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

4 February 8, 2005
5

6 Committee Chair L. Ward Nelson called the meeting to order at 11:00 a.m. in
7 the Council Chambers, 311 Grand Avenue, Bellingham, Washington.
8

9 Present:

10 Sam Crawford

11 Sharon Roy
12

Absent:

None

13 Also Present:

14 Dan McShane
15

16 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**
17

18 **1. REQUEST AUTHORIZATION TO RENEW WHATCOM COUNTY'S**
19 **PROPERTY INSURANCE POLICY (AB2005-092)**
20

21 Dewey Desler, Deputy Administrator, stated the County received a couple of
22 proposals, of which this is the least costly and most appropriate. It presents a
23 reduction in the premium cost for this insurance because of the softening prices for
24 this insurance. The County retains good coverage for property. The earthquake
25 and flood coverage is much better than in the past. Terrorism insurance is
26 included.
27

28 Nelson asked the highlights of the policy.
29

30 Barry Hanson, Unity Group, stated in reviewing the County's coverage, he
31 presents a policy that provides a total loss limit of \$50 million. There is a sub-limit
32 for earthquake and flood for \$35 million. The coverage for boiler and machinery
33 provides protection against an explosion or mechanical breakdown. There are
34 actually three separate policies. The \$50 million loss limit is provided by
35 Commonwealth, with the \$25 million loss limit for earthquake. The second policy is
36 provided by Great American for \$10 million of additional earthquake coverage. The
37 third policy is provided by Chubb Insurance for the boiler and machine coverage.
38 All three carriers offered competitive renewal rates to retain the County's accounts.
39 He doesn't recommend changing carriers.
40

41 Crawford asked how insurance companies guarantee they can pay in the
42 event of a major catastrophe. He asked if the companies really have resources to
43 pay for all that. Hanson stated the question is the financial capacity of each carrier.
44 He relies on the financial ratings. All carriers he presented are rated A- or better,
45 which is considered excellent. Each of the carriers are admitted to do business in
46 the State of Washington. The State provides a Washington guarantee fund, which
47 all carriers put money into in the event of insolvency.

1
2 **Crawford moved** to recommend approval to the full Council.
3

4 Nelson asked about the evaluation replacement cost. He asked how they
5 compare to previous versions. Desler stated they increased the values they are
6 insuring as a result of that. They updated all the property inventory so its
7 accurate. There is a 2.9 percent increase in the values insured.
8

9 Nelson asked if the flood coverage is continued. Hanson stated it is. Flood
10 zones A and B, which are on the coastline and at Hovander, are the properties that
11 this policy doesn't cover. The courthouse is covered through this policy. They've
12 purchased a separate flood policy through the National Flood Association.
13

14 Nelson asked if the loss limit includes the cost of debris removal. Hanson
15 stated it is.
16

17 **Motion carried 2-0 with Roy out of the room.**
18

19 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
20 **PROFESSIONAL SERVICES AGREEMENT BETWEEN WHATCOM COUNTY**
21 **AND WILSON ENGINEERING, L.L.C. TO PROVIDE PERMITTING,**
22 **DESIGN AND CONSTRUCTION PHASE PROFESSIONAL SERVICES FOR**
23 **A PROPOSED PUBLIC PARKING LOT AT THE FERRY TERMINAL ON**
24 **LUMMI ISLAND, IN THE AMOUNT OF \$58,645 (AB2005-076)**
25

26 Jeff Monsen, Public Works Director, submitted a memo (*on file*) and stated
27 the Council should either approve or reject both AB2005-076 and 2005-081A, or
28 the two different decisions will be counterproductive. If the administration is to
29 aggressively move forward with constructing the parking lot this year, they need to
30 move ahead with designating the house surplus and relocating it. From the last
31 meeting, there was a desire to consider public use of the house. If the Council
32 wants to consider using the house in its current location for a public use, the
33 Council should reject both agenda items.
34

35 Crawford asked if that decision will delay parking lot construction. Monsen
36 stated it will, until at least next year.
37

38 Crawford asked the legal and procedural questions that have been left
39 unanswered. Monsen stated the transaction to exchange properties with the Land
40 Trust would be done through a lot line adjustment procedure. To do that, they
41 would have to work through the financial transaction and construction. Whether
42 water is available to the house for its intended use is still a question. There are
43 other issues they need to work through. Once the issues are resolved, they would
44 need to determine the basic design concept for the parking lot. They can't do
45 design of the parking lot until these substantive issues are worked through.
46

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1 Crawford stated one issue is of financing the purchase. He understands the
2 Land Trust proposed it be involved in financing. The funding source for the parking
3 lot is the road fund. He asked if the County can mingle the road funds with the
4 purchase of the house. Monsen stated the house will be held for the possibility of a
5 Parks application. Any park interest that is not directly related to the construction
6 of the parking lot or for the ferry will have to be financed other than from the road
7 fund, including reimbursement to the road fund for any portion that doesn't meet
8 that requirement.

9
10 Crawford stated he's trying to understand the County's role for providing a
11 community center. He asked if they need to separate the purchase of a property
12 for a community center from the parking lot. Monsen stated that the house is
13 located adjacent to a parking lot is not a material issue. The material issue is how
14 to conduct the transaction to trade, purchase, or sell assets. It's not a location
15 issue. It's a legal issue.

16
17 Nelson asked if they can keep the house and move ahead with parking this
18 year. Monsen stated that to continue the parking project this year, they would
19 have to move the house in a timely way to not interfere with the parking lot
20 construction. There is no reason to approve the design contract if they don't know
21 what they are going to do with the house.

22
23 Colleen Berg, Lummi Island Community Land Trust Executive Director, stated
24 the Land Trust doesn't intend to delay the parking project. It is researching
25 alternatives for temporary parking. If the County is interested in doing the land
26 swap the Land Trust proposed, they can use the land the Land Trust is purchasing
27 for temporary parking, if they can get the necessary permits. They can get about
28 50 parking spaces in that lot. There are other alternatives for temporary parking.
29 The community is concerned about providing input on how this site will be designed
30 and used. There is a lot of concerned about the tree snag on the property. The
31 community wants a nice-looking landscaped lot when people get off the ferry. The
32 community is willing to do whatever it can to expedite the parking project. The
33 concern about access to water is the community's concern, not the County's. The
34 Land Trust approached the Hilltop Water Association to get information on changing
35 from a residential to commercial use. The Land Trust also checked with the State
36 Department of Health, which doesn't object to a change from residential to
37 commercial use, which might result in less water use. The location of this house is
38 ideal for a community use. They haven't dealt with things like crosswalks and
39 wheelchair access to the house yet.

40
41 Nelson asked the objection to moving the house to the adjacent parcel the
42 Land Trust already has. Berg stated the objection is the cost. The lot the Land
43 Trust is considering purchasing is not a buildable site. There is a well on the
44 Embrey property that services the site. The adjacent property doesn't have access
45 to use that well. In addition, that well has arsenic, which is common. Another
46 benefit is that the beachfront would remain with the County. The County would
47 have about 400 feet of beachfront.

1
2 Wanda Cucinotta, 2305 Tuttle Lane, Lummi Island, submitted and read from
3 information (*on file*). One concern is with how this project will be done. There are
4 advantages to using this lot. It would be a safer entrance to the parking lot. The
5 crosswalk to the ferry would be safer. The wooded lot to the north could be used
6 for stormwater management. Public beach access would be close to the ferry dock.
7 The remaining house and landscape would provide wind shelter to the parking lot,
8 landscape, enhance public resources, enhance views and historical landmarks. She
9 suggested amendments to the scope of work. There can be a partial gravel parking
10 lot on the site with minimal clearing. That wouldn't stall the County and would
11 provide parking during dry dock. There are many benefits to the County owning
12 the property adjacent to the Embrey property.
13

14 Polly Hanson, 2781 West Shore Drive, Lummi Island, stated she was
15 surprised to hear that the delay is due to whether or not the County designates the
16 house surplus. She heard dry dock parking would be difficult to get things done in
17 time anyway. Private parties have adjusted lot lines in very little time. There is
18 something else going on. Clarify the problems so they all understand what they
19 are. If all else fails, have temporary parking, even if it's not perfect. It will be
20 better than not having any temporary parking. Do the swap so the County ends up
21 with 50 parking spaces and contiguous property along the waterfront. People
22 complain that the shoreline isn't accessible. There should be some public access at
23 a location near the ferry that is very public. Someday, have the entire cove north
24 of the ferry dock available to the public. Go forward with the land swap. Allow the
25 Land Trust to buy the adjoining lot. Provide temporary parking. Proceed as fast as
26 possible. In the long run, it will be good for the entire community.
27

28 Nelson stated the Land Trust proposes that the adjoining parcel be used as a
29 temporary parking lot during dry dock. There are questions of waterfront use. Mr.
30 Monsen stated it will take another year to get the Parks Department involved to
31 refine a plan. The plan Mr. Monsen brought forward originally was to deal with the
32 parking situation, which is in great demand by the community. There isn't anything
33 hidden here. The County is forced into additional consideration by the Land Trust
34 proposal.
35

36 Monsen stated that to deliver a parking lot this year, he needs to have a
37 permit application submitted by March 1. February would be used to have a
38 discussion with the community about issues such as landscaping. He can't get into
39 a design without knowing if the house is or isn't going to be there. If the house is
40 going to be there, a question is how close the project can get to the house. He was
41 asked to deliver a parking lot this year. If the Council determines this alternative is
42 appropriate, he would like to be excused from the expectation of delivering the
43 parking lot this year.
44

45 Nelson stated that is clear. The public understands that. He asked how
46 difficult it would be to develop a temporary parking lot. Monsen stated it can't be
47 excused from shoreline and conditional use permit applications. The same issue of

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1 what they can do in the short-term and long-term is still there. Because of water
2 quality issues associated with parking lots, they need to have both pervious and
3 impervious surfaces to capture and treat the runoff. A temporary gravel parking lot
4 won't be likely, given current regulations.
5

6 Nelson asked if the land swap is ready to go at this time. Berg stated the
7 Land Trust has a purchase option with the landowner right now. (*Inaudible.*)
8

9 Monson stated the most significant matter in the transaction is the exchange
10 of same value. It's not simply a matter of trading land.
11

12 Nelson stated that doing anything other than the current project of putting in
13 a parking lot would take an additional year. Monsen stated it would take additional
14 time that would take them out of the construction season and before dry dock. He
15 won't predict the issues that will come up in this proposed transaction. If the
16 Council is going to develop beachfront, then wait until the Parks plan is done so it
17 can be taken into account.
18

19 Roy asked if there is no way the County can finish the parking lot and
20 continue to work on the Land Trust proposal. Monsen stated that if the Council
21 wants to deal with the house in the future and also have a parking lot, then he
22 proposes to convert the back portion of the property to a parking lot as if it is going
23 to be the only project completed.
24

25 Roy asked if that would reduce the number of available parking spots.
26 Monsen stated it would be half the number of lots proposed or less. Procedurally,
27 the parking lot will cost more.
28

29 **Crawford moved** to recommend approval to the full Council. He referenced
30 the items on Ms. Cucinotta information. The stormwater regulations have to be
31 followed. He asked if that would require consultation with the State Department of
32 Ecology (DOE). Monsen stated Ms. Cucinotta seems to suggest that the County
33 seek the DOE's guidance for design, which is unusual. It presumes that the DOE
34 staff are qualified to do design, and others are not.
35

36 Crawford stated others are qualified to design. Monsen stated the County is
37 not going to ram through a permit application in secret. The staff knows the
38 issues. Design elements will include preferences, not just what is required by law.
39

40 Crawford asked if, in the normal course of the project, the contractor will
41 abide by all critical area and shoreline regulations. The County will not violate its
42 own regulations. Monsen stated that is correct.
43

44 Crawford asked if Wilson Engineering is tasked with using existing
45 landscaping for buffers, stormwater treatment, and to enhance visual aesthetics.
46 Monsen stated it is. It must also deliver each parking stall at a reasonable cost.
47

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1 Crawford asked if input from the community would be done through the
2 Council or directly with the consultant. Monsen stated they would make the design
3 concepts available to the community. By definition, this conditional use permit
4 process is open to accomplish public review and input. He intended the permit
5 process to collect public input instead of having public input before submitting the
6 permit, which would further delay construction.

7
8 Berg stated they are talking about two weeks when the ferry is in dry dock.
9 She doesn't know if a two-week temporary gravel parking lot will need to follow
10 shoreline and other regulations.

11
12 Roy stated the temporary parking lot would have to meet those regulations.

13
14 Crawford stated a gravel area is impervious and has the same consideration
15 as a paved area.

16
17 Berg asked about parking on grass, such as the parking field at Hovander
18 Park.

19
20 Nelson stated that would be up to the Public Works Department.

21
22 Berg stated the parking project might be held up anyway because of the
23 conditional use process. The Lummi Island residents will come out for a public
24 hearing.

25
26 Nelson asked if the parking project can be done if the Council approves the
27 agenda items today. Monsen stated the timeline includes a reasonable public
28 debate through the conditional use permit process. He won't say there is no
29 possibility of certain matters delaying project completion until after dry dock.

30
31 Berg stated the expected bid for selling the house through surplus is about
32 \$10,000. Doing a swap would change the financing formula. The community
33 wants to have a say in the decision.

34
35 *(Clerk's note: End of tape one, side A.)*

36
37 Berg stated that if the community loses this opportunity now, it will be back
38 during the conditional use process.

39
40 Crawford stated he likes the idea. However, there are too many unanswered
41 questions. He is concerned about the viability of using the house as a community
42 center and keeping the tree snag. He weighs that against the community benefit of
43 getting a community parking lot, as planned. He is willing to work with the Lummi
44 Island community to develop a community resource center like the facility in the
45 Kendall area. It takes a lot of effort to do such a project. It would be good for the
46 Lummi Island community to go through a similar process to develop a center that
47 serves the community well into the future and that works for everyone.

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1
2 Nelson stated he recognizes the desire of the community to create a gateway
3 to the community. However, the community wants this parking lot this year. He
4 hopes the community can come together. Community centers are necessary in
5 outlying areas.
6

7 Roy stated the appeal of the proposal is the beach access. Community
8 centers are important, but this house might not be the appropriate location for a
9 center. The center will require maintenance and staffing. She's not sure this
10 proposal has been thought through the way it needs to be. On the other hand, this
11 is an opportunity to get this contiguous beach property for public use. Don't ignore
12 this opportunity. If the Council defeats this proposal, the Council would hear from
13 the Lummi Island residents on the other side of the issue. The community seems
14 equally divided.
15

16 Nelson stated they can still talk about shoreline acquisition. That's part of
17 the Park's Department function.
18

19 Roy stated this seems like a golden opportunity. Encourage the community
20 who is willing to work with the County to get something it wants.
21

22 Monsen stated there may be a way to do both. However, if the Council
23 wants to do both, it needs to be more deliberate about this process and don't
24 promise a parking lot this year in time for dry dock. He expects it to take about 11
25 months to go through a deliberative process for the proposal and come forward
26 with a consultant agreement with a design.
27

28 Roy stated that once the County signs the contract and moves the house,
29 this option is gone.
30

31 Crawford stated the option of keeping the house where it is at may be gone,
32 but the piece of land in between is still there. Folks who expressed concern two
33 weeks ago weren't necessarily opposed to a community center. If the Land Trust
34 wants to take this up as an issue, he supports them and encourages them to
35 continue this idea.
36

37 ***Motion carried 2-1 with Roy opposed.***
38
39

40 **COUNCIL "CONSENT AGENDA" ITEM**
41

- 42 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
43 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
44 **STEWART+KING PARTNERSHIP FOR ARCHITECTURAL/**
45 **ENGINEERING SERVICES FOR ALTERATIONS TO 509 GIRARD,**
46 **WHATCOM COUNTY HEALTH DEPARTMENT, IN THE AMOUNT OF**
47 **\$48,205 (AB2005-093)**

1
2 **Crawford moved** to recommend approval to the full Council.

3
4 **Motion carried unanimously.**

5
6 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
7 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
8 **CASCADIA CONSULTING GROUP, INC. FOR OUTREACH SERVICES TO**
9 **PROMOTE WASTE REDUCTION, RECYCLING AND HOUSEHOLD**
10 **HAZARDOUS WASTE MANAGEMENT, IN THE AMOUNT OF \$25,000**
11 **(AB2005-094)**

12
13 **Crawford moved** to recommend approval to the full Council. Education and
14 outreach for useful household items is a good idea. Create a way to recycle useful
15 resources.

16
17 Roy stated many of the charity organizations are becoming overwhelmed
18 because people are using them for garbage dumps. Continue the community
19 education. People want to do the right thing.

20
21 Nelson stated certain materials such as prescription vials may have a
22 recyclable use but end up in the waste stream. He asked if there is a method to
23 evaluate potential recyclable use.

24
25 Penni Lemperes, Solid Waste Specialist, stated this is a new company. She
26 hopes the contractor will come up with answers to some of those questions. Money
27 is available in the solid waste fund to have a collection event for electronics and
28 other such things.

29
30 Crawford stated the CRT computer monitors are another item that they will
31 have to figure out what to do with. Lemperes stated Office Depot had a big
32 collection event to take up to four items for free, exclusive of video cassette
33 recorders (VCR's). The County may end up partnering with someone like that in
34 the future. More and more of the big companies like that are implementing take-
35 back programs.

36
37 Nelson stated those events could be a result of this contract. Lemperes
38 stated that is correct.

39
40 Crawford asked about the State's website. Lemperes stated the website is
41 called www.2good2toss.com. It was going to cost \$1,100 to get into it, and then
42 cost \$600 per year for upkeep. It was not in the budget. However, the Solid
43 Waste Division is starting to get phone calls because it has been a very successful
44 operation. Whatcom County can partner with Skagit County to have one website
45 and split the cost.

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1 Roy suggested there be some kind of public acknowledgement program for
2 these businesses. Lempere stated the Solid Solutions newsletter will include a
3 thank-you to those businesses.

4
5 ***Motion carried unanimously.***
6

7 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
8 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND HANDEL**
9 **INFORMATION TECHNOLOGIES, INC. FOR MAINTENANCE OF**
10 **JUVENILE OFFENDER CASE MANAGEMENT SYSTEM, IN THE AMOUNT**
11 **OF \$23,250 (AB2005-095)**
12

13 ***Nelson moved*** to recommend approval to the full Council. He asked if this
14 contract is for an update of the program, not a new program.

15
16 Crawford stated it is within the capacity of the budget to absorb the extra
17 \$3,250.

18
19 Brad Bennett, Finance Division Manager, stated the County will get the ability
20 to call the contractor with any problems and software upgrades.

21
22 ***Motion carried unanimously.***
23

24 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
25 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND IMAC**
26 **INC. TO SUPPLY AND INSTALL A TILTING STEAM JACKETED KETTLE**
27 **IN THE JAIL KITCHEN, IN THE AMOUNT OF \$28,952.98 (AB2005-096)**
28

29 ***Crawford moved*** to recommend approval to the full Council. He asked
30 what this item is.

31
32 Dewey Desler, Deputy Administrator, stated it is an item that allows them to
33 cook large quantities of food.

34
35 ***Motion carried unanimously.***
36

37 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
38 **PURCHASE OF A VARIETY OF ROAD MAINTENANCE PRODUCTS USING**
39 **THE WASHINGTON STATE CONTRACT FOR ROAD STRIPING PAINT**
40 **AND BEADS IN THE AMOUNT OF \$375,000; HERBICIDES IN THE**
41 **AMOUNT OF \$90,000; TIRES IN THE AMOUNT OF \$50,000;**
42 **GUARDRAILS AND MATERIALS IN THE AMOUNT OF \$50,000; AND**
43 **RUBBERIZED ASPHALT IN THE AMOUNT OF \$30,000 (AB2005-097)**
44

45 ***Crawford moved*** to recommend approval to the full Council.

46
47 ***Motion carried unanimously.***

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1
2 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
3 **SETTLEMENT AGREEMENT BETWEEN WHATCOM COUNTY AND**
4 **GENERAL TEAMSTERS UNION, LOCAL 231 REGARDING THE HEALTH**
5 **CLERICAL COLLECTIVE BARGAINING AGREEMENT, EXTENDING THE**
6 **CURRENT AGREEMENT WITH MODIFICATIONS FOR THE PERIOD**
7 **JANUARY 1, 2005 THROUGH DECEMBER 31, 2007 (AB2005-098)**

8
9 *Nelson moved* to recommend approval to the full Council.

10
11 Crawford stated this is to raise the health insurance cap from \$550 to \$605.

12
13 Dewey Desler, Deputy Administrator, stated that is correct. Not everyone
14 was under the cap plan. Some people were under the co-pay plan.

15
16 *Motion carried unanimously.*

17
18 **7. RESOLUTION CANCELING UNCOLLECTIBLE PERSONAL PROPERTY**
19 **TAXES (AB2005-099)**

20
21 *Nelson moved* to recommend approval to the full Council.

22
23 *Motion carried unanimously.*

24
25
26 **OTHER BUSINESS**

27
28 There was no other business.

29
30
31 **ADJOURN**

32
33 The meeting adjourned at 12:15 p.m.

34
35
36
37 _____
38 Jill Nixon, Minutes Transcription

39
40 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

41
42
43
44
45
46 _____
Dana Brown-Davis, Council Clerk

L. Ward Nelson, Committee Chair