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1 WHATCOM COUNTY COUNCIL  
2 **Finance and Administrative Services Committee**  
3

4 February 25, 2003  
5

6 The meeting was called to order at 12:00 p.m. by Committee Chair Sam  
7 Crawford in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.  
8

9 Present:

10 L. Ward Nelson

11 Sharon Roy  
12

Absent:

None

13 Also Present:

14 Barbara Brenner

15 Laurie Caskey-Schreiber

16 Seth Fleetwood  
17  
18

19 **SPECIAL PRESENTATION**  
20

21 **1. DOUG ROBERTSON, HOME PORT LEARNING CENTER (AB2003-096)**  
22

23 Doug Robertson, Home Port Learning Center, stated the center started in the  
24 mid 1990's by Steve Paus for kids when they get out of the adjudication system. It  
25 is for students who never succeeded in school. They have about 20 to 22 students  
26 at a time that are at-risk or adjudicated. The center is purely fee-based from the  
27 school districts and the Whatcom County Juvenile Probation Department. Students  
28 are taught maritime-related skills. They have to put together and read a set of  
29 plans. The students stop when they get to a point they don't understand. That is  
30 when the accredited special education teacher steps in. The students are taught a  
31 sense of community because they have to work together on just about everything.  
32 When the students leave the school, they have a level of understanding and trust  
33 for their community.  
34

35 The school depends on public financing. Schools are facing limited funds.  
36 They will look for continued support from Juvenile Probation in the future. It  
37 currently receives \$60,000 from the general fund. The total overall budget is about  
38 \$160,000 or \$170,000 per year. The kids go to the school throughout the year.  
39 Over 70 percent of the students have proceeded to regular school, technical  
40 college, or a job.  
41

42 Crawford asked if the kids do auto shop. Robertson stated they do not. Mr.  
43 Paus started it, and he is a boat nut.  
44

45 Brenner stated the vocational-technical college does that.  
46

47 Robertson stated there are some real problems with liability in doing that.

1  
2 Nelson asked what happens to the boats. Robertson stated the primary  
3 teaching tool is a schooner. Additionally, they have built skiffs that they auction  
4 off. They recently started another boat made of marine-grade plywood. They have  
5 gotten away from building boats for fundraising. It took too much time, and takes  
6 away from the educational process. The boats they have constructed to-date are  
7 auctioned off or sold.

8  
9 Nelson asked if the school could be self-sustaining. Robertson stated there is  
10 not a good market for used refurbished boats. Also, Labor and Industry (L&I) has  
11 rules on students using power tools. It also gets away from the educational  
12 curriculum.

13  
14 Roy asked if she could go on a tour. Robertson stated she could any time.

15  
16 Roy asked if any of the kids earn high school credit. Robertson stated they  
17 do. A few years ago, they had to get the school accredited through the State  
18 agency.

19  
20 Roy asked if the students have special education available. Robertson stated  
21 they do. They are co-monitored by his staff and school district.

22  
23 Roy asked who defines "at risk." Robertson stated it was a definition that  
24 was expanded due to the Becca Bill. It is for kids with truant problems and social  
25 and chemical dependency problems. They have a high student-teacher ratio, and  
26 are not cheap. The school districts are particular about who goes through the  
27 program. A committee makes sure the students that come in are healthy. They  
28 have counseling services available, but they try to weed that out from the  
29 beginning. Mental health students require a different set of skills from what his  
30 staff has.

31  
32 Roy stated many of the kids who don't make it in the system have mental  
33 health problems. The options for those students are another discussion.

34  
35 Brenner asked if they are only taking kids from Juvenile Detention from the  
36 Bellingham and Meridian school districts. Robertson stated they have a contract  
37 with Juvenile Probation. They also have contracts with every school district in the  
38 county except Blaine, Nooksack, and Mount Baker, due to transportation difficulties.

39  
40 Brenner asked if they don't take any kids with mental health issues, or just  
41 the ones who are destructive. She asked if it is more about behavior. Robertson  
42 stated it is not. The staff has an amazing ability to control destructive behavior.  
43 Mental health students are those with identified mental health problems or a  
44 disease. The students that they don't take are those with mental health issues so  
45 severe that they almost need inpatient care.

1 **OTHER BUSINESS**

2  
3 **Discussion regarding County participation in the Public Facilities**  
4 **District (AB2003-044A).**

5  
6 Crawford stated he distributed a memo to the administration and  
7 councilmembers (*on file*) with a request to renegotiate the interlocal agreement to  
8 be in sync with the Council ordinance, which requires Council approval for any  
9 project over \$50,000. He asked for a response from the Executive's Office on the  
10 memo.

11  
12 Dewey Desler, Deputy Administrator, stated the Executive is sympathetic to  
13 the request. They have not talked with the City of Bellingham yet. The district  
14 needs extensive involvement from elected officials in the community. The district is  
15 a separate municipal board. Under the creation of the separate and independent  
16 board, there are independent decisions that they have to make. Nothing prohibits  
17 the County from developing something that seems to fit their needs and desire.

18  
19 Crawford stated he agrees with the need for independent decisions. The  
20 problem is that the County planned for parking. The challenge is understanding  
21 how the purchase of buildings around the Mount Baker Theater implements a  
22 parking plan for the Whatcom County courthouse. He understands that it would be  
23 inappropriate for the County Council and City Council all to provide input on every  
24 decision, but there must be some middle ground. There have been a number of  
25 parking plans discussed, and he would like to know what has happened to those  
26 plans. There is a need for coordination in the downtown area. The County has a  
27 vested interest and needs to be involved.

28  
29 Desler stated he did not know they would discuss this at this meeting. He is  
30 not prepared. However, the administration initially constructed a public facilities  
31 district to be a separate county district. It was done after a City created its own  
32 city district board. The County's idea was to use the \$250,000 collected to finance  
33 a parking facility that would be used in this area. The County had discussion with  
34 the City of Bellingham, then came back with the proposal to construct a joint  
35 City/County Board, to which the Executive indicated that he wanted to construct a  
36 parking facility as a primary benefit of the district. The parking facility has to  
37 ultimately pay for itself. The County is not interested in subsidizing the district.  
38 They need to have enterprise operations that would generate revenue, which a  
39 parking structure would do. The sales tax money would pay back the construction  
40 bond, and have the parking pay for many of the ongoing operational expenses,  
41 such as maintenance. He was excited about the opportunity created by this limited  
42 window to start the Public Facility District. The master facilities process will include  
43 examination of parking needs. That is also going on right now. The use of a Public  
44 Facility District to create real buildings around a regional center is something the  
45 administration supports. There are some plans under way and initial decisions on  
46 this.

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1 Don Keenan, City of Bellingham Team Leader, stated the reality is that there  
2 is a timeline for the Public Facility District. Construction must take place before  
3 January 2004. The easiest project to get started was at the Mount Baker Theater.  
4 They purchased the property from Northwest Keyboards, which surrounds the  
5 theater. At the same time, the Public Facility District sees its work as foundational  
6 and facilitative. It provides a strong foundation for the civic center. There is a  
7 strong need for parking. At this point, they are doing some geo-technical work to  
8 see if it is possible to create underground parking. Additionally, there have been  
9 requests for qualifications (RFQ's) for architects and engineers to scope the work at  
10 the Mount Baker Theater and the old city hall museum to see what needs to be  
11 done, how much it will cost, and how it will be phased. The Public Facility District is  
12 also looking at requests for proposals (RFP) for a fundraising feasibility study.  
13 Nothing is final yet. The Public Facility District Board wants to act prudently. The  
14 district will lay out the possibilities. The district will then look at the purchase of  
15 property and developing parking. Once the fundraising study comes out, it will give  
16 the Public Facility District the knowledge of how much of its funds it can leverage.  
17

18 Crawford asked what needs to be in place by January 1, 2004. Keenan  
19 stated the district has to be physically working on a project, not just the paperwork.  
20

21 Crawford stated that sounds like it is tailored to a single thing. He  
22 understood that it would be a multi-faceted thing including the theater, museum,  
23 and parking. He doesn't understand the January 1 deadline. Keenan stated to  
24 qualify for the State sales tax rebate, they have to have some kind of construction  
25 underway at that time. Moving on the Mount Baker Theater was the first and  
26 easiest thing to do to get started. It doesn't mean they are not working on the  
27 other components. He presented this concept to the master facilities process so  
28 they can be coordinated.  
29

30 Brenner asked if they would use Public Facility District funds to purchase the  
31 library. Keenan stated one option is that the Public Facility District would purchase  
32 the land, have the parking lot underneath, and the library would lease the library  
33 on top and a segment of the parking structure.  
34

35 Brenner stated she is concerned about that property the City decided to buy  
36 for the library. The cost is over the \$50,000 that the ordinance requires the Council  
37 to review. That location was not the first choice of the Library Committee. As a  
38 County Councilmember, she would like to have some input if the Public Facility  
39 District money is going to be used. Keenan stated nothing is final right now. They  
40 are exploring options. The property across from the existing site is the preferred  
41 site.  
42

43 Brenner asked if the County will get a chance to provide input if Public  
44 Facility District money will be used. Desler stated it is important to talk more about  
45 the responsibility and authority of the Public Facility District, City, and County.  
46

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1 Crawford stated he wants to revisit items four and six of the interlocal  
2 agreement. Bring them in line with the ordinance. His understanding of the  
3 County's role would be clarified. Right now, the County is getting \$250,000 per  
4 year from the State and handing it over to the City, which makes all the decisions.  
5 There is a bit of a conflict.

6  
7 Keenan stated he wanted to clarify where the Public Facility District was  
8 regarding the parking issue. The Public Facility District helps facilitate other things  
9 happening.

10  
11 Crawford stated he agrees with that. If the parking project starts soon, the  
12 County will be happy, but not if the project is put off. Keenan stated the geo-tech  
13 work on the parking structure is being done now. The Mount Baker Theater was  
14 the easiest thing to get started so they could take advantage of the tax rebate.

15  
16 **Crawford moved** to recommend to the full Council a request to the  
17 Executive to renegotiate the interlocal agreement to be more in line with the  
18 ordinance.

19  
20 Fleetwood stated the Public Facility District is not to enter into any project in  
21 excess of \$50,000, unless the County is party to the interlocal agreement. The  
22 ordinance doesn't say that the district board has to consult with the County Council  
23 and get its concurrence every time it embarks on a project in excess of \$50,000.

24  
25 Crawford stated that is correct. However he understood that the County  
26 Council would have a say on the projects. **He amended his motion** to  
27 recommend that the full Council requests the Executive to look at both the  
28 interlocal agreement and the ordinance so the County Council would be involved in  
29 large financial expenditures.

30  
31 Caskey-Schreiber asked how the City and County handle the flood fee.

32  
33 Brenner stated the City people are County residents. The County residents  
34 are not City residents. The flood fee is completely different.

35  
36 Desler stated the tax is being rebated to the Public Facilities District from the  
37 State of Washington. The County has no role as treasurer. The City is not acting as  
38 a fiscal intermediary between the State and Public Facility District. The Public  
39 Facility District is a separate entity.

40  
41 Brenner stated she understood that the seven-member board includes county  
42 residents throughout the county, not just the city. Desler stated that is correct.  
43 They are appointed both by the County Council and City Council.

44  
45 Brenner stated she doesn't have a problem with the countywide board. She  
46 was concerned about a huge ticket item coming out of Public Facility District money

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1 that is not necessarily being spent on what was recommended. It should be okayed  
2 by the district board, not the City.

3  
4 Keenan stated there is a lot of misreporting about who is doing what. It is a  
5 Public Facility District board that makes those choices. A study that was done on  
6 how to energize the entire district recommended the library move to that spot  
7 across the street. It would provide more synergy with the cultural district. The  
8 district is making the decisions, but that was not reported clearly.

9  
10 Roy stated it is clear that they need clarification. She will support anything  
11 that will clear up the confusion about this by the Council. She will support some  
12 sort of clarification. She hears that the Board is mandated to make these decisions.  
13 She asked if the Council's approval of each part of this is micro-managing. She  
14 asked if the problem is not the disparity between the interlocal agreement and the  
15 ordinance, but with the councilmembers' understanding of the process.

16  
17 Crawford stated he would like a mechanism by which the County has some  
18 assurance that the parking structure is given the appropriate priority. He doesn't  
19 want it to be put off for 20 years. Keenan stated they are out there working on it  
20 now.

21  
22 **Roy suggested a friendly amendment** to recommend that the full Council  
23 request the Executive to indicate that the County wants parking as a top priority for  
24 the Public Facility District.

25  
26 **Crawford accepted the friendly amendment.**

27  
28 Keenan stated that message has already been made clear. The geo-technical  
29 engineers are already testing the area.

30  
31 Fleetwood stated there isn't anything in the law that gives the County the  
32 authority to request any changes. Just commenting on the County's priority is  
33 adequate.

34  
35 Desler stated the administration appreciates the Council's deliberate, specific  
36 motions on what it wants to achieve. The administration has been saying that  
37 parking is a high priority. Having the Council affirm that is positive.

38  
39 **Crawford withdrew his motion.**

40  
41 *(Clerk's Note: End of tape one, side A.)*

42  
43 Caskey-Schreiber stated the County has already stated its preference when  
44 this was first approved.

45  
46 Crawford stated the administration may come back and say that it doesn't  
47 need to amend the interlocal agreement. He would like the administration to

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1 examine the issue. The Executive stated a year ago that the County Council does  
2 have the final decision. He doesn't think that's the case. It would be worth having  
3 the administration explore the issue.

4  
5 ***Crawford moved*** to recommend to the full Council that they ask the  
6 administration to prioritize the parking issue with the Public Facility District,  
7 whether it is through the interlocal agreement or ordinance.

8  
9 Caskey-Schreiber stated she doesn't understand the reason for the motion.  
10 It has already been made clear to the administration and the Public Facilities  
11 District.

12  
13 Crawford stated it is not reflected in the interlocal agreement or ordinance.  
14 In the meantime, \$365,000 has been spent on a property that is unrelated to  
15 courthouse parking. Keenan stated they are working on the parking issue today.  
16 The Executive has already made it clear.

17  
18 Desler stated the administration expects to see the bonding capacity of the  
19 Public Facility District to focus its resources on parking. The arrangement with the  
20 City of Bellingham is that it would provide staff support to the Public Facility District  
21 so it would not create its own district.

22  
23 ***Motion carried 2-0 with Nelson absent.***

24  
25  
26 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

27  
28 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**  
29 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE**  
30 **CITY OF BELLINGHAM TO PROVIDE EMERGENCY MEDICAL SERVICE**  
31 **THROUGH THE E.M.S. LEVY (AB2003-047)**

32  
33 Crawford stated no progress has been made from two weeks ago. He would  
34 like to hold in committee.

35  
36 Brenner stated a few things concern her. One concern is on page 29 in the  
37 Council packet regarding terms (e). Allow either party to terminate the agreement.

38  
39 Dewey Desler, Deputy Administrator, stated the City of Bellingham's position  
40 is not to have the County be a short-term participant. If the City is going to hire a  
41 series of people and make capital investments, it wants the County to be a long-  
42 term partner. Otherwise, it won't do this. This is why the County has to go into  
43 this with its eyes wide open.

44  
45 **2. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**  
46 **SECOND REQUEST (AB2003-094)**

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1 Dewey Desler, Deputy Administrator, stated Whatcom County received a  
2 check to expend some money for law enforcement. The requirement to keep the  
3 money is to use it for it's original intent. That original intent was not included in  
4 the budget for in 2003. That's what this will do.  
5

6 **Roy moved** to recommend approval to the full Council. She asked if the  
7 projects listed in the January 23 memo are carryover or new. She asked if the  
8 current administration in the Sheriff's Office agrees with the request.  
9

10 Dustin Hurlbert, Chief Criminal Deputy, agreed that this grant began prior to  
11 Sheriff Elfo taking office. When the sheriff came into office, he reviewed this grant  
12 and approved of the programs.  
13

14 **Motion carried 2-0 with Nelson out of the room.**  
15  
16

17 **COUNCIL "CONSENT AGENDA" ITEM**  
18

19 **1. RESOLUTION CANCELING UNCOLLECTABLE PERSONAL PROPERTY**  
20 **TAXES (AB2003-100)**  
21

22 **Roy moved** to recommend approval to the full Council.  
23

24 **Motion carried 2-0 with Nelson out of the room.**  
25

26 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE ENTER INTO A**  
27 **COOPERATIVE AGREEMENT BETWEEN WHATCOM COUNTY AND THE**  
28 **ARMY CORPS OF ENGINEERS FOR REPAIR OF A DAMAGED LEVEE**  
29 **SEGMENT ON THE NOOKSACK RIVER IN THE AMOUNT OF \$217,000**  
30 **(AB2003-101)**  
31

32 Paula Cooper, River and Flood Division Manager, submitted photographs (*on*  
33 *file*). This agreement is a cost-share agreement with Army Corps of Engineers in  
34 the percentage split of 80-20. The Corps will do the work. The County will provide  
35 20 percent of the construction costs. The 20 percent cost share of the County will  
36 be again split 80-20 with the Lynden/Everson flood sub-zone. Those agreements  
37 will be executed later. The County will pay 80 percent of the 20 percent, an  
38 amount of \$36,620. She described the location. The City of Lynden may cost  
39 share the portion paid by the flood sub-zone.  
40

41 **Roy moved** to recommend approval to the full Council.  
42

43 Crawford asked if Flood Control Zone District Advisory Committee approved  
44 of this. Cooper stated it did approve the project as a high priority.  
45

46 **Motion carried 2-0 with Nelson out of the room.**  
47

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15

**ADJOURN**

The meeting adjourned at 1:05 p.m.

\_\_\_\_\_  
Jill Nixon, Minutes Transcription

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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

\_\_\_\_\_  
Sam Crawford, Committee Chair