

DISCLAIMER: This document contains the Whatcom County Council or Committee minutes, as approved. However, unless an attested signature page is attached, they are not the final approved minutes.

1 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
2 **FIVE-YEAR LEASE AGREEMENT BETWEEN WHATCOM COUNTY AND**
3 **GOLDFOGEL FAMILY PARTNERSHIP FOR MORGUE SPACE AND**
4 **MEDICAL EXAMINER OFFICE SPACE, IN THE AMOUNT OF \$201,370.20**
5 **(AB2003-279)**
6

7 **Roy moved** to recommend approval to the full Council. She asked if there
8 is a conflict of interest if the County leases property from an employee.
9

10 Dewey Desler, Deputy Administrator, provided history on the item. This
11 arrangement is not the County's first choice, but it has worked reasonably well.
12 This is an agreement for space. There is a separate agreement for medical
13 examiner services. There is not a legal conflict of interest.
14

15 Nelson asked if the \$100,000 that would be paid at the end of the five-year
16 lease, if the County does not renew the lease, is for the remainder of the
17 renovation cost. He asked the payment arrangements. Desler stated the County
18 agrees to repay the cost of the renovations that it requests. Through this program,
19 the County will consolidate the Health Department functions in the State Street
20 facility, and use parts of that building that are not being used now. The
21 Environmental Services Division, vital records, and administration will stay at the
22 Girard Street location. The cost for renovations will be about \$260,000. The
23 County will pay those costs back to the landlord at a rate of \$2.63 per square foot.
24 That adds about \$3,000 per month to the rental rate. If the County moves out of
25 the State Street building before the costs are paid off, the County will cash out the
26 landlord in the amount of \$100,000 when the County departs the building. If the
27 County stays in the building until the end of the ten years, the County obligations
28 are done.
29

30 Nelson stated this is private property owned by Mr. Goldfogel. He asked if it
31 is appropriate to use taxpayer dollars for private renovations if the County is not in
32 the building. If the County is paying for the renovation, it should go through the
33 bid process. Desler stated it is appropriate in a lease agreement such as this. The
34 County negotiated an amount per square foot, and an amount for utilities so it
35 becomes a full service lease. The County has never had a full service lease before.
36 The administration has also said it wants some renovations, which were negotiated.
37 The option remains to leave in five years as a result of the decisions in the master
38 facilities plan process. The administration has left that option open.
39

40 Brenner asked how much more they are paying. Desler stated they are
41 paying about the same as now for more space. The County also sees savings from
42 having fewer staff in the Health Department as a result of the consolidation. The
43 County will save about \$500,000 over five years.
44

45 Caskey-Schreiber asked if the two clerical full-time equivalent (FTE)
46 employees would be laid off. Desler stated they would not. The positions would
47 not be filled once they became vacant.

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1
2 Caskey-Schreiber asked if it is still worth the investment now if the master
3 plan changes things in five years. Desler stated it is still worth the investment.
4 They have enough flexibility in the contract to allow the County to make the
5 appropriate decision in two or three years.
6

7 Caskey-Schreiber asked if this lease agreement includes janitorial services.
8 Desler stated it does. It is a full service agreement. The owner is completely
9 responsible for interior and exterior maintenance, including janitorial services.
10

11 Brenner asked if there is another option for these services. She didn't think
12 there was. Desler stated the County could have extended the previous agreement.
13

14 ***Motion carried unanimously.***

- 15
16 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
17 **FIVE-YEAR LEASE AGREEMENT BETWEEN WHATCOM COUNTY AND**
18 **GOLDFOGEL FAMILY PARTNERSHIP FOR HEALTH DEPARTMENT**
19 **SPACE AT 1500 N. STATE STREET, IN THE AMOUNT OF \$964,635.00**
20 **(AB2003-280)**

21
22 ***Roy moved*** to recommend approval to the full Council.
23

24 ***Motion carried unanimously.***

- 25
26 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
27 **CONTRACT BETWEEN WHATCOM COUNTY AND DR. GARY GOLDFOGEL**
28 **TO PROVIDE MEDICAL EXAMINER SERVICES, IN THE AMOUNT OF**
29 **\$1,245,088.19 (AB2003-281)**

30
31 ***Roy moved*** to recommend approval to the full Council.
32

33 ***Motion carried unanimously.***

- 34
35 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
36 **GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND**
37 **EDUCATIONAL SERVICE DISTRICT 105, FISCAL AGENT FOR**
38 **NORTHWEST HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA),**
39 **FOR RENEWAL OF THE DRUG COURT GRANT, IN THE AMOUNT OF**
40 **\$40,000 (AB2003-282)**

41
42 ***Nelson moved*** to recommend approval to the full Council.
43

44 Caskey-Schreiber asked how they could guarantee that no more than 20
45 percent of those in the program will fail the drug tests.
46

47 Nelson stated that is a stated goal, not a stated guarantee.

1
2 *Motion carried unanimously.*
3

4 **6. RESOLUTION ESTABLISHING CRP NO. 903007 AND AWARDING THE**
5 **BID FOR THE SOUTH PASS ROAD BOX CULVERT REPAIR AT**
6 **BRECKENRIDGE CREEK TO THE LOW BIDDER, EBENAL GENERAL,**
7 **INC., IN THE AMOUNT OF \$116,196 (AB2003-283)**
8

9 *Roy moved* to recommend approval to the full Council.

10
11 Brenner asked if the County makes sure that low bidders have not had legal
12 problems completing jobs.

13
14 Joe Rutan, County Road Engineer, stated the County awards the contract to
15 the lowest qualified bidder.

16
17 *Motion carried unanimously.*
18

19 **7. RESOLUTION ESTABLISHING CRP NO. 901012 AND AWARDING THE**
20 **BID FOR THE KWINA ROAD BICYCLE/PEDESTRIAN IMPROVEMENTS**
21 **FROM DIKE ROAD TO LUMMI SHORE ROAD TO THE LOW BIDDER,**
22 **COLACURCIO BROTHERS CONSTRUCTION, IN THE AMOUNT OF**
23 **\$1,616,337 (AB2003-284)**
24

25 *Roy moved* to recommend approval to the full Council.

26
27 Nelson asked about the cost for a pedestrian and bike trail.

28
29 Mark Handzlik, Engineer, stated this is not a typical bike trail. It is adjacent
30 to the existing asphalt. It is a paved shoulder. The entire road is a reconstruction.

31
32 Joe Rutan, County Road Engineer, stated this is a road reconstruction
33 project. There is 1,500 feet of sidewalk on one side, between the clinic and the
34 college. There are two 12-foot lanes and two five-foot paved shoulders that will not
35 be signed as a bike lane because they do not lead anywhere. They will be available
36 for bike purposes until it actually connects to something. It will have all the
37 features of a bike lane.

38
39 Roy asked why they are calling this project a bike lane if it is a road
40 reconstruction project. Rutan stated staff wanted to highlight that feature to the
41 Council.

42
43 Nelson asked if it is just a total road construction or just reconstruction of
44 the shoulder. Handzlik stated it is a total road reconstruction.

45
46 Caskey-Schreiber asked how they decide how much to spend on this small of
47 an area. Handzlik stated it is a lengthy project. They select the roads to work on

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1 based on traffic volumes and pavement conditions. The projects are put on the six
2 year road plan, and come out of the annual road plan.

3
4 Caskey-Schreiber asked if this is on the reservation, and if the Tribe is cost
5 sharing. Handzlik stated the Tribe is not cost sharing with the County.

6
7 Brenner stated it is a County road.

8
9 Roy stated the public reads these agendas, and will see the Council vote to
10 spend \$1.6 million on bike improvement. Make sure the description matches the
11 real work. Rutan stated it was a project title developed a long time ago. He
12 agreed. Staff will try to make sure the titles are more descriptive.

13
14 Brenner asked if the road is in enough disrepair that it needs reconstruction
15 anyway. Handzlik stated the cross section chosen is based on traffic volume. They
16 would have to reconstruct the road anyway.

17
18 Nelson stated they used to define new road construction at \$1 million per
19 mile. Rutan stated it is now about \$1 million for reconstruction and \$1.8 million for
20 new road construction. Some projects may come in less or more than that amount,
21 depending on the amenities that are installed. One cost in this project is the need
22 for a sidewalk between the clinic and college.

23
24 ***Motion carried unanimously.***

25
26 **8. RESOLUTION ESTABLISHING CRP NO. 902006 AND AWARDING THE**
27 **BID FOR THE CAIN LAKE ROAD STRUCTURAL OVERLAY FROM SKAGIT**
28 **COUNTY LINE TO NORTHEAST CAIN LAKE ROAD TO THE LOW**
29 **BIDDER, WILDER CONSTRUCTION COMPANY, IN THE AMOUNT OF**
30 **\$928,955 (AB2003-285)**

31
32 Nelson asked if this is part of the six-year plan.

33
34 Mark Handzlik, Engineer, stated it is.

35
36 ***Roy moved*** to recommend approval to the full Council.

37
38 ***Motion carried unanimously.***

39
40 **Addendum:**

41
42 **9. RESOLUTION WAIVING THE BID REQUIREMENTS FOR THE**
43 **REPLACEMENT OF A COMPONENT OF THE JAIL CONTROL SYSTEM AND**
44 **AUTHORIZING EXECUTION OF CONTRACT FOR SAME (AB2003-290)**

45
46 Dewey Desler, Deputy Administrator, stated there is a major problem in the
47 jail. There are inadequate controls to do things such as open and close doors,

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1 locking people in and out. The control system is failing. This particular system fails
2 continually. The County has budgeted the money for it already. The administration
3 knows of one company called Justice Systems that can solve the problem in weeks
4 instead of in months. They have been working on this system doing repairs
5 already.

6
7 **Nelson moved** to recommend approval to the full Council. He approved of
8 using a company that has worked on this system before. They have a better handle
9 on how to fix it. He asked if administration will come back with a bid amount.
10 Desler stated the administration would report to the Council. This approval allows
11 authorization for the Executive to enter into a contract. The Revised Code of
12 Washington (RCW) and the County Code allow for a waiver under certain
13 circumstances. The administration and County attorneys agree that this situation
14 meets that test.

15
16 Nelson stated it's necessary to move quickly for the safety of the community.

17
18 **Motion carried unanimously.**

19
20
21 **OTHER BUSINESS**

22
23 There was no other business.

24
25
26 **ADJOURN**

27
28 The meeting adjourned at 12:55 p.m.

29
30
31 _____
32 Jill Nixon, Minutes Transcription

33
34
35 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

36
37
38
39
40 _____
41 Dana Brown-Davis, Council Clerk

L. Ward Nelson, Committee Member