement funds for this project was submitted to WSDOT in May of 2019 and it is expected that successful applicants will be notified in October of 2019.

Total Estimated Project Cost: TBD

Expenditures to Date: \$ 0

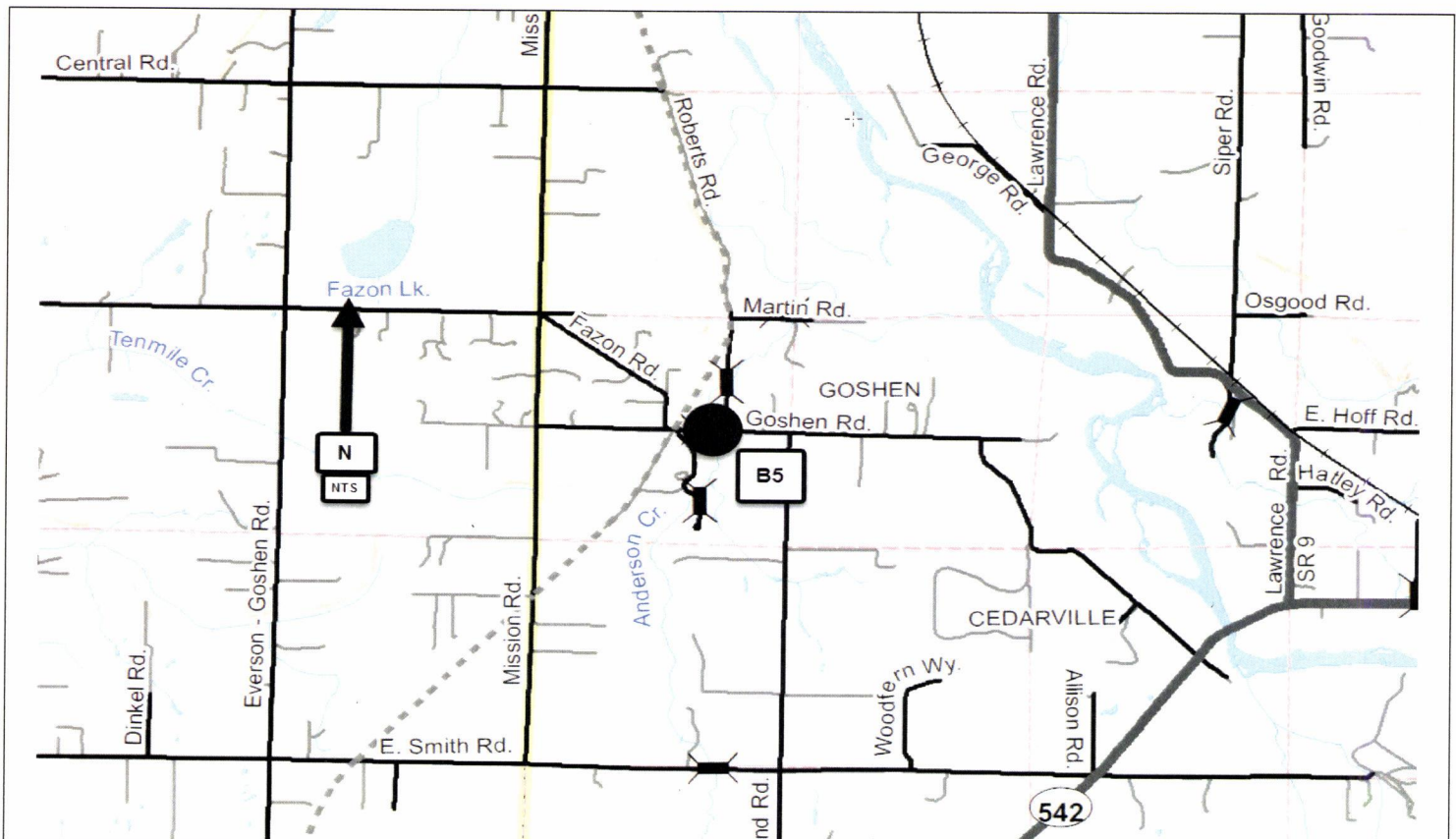
Funding Sources:

Federal	\$0
State	\$0
Local	\$390,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Mosquito Lake Rd/Hutchinson Creek Tributary Fish Passage CRP # 919006

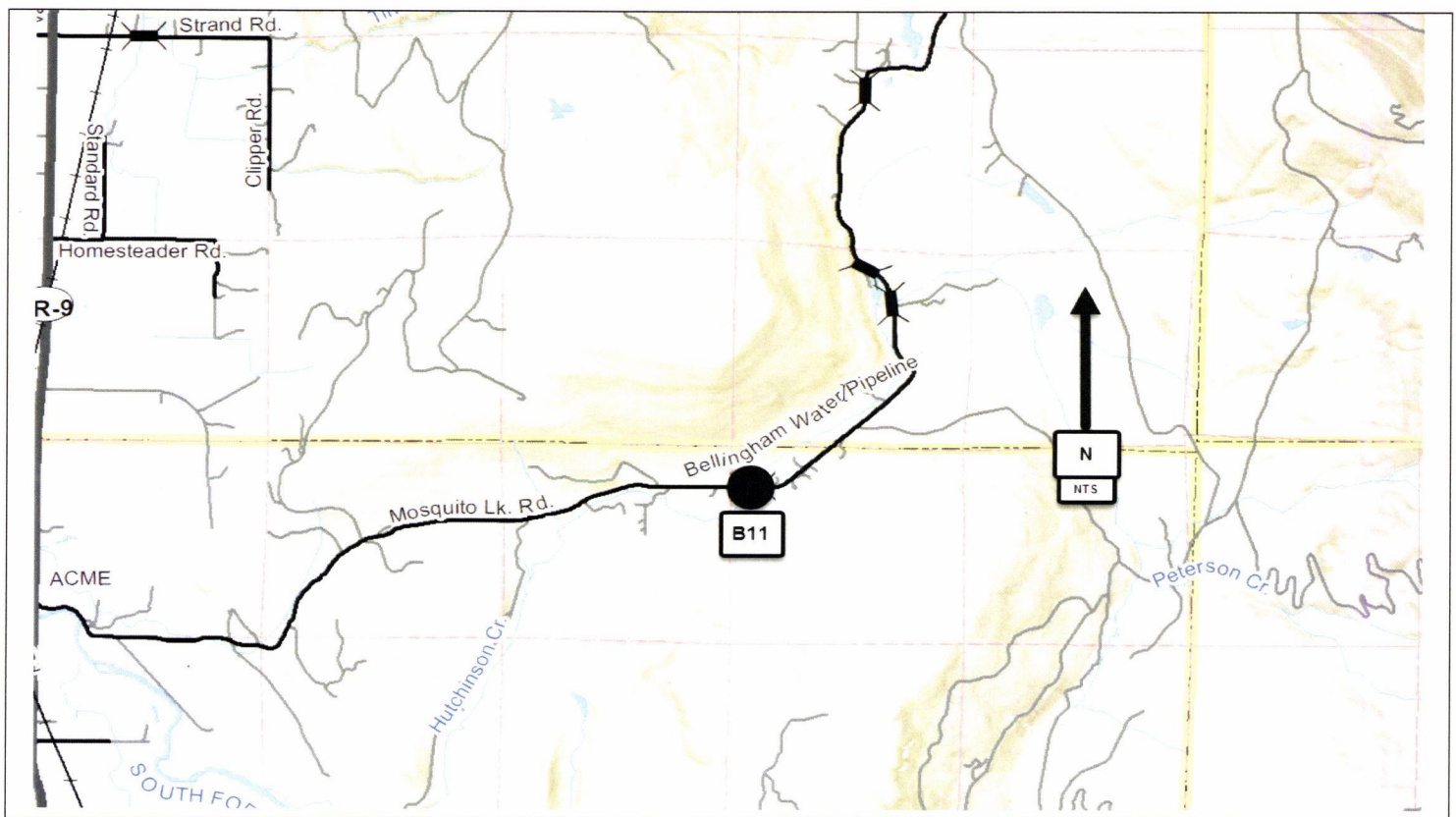
Construction Funding Year(s): 2021

Project Narrative: The existing 30-inch diameter concrete culvert at this location was damaged in early 2018 and a temporary fix completed in late 2018. This culvert has been identified as a barrier to fish passage. Permits for the temporary repair project requires that the existing culvert is replaced with a structure that meets current fish passage requirements. This project is listed **#B11** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Design, permitting and real estate work underway. Construction of this project planned for 2021.

Total Estimated Project Cost: \$750,000 Expenditures to Date: \$50,000	Funding Sources:	
	Federal	\$0
	State	\$0
	Local	\$750,000

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	TBD



North Fork Road/Kenny Creek Fish Passage CRP # 919007

Construction Funding Year(s): TBD

Project Narrative: The existing 5-foot diameter corrugated steel culvert which carries Kenny Creek under the North Fork Road has been identified as a barrier to fish passage and, considering habitat to be gained, is considered one of the highest priority barriers within the County road system. Washington State Fish Barrier Removal Board (FBRB) funding has been secured for the design phase of this fish passage project. This project is listed as **#B12** on the 2020-2025 Six-Year Transportation Improvement Program.

Project Status: Project design, permitting and real estate began in 2019. Whatcom County has been awarded \$443,000 of State FBRB funds for the design phase of this project. Additional FBRB funds will be pursued for the construction phase of this project.

Total Estimated Project Cost: TBD

Expenditures to Date: \$0

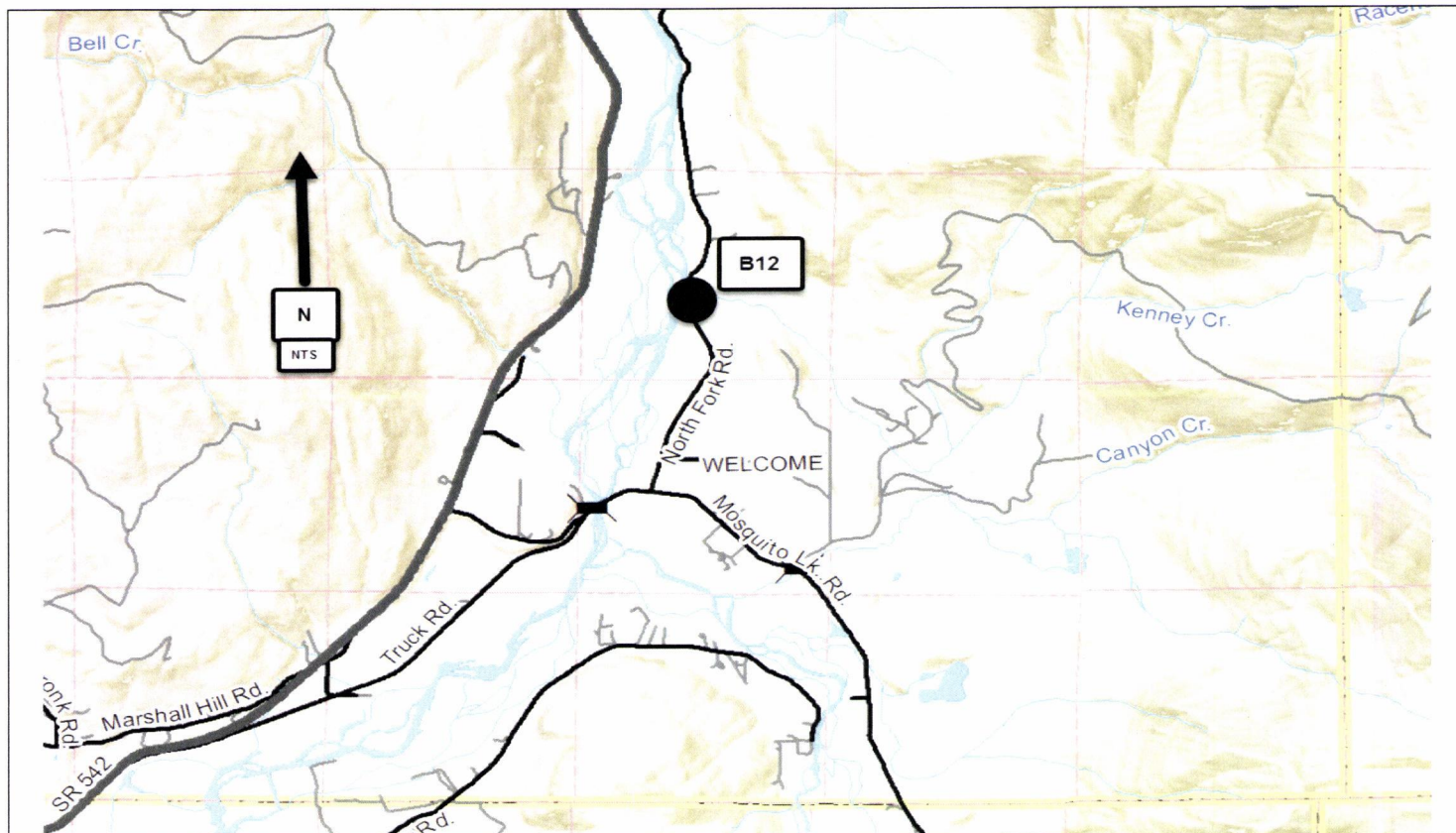
Funding Sources:

Federal	\$0
State	\$443,000 (FBRB funds)
Local	\$150,000

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD



Truck Road/Deal Road Fish Passage Culverts CRP # 920004

Construction Funding Year(s): 2020

Project Narrative: This project is located in Sections 33, T39N, R5E. The project. This project is listed **#B13** on the 2020-2025 Six-Year Transportation Improvement Program. Project includes replacing three existing culverts that have been identified as barriers to fish passage in the Truck Road and Deal Road area with culverts that meet current fish passage requirements.

Project Status: Construction of these three (3) fish passage culverts is planned for 2020.

Total Estimated Project Cost: \$250,000

Expenditures to Date: \$ 0

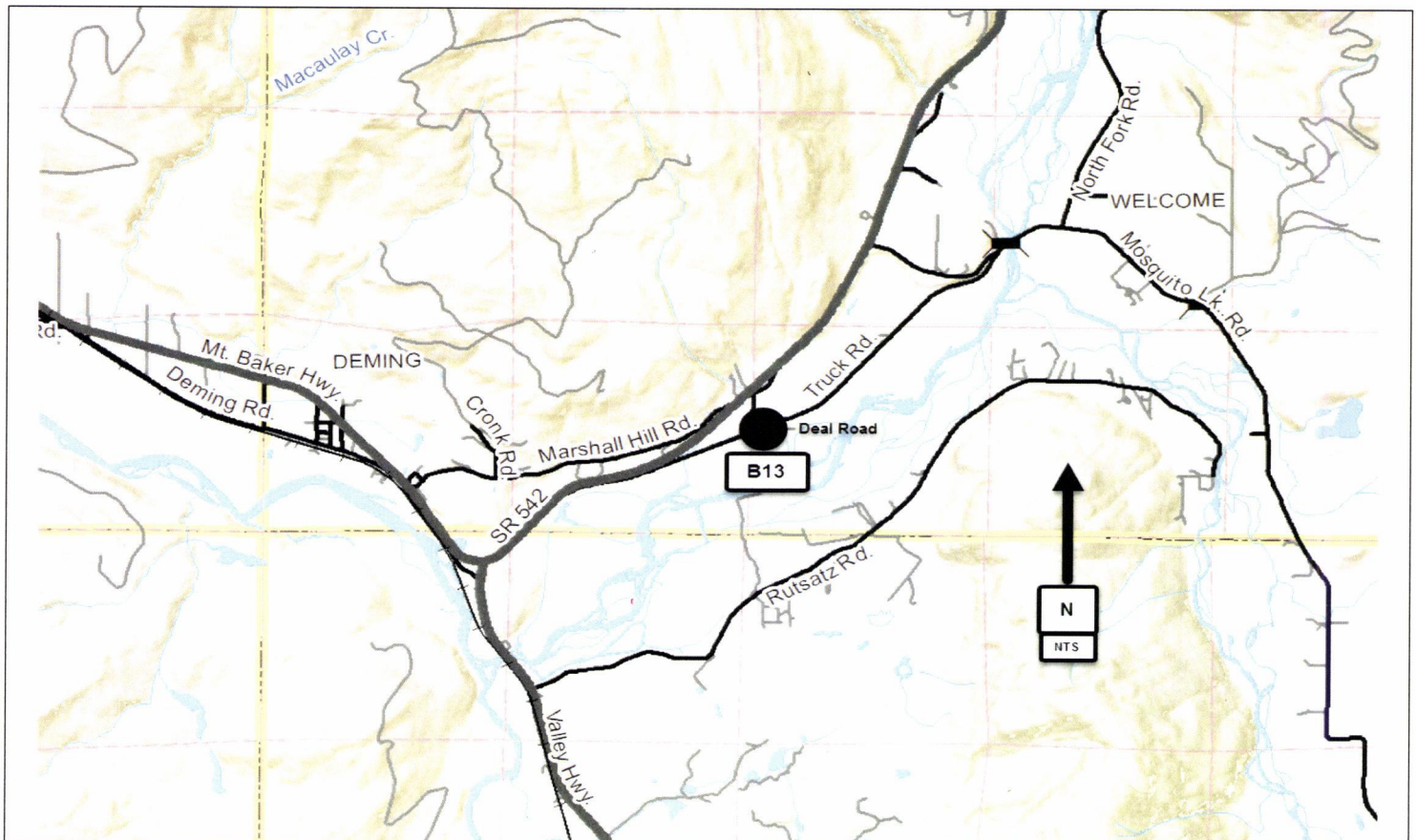
Funding Sources:

Federal	\$ 0
State	\$ 0
Local	\$250,000

Environmental Permitting	SEPA, CLR/CAO, Shorelines, HPA
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Right-of-Way Acquisition (Estimate)	TBD
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County Forces (Estimate)	TBD
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Replacement of Whatcom Chief & Terminal Modification CRP # 919008

Construction Funding Year(s): TBD

Project Narrative:

This project includes replacement of the Whatcom Chief with a 34 car vessel and modifications of the existing ferry terminals to accommodate the new vessel. This work will be accomplished as outlined in the Lummi Island Ferry Service Level of Service Action Plan approved by the Whatcom County Council via Resolution 2018-026. This project is listed **#F1** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Design work for the new vessel is underway. This work will coincide with the next cycle of funding by the County Road Administration Board.

Total Estimated Project Cost: TBD

Expenditures to Date: \$375,000

Funding Sources:

Federal	\$0
State	\$0
Local	\$730,000

Environmental Permitting	None Required
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Right-of-Way Acquisition (Estimate)	None Required
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County Forces (Estimate)	N/A
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M/V Whatcom Chief



Lummi Island Terminal Preservation Project CRP # 919020

Construction Funding Year(s): 2020

Project Narrative: This project includes replacing corroded high strength bolts, removing and replacing the transfer span paint system and application of overcoat paint system to the tower and apron systems. This project is listed #F2 on the 2020-2025 Six Year Transportation Improvement Program.

Project Status: Design and permitting work for this project completed in 2019. Construction scheduled for 2020 to coincide with the dry dock period of the Whatcom Chief. Approximately \$656,000 in federal Ferry Boat Program funds will be utilized for the construction phase of this project.

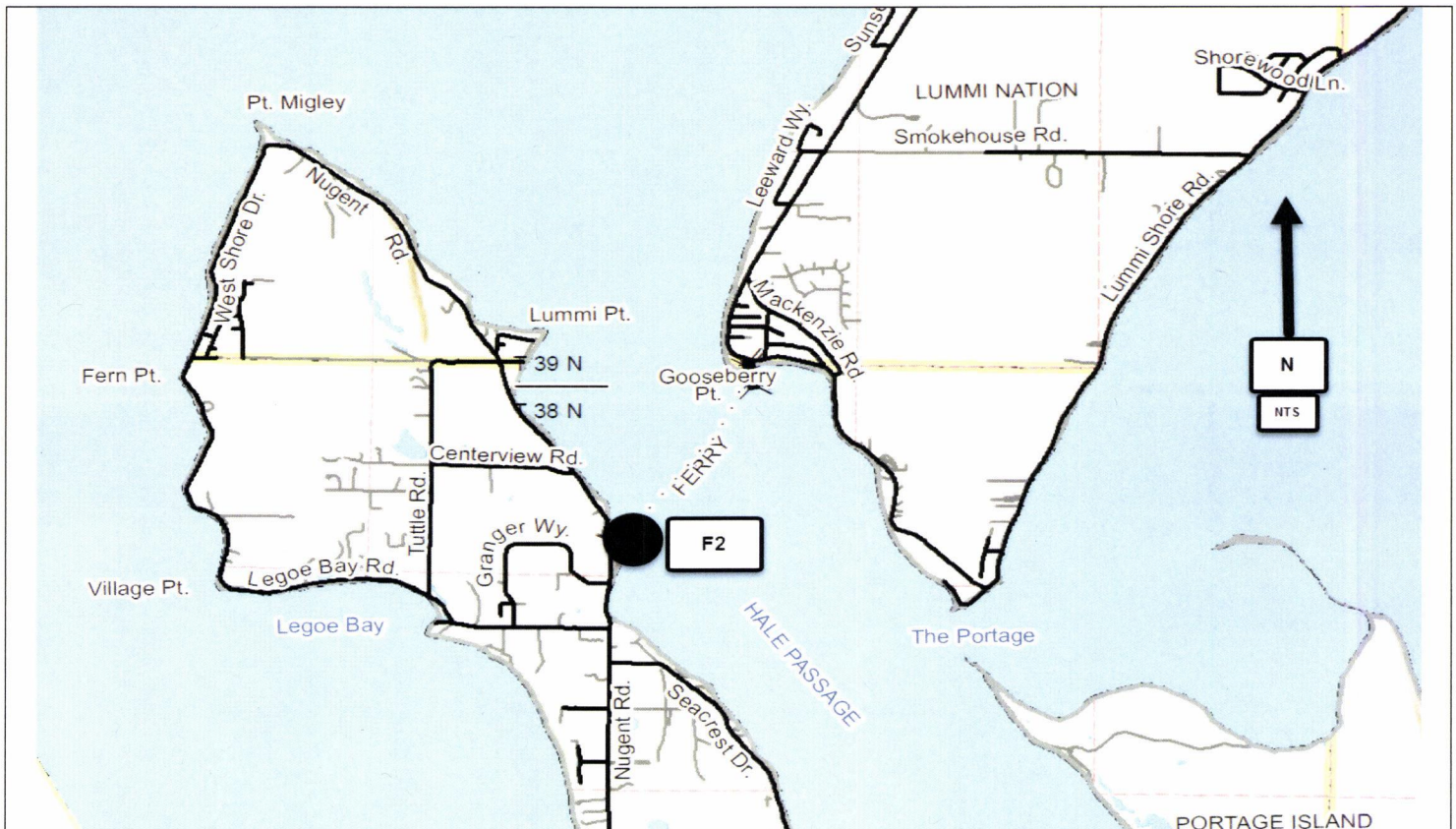
Total Estimated Project Cost: \$925,000

Expenditures to Date: \$100,000

Funding Sources:

Federal	\$656,000 (FBP funds)
State	\$
Local	\$269,000

Environmental Permitting	HPA, SEPA, CORPS 404, COUNTY SHORELINES
Right-of-Way Acquisition (Estimate)	None Required
County Forces (Estimate)	N/A



Gooseberry Point Terminal Preservation Project CRP # 919021

Construction Funding Year(s): 2021

Project Narrative: This project includes removing and replacing the transfer span paint system and application of overcoat paint system to the tower and apron systems. This project is listed #F3 on the 2020-2025 Six Year Transportation Improvement Program.

Project Status: Design and permitting work anticipated to be completed in 2020. Construction scheduled for 2021 to coincide with the dry dock period of the Whatcom Chief.

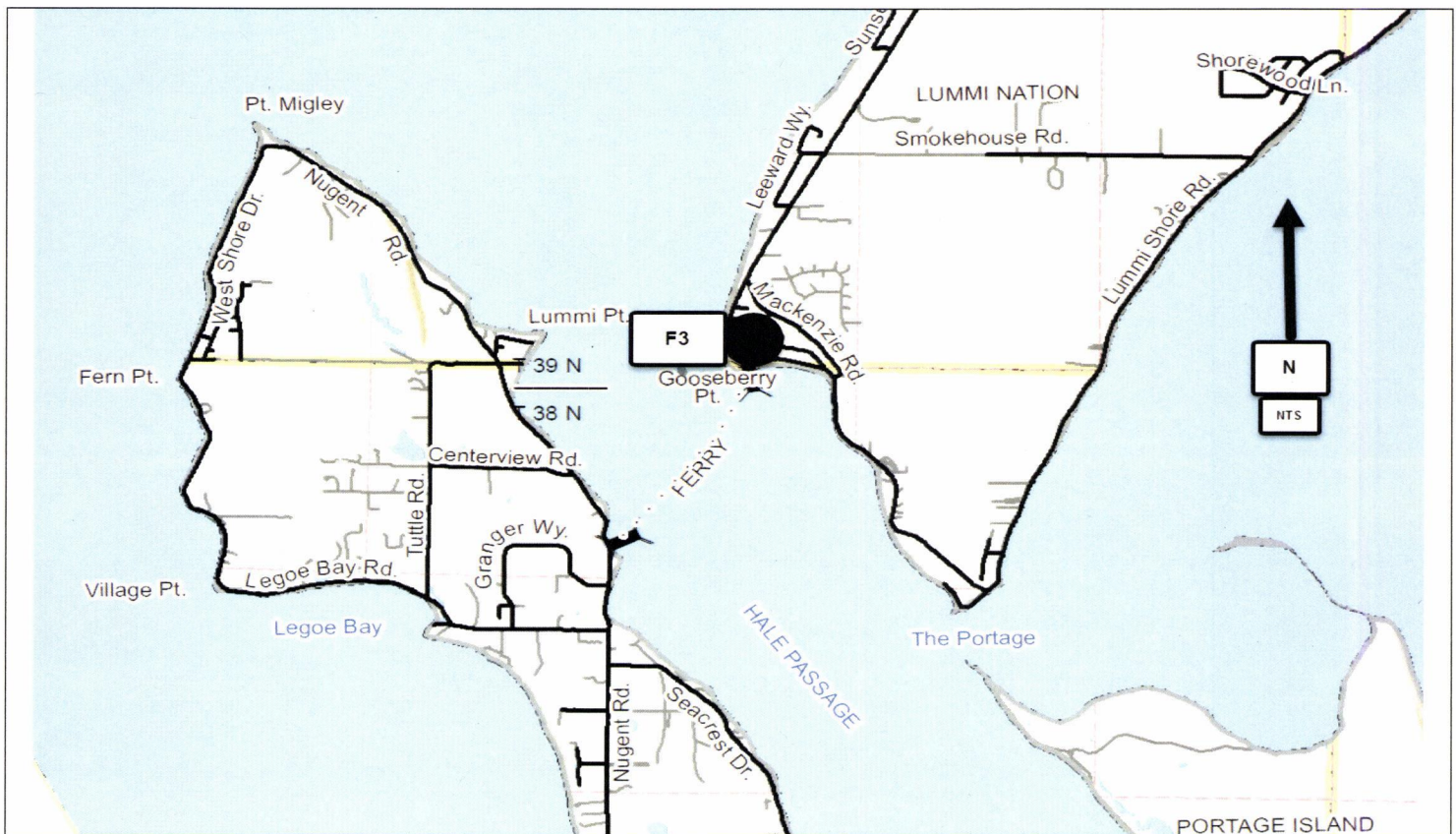
Total Estimated Project Cost: \$850,000

Expenditures to Date: \$75,000

Funding Sources:

Federal	\$
State	\$
Local	\$850,000

Environmental Permitting	HPA, SEPA, CORPS 404, COUNTY SHORELINES
Right-of-Way Acquisition (Estimate)	None Required
County Forces (Estimate)	N/A



Lummi Island Breakwater Replacement CRP #914015

Construction Funding Year(s): 2021

Project Narrative:

This project includes replacing the southerly breakwater at the Lummi Island ferry terminal. This structure was constructed in the mid 1980's and is reaching the end of its service life. This project is listed **#F4** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Design and permitting work expected to be completed in early 2021, with construction of this project scheduled in late 2021. Approximately \$650,000 in federal Ferry Boat Program funds will be utilized for the construction phase of this project.

Total Estimated Project Cost: \$2,250,000

Expenditures to Date: \$175,000

Funding Sources:

Federal	\$770,000 (FBP)
State	\$
Local	\$ 1,480,000

Environmental Permitting

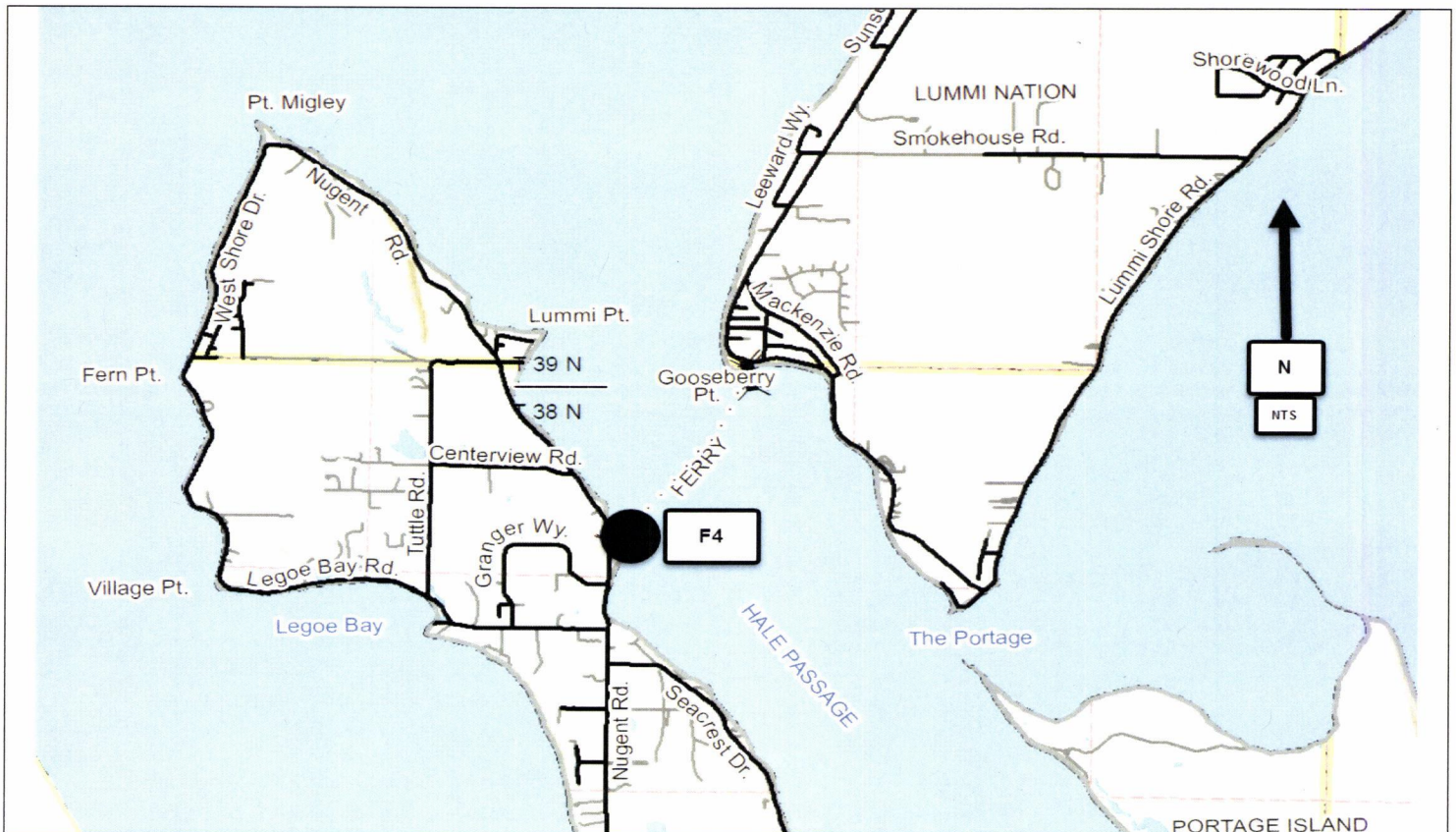
HPA, SEPA, CORPS 404, COUNTY SHORELINES

Right-of-Way Acquisition (Estimate)

None Required

County Forces (Estimate)

N/A



Relocation of Gooseberry Terminal CRP # 919009

Construction Funding Year(s): TBD

Project Narrative:

This project involves relocation of the Gooseberry Point Ferry Terminal. This work will be accomplished as outlined in the Lummi Island Ferry Service Level of Service Action Plan approved by the Whatcom County Council via Resolution 2018-026. This project is listed **#F5** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Early action items will likely include EIS and real estate work. This work will coincide with the next cycle of funding by the County Road Administration Board.

Total Estimated Project Cost: TBD

Expenditures to Date: \$

Funding Sources:

Federal	\$0
State	\$0
Local	\$400,000

Environmental Permitting	None Required
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Right-of-Way Acquisition (Estimate)	None Required
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County Forces (Estimate)	None Required
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Various Bridges Rehabilitation / Replacement CRP # 920005

Construction Funding Year(s): 2020 - 2025

Project Narrative:

This item provides funding to address unanticipated bridge rehabilitation and/or replacement. It is listed **#Y1** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Design and construction to occur as necessary.

Total Estimated Project Cost: \$1,800,000

Expenditures to Date: N/A

Funding Sources:

Federal	\$
State	\$
Local	\$1,800,000 (STIP 2020-2025)

Environmental Permitting	TBD
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Right-of-Way Acquisition (Estimate)	TBD
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County Forces (Estimate)	TBD
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Due to the nature of this item, no map exists. Council review and prioritization will be sought at the appropriate times.

Right of Way Acquisition
CRP # 920006

Construction Funding Year(s): 2020-2025

Project Narrative:

This item addresses the unanticipated need for Right-of-Way that may arise during a given year that requires immediate action. This project is listed **#Y2** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

N/A.

Total Estimated Project Cost: \$180,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$180,000 (2020-2025)

Environmental Permitting TBD

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) N/A

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Unanticipated Site Improvements CRP # 920007

Construction Funding Year(s): 2020 - 2025

Project Narrative:

This Annual Construction Program item addresses the unanticipated project(s) that may arise during a given year that require immediate action due to safety concerns, environmental factors, traffic volumes, accident history, funding or grant availability and other issues not related to an existing program project. This project is listed #Y3 on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

It is anticipated that the design and construction of projects will occur yearly as the needs and locations are determined.

Total Estimated Project Cost: \$1,800,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$1,800,000 (2020-2025)

Environmental Permitting	TBD
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Right-of-Way Acquisition (Estimate)	TBD
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County Forces (Estimate)	N/A
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Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Unanticipated Stormwater Quality Improvements CRP # 920008

Construction Funding Year(s): 2020 - 2025

Project Narrative:

This project varies in location. Identification and prioritization to be addressed and reviewed through County Council. This project is listed **#Y4** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

It is anticipated that the design and construction of projects will occur yearly as the needs and locations are determined.

Total Estimated Project Cost: \$345,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$345,000 (2020-2025)

Environmental Permitting	TBD
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Right-of-Way Acquisition (Estimate)	TBD
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County Forces (Estimate)	TBD
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Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Unanticipated Non-motorized Transportation Improvements CRP # 920009

Construction Funding Year(s): 2020 - 2025

Project Narrative:

This program item addresses the need to identify and prioritize non-motorized projects for future consideration. Projects would include pedestrian and bike facilities (eg: sidewalks, trails, shoulder widening) in various locations around the county. This project is listed **#Y5** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

It is anticipated that the design and construction of projects will occur yearly as the needs and locations are determined.

Total Estimated Project Cost: \$600,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$600,000 (2020-2025)

Environmental Permitting	TBD
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Right-of-Way Acquisition (Estimate)	TBD
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County Forces (Estimate)	TBD
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Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Fish Passage Project CRP # 920010

Construction Funding Year(s): 2021

Project Narrative:

This project is for the design and construction of fish passage projects. This project is listed **#Y6** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Design work will begin in 2020 with construction of the first project scheduled for 2021.

Total Estimated Project Cost: TBD	Funding Sources:	
	Federal	\$0
	State	\$0
	Local	\$200,000 (2020-2025) *
Expenditures to Date: N/A		

Environmental Permitting	TBD
Right-of-Way Acquisition (Estimate)	TBD
County Forces (Estimate)	N/A

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Swift Creek Transportation Impacts

CRP # 920011

Construction Funding Year(s): TBD

Project Narrative:

This item addresses the various projects related to Sumas Mountain/Swift Creek Slide. Locations to be determined. This project is #Y7 on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Design and construction for the various projects will be initiated in 2020 and extend through 2025.

Total Estimated Project Cost: \$600,000

Expenditures to Date:

Funding Sources:

Federal	\$0
State	\$0
Local	\$600,000 (2020-2025)

Environmental Permitting	N/A
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Right-of-Way Acquisition (Estimate)	N/A
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County Forces (Estimate)	N/A
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Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Railroad Crossing Improvements CRP # 920012

Construction Funding Year(s): 2020 - 2025

Project Narrative:

Locations to be determined. Identification and prioritization to be addressed. This project is listed **#Y8** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Locations and prioritization of projects is on-going. Negotiations with BNSF will be a factor on timing and cost.

Total Estimated Project Cost: \$300,000

Expenditures to Date: - 0 -

Funding Sources:

Federal	\$0
State	\$0
Local	\$300,000 (2020-2025)

Environmental Permitting	TBD
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Right-of-Way Acquisition (Estimate)	TBD
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County Forces (Estimate)	TBD
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Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.

Beam Guardrail Replacements/Upgrades
CRP # 920013

Construction Funding Year(s): 2020 - 2025

Project Narrative:

Locations to be determined. Identification and prioritization to be addressed. This project is listed **#Y9** on the 2020-2025 Six Year Transportation Improvement Program.

Project Status:

Locations and prioritization of projects is on-going, with close coordination with M&O Division and Traffic Section.

Total Estimated Project Cost: \$600,000

Expenditures to Date: - 0 -

Funding Sources:

Federal	\$0
State	\$0
Local	\$600,000 (2020-2025)

Environmental Permitting SEPA, Clrg/CAO,

Right-of-Way Acquisition (Estimate) TBD

County Forces (Estimate) TBD

Due to the nature of this program item, no map exists. Council review and prioritization will be sought at the appropriate time.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-514

File ID:	AB2019-514	Version:	1	Status:	Agenda Ready
File Created:	10/03/2019	Entered by:	CHalka@co.whatcom.wa.us		
Department:	Council Office	File Type:	Resolution		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Resolution supporting the renaming of Squaw Creek to Páatstel Creek

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Resolution declaring the County Council's support for renaming Squaw Creek to Páatstel Creek

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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WASHINGTON STATE
Geographic Name Application



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Proposed Name: Paatstel Creek

☒ New Name

County: WHATCOM

☒ Controversial Name

Township: 40 Range: 3E Section(s): 2, 11, 12, 13

☐ Name Change

Lat. 485852 N, Long. 1222314 W (Begin)

☐ Location Clarification

Lat. 485808 N, Long. 1221944 W (End)

☐ Spelling Clarification

Description

Type of feature (lake, stream, etc.): STREAM

Description of feature (location, length, depth, height, size and/or area covered): LYNDEN WASHINGTON.
APPROX. 4.3 MILES (DRAINS PADEBORN LAKE, AND EMPTIES INTO
JOHNSON CREEK NEAR SUMAS)

If a stream, number of months it flows on a yearly basis: 12

Is this feature identified by other names or spellings? Please list variant names:

SQUAW CREEK

Has it ever been signed, posted, or publicized? If so, when?

History

Please provide a brief history of the feature and its immediate surroundings, this might include information on the following: 1 Native American; 2 First settlers; 3 Historical background pertinent to feature; 4 History on how the land is/was used; 5 Natural disasters (flood fires, etc.) 6 Any significant cultural events. If appropriate, geology, flora and fauna. Cite sources. Use additional pages if needed.

Origin of name: THE CREEK KNOWN AS "SQUAW CREEK", IS LOCATED IN NOOKSACK
TERRITORY. THE NOOKSACK NAME FOR THIS CREEK WAS, Paatstel, WHICH
WAS ASSOCIATED WITH A HISTORICAL NOOKSACK VILLAGE NEAR THE
SOURCE.

AS TOLD BY NOOKSACK TRIBAL MEMBER DURING AN INTERVIEW
WITH, PAUL FETZER. (1950)

If a commemorative name, provide a brief summary of the ENTIRE life of the person including how and the length of time he/she was associated with the proposed feature:

Justification of Proposed Name

What is the usage of feature? _____

Please state why the proposed name will best serve the public interest: THE PROPER HISTORICAL NAME IS IMPORTANT TO BE USED AS RECOGNITION TO THE FIRST PEOPLE OF THIS TERRITORY, THE NOOKSACKS.

BESIDE THE FACT THAT THE WORD, "SQUAW" IS OFFENSIVE.

How long has the proposed name been in use? By whom? BY THE NOOKSACK, FROM TIME IMMEMORIAL, TO THE TIME THE FIRST SETTLERS CHANGED IT.

Please list all sources of information used for your research: (maps, books, articles, periodicals, etc. for background history relating to proposed name) THE NOOKSACK ELDERS VERBAL TESTIMONY. FAMILY KNOWLEDGE, & FIRSTHAND HISTORY OF NOOKSACK PEOPLE.

(NOOKSACK PLACE NAMES: GEOGRAPHY, CULTURE & LANGUAGE - ALLEN RICHARDSON, BRENT GALLOWAY-2008) PAUL FETZER NOTES, INTERVIEW WITH NOOKSACK ELDERS.

What type of support is there for the proposed name?

List all groups and persons who are familiar with the proposed feature and its usage. Please provide names, addresses, telephone numbers, email addresses and his/her association with knowledge of the geographic feature:

NOOKSACK INDIAN TRIBE
360-592-5176

GEORGE SWANASET, JR "Yel'qaynem"
Cultural/Natural Resource Director
george.swanasetjr@nooksack-nsn.gov

Application submitted by:

Name: GEORGE SWANASET, JR

Address: PO BOX 157

City: DEMING

State: WA Zip: 98244

Phone #: 360-592-5176

Email: _____

Date of Application: _____

I am aware that all information submitted is considered to be public information.

Printed Name: GEORGE SWANASET, JR

Signature: 

Date: 5/23/19

Please mail completed form along with copies of any additional materials to:

WA State Board on Geographic Names

PO Box 47030

Olympia, WA 98504-7030

(Phone: 360-907-1280 - Fax: 360-907-1778 - Email: bnen@dnr.wa.gov)

DNR RE BOGN

From: Carol Frazey <CFrazey@co.whatcom.wa.us>
Sent: Monday, May 20, 2019 11:36 AM
To: DNR RE BOGN
Cc: rcline@nooksack-nsn.gov; george.swanasetjr@nooksack-nsn.gov
Subject: Changing Squaw Creek to Páatstel Creek in Whatcom County

Dear Committee Members on Geographic Names,

We would like to request to change the name of Squaw Creek to Páatstel Creek in Whatcom County. This request is being made by Nooksack Tribal Council Chairman Ross Cline, Sr., Nooksack Tribal Director/Tribal Historic Preservation Officer, George D. Swanaset, Jr., and myself as a Whatcom County Councilmember.

According to Nooksack Director/Tribal Historic Preservation Officer, George D. Swanaset, Jr.:

"I am sending this email in regards to changing the name of "Squaw Creek" to its original Nooksack Name which is: "Páatstel Creek" which was the name "squaw creek" to not only the Nooksack people, but native people in general is viewed as a derogatory term. The Nooksack people have occupied this area long before any settlers have and have place names that pre-date USGS maps.

The name Páatstel was the name of a village where ancestral Nooksack, Jobe (Chúm) resided. The village was located somewhere north of the Jobe Cemetery, east of Northwood Road, and south of the Northwood store on East Badger road.

According to Paul Fetzer's interview with Louis George (Jobe's grandson) in 1950, Páatstel Creek was the name that the families had used for this creek.

If you would like more information, you can find this in the "Nooksack Place Names, Geography, Culture, and Language" book: Allan Richardson & Brent Galloway, which was produced by gathering information from Nooksack elders."

Thank you for your consideration of this request. Please let me know if there is anything else we need to do to make this name change official.

Thank you,

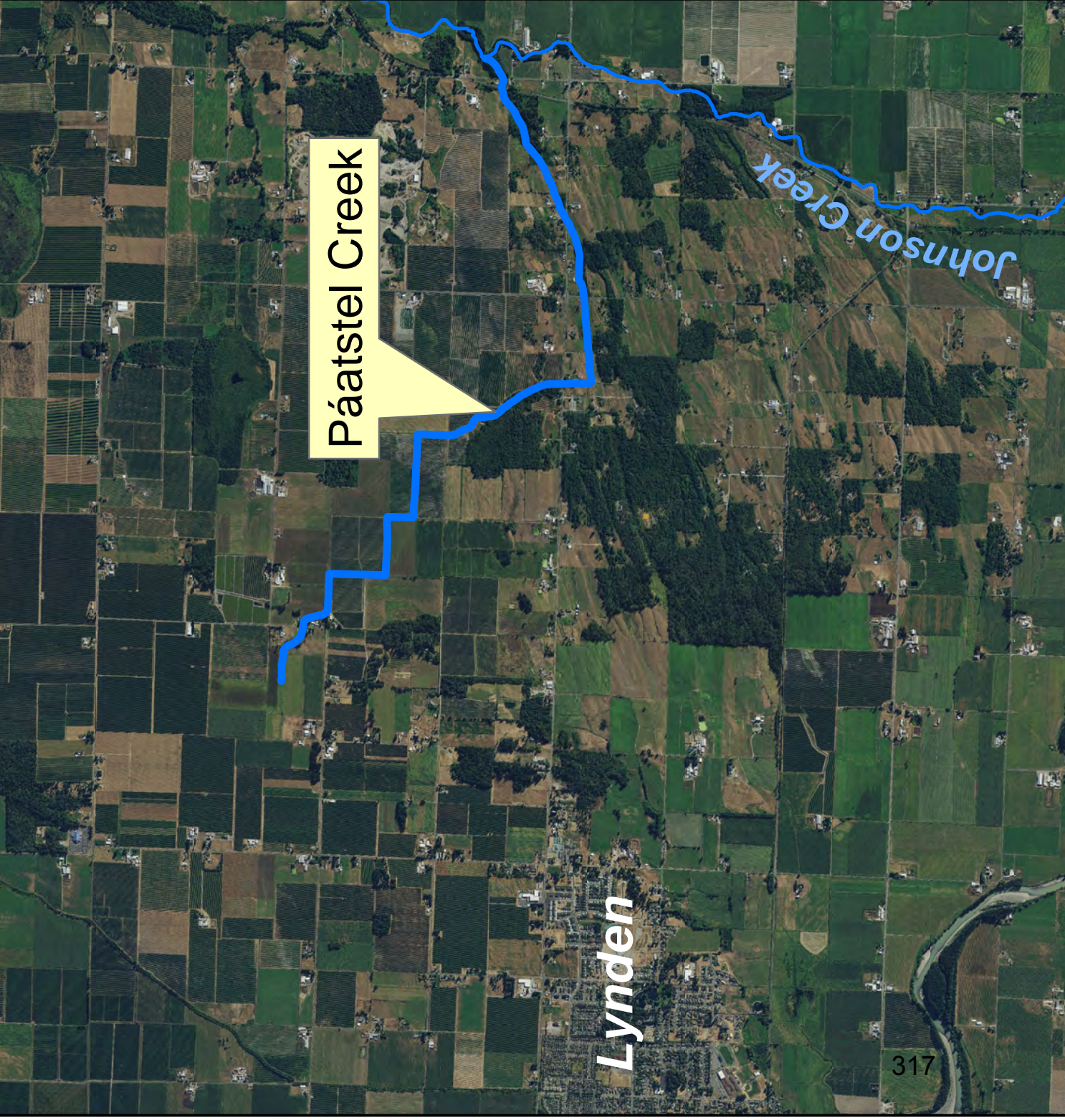
Carol Frazey
Councilmember for At Large Position B

Whatcom County Council

311 Grand Ave. Suite 105

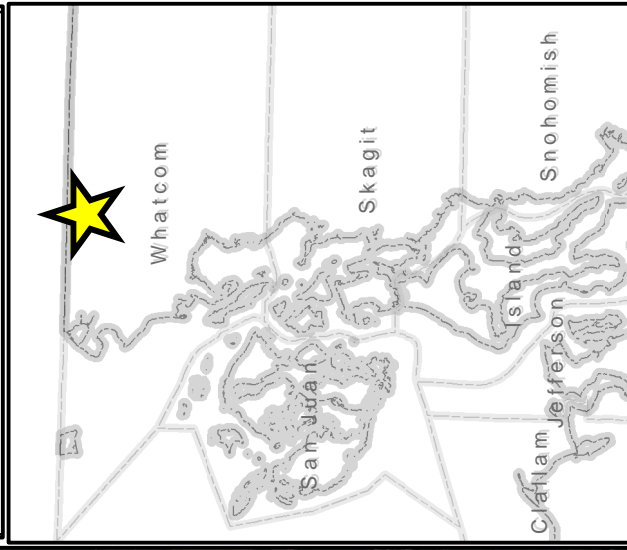
Bellingham, WA 98225

Páatstel Creek - WHATCOM COUNTY

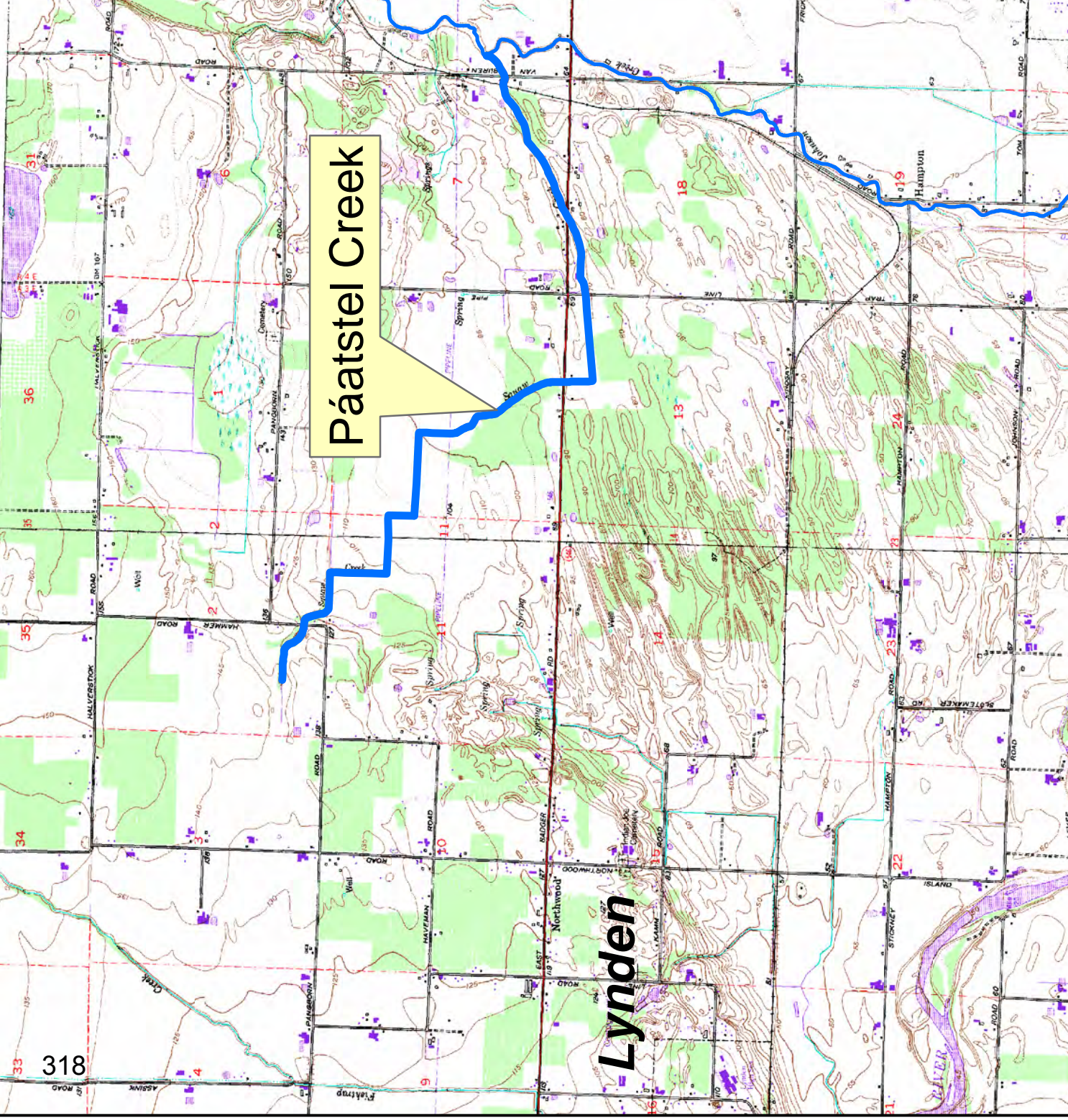


The proposed name would replace the current name of Squaw Creek.

"Páatstel" is the Nooksack name for the creek, which was associated with a historical Nooksack village located near the source of the creek. The Cultural and Natural Resource Director of the Nooksack Indian Tribe submitted the proposal.

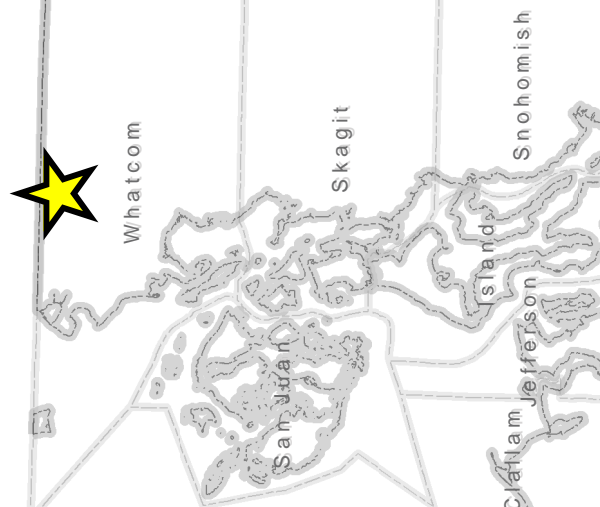


Páatstel Creek - WHATCOM COUNTY



The proposed name would replace the current name of Squaw Creek.

"Páatstel" is the Nooksack name for the creek, which was associated with a historical Nooksack village located near the source of the creek. The Cultural and Natural Resource Director of the Nooksack Indian Tribe submitted the proposal.



PROPOSED BY: BROWNE, FRAZEY AND
DONOVAN
INTRODUCTION DATE: OCTOBER 22, 2019

RESOLUTION NO. _____

RESOLUTION SUPPORTING THE RENAMING OF SQUAW CREEK TO PÁATSTEL CREEK

WHEREAS, the approximately 4.3 mile stream in Whatcom County near Lynden, Washington is known as "Squaw Creek"; and

WHEREAS, a Nooksack tribal member, Paul Fetzer, identified the original name of the creek in a 1950 interview with Louis George; and

WHEREAS, the Nooksack name for this creek was Páatstel, which was associated with a historical Nooksack village near the source; and

WHEREAS, Nooksack Tribal Council Chairman Ross Cline, Sr. and Nooksack Tribal Director George Swanaset, Jr., submitted an application to the Washington State Board on Geographic Names requesting that Squaw Creek be renamed Páatstel Creek; and

NOW, THEREFORE, BE IT RESOLVED, that the Whatcom County Council supports the renaming of Squaw Creek to Páatstel Creek.

APPROVED this _____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown Davis, Clerk of the Council

Rud Browne, Chair

APPROVED AS TO FORM:

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: AB2019-532

File ID:	AB2019-532	Version:	1	Status:	Agenda Ready
File Created:	10/14/2019	Entered by:	DBrown@co.whatcom.wa.us		
Department:	Council Office	File Type:	Resolution		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Resolution establishing Council meeting dates for 2020

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Resolution establishing Council meeting dates for 2020

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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RESOLUTION NO. _____

ESTABLISHING REGULAR WHATCOM COUNTY COUNCIL
MEETING DATES FOR 2020

WHEREAS, the Whatcom County Council has set every other Tuesday as its regular meeting schedule; and

WHEREAS, all departments should plan to schedule items in accordance with the Council's approved meeting schedule to avoid the need for special meetings; and

WHEREAS, it is the Council's policy to plan for breaks in its schedule in August and December and to avoid scheduling meetings on specific dates during the year.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that regular Council meetings shall be scheduled for the following dates in 2020:

January 14 and 28
February 11 and 25
March 10 and 24
April 7 and 21
May 5 and 19
June 2 and 16
July 7 and 21
August 5 (WEDNESDAY)
September 15 and 29
October 13 and 27
November 10 and 24
December 8

BE IT FURTHER RESOLVED that when members of the Council sit in an administrative or legislative capacity in situations such as, but not limited to, supervisors of special districts or members of the county health board, all business in these capacities shall be treated as regular items of business during council meetings and the council's agenda shall include a notation for any item being considered in one of more of these other capacities.

APPROVED this 22nd day of October, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Rud Browne, Council Chair

APPROVED AS TO FORM:

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: AB2019-503

File ID:	AB2019-503	Version:	1	Status:	Introduced
File Created:	09/24/2019	Entered by:	JNixon@co.whatcom.wa.us		
Department:	Council Office	File Type:	Current Year Council Appointment		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Appointments to two vacancies on the Horticulture Pest and Disease Board, applicants: Andrew Taylor and Diana Bedlington (committee controls and prevents the spread of horticultural pests and diseases)

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Horticulture Pest and Disease Board:

2 Vacancies

One member shall have at least a practical knowledge of horticultural pests and diseases and the other member shall be residents of the county, shall own land within the county and shall be engaged in the primary and commercial production of a horticultural product or products, one of whom shall be engaged in the production of certified organic produce, if available. Terms expire January 31, 2022.

The Board is created to enable Whatcom County to more effectively control and prevent the spread of horticultural pests and diseases. The Board shall have the following powers and duties. 1.Receive complaints, 2.Inspect 3.Enforce 4.Employ persons and purchase goods and equipment as necessary, 5.Educate the public, and 6. Administrate.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
10/08/2019	Council	INTRODUCED	Council



APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Andrew Taylor Date: 9/18/2019
Street Address: 2621 Franklin St
City: Bellingham Zip Code: 98225
Mailing Address (if different from street address): _____
Day Telephone: _____ Evening Telephone: _____ Cell Phone: 512-413-4985
E-mail address: agastont@gmail.com

1. Name of board or committee-**please see reverse:** Whatcom County Horticultural Pest Board
2. **You must specify which position you are applying for.**
Please refer to vacancy list. County Appointee

3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?
(If applicable, please refer to vacancy list.) _____ (☒) yes () no
4. Which Council district do you live in? _____ () One (☒) Two () Three () Four () Five
5. Are you a US citizen? _____ (☒) yes () no
6. Are you registered to vote in Whatcom County? _____ (☒) yes () no
7. Have you ever been a member of this Board/Commission? _____ () yes (☒) no
If yes, dates: _____
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 (☒) no
If yes, please explain: _____
9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected
office in any jurisdiction within the county? _____ () yes (☒) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community activities, and education.

Current Occupation - Annuals Production Manager at Cloud Mountain Farm Center

Education - B.S. Geology, WWU 2011 Masters Certificate GIS - Northeastern, 2013

11. Please describe why you're interested in serving on this board or commission: _____
To represent organic farmers of Whatcom County, stay apprised of current pest issues,
deeper understanding of local ag issues, and further professional experience within ag.

References (please include daytime telephone number): _____
Matthew McDermott (530) 717-7224 Sean McWay (314) 578-8120

Signature of applicant: Andrew Taylor

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information 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.

If you are applying for one of the following boards, committees, or commissions, please send this application to the

Whatcom County Executive's Office:

311 Grand Avenue, Suite 108
Bellingham, Washington 98225
Phone:(360) 778-5200 Fax:(360) 778-5201

- Agricultural Advisory Committee
- Americans with Disabilities Act (ADA) Compliance Committee
- Behavioral Health Advisory Committee
- Bellingham-Whatcom County Commission Against Domestic Violence
- Bicycle/Pedestrian Advisory Committee
- Boundary Review Board
- Civil Service Commission
- County Appeals Board
- Developmental Disabilities Board
- Development Standards Technical Advisory Committee
- Ethics Commission
- Food System Committee
- Housing Authority of Whatcom County
- Housing Advisory Committee
- Lodging Tax Advisory Committee
- Marine Resource Committee
- North Sound Mental Health Administration
- Northwest Senior Services Board
- Parks and Recreation Commission
- Point Roberts Community Advisory Committee
- Public Health Advisory Board
- Purchase of Development Rights Oversight Committee
- Rural Library Board
- Salary Commission
- Veteran's Advisory Board

If you are applying for one of the following boards, committees, or commissions, please send this application to the

Whatcom County Council Office:

311 Grand Avenue, Suite 105
Bellingham, Washington 98225
Phone:(360) 778-5010 Fax: (360) 778-5011

- Acme/VanZandt Flood Control Sub-Zone Advisory Committee
- Address and Road Name Citizen Appeals Committee
- Birch Bay Watershed and Aquatic Resources Management Committee
- Board of Equalization
- Business and Commerce Advisory Committee
- Climate Impact Advisory Committee
- Drayton Harbor Shellfish Protection District Advisory Committee
- Flood Control Zone District Advisory Committee
- Forestry Advisory Committee
- Horticultural Pest and Disease Board
- Incarceration Prevention and Reduction Task Force/Law and Justice Council
- Jail Stakeholder Workgroup
- Lake Whatcom Stormwater Utility Advisory Committee
- Lummi Island Ferry Advisory Committee
- Lynden/Everson Flood Control Sub-Zone Advisory Committee
- Noxious Weed Control Board
- Open Space Advisory Committee
- Planning Commission
- Portage Bay Shellfish Protection District Advisory Committee
- Solid Waste Advisory Committee
- Sumas/Everson/Nooksack Flood Control Sub-Zone Advisory Committee
- Surface Mining Advisory Committee
- Wildlife Advisory Committee

RCW 42.17A.005

(7) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when he or she first:

- (a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office;
- (b) Announces publicly or files for office;
- (c) Purchases commercial advertising space or broadcast time to promote his or her candidacy; or
- (d) Gives his or her consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.



APPLICATION FOR APPOINTMENT TO WHATCOM COUNTY BOARDS AND COMMISSIONS

PLEASE PRINT LEGIBLY and COMPLETE ALL ITEMS

Name: Diana Bedlington Date: 10/4/2019
Street Address: 8706 Berthusen Rd
City: Lynden Zip Code: 98264
Mailing Address (if different from street address): _____
Day Telephone: 360-815-2365 Evening Telephone: _____ Cell Phone: _____
E-mail address: dbedlington@comcast.net

1. Name of board or committee-**please see reverse**: Pest Board
2. **You must specify which position you are applying for.**
Please refer to vacancy list. _____
3. Do you meet the residency, employment, and/or affiliation requirements of the position for which you're applying?
(If applicable, please refer to vacancy list.) _____ (X) yes () no
4. Which Council district do you live in? _____ () One () Two () Three (X) Four () Five
5. Are you a US citizen? _____ (X) yes () no
6. Are you registered to vote in Whatcom County? _____ (X) yes () no
7. Have you ever been a member of this Board/Commission? _____ () yes (X) no
If yes, dates: _____
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? _____ (X) yes () no
If yes, please explain: Cascade Farms /Diamond Seed Co.
9. Have you declared candidacy (as defined by RCW 42.17A.055, see instructions) for a paid elected
office in any jurisdiction within the county? _____ () yes (X) no

You may attach a résumé or detailed summary of experience, qualifications, & interest in response to the following questions.

10. Please describe your occupation (or former occupation if retired), qualifications, professional and/or community
activities, and education.
I currently am an Occupational Therapist for the Lynden School District who services children
with special needs. I also own and operate Cascade Farms and Diamond Seed Co.
I have a Bachelors of Science in Occupational Therapy and a Masters in Educational Leadership
11. Please describe why you're interested in serving on this board or commission:
I am interested in serving my county and improving the farming culture.

References (please include daytime telephone number): Jen Reidel. 360-927-0763

Signature of applicant: Diana Bedlington

THIS IS A PUBLIC DOCUMENT: As a candidate for a public board or commission, the above information 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.



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-531

File ID:	AB2019-531	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	CHalka@co.whatcom.wa.us		
Department:	Council Office	File Type:	Ordinance		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

Primary Contact Email: chalka@co.whatcom.wa.us <<mailto:chalka@co.whatcom.wa.us>>

TITLE FOR AGENDA ITEM:

Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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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

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

MEMORANDUM

October 15, 2019

TO: Whatcom County Council
FROM: Whatcom County Council Staff
RE: Ordinance adopting interim zoning regulations for temporary homeless facilities

On October 8, 2019, the Whatcom County Council Planning and Development Committee reviewed draft interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities and provided feedback and suggested revisions. The proposed ordinance includes the following revisions (strike through = deleted, bold underlined = added):

1. Page 1

WHEREAS, Ordinance 2018-041 ~~is set to expire~~expired on July 24, 2019; and

2. Page 3

Section 3. Definitions. The following definitions apply to temporary homeless facilities:

"Temporary homeless facility" means a facility providing temporary housing accommodations that includes a sponsor and managing agency, the primary purpose of which is to provide temporary shelter for people experiencing homelessness in general or for specific populations of the homeless. Temporary homeless facilities include but are not limited to temporary tent encampments and temporary tiny house encampments.

3. Page 4, Section 4.I.

I. No children under the age of 18 are allowed to stay overnight in the temporary encampment, unless accompanied by a parent or guardian. If a child under the age of 18 without a parent or guardian present attempts to stay at the encampment, the sponsor and the managing agency shall actively endeavor to find alternative shelter for the child through community partners such as Northwest Youth Services, Opportunity Council, Lighthouse Mission, Interfaith Coalition and other appropriate homeless youth services organizations. Children under the age of 18 without a parent or guardian present shall be allowed to remain in a temporary encampment while alternative shelter is being sought.~~immediately contact Child Protective Services and shall actively endeavor to find alternative shelter for the child.~~

4. Page 8, Section 10.

Section 10. Duration of Interim Ordinance. This interim ordinance will replace Ordinance 2018-041 and shall be in effect for one year beginning on ~~July 9~~November 6, 2019, and ending on ~~July 9~~November 6, 2020, unless another ordinance is adopted amending the Whatcom County Code and rescinding this interim ordinance before ~~July 9~~November 6, 2020.

5 ORDINANCE NO. _____
6 (AN INTERIM ORDINANCE OF WHATCOM COUNTY, WASHINGTON)
7

8 ADOPTING INTERIM ZONING REGULATIONS FOR THE SITING, ESTABLISHMENT, AND
9 OPERATION OF TEMPORARY HOMELESS FACILITIES
10

11 WHEREAS, homelessness continues to be a local, regional and national challenge due to
12 many social and economic factors; and
13

14 WHEREAS, tent and tiny house encampments have become a temporary mechanism for
15 providing shelter for homeless individuals and families; and
16

17 WHEREAS, under RCW 36.01.290 the Washington State Legislature has authorized
18 religious organizations to host temporary encampments to provide shelter for homeless
19 individuals on property that these religious organizations own or control; and
20

21 WHEREAS, on July 24, 2018, the Whatcom County Council adopted Ordinance 2018-041,
22 adopting interim regulations for the establishment and operation of temporary homeless facilities
23 for one year; and
24

25 WHEREAS, Ordinance 2018-041 expired on July 24, 2019; and
26

27 WHEREAS the County Council finds that extending the interim regulations imposed by
28 Ordinance 2018-041 is necessary for the protection of public health and safety; and
29

30 WHEREAS, the Whatcom County Code does not currently have permanent provisions
31 addressing the establishment and operation of temporary homeless facilities; and
32

33 WHEREAS, interim homeless facility regulations and processing requirements are
34 necessary to preserve and protect public health and safety and prevent danger to public or
35 private property; and
36

37 WHEREAS, interim zoning controls enacted under RCW 36.70A.390 and/or RCW
38 36.70.790 are methods by which the County may preserve the status quo so that new plans and
39 regulations will not be rendered moot by intervening development; and
40

41 WHEREAS, RCW 36.70A.390 and RCW 36.70.790 both authorize the enactment of an
42 interim zoning map, interim zoning ordinance, or interim official control without holding a public
43 hearing as long as a public hearing is held within at least sixty days of enactment; and
44

45 WHEREAS, RCW 36.70A.390 provides that, "A county or city governing body that adopts
46 a moratorium, interim zoning map, interim zoning ordinance, or interim official control without
47 holding a public hearing on the proposed moratorium, interim zoning map, interim zoning
48 ordinance, or interim official control, shall hold a public hearing on the adopted moratorium,
49 interim zoning map, interim zoning ordinance, or interim official control within at least sixty days
50 of its adoption, whether or not the governing body received a recommendation on the matter
51 from the planning commission or department. If the governing body does not adopt findings of
52 fact justifying its action before this hearing, then the governing body shall do so immediately
53 after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim
54 official control adopted under this section may be effective for not longer than six months, but
55 may be effective for up to one year if a work plan is developed for related studies providing for
56 such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim
57 official control may be renewed for one or more six-month periods if a subsequent public hearing
58 is held and findings of fact are made prior to each renewal"; and
59

1 WHEREAS, in conformity with the responsibilities of Whatcom County to meet public
2 health, safety and welfare requirements and provide zoning and land use regulations pursuant to
3 state law, and the County's authority to regulate land use activity within its corporate limits, the
4 County intends to develop appropriate public health, safety and welfare requirements and zoning
5 and land use regulations for the establishment and operation of temporary homeless facilities;
6 and
7

8 WHEREAS, the County Council has determined it needs additional time to conduct
9 appropriate research to analyze the effects of the establishment and operation of temporary
10 homeless facilities; and
11

12 WHEREAS, interim zoning will provide the County with additional time to review and
13 amend its public health, safety and welfare requirements and zoning and land use regulations
14 related to the establishment and operation of temporary homeless facilities; and
15

16 WHEREAS, interim zoning will also allow qualifying religious organizations and registered
17 not-for-profit, tax exempt 501(c)(3) organizations the opportunity to establish and operate
18 temporary homeless facilities; and
19

20 WHEREAS, a determination of non-significance (DNS) was issued under the State
21 Environmental Policy Act (SEPA) on July 3, 2018; and
22

23 WHEREAS, the County Council concludes that the County does have the authority to
24 establish an interim zoning ordinance and that the County must adopt interim zoning concerning
25 the establishment and operation of temporary homeless facilities to act as a stop- gap measure:
26 (a) to provide the County with an opportunity to study the issues concerning the establishment
27 and operation of temporary homeless facilities and prepare appropriate revisions to the
28 County's codes and regulations; (b) to protect the health, safety, and welfare of the citizens of
29 Whatcom County by avoiding and ameliorating negative impacts and unintended
30 consequences of establishing and operating temporary homeless facilities and (c) to avoid
31 applicants possibly establishing vested rights contrary to and inconsistent with any revisions the
32 County may make to its rules and regulations as a result of the County's study of this matter; and
33

34 WHEREAS, the County Council adopts the foregoing as its findings of facts justifying the
35 adoption of this Ordinance; and
36

37 NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:
38

39 Section 1. Findings of Fact. The County Council adopts the above "WHEREAS" recitals as
40 findings of fact in support of its action as required by RCW 36. 70A.390 and RCW 36.70.790.
41

42 Section 2. Regulations established. Regulations concerning the establishment and processing
43 of applications for temporary homeless facilities in unincorporated Whatcom County are
44 hereby established. Establishing such facilities contrary to the provisions of this ordinance is
45 prohibited. Administrative Use approvals shall be required for temporary homeless facilities in
46 the County. Applications for administrative use approvals, land use approvals, or any other
47 permit or approval, in any way associated with temporary homeless facilities, shall not be
48 processed, issued, granted, or approved unless in compliance with this ordinance. If a
49 temporary homeless facility is established in violation of this ordinance or if, after an
50 administrative use permit is issued for the same, the director of the planning and
51 development services department determines that the permit holder has violated this
52 ordinance or any condition of the permit, the temporary homeless facility, its sponsor and
53 managing agency shall be subject to code enforcement and all activities associated with the
54 temporary homeless facility shall cease, and the site shall be vacated and restored to its pre-
55 encampment conditions.
56
57
58
59

Section 3. Definitions. The following definitions apply to temporary homeless facilities:

- A. "Temporary homeless facility" means a facility providing temporary housing accommodations that includes a sponsor and managing agency, the primary purpose of which is to provide temporary shelter for people experiencing homelessness in general or for specific populations of the homeless. Temporary homeless facilities include but are not limited to temporary tent encampments and temporary tiny house encampments.
- B. "Temporary tent encampment" means a short-term living facility for a group of homeless people that is composed of tents or other temporary structures, as approved by the director, on a site provided or arranged for by a sponsor with services provided by a sponsor and supervised by a managing agency.
- C. "Temporary tiny house encampment" means a temporary homeless facility for a group of people living in purpose-built tiny houses for people experiencing homelessness, as approved by the director, on a site provided or arranged for by a sponsor with services provided by a sponsor and supervised by a managing agency. Temporary tiny houses for the homeless are typically less than 200 square feet and easily constructed and moved to various locations. For the purposes of this ordinance, temporary tiny homes are not dwelling units and, as such, are not required to meet building codes.
- D. "Managing agency" means an organization identified as the manager of a temporary homeless facility that has the capacity to organize and manage a temporary homeless facility. Managing agencies are limited to religious organizations and non-profit agencies. A "managing agency" may be the same entity as the sponsor.
- E. "Sponsor " means an organization that :
 - 1. invites a temporary homeless facility to reside on land they own or lease; and
 - 2. is a State of Washington registered not-for-profit corporation and federally recognized tax exempt 501(c)(3) organization; or
 - 3. is recognized by the Internal Revenue Service as exempt from federal income taxes as a religious organization, which expresses its religious mission, in part, by organizing living accommodations for the homeless.
- F. "Director" means the Planning and Development Services Department Director.

Section 4. Requirements. The following requirements shall apply to all temporary homeless facilities approved under this ordinance, unless modified by the director through approval of an administrative use permit.

- A. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing commercial, industrial, and multifamily residential uses. The encampment shall be located a minimum of 40 feet from the property line of abutting properties containing single-family residential or public recreational uses, unless the director finds that a reduced buffer width will provide adequate separation between the encampment and adjoining uses, due to changes in elevation, intervening buildings or other physical characteristics of the site of the encampment.
- B. No temporary homeless facility shall be located within a critical area or its buffer as defined by Whatcom County Code (WCC) 16.16 or 23.
- C. A temporary homeless facility shall comply with the applicable development standards of Whatcom County Code Title 20 Zoning, except that temporary homeless facilities shall not be considered structures for the purposes of calculating parcel's total lot coverage, as defined by WCC 20.97.217.
- D. A six-foot-tall fence is required around the perimeter of the encampment to limit access to the site for safety and security reasons; provided, that the fencing does not

1 create a sight obstruction at the street or street intersections or curbs as determined
2 by the county engineer, unless the director determines that there is sufficient
3 vegetation, topographic variation, or other site conditions such that fencing would not
4 be needed.
5

- 6 E. Exterior lighting must be directed downward and glare contained within the temporary
7 encampment.
8
- 9 F. The maximum number of residents at a temporary encampment site shall be
10 determined by the director taking into consideration site conditions, but in no case
11 shall the number be greater than fifty (50) people.
12
- 13 G. On-site parking of the sponsor shall not be displaced unless sufficient required off-
14 street parking remains available for the host's use to compensate for the loss of on-
15 site parking or unless a shared parking agreement is executed with adjacent
16 properties.
17
- 18 H. A transportation plan, including provisions for transit, and pedestrian and bicycle
19 ingress and egress to the encampment, shall be submitted for review and approval.
20
- 21 I. No children under the age of 18 are allowed to stay overnight in the temporary
22 encampment, unless accompanied by a parent or guardian. If a child under the age of
23 18 without a parent or guardian present attempts to stay at the encampment, the
24 sponsor and the managing agency shall actively endeavor to find alternative shelter for
25 the child through community partners such as Northwest Youth Services, Opportunity
26 Council, Lighthouse Mission, Interfaith Coalition and other appropriate homeless youth
27 services organizations. Children under the age of 18 without a parent or guardian
28 present shall be allowed to remain in a temporary encampment while alternative
29 shelter is being sought.
30
- 31 J. The sponsor or managing agency shall provide and enforce a written code of conduct,
32 which not only provides for the health, safety and welfare of the temporary
33 encampment residents, but also mitigates impacts to neighbors and the community. A
34 copy of the code of conduct shall be submitted to the County at the time of application
35 for the administrative use permit. Said code shall be incorporated into the conditions of
36 approval. The managing agency shall post the County approved written code of
37 conduct on site.
38
- 39 K. An operations plan must be provided that addresses site management, site
40 maintenance, and provision of human and social services. Individuals or organizations
41 shall have either a demonstrated experience providing similar services to homeless
42 residents; and/or certification or academic credentials in an applicable human service
43 field; and/or applicable experience in a related program with a homeless population.
44 Should an individual or organization not have any of the preceding qualifications,
45 additional prescriptive measures may be required to minimize risk to both residents of
46 the temporary homeless facility and the community in general.
47
- 48 L. The sponsor and the managing agency shall ensure compliance with Washington State
49 laws and regulations and the Whatcom County Health Department's regulations
50 concerning, but not limited to, drinking water connections, solid waste disposal, and
51 human waste. The sponsor and the managing agency shall permit inspections by local
52 agencies and/or departments to ensure such compliance and shall implement all
53 directives resulting therefrom within the specified time period.
54
- 55 M. The sponsor and managing agency shall assure all applicable public health regulations,
56 including but not limited to the following, will be met for:
57
- 58 1. Potable water, which shall be available at all times at the site;
 - 59 2. Sanitary portable toilets, which shall be set back from all property lines as

- determined by the director;
3. Hand-washing stations by the toilets and food preparation areas;
 4. Food preparation or service tents; and
 5. Refuse receptacles.

- N. Public health regulations (WAC 246.215 and WCC 24.03) on food donations and food handling and storage, including proper temperature control, shall be followed and homeless encampment residents involved in food donations and storages shall be made aware of these Whatcom County Health Department requirements.
- O. The sponsor and the managing agency shall designate points of contact and provide contact information (24 hour accessible phone contact) to the chief criminal deputy of the Whatcom County Sheriff or his/her designee. At least one designated point of contact shall be on duty at all times. The names of the on-duty points of contact shall be posted on-site daily and their contact information shall be provided to the Whatcom County Sheriff's Office as described above.
- P. Facilities for dealing with trash shall be provided on-site throughout the encampment. A regular trash patrol in the immediate vicinity of the temporary encampment site shall be provided.
- Q. The sponsor and the managing agency shall take all reasonable and legal steps to obtain verifiable identification information, to include full name and date of birth, from current and prospective encampment residents and use the identification to obtain sex offender and warrant checks from appropriate agencies. The sponsor and the managing agency shall keep a current log of names and dates of all people who stay overnight in the encampment. This log shall be available upon request to law enforcement agencies and prospective encampment residents shall be so advised by the sponsor and managing agency. Persons who have active warrants, or who are required to register as sex offenders, are prohibited from the encampment's location.
- R. The sponsor and the managing agency shall immediately contact the Whatcom County Sheriff's Office if someone is rejected or ejected from the encampment when the reason for rejection or ejection is an active warrant or a match on a sex offender check, or if, in the opinion of the on-duty point of contact or on-duty security staff, the rejected/ejected person is a potential threat to the community.
- S. Tents over 300 square feet in size and canopies in excess of 400 square feet shall utilize flame retardant materials.
- T. The sponsor, the managing agency and temporary encampment residents shall cooperate with other providers of shelters and services for homeless persons within the County and shall make inquiry with these providers regarding the availability of existing resources.
- U. The sponsor and/or managing agency shall provide before-encampment photos of the host site with the application. Upon vacation of the temporary encampment, all temporary structures and debris shall be removed from the host site within one calendar week.
- V. Upon cessation of the temporary encampment, the site shall be restored, as near as possible, to its original condition. Where deemed necessary by the director, the sponsor and/or managing agency shall re-plant areas in which vegetation had been removed or destroyed.

Section 5. Frequency and duration of temporary homeless facilities.

- A. No more than a maximum of 100 people may be housed in temporary homeless facilities (encampments) located in the unincorporated County at any time. Multiple

1 encampment locations may be permitted provided that the aggregate total of people in
2 all temporary tent and/or tiny house encampments shall not exceed 100.

- 3
4 B. The director shall not grant a permit for the same site more than once in any calendar
5 year; provided that director is not authorized to issue a permit for the same site sooner
6 than 180 days from the date the site is vacated as provided for in Section 4 of this
7 ordinance.
- 8
9 C. Temporary tent encampments may be approved for a period not to exceed 180 days.
10 The director may grant one 180-day extension, provided all conditions have been
11 complied with and circumstances associated with the use have not changed. This
12 extension shall be subject to a Type II review process and may be appealed to the
13 hearing examiner as provided in WCC 22.05.020(1). The permit shall specify a date by
14 which the use shall be terminated and the site vacated and restored to its pre-
15 encampment condition.
- 16
17 D. Temporary tiny house encampments may be approved for a period of between six
18 months and up to one year, provided the sponsor and managing agency comply with
19 all permit conditions. The director may grant one or more extension(s) not to exceed
20 one additional year, provided enabling legislation allows so. Extensions are subject to a
21 Type II review process and may be appealed to the hearing examiner as provided in
22 WCC 22.05.020(1). The permit shall specify a date by which the use shall be
23 terminated and the site vacated and restored to its pre-encampment condition.

24
25 Section 6. Permit required. Establishment of a temporary homeless facility shall require
26 approval of an administrative use permit, as described in this ordinance, and compliance with
27 all other applicable County regulations. The director shall have authority to grant, grant
28 with conditions or deny an application for an administrative use permit under this ordinance.

29
30 Section 7. Application. Application for an administrative use permit shall be made on forms
31 provided by the County, and shall be accompanied by the following information; provided,
32 that the director may waive any of these items, upon request by the applicant and finding that
33 the item is not necessary to analyze the application. An application to establish a temporary
34 homeless facility shall be signed by both the sponsor and the managing agency ("applicant")
35 and contain the following:

- 36
37 A. A site plan of the property, drawn to scale, showing existing natural features, existing
38 and proposed grades, existing and proposed utility improvements, existing rights-of-
39 way and improvements, and existing and proposed structures, tents and other
40 improvements (including landscaping and fencing at the perimeter of the proposed
41 encampment and the property and off-street parking);
- 42 B. A vicinity map, showing the location of the site in relation to nearby streets and
43 properties;
- 44 C. A written summary of the proposal, responding to the standards and requirements of
45 this ordinance;
- 46 D. The written code of conduct, operations plan and a transportation plan as required by
47 this ordinance;
- 48 E. Statement of actions that the applicant will take to obtain verifiable identification from
49 all encampment residents and to use the identification to obtain sex offender and
50 warrant checks from appropriate agencies;
- 51 F. Project statistics, including site area, building coverage, number and location of tents
52 and temporary structures, expected and maximum number of residents, and duration
53 of the encampment;
- 54 G. Address and parcel number of the subject property;
- 55 H. Photographs of the site;
- 56 I. A list of other permits that are or may be required for development of the property
57 (issued by the County or by other government agencies), insofar as they are known to
58 the applicant;
- 59 J. Permit fees for temporary homeless facilities shall be in accordance with WCC 22.25;

- 1 K. A list of any requirement under this ordinance for which the applicant is asking to
2 modify.
3
4
5

6 Section 8. Permit Procedures.
7

- 8 A. Notice. All temporary homeless facility applications shall be reviewed under a Type II
9 process under WCC 22.05, except that the final decision must be rendered within 60
10 days of a determination of completeness. Additionally, the notice of application shall
11 contain proposed duration and operation of the temporary homeless facility, number of
12 residents for the encampment, and contain a County website link to the proposed
13 written code of conduct, operations plan and transportation plan for the facility.
14 B. Decision and Notice of Decision. Final action on permit applications made under this
15 section shall be in accordance with WCC 22.05. Before any such permit may be
16 granted, the applicant shall demonstrate and the director shall find consistency WCC
17 20.84.220 and the following:
18

- 19 1. The proposed use meets the requirements of this ordinance; and
20 2. Measures, including the requirements herein and as identified by the director,
21 have been taken to minimize the possible adverse impacts which the proposed
22 encampment may have on the area in which it is located. It is acknowledged
23 that not all impacts can be eliminated, however the risk of significant impacts
24 can be reduced to a temporary and acceptable level as the duration of the
25 encampment will be limited.
26

27 A notice of the decision shall be provided in accordance with WCC 22.05.
28

- 29 C. Conditions. Because each temporary encampment has unique characteristics,
30 including, but not limited to, size, duration, uses, number of occupants and
31 composition, the director shall have the authority to impose conditions on the approval
32 of an administrative use permit to ensure that the proposal meets the criteria for
33 approval listed above. Conditions, if imposed, must be intended to protect public
34 health, life and safety and minimize nuisance-generating features such as noise, waste,
35 air quality, unsightliness, traffic, physical hazards and other similar impacts that the
36 temporary encampment may have on the area in which it is located. In cases where
37 the application for an administrative use permit does not meet the provisions of this
38 ordinance (except when allowed under subsection (D) of this section) or adequate
39 mitigation may not be feasible or possible, the director shall deny the application.
40
41 D. Modification of Requirements. The director may approve an administrative use permit
42 for a temporary encampment that relaxes one or more of the standards in this
43 ordinance only when, in addition to satisfying the decision criteria stated above, the
44 applicant submits a description of the standard to be modified and demonstrates how
45 the modification would result in a safe encampment with minimal negative impacts to
46 the host community under the specific circumstances of the application. In considering
47 whether the modification should be granted, the director shall first consider the effects
48 on the health and safety of encampment residents and the neighboring communities.
49 Modifications shall not be granted if their adverse impacts on encampment residents
50 and/or neighboring communities will be greater than those without modification. The
51 burden of proof shall be on the applicant.
52
53 E. Appeal. The director's decision may be appealed to the hearing examiner as provided
54 in WCC 22.05.020(1) and 22.05.160.
55
56 F. Revocation. The director shall also have the authority to revoke an approved
57 administrative use permit, pursuant to WCC 22.05.150 at any time a sponsor or
58 managing agency has failed to comply with the applicable provisions of this ordinance
59 or permit.

Section 9. Purpose. The purpose of this interim ordinance is to allow and establish a review process for the location, siting, and operation of temporary homeless facilities within the unincorporated County. While the interim ordinance is in effect, the County will study the land use and other impacts associated with temporary homeless facilities, draft final zoning and regulations to address such uses, hold public hearings on such draft regulations, and adopt such regulations.

Section 10. Duration of Interim Ordinance. This interim ordinance will replace Ordinance 2018-041 and shall be in effect for one year beginning on November 6, 2019, and ending on November 6, 2020, unless another ordinance is adopted amending the Whatcom County Code and rescinding this interim ordinance before November 6, 2020.

Section 11. Work Plan. During the interim ordinance period, County staff will study the issues concerning the establishment and operation of temporary homeless facilities. Staff will prepare a draft ordinance with appropriate revisions to the County's land use regulations; perform SEPA review of the draft ordinance, and conduct the public review process, including public hearings before the County's Planning Commission and County Council, as required for amendments to the County's development regulations.

Section 14. Conflict with other Whatcom County Code Provisions. If the provisions of this Ordinance are found to be inconsistent with other provisions of the Whatcom County Code, this Ordinance shall control.

Section 15. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

ADOPTED this _____ day of _____, 2019.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

Dana Brown-Davis, Council Clerk

Rud Browne, Chairperson

APPROVED as to form:

() Approved () Denied

Civil Deputy Prosecutor

Jack Louws, Executive

Date: _____



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-528

File ID:	AB2019-528	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	SWinger@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Resolution Requiring a Public Hearing		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Resolution authorizing the sale of surplus personal property pursuant to WCC 1.10

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The County Purchasing Agent is required by Whatcom County Code 1.10.180 to submit a list (see Exhibit 'A') of surplus personal property to the Council for authority to dispose of said personal property

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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PROPOSED BY: Finance

DATE INTRODUCED: 10/22/2019

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SALE OF WHATCOM COUNTY SURPLUS PERSONAL PROPERTY

PURSUANT TO WCC 1.10

WHEREAS, a public hearing was held on _____, 2019 to discuss the sale of Whatcom County personal property; and

WHEREAS, it was determined to be in the best interest of Whatcom County to sell the property listed in Exhibit "A" and such property shall be sold at public auction or by sealed bid after October 2019, subsequent to compliance with notice requirements of WCC 1.10.200; and

NOW, THEREFORE, BE IT RESOLVED that the property listed in Exhibit "A" be sold at public auction or by sealed bid after October 2019 pursuant to the notice requirements of WCC 1.10.200.

BE IT FURTHER RESOLVED that where there is no bid within the advertised terms the County may withdraw the property from the sale, or if the County deems such action to be in the public interest, reject any or all bids either written or oral, and thereafter negotiate the sale of the property providing the negotiated price is higher than the highest bid at the public sale and that the public has notice by advertisement, under WCC 1.10.200, and an opportunity to compete through mailed bids, for the purchase by offer of a more favorable price.

APPROVED this ____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecuting Attorney

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**

Brad Bennett, Finance Manager



FINANCE/ACCOUNTING
Whatcom County Courthouse
311 Grand Avenue, Suite #503
Bellingham, WA 98225-4082
Phone – (360) 778-5320
Fax – (360) 778-5321

Exhibit "A"
Capital Asset Surplus Request
October 2019

General Fixed Assets

Description	Year	Make/Model	Serial Number	Dept	Hours (Est)	Comments
Courthouse backup generator	1992 (Est)	Aptec AVD275	11062-1	AS Facilities	191	Water pump leaking into crankcase; Parts not readily available; too costly to repair



Whatcom County

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

Agenda Bill Master Report

File Number: AB2019-529

File ID:	AB2019-529	Version:	1	Status:	Agenda Ready
File Created:	10/11/2019	Entered by:	SWinger@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Resolution Requiring a Public Hearing		
Assigned to:	Council			Final Action:	
Agenda Date:	10/22/2019			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Resolution authorizing the sale of surplus real property (building only) pursuant to WCC 1.10

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The County Purchasing Agent is required by Whatcom County Code 1.10.180 to submit a list (see Exhibit 'A') of surplus real property to the Council for authority to dispose of said real property

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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PROPOSED BY: Finance

DATE INTRODUCED: 10/22/2019

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SALE OF WHATCOM COUNTY SURPLUS REAL PROPERTY (BUILDING ONLY)

PURSUANT TO WCC 1.10

WHEREAS, a public hearing was held on _____, 2019 to discuss the sale of Whatcom County personal property; and

WHEREAS, it was determined to be in the best interest of Whatcom County to sell the property listed in Exhibit "A" and such property shall be sold at public auction or by sealed bid after October 2019, subsequent to compliance with notice requirements of WCC 1.10.200; and

NOW, THEREFORE, BE IT RESOLVED that the property listed in Exhibit "A" be sold at public auction or by sealed bid after October 2019 pursuant to the notice requirements of WCC 1.10.200. If no bid is received the property may be demolished.

BE IT FURTHER RESOLVED that where there is no bid within the advertised terms the County may withdraw the property from the sale, or if the County deems such action to be in the public interest, reject any or all bids either written or oral, and thereafter negotiate the sale of the property providing the negotiated price is higher than the highest bid at the public sale and that the public has notice by advertisement, under WCC 1.10.200, and an opportunity to compete through mailed bids, for the purchase by offer of a more favorable price.

APPROVED this ____ day of _____, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

APPROVED AS TO FORM:

Civil Deputy Prosecuting Attorney

**WHATCOM COUNTY
ADMINISTRATIVE SERVICES**

Brad Bennett, Finance Manager



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Exhibit "A"
Capital Asset Surplus Request
October 2019

Year	Description	Department	Comments
1942 (Est)	Former managers house located at Silver Lake Park; 1 ½ story house; 1428 Sq Ft;	Parks & Recreation	House in poor condition; too costly to repair. Structure to be removed from property.