

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

4 October 11, 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

Absent:

Sharon Roy

11  
12 Also Present:

13 Barbara Brenner

14 Dan McShane  
15  
16

17 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**  
18

19 **1. RESOLUTION TO SET A HEARING TO SELL TAX-TITLE PROPERTY BY**  
20 **PUBLIC AUCTION, REQ. #2005-03 (AB2005-378)**  
21

22 Crawford stated he went to the property and talked to the neighbor who is  
23 interested in the property. The neighbor said he would redeem it. However, he  
24 found out that this neighbor isn't adjacent to the property. It's difficult to access  
25 the parcels in question. He has no problem with putting this to a hearing, but he  
26 doesn't see why the County should say the parcel is buildable or nonbuildable.  
27 Also, the parcels sent to hearings last week aren't technically buildable. He doesn't  
28 understand why the County would declare this parcel nonbuildable.  
29

30 Barbara Cory, Treasurer, stated this parcel has already been through  
31 foreclosure, so there is no opportunity to redeem it. It sounds like the neighbor is  
32 talking about another parcel. The issue is whether the property was nonbuildable.  
33 The applicant was only interested in the parcel if it is sent forward as buildable.  
34 That was the issue. Mr. Desler met with Mr. Watts about the reason Mr. Watts  
35 made a recommendation to send it forward as a nonbuildable parcel.  
36

37 Dewey Desler, Deputy Administrator, stated that even though the parcel is in  
38 the city of Blaine, it's appropriate for the County to provide the best information  
39 available so there is no intent to mislead anyone. There may be other opinions  
40 about that.  
41

42 Nelson stated the property is mostly underwater. Only one small corner of  
43 beach would be accessible. He asked if it is the authority of the legislative body to  
44 maintain the parcel as County land. Cory stated the County can, only if it pays the  
45 taxes.  
46

**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 Nelson asked if the County would have to go through a bid process. Cory  
2 stated it would not.

3  
4 Nelson stated he would consider the County's purchase of the land since  
5 shorelines are a precious commodity. Don't deal with this problem in the future.  
6 Maintain the area as a protected shoreline.

7  
8 Crawford stated that is a different issue. He's neutral about that idea. His  
9 issue is with trying to tell folks whether land is buildable or not.

10  
11 ***Nelson moved*** to recommend to the full Council to not send this item to  
12 auction, and to recommend that the County use funds, possibly Conservation  
13 Futures funds, to pay the debt and maintain the property for shoreline purposes.

14  
15 Brenner stated she liked the idea.

16  
17 McShane stated he liked the idea. It's all tideland. Tidelands in the state  
18 should never have gone into private ownership. It's a benefit to the community.

19  
20 ***Motion carried unanimously.***

21  
22 **2. ORDINANCE AMENDING THE WHATCOM COUNTY HOME RULE**  
23 **CHARTER TO CORRECT SCRIVENER'S ERRORS AND CLARIFY THE**  
24 **EFFECTIVE DATE OF ADOPTED ORDINANCES (AB2005-365)**

25  
26 ***Crawford moved*** to recommend adoption to the full Council

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

29  
30  
31 **COUNCIL "CONSENT AGENDA" ITEM**

32  
33 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
34 **LEASE AGREEMENT BETWEEN WHATCOM COUNTY AND NORTHWEST**  
35 **WILDLIFE RESCUE AND REHABILITATION, INC. FOR THE OPERATION**  
36 **OF A PUBLIC WILDLIFE REHABILITATION FACILITY (AB2005-386)**

37  
38 ***Nelson moved*** to recommend approval to the full Council. The contract  
39 talks about additional pens and structures. He asked if the contractor would build  
40 other structures.

41  
42 Mike McFarlane, Parks and Recreation Department Director, stated they are  
43 temporary structures.

44  
45 Crawford stated there was discussion about whether or not the public could  
46 view the animals when the initial discussion about this place occurred. At the time,  
47 the contractors were not excited about it. He asked if there was further discussion

**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 about that possibility. McFarlane stated the contractor's concern was about  
2 disturbance to the animals being rehabilitated. The contractor has run groups  
3 through there. They've talked about and are receptive to having open houses for  
4 the public.

5  
6 Crawford stated the contractors told him they are not in the business of  
7 running a zoo. He asked if the lease is silent about who makes that decision.  
8 McFarlane stated the lease is silent on that issue.

9  
10 Crawford stated get the contract started to see how it works. If there is a  
11 desire to expand an educational or public viewing component, they can talk about  
12 it. McFarlane stated there is mutual benefit to let the public view the facility at  
13 times. Access depends on what they're rehabilitating at the time.

14  
15 Crawford stated another issue was that the location's adjacency to the  
16 highway is a concern for natural habitat and animal recovery. McFarlane stated  
17 that is not an issue. The contractor is moved in and the location is working well.

18  
19 ***Motion carried unanimously.***

20  
21 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
22 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND**  
23 **PARAMETRIX, INC. TO COVER ADDITIONAL WORK RELATED TO THE**  
24 **ADOPTION PROCESS OF THE SHORELINE MASTER PROGRAM, IN THE**  
25 **AMOUNT OF \$123,820, FOR A TOTAL AMENDED AMOUNT OF \$486,820**  
26 **(AB2005-387)**

27  
28 ***Nelson moved*** to recommend approval to the full Council. He asked if the  
29 County administration usually anticipates cost overruns on contracts.

30  
31 Jeff Chalfant, Senior Planner, stated this contract was funded by the State  
32 Department of Ecology for a certain amount of work. The adoption process was not  
33 funded. This contract is for additional funding to fund the process that wasn't  
34 previously funded. The additional \$50,000 is for work with the Marine Resources  
35 Committee (MRC) to coordinate restoration planning.

36  
37 Nelson asked if the costs were not anticipated. Chalfant stated they were not  
38 anticipated. The County has to do the shoreline inventory of marine shorelines  
39 anyway. This is an opportunity to work with the MRC to be more efficient. They  
40 are talking advantage of an opportunity to work with the MRC.

41  
42 Nelson asked if they anticipate any additional costs. Chalfant stated they  
43 don't.

44  
45 ***Motion carried unanimously.***

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    **3.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
2    **CONTRACT BETWEEN WHATCOM COUNTY AND ART ANDERSON**  
3    **ASSOCIATES TO PROVIDE MARINE ENGINEERING AND FERRY**  
4    **SYSTEM PLANNING, DESIGN AND DESIGN OVERSIGHT FOR LUMMI**  
5    **ISLAND FERRY SYSTEM TERMINAL FACILITY CAPITAL**  
6    **IMPROVEMENTS, IN THE AMOUNT OF \$393,000 (AB2005-388)**  
7

8           Nelson stated staff went out for a bid for proposals. Five groups responded.  
9    The County did a limited amount of work with Art Anderson and Associates in March  
10   in the amount of \$15,000. The phase two contract was for \$115,000. He doesn't  
11   have a problem with what they're trying to accomplish. He questions the process.  
12   It appears that the County took a \$15,000 contract with Art Anderson and  
13   Associates to get them in place to win the phase two contract.  
14

15           Jeff Monsen, Public Works Director, stated that was their intention. Moving  
16   into this project, he wasn't clear about the scale of the project and its feasibility.  
17   Therefore, in the selection process, they found out that all firms are not equally  
18   capable of dealing with boat design and dock design issues. There is an advantage  
19   to having two firms, each specializing in one of those two areas. The first task of  
20   the two consultants was to determine key issues and scale, including the dock  
21   issues. Then staff worked with Elliot Bay on boat design. Then staff found they  
22   needed to consider system issues with Art Anderson to make sure the design  
23   process for the boat was still correct. They knew they would still have to do actual  
24   design and permitting for dock improvements. They've gone through enough to  
25   know the scale and scope of dock work needed. Now, they are prepared to move  
26   into design and permitting.  
27

28           Nelson stated there were originally five bidders. He asked if the other three  
29   didn't meet the standards, or if Art Anderson made the best bid. Monsen stated he  
30   is prohibited by law to ask for a bid for engineering and architectural services.  
31   Selection is based on qualification. It wasn't difficult to identify these two firms  
32   during the interviews.  
33

34           Nelson stated that even if the County had gone out for a bid after the  
35   \$15,000 contract expired, the other three firms wouldn't have been qualified.  
36   Monsen stated that he envisioned boat and dock design both as components of this  
37   contract work. Last spring, they weren't prepared to execute a contract for dock  
38   design. Their intention is to minimize the scope of the effort to save money. Only  
39   focus on those things that can be designed and built.  
40

41           Brenner stated she recalled that they've done this process quite a few times.  
42   She asked if this will be included in recovery costs that they would like to get back  
43   from fare recovery when all this is done. Monsen stated these are capital costs, not  
44   part of any future recovery rate. This is an expense the County incurs as a capital  
45   improvement.  
46

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

1  
2 *Motion carried unanimously.*  
3

4 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
5 **CONTRACT BETWEEN WHATCOM COUNTY AND RE SOURCES**  
6 **PROVIDING COMMUNITY EVENT RECYCLING OPPORTUNITIES FOR**  
7 **USED BEVERAGE CONTAINERS, IN THE AMOUNT OF \$18,385**  
8 **(AB2005-389)**  
9

10 *Crawford moved* to recommend approval to the full Council.  
11

12 Brenner stated she's seen commercials for Seattle's required electronics  
13 recycling program. She asked if Whatcom County has looked into the same kind of  
14 program.  
15

16 Bruce Roll, Assistant Director, stated the County helped sponsor and  
17 publicize private sector recycling programs through Home Depot and others. In  
18 addition, the County supports efforts at REsources where they are reconditioning  
19 and using those electronic pieces. There is an active program. Staff is thinking  
20 about doing some of that disposal at the toxic waste site. Now, they are looking to  
21 see if the private programs are adequate.  
22

23 Brenner asked if staff has contacted people in Seattle about their program.  
24 She would also like information on the locations in Whatcom County that take in  
25 computers for recycling. Roll stated staff can do that.  
26

27 Nelson stated they are charging \$6. Roll stated Whatcom County's partners  
28 are free.  
29

30 Brenner stated she would like a future committee discussion on the program  
31 and whether it's something Whatcom County should consider. Roll stated he will  
32 bring forward information at a future date.  
33

34 McShane stated they are limited in what they can do. Any of the programs  
35 have to go through the Solid Waste Executive Committee. The Solid Waste  
36 Executive Committee discussed this issue. It wasn't a high priority. Some  
37 committee members believe it's a fad.  
38

39 Crawford stated he recently had some difficulty trying to find someone to  
40 recycle a television. He ended up taking it to the dump. It would be nice to have a  
41 comprehensive list of how to dispose of a wide range of consumer goods. Roll  
42 stated that information exists. There is a hotline available for the community.  
43

44 Crawford stated it appears that the hazardous materials, such as lead, are  
45 ignored at the dump. One has to pay more to be more responsible. He couldn't  
46 find on the County's website where it said how to get rid of a television.  
47

**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           McShane stated many people want to reduce the amount of waste by  
2 recycling. It creates a dilemma from a solid waste perspective. It's cheaper to get  
3 rid of hazardous soil than it is to get rid of garbage. It's a matter of whether or not  
4 they want to set a priority for disposing of hazardous materials. It won't save the  
5 community any money. Trying to recycle the amount of stuff they use, including  
6 lead, is a policy decision. It costs money to recycle.

7  
8           Nelson stated the County used to have a solid waste program that was  
9 changed by the court. It was a primary example of recycling in the community, but  
10 people wanted a competitive bid. Through a competitive process, it becomes  
11 cheaper to just throw things away in the waste stream.

12  
13           Monsen stated televisions are made up of many contaminated components.  
14 The more contaminated something is, the higher the handling fee.

15  
16           Nelson asked if it is appropriate for local communities to have an additional  
17 tax or fee to raise funds to make them recyclable items. Monsen stated  
18 communities have attempted to generate money to change both the practices and  
19 to subsidize startup businesses. When creating those incentives, they get into tax  
20 theory and authority. Once they move into the financial arena to change social  
21 characteristics, a number of doors open up. Society will continue to build and  
22 consume products that do not lend themselves to being recycled. Ultimately, the  
23 marketplace drives the incentive to make products more recyclable. They are  
24 seeing that happen. Recycling is not easy to do with some products such as  
25 televisions and computers. This discussion used to happen regarding washers and  
26 dryers. A business had to be created to make them more recyclable. That didn't  
27 happen overnight.

28  
29           ***Motion carried unanimously.***

30  
31 **5. RESOLUTION TO SET HEARING TO SELL SURPLUS PROPERTY BY**  
32 **AUCTION, REQ. #03-05 (AB2005-390)**

33  
34           ***Nelson moved*** to recommend approval to the full Council.

35  
36           Jeff Monsen, Public Works Director, asked to withdraw this item. He is  
37 having discussions with an adjoining property owner. It's appropriate to remove  
38 this item from consideration at this time.

39  
40           Crawford asked the location. Monsen stated the location is to the north of  
41 Nugent's Corner. The property has never been and will never be a quarry. The  
42 County acquired the property to develop the quarry in theory. At that time, more  
43 than 20 years ago, they determined the property was not appropriate for a quarry,  
44 but the County purchased it anyway.

45  
46           ***Nelson withdrew his motion.***

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  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

**OTHER BUSINESS**

There was no other business.

**ADJOURN**

The meeting adjourned at 11:40 a.m.

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

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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

\_\_\_\_\_  
L. Ward Nelson, Committee Chair