

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.

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WHATCOM COUNTY COUNCIL
Public Works and Capital Projects Committee

January 28, 2003

The meeting was called to order at 2:00 p.m. by Committee Chair Barbara Brenner in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

L. Ward Nelson
Sam Crawford

Absent:

None

Also Present:

Seth Fleetwood
Dan McShane

SPECIAL ORDER OF BUSINESS

1. ELECTION OF COMMITTEE CHAIR (AB2003-023)

Nelson nominated Councilmember Brenner.

Motion carried unanimously.

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. RESOLUTION SETTING ELECTION DATE FOR PROPOSED POINT ROBERTS SPECIAL RECREATION AREA (AB2002-351A)

Nelson moved to recommend approval.

Crawford stated he understood that this needs to be established to get funding for the pier, but the concern is that the funding for the pier ought to be established before the Council creates the special recreation area. He asked if that has been resolved.

Brenner stated nothing is set in stone that requires the County to have the funding in place to form the district. There is nothing else they can do to get the pier. She's comfortable with it.

Fleetwood asked by what authority the special service area would be established.

Terrie LaPorte, Pier Project Coordinator, stated that to move forward with permitting with the Port of Bellingham, they must have a vehicle in place to pay for maintenance. This is to make sure they have a way to look after the pier once it is funded.

1
2 Roger DeSpain, Parks and Recreation Department Director, stated the
3 Revised Code of Washington (RCW) allows the recreational special district to be
4 formed similar to a junior taxing authority. Funds are collected only for the
5 purpose specified on the ballot.
6

7 Nelson stated that when the pier gets put in, the revenue generated by the
8 property tax supports it. He asked what amenities the pier would have. LaPorte
9 stated a pedestrian pier would be a town focal point. It is between two parks.
10

11 DeSpain stated it would be along Gulf Road.
12

13 LaPorte stated there was a pier there originally.
14

15 Nelson asked what happens if taxpayers no longer want to support it.
16 DeSpain stated a citizen initiative could remove the levy.
17

18 Nelson asked who would maintain the pier if that happened. DeSpain stated
19 that is a question to be answered. The County may have to. The parks and
20 recreation district of the area may be willing to assume responsibility. There won't
21 be a lot of maintenance and operation until year 15. The dollars would go into an
22 account and generate \$40,000 per year. That money would be there until
23 exhausted.
24

25 Brenner moved to amend the resolution to specify that the County will not
26 assume liability for ongoing maintenance of the pier in the future unless the
27 County Council approves it, "BE IT FURTHER RESOLVED that Whatcom County
28 assumes no responsibility for future funding of the pier."
29

30 Nelson stated it would have to come to the County Council to do that
31 anyway.
32

33 Crawford stated that all they are doing is setting a hearing date. They need
34 legal counsel on how to structure this to limit the County's liability.
35

36 Brenner stated the amendment is just to insert the committee's intent into
37 the ballot measure.
38

39 McShane stated that whether or not the objectives of the service area are
40 feasible is a question. Look at how this is going to be funded and how the money
41 will be accounted for. A question is whether there is a capital fund of money
42 available for whomever to take it over in the future.
43

44 Nelson stated there would be some reserves available for a while.
45

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1 McShane stated his concern is that no one becomes responsible for the dock
2 in a worst-case scenario, it falls into disrepair, and it becomes a hazard to the
3 community.
4

5 Steve Jilk, Port of Bellingham, stated the sole purpose of this is to set a
6 public hearing date. The Port is working with the community to get the funding in
7 place. He questions whether the County would be obligated to take on
8 maintenance responsibility. The service district will not take on the obligation of
9 ownership.
10

11 Fleetwood stated he is sure that the County attorney will take that question
12 into consideration.
13

14 Motion to amend carried unanimously.
15

16 Motion to approve the resolution as amended carried unanimously.
17
18

19 **OTHER BUSINESS**
20

21 There was no other business.
22
23

24 **ADJOURN**
25

26 The meeting adjourned at 2:20 p.m.
27
28

29 _____
30 Jill Nixon, Minutes Transcription
31
32

33 ATTEST:
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WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

39 _____
Dana Brown-Davis, Council Clerk

Barbara Brenner, Committee Chair