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

4 January 27, 2004
5

6 Committee Chair Sam Crawford called the meeting to order at 11:05 a.m. in
7 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 Dan McShane

17 Seth Fleetwood
18
19

20 **SPECIAL ORDER OF BUSINESS**
21

22 **1. ELECTION OF COMMITTEE CHAIR (AB2004-023)**
23

24 ***Roy nominated*** Crawford.
25

26 ***Motion carried unanimously.***
27
28

29 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**
30

31 **1. ORDINANCE REVISING WHATCOM COUNTY CODE 24.01, PUBLIC**
32 **HEALTH ADVISORY BOARD (AB2004-062)**
33

34 Crawford stated this is not a matter for the Finance Committee. It will move
35 forward to the Council with no recommendation.
36

37 The committee concurred.
38

39 **3. ORDINANCE AMENDING WHATCOM COUNTY CODE 2.02.150,**
40 **REGARDING WHATCOM COUNTY COUNCIL STANDING COMMITTEES**
41 **(AB2004-028)**
42

43 ***Crawford moved*** to refer this item to the Public Works Committee.
44

45 ***Motion carried unanimously.***
46

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1 **2. ORDINANCE AMENDING THE 2004 WHATCOM COUNTY BUDGET,**
2 **FIRST REQUEST (AB2004-063)**
3

4 Dewey Desler, Deputy Administrator, stated this is a request to add capacity
5 to the Parks Department for extra help. The administration approves the request.
6

7 The request from Planning and Development Services is to provide
8 assistance to deal with increased permit activity. There will be revenue from the
9 increased activity. The Planning Department also received a large grant from the
10 State to fund the Shorelines Master Program. The budget authority for that grant is
11 included. Finally, the Planning Department received a State grant to support and
12 update the Comprehensive Plan. The budget supplemental request has no fiscal
13 impact to the general fund.
14

15 ***Nelson moved*** to recommend approval to the full Council.
16

17 Roy asked about the transfer requested from the Planning Department.
18 Desler stated the additional revenue comes in under the critical areas funds. There
19 is additional revenue in the zoning portion and subdivision fees. The total revenue
20 budgeted is the same as the expenditures.
21

22 Nelson asked for specifics about the reason for the increased permit activity.
23

24 Sam Ryan, Building Services Division Manager, stated there will be a change
25 in codes in July. The increase in activity now is from regular activity.
26

27 ***Motion carried unanimously.***
28

29 **4. REQUEST AUTHORIZATION TO RENEW WHATCOM COUNTY'S**
30 **PROPERTY INSURANCE POLICY (AB2004-067)**
31

32 Dewey Desler, Deputy Administrator, stated this is done annually.
33

34 ***Nelson moved*** to authorize the administration to renew the insurance
35 policy.
36

37 ***Motion carried unanimously.***
38
39

40 **OTHER BUSINESS**
41

42 Caskey-Schreiber stated the committee needs to discuss the **ordinance**
43 **amending Whatcom County Code 3.20 by imposing an additional one**
44 **quarter percent real estate excise tax upon the sale of real property in the**
45 **unincorporated areas of the county and altering subsection 3.20.050B to**
46 **reflect State legislative restrictions upon the expenditure of existing**
47 **County real estate excise tax revenues (AB2004-066).**

1
2 **COUNCIL "CONSENT AGENDA" ITEM**
3

- 4 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
5 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
6 **WHATCOM COUNSELING AND PSYCHIATRIC CLINIC TO PROVIDE A**
7 **VARIETY OF MENTAL HEALTH SERVICES INCLUDING JAIL CASE**
8 **MANAGEMENT PROGRAM, ELDER-GATEKEEPER SERVICES,**
9 **SUPPORTED LIVING, ACTIVITY CENTER (RAINBOW CENTER), AND**
10 **PEER COUNSELOR OUTREACH PROJECT, IN THE AMOUNT OF**
11 **\$206,622 (AB2004-068)**
12

13 Andy Byrne, Human Services Manager, stated this is an ongoing contact. A
14 variation of it expired December. In response to a request for qualifications (RFQ),
15 these five statements of work were awarded. This is a consolidated contract. They
16 are for a variety of services. The money is within the general fund. It comes from
17 County mental health dollars and from the North Sound Mental Health Association.
18

19 ***Roy moved*** to recommend approval to the full Council.
20

21 Nelson stated the five counties in the regional network spend one of the
22 larger amounts per capita. It's commendable that this county has maintained that
23 service outside the scope the State provides. It has helped to reduce the need for
24 crisis services locally and regionally.
25

26 ***Motion carried unanimously.***
27

- 28 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
29 **PROFESSIONAL SERVICE CONTRACT BETWEEN WHATCOM COUNTY**
30 **AND CATHOLIC COMMUNITY SERVICES OF WESTERN WASHINGTON –**
31 **NORTHWEST TO PROVIDE FAMILY RESPITE, OUTPATIENT MENTAL**
32 **HEALTH AND SUBSTANCE ABUSE SERVICES, AND PSYCHIATRIC**
33 **CONSULTATION FOR CHILDREN AND THEIR FAMILIES, IN THE**
34 **AMOUNT OF \$30,958 (AB2004-069)**
35

36 ***Nelson moved*** to recommend approval to the full Council.
37

38 ***Motion carried unanimously.***
39

- 40 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
41 **AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN**
42 **WHATCOM COUNTY AND WESTCOAST COUNSELING AND TREATMENT**
43 **CENTER FOR OUTREACH AND ENGAGEMENT SERVICES TO PEOPLE**
44 **WITH SEVERE SUBSTANCE ABUSE PROBLEMS IN CRISIS, IN THE**
45 **AMOUNT OF \$60,000 FOR A TOTAL AMENDED CONTRACT IN THE**
46 **AMOUNT OF \$107,500 (AB2004-070)**
47

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

2
3 Nelson asked the reason for the reduction.

4
5 Andy Byrne, Human Services Manager, stated it's an increase. The contract
6 started in March 2003 at the amount of \$47,500. They increased it to \$60,000 for
7 the entire year. It's a one-year contract with an option to renew. This is the
8 second of three possible renewals. The money is through the State Division of
9 Alcohol and Substance Abuse (DASA).

10
11 Nelson asked if they can expect any help from DASA regarding co-occurring
12 disorders. Byrne stated the State is okay with providing assistance to clients with
13 mental illnesses as long as the clients have substance abuse problems also.

14
15 **Motion carried unanimously.**

16
17 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
18 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND SUN**
19 **COMMUNITY SERVICES TO PROVIDE SHORT-TERM TRANSITIONAL**
20 **HOUSING SERVICES TO WHATCOM COUNTY CONSUMERS WITH**
21 **MENTAL ILLNESS, IN THE AMOUNT OF \$93,302 (AB2004-071)**

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

24
25 **Motion carried unanimously.**

26
27 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
28 **CLEAN WATER ACT SECTION 319 NONPOINT SOURCE FUND GRANT**
29 **AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON**
30 **DEPARTMENT OF ECOLOGY TO PROVIDE FOR REIMBURSEMENT OF**
31 **75% OF THE COUNTY'S COSTS FOR CONTINUING IMPLEMENTATION**
32 **OF THE RIPARIAN REVEGETATION PROGRAM, IN THE AMOUNT OF**
33 **\$666,667 (AB2004-072)**

34
35 Bruce Roll, Water Resources Division Manager, stated this is a continuation
36 of work to provide for maintenance and vegetation to repair buffers where they're
37 doing active projects. It also funds a jail crew.

38
39 **Roy moved** to recommend approval to the full Council.

40
41 Nelson asked about the funding match. Roll stated the State Department of
42 Ecology contributed a \$500,000 grant and \$166,667 is from the County.

43
44 Nelson asked the source of the interlocal for \$50,000. Roll stated the
45 Conservation District contributes that amount. They also have to provide a match.

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1 Dewey Desler, Deputy Administrator, stated the money from the
2 Conservation District would serve as part of the 25% match requirement.

3
4 Jeff Monsen, Public Works Director, stated the cash amount listed in the
5 paperwork should specify \$116,666 from the County. The total intended match is
6 \$166,667 and has been budgeted.

7
8 Roy asked if these are competitive grants. Roll stated they are. They are
9 ranked locally. The Department of Ecology determines the project priorities. Every
10 year, the funding process happens and a local priority list is generated and
11 submitted to the Department of Ecology. That ranking isn't the same as the
12 Department of Ecology ranking. The Department of Ecology generally gives
13 guidelines on the types of expenses that are eligible.

14
15 ***Motion carried unanimously.***

16
17 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
18 ECONOMIC DEVELOPMENT INVESTMENT PROGRAM INTERLOCAL
19 LOAN AGREEMENT BETWEEN WHATCOM COUNTY AND THE PORT OF
20 BELLINGHAM, IN THE AMOUNT OF \$500,000 (AB2004-073)**

21
22 ***Nelson moved*** to recommend approval to the full Council.

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

25
26 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE
27 PURCHASE OF THREE POLICE PURSUIT VEHICLES USING THE
28 WASHINGTON STATE CONTRACT, FROM FRONTIER FORD FOR A
29 TOTAL PURCHASE PRICE OF \$67,697.35 (AB2004-074)**

30
31 ***Roy moved*** to recommend approval to the full Council. She asked if there
32 are different kinds of sheriff vehicles for non-pursuit purposes.

33
34 Mary Green, Equipment Rental and Revolving (ER&R) Division Manager,
35 stated there are different vehicles for the Sheriff's Office patrol. They have
36 separate suspensions and roll bars. There are signs in the pursuit cars indicating it
37 is a pursuit vehicle.

38
39 ***Motion carried unanimously.***

40
41 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE
42 PURCHASE OF FOUR REPLACEMENT VEHICLES USING THE
43 WASHINGTON STATE CONTRACT, FROM COLUMBIA FORD FOR A
44 TOTAL PURCHASE PRICE OF \$110,454.72 (AB2004-075)**

45
46 ***Nelson moved*** to recommend approval to the full Council.

1 Brenner asked why these vehicles cost more than the vehicles requested in
2 the previous item.

3
4 Mary Green, Equipment Rental and Revolving (ER&R) Division Manager,
5 stated these are 4-wheel drive Ford Explorers. Some of them are replacing Crown
6 Victorias.

7
8 Crawford asked if this cost is in the 2004 budget. Green stated it is.

9
10 ***Motion carried unanimously.***

11
12 **9. RESOLUTION CANCELING UNCOLLECTIBLE PERSONAL PROPERTY**
13 **TAXES (AB2004-076)**

14
15 ***Nelson moved*** to recommend approval to the full Council.

16
17 ***Motion carried unanimously.***

18
19 **10. RESOLUTION ACCEPTING THE TREASURER'S LIST OF PROPERTY TAX**
20 **REFUNDS (AB2004-077)**

21
22 Nelson asked about refunds that are several thousand dollars.

23
24 Crawford asked what defines a Department of Revenue exempt organization.

25
26 Steve Oliver, Deputy Treasurer, stated the Department of Revenue issues
27 some guidelines for property tax exemptions for certain service organizations and
28 nonprofit organizations. The organizations have to apply to the Department of
29 Revenue annually to get the exemption. Depending on the timing of when they
30 apply and when the Department of Revenue approves the exemption, the
31 organization may pay the taxes before the exemption comes through. The
32 Treasurer's Office has to refund those funds back to the organization. They do pay
33 statutory interest on the refunded amount.

34
35 ***Roy moved*** to recommend approval to the full Council.

36
37 ***Motion carried unanimously.***

38
39
40 **OTHER BUSINESS**

41
42 **1. PRESENTATION AND DISCUSSION ABOUT FINANCING OF LONG-**
43 **RANGE CAPITAL PROJECTS THAT ARE CURRENTLY BEING**
44 **CONSIDERED BY THE PUBLIC WORKS DEPARTMENT (AB2004-078)**

45
46 Jeff Monsen, Public Works Director, stated he would talk about future
47 projects in his department. He would present information on projects that aren't

1 typical. He is not asking for money right now. They are in a situation where they
2 have more things they want to do than they can finance or work on. Stormwater
3 management is one of the things they are considering doing. It's also something
4 they have put limited resources toward. Ten to fifteen years ago, it was common to
5 approve and complete road projects in 12 to 18 months. Now, it takes three to six
6 years to do some of those same activities because, in part, of stormwater
7 requirements. He read his power point presentation into the record (*on file*). The
8 County can't complete the list of potential future projects that aren't typical
9 because of financing and programmatic concerns. To accomplish the projects on
10 that list, the County will need to come up with creative financing. Right now, there
11 is no financing other than the general fund to do stormwater management and
12 stormwater capital improvements.

13

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

15

16 Monsen continued to state that the flood district is geared up to spend its
17 funds on pre-planned flood hazard activities. There is a declining fund balance.
18 Therefore, they will need to find a new revenue source for a lot of stormwater
19 activities that would define how much they do. Another option is to go to the
20 community and ask them to vote on whether or not the community would finance a
21 particular project. He continued to read from his Power Point presentation. They
22 need to make major adjustments to their current project pace and plans if they are
23 going to take on any of the projects on the list. There are very important projects
24 on that list.

25

26 Brenner stated one project on the list is about widening a road to current
27 standards. Also, projects are taking longer because of new environmental
28 standards. It's very frustrating to her to deal with the fact that the roads keep
29 getting wider and wider. Especially in the Lake Whatcom watershed, they have to
30 start looking at how they do the roads. A major environmental problem is putting
31 more asphalt in the environment. She asked if anyone is coming up with ideas to
32 narrow the roads, not widen the roads. Monsen stated they need to think outside
33 the box on a lot of these activities. If they access State and federal financial
34 support, road or other construction standards come with those monies. The County
35 begins to lose design flexibility. If the County truly finances this work locally, they
36 only have to answer to risk management and future potential tort claims. The
37 County will have more flexibility with the standards.

38

39 Brenner stated there is plenty of flexibility about the sizes of sidewalks and
40 shoulders. Every time this comes up, they install all of it. She doesn't feel like
41 there is any flexibility on the part of the Public Works Department staff.

42

43 Roy asked if this is related to the increase in the real estate excise tax
44 (REET). She asked if these projects would be eligible for the additional REET funds.

45

46 Dewey Desler, Deputy Administrator, stated many projects would be eligible.
47 He asked the Parks Department Director to address key issues regarding County

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1 parks and trails programs. Even some of the larger repair costs are eligible
2 expenses of the REET fund.

3
4 Mike McFarlane, Parks Department Director, submitted a handout (*on file*)
5 that lists projects for which they'll have difficulty finding a source of funding. They
6 are primarily maintenance and improvement projects to the existing facilities. Most
7 will have a 15- to 20-year life. There are cost details for some of the projects, but
8 not all. They could look for grant funding and then use another source of funding
9 for the local match for leverage. Most are not projects that would typically be
10 funded through grants.

11
12 Roy asked if there are any rough estimates about the costs. McFarlane
13 stated he's not prepared that yet.

14
15 Desler stated the administration will come forward with a proposal to do
16 more comprehensive study of trails and parks.

17
18 Crawford stated this issue has to do also with the **Ordinance amending**
19 **Whatcom County Code 3.20 by imposing an additional one quarter percent**
20 **real estate excise tax upon the sale of real property in the unincorporated**
21 **areas of the county and altering subsection 3.20.050b to reflect state**
22 **legislative restrictions upon the expenditure of existing county real estate**
23 **excise tax revenues (AB2004-066).** He asked how they have this dialogue.
24 Desler stated the rationale for doing this is because there are issues that have
25 larger impacts on the County for which the administration wants to have a
26 discussion. Often, the Council deals with the day-to-day issues of contracts and
27 more detailed elements of the plans. There are month-to-month demands for
28 additional services in the community. There are also larger issues they need to
29 think about. The administration wants to have a discussion with the Council about
30 addressing those larger issues. They're stretched to the maximum. They have to
31 discuss how to handle future demands that occur because of new federal mandates
32 regarding water quality and stormwater. Keep the larger, long-term issues in mind
33 when they deal with the business of the County. The administration wants the
34 Council to have knowledge and feedback on ways to work together in the future.

35
36 Crawford stated he doesn't know the protocol by which the Council would
37 discuss these larger issues with the Executive and administration. Desler stated the
38 Executive is charged with bringing forward a capital facilities improvement plan and
39 the six-year road program. The administration has chosen to bring the master
40 facilities plan and larger public works issues to the Council before plans are
41 finalized. The administration wants to have a regular dialogue about the direction
42 they're moving so the Council feels as if it's involved in the planning.

43
44 Crawford stated that approach is practical for a tool to do regular long-term
45 administration of facilities. The Executive doesn't bring forward ideas for issues
46 that will be controversial. Desler stated the administration asked Mr. Monsen to
47 respond to some issues that are just a part of what they will deal with in the near

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1 future. There is a longer term issue regarding roads and stormwater. Today is an
2 opportunity to provide feedback to the administration on the details of some of
3 these things. Hopefully it will bring up questions that the administration can
4 answer. The administration is planning to bring forward specific plans and
5 directions to the Council.
6

7 Crawford stated Mr. Monsen may be reluctant to bring forward ideas on how
8 to address certain needs without going through the Executive. He'd like to see that
9 reluctance gone. Desler stated it's out of respect that the Executive is doing this.
10 The Executive could make certain plans without discussing it with the Council.
11 However, the administration won't do that because it desires to work cooperatively.
12

13 McShane stated the Council's role of the revenue stream is a tricky issue.
14 The current administration's style may be more subtle in working with the Council.
15 The administration has already made him aware of all these projects. It comes
16 down to the Council setting policy for how the administration carries out the
17 administration's duties. Through the budget process, the Council sets policy on
18 how the administration operates and the level of service. Over the years, he's seen
19 and heard complaints about a lack of infrastructure and maintenance of park
20 facilities. He hasn't heard too many complaints about the County not doing enough
21 about stormwater through the National Pollution Discharge and Elimination System
22 (NPDES) process, but the Council is aware that the permit process is looming and
23 will have significant impacts on other projects that are important to the community.
24

25 Caskey-Schreiber stated the Council's role is to make policy. The Executive
26 works well with the Council in that respect. The Executive usually provides the
27 Council with information, and then lets the Council set the policy. This presentation
28 today is about a big, philosophical policy decision regarding REET. The question is
29 whether the County has a vision of how it will meet growth demands in the future.
30 REET is one tool to keep the amenities that keep Whatcom County a great place to
31 live. Every county in the state with an unincorporated population over 50,000,
32 except Whatcom and Yakima counties, is already at a .5 percent REET level. To
33 service growth, a county has to be ahead on infrastructure. REET allows them to
34 do that. The county will remain healthy and vibrant if it doesn't lose as it grows.
35 She's fine with the Executive letting the Council lead the way on setting policy.
36

37 Nelson stated he doesn't have information on a dollar figure, return on
38 investment, or impacts on the community regarding the items on the list. He asked
39 if REET is the only available source of funding for these projects. They have to
40 prioritize the projects. Worry about the details of the projects before they worry
41 about getting the money.
42

43 Brenner stated they are not mutually exclusive. Whether or not they get
44 REET, pick apart each project to make sure it's something they want to do. The
45 REET appeals to her because REET funds are collected when a transaction occurs,
46 which is fairer than other taxes.
47

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1 Caskey-Schreiber stated they don't know exactly how much they're going to
2 take in with the increased REET. It depends on growth and sales next year. She is
3 comfortable with not having an exact accounting of how much they are going to
4 spend. It's more prudent to get the funds before they spend them. The funds can
5 be used lots of ways to give back to the community. The Washington State
6 Association of Counties (WSAC) is going to lobby the legislature for more flexibility
7 on how these funds can be used. If the County doesn't do this now, it's constantly
8 losing the ability to address future problems.
9

10 Crawford asked if the administration is going to make a presentation on REET
11 during the evening's meeting. Desler stated it is.
12

13 Roy asked if a tax on real estate transactions is also on new construction.
14 Desler stated it is.
15

16 Roy stated the REET is very logical. It pays for public facilities to
17 accommodate growth. There could not be a more direct link between public service
18 facilities and a tax. They're talking about an increase of around \$1 million. The
19 capital improvement projects on this list, which they'd have to prioritize, include
20 plenty of legitimate projects that would cost more than the amount of money they'd
21 collect.
22

23 Nelson stated this can only go for construction costs. Desler stated it also
24 pays for maintenance, but not ongoing operating costs.
25

26 Nelson asked if the County would have resources to handle ongoing
27 operating costs that may incur due to continued growth. Make sure the County can
28 fund the continuation of government before they put money into capital
29 improvements to facilities. Desler stated there is some challenge regarding future
30 operational costs. The County is going to be 150 years old this year. They project
31 that the County will continue to grow.
32

33 The one-tenth of one percent increase for jail financing issue has come up.
34 The public may perceive that the County is going too far. The administration is
35 thinking about some kind of voter initiative in the fall. This particular REET tax is a
36 Council-approved additional tax. To the extent they can use funds like this to pay
37 for the support of the investments they've already made in the community, it
38 doesn't have to compete with the precious general fund money to pay for these
39 kinds of issues, which makes those general fund monies unavailable to support
40 other services.
41

42 Caskey-Schreiber stated that if this is passed, it would immediately free up
43 \$250,000 in the general fund.
44

45 Brenner stated a \$300,000 home would generate an additional \$750 from
46 the REET tax.
47

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1 Steve Oliver, Deputy Treasurer, stated that in the code that authorizes the
2 REET, there is a provision that doesn't require the Treasurer's Office to begin
3 collecting the tax until up to 60 days from when it was authorized. In this case, the
4 Treasurer's Office doesn't anticipate a change creating an undue hardship.
5 However, it would be a good idea for the Council to specify an effective date so the
6 Treasurer can notify title companies and the real estate community about when this
7 tax will become effective.

8
9 Brenner asked if this would be the same thing the Treasurer's Office does
10 already, but with just a different percentage. Oliver stated the Treasurer's Office
11 processes the two percentages differently, but someone paying it just sees one
12 amount being collected. The Treasurer's Office system can accommodate these
13 kinds of changes.

14
15 Desler stated they would set up a separate second quarter REET fund.

16
17 Caskey-Schreiber stated the Treasurer's Office gets to capture one percent of
18 the tax collected to alleviate their administrative costs. Oliver stated that one
19 percent goes back to the general fund.

20
21
22 **ADJOURN**

23
24 The meeting adjourned at 12:30 p.m.

25
26
27 _____
28 Jill Nixon, Minutes Transcription

29
30
31 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

32
33
34
35
36 _____
37 Dana Brown-Davis, Council Clerk

Sam Crawford, Committee Chair