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

4 October 25, 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

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

19 **1. ORDINANCE AMENDING THE 2005 WHATCOM COUNTY BUDGET,**
20 **TENTH REQUEST, IN THE AMOUNT OF \$200,170 (AB2005-391)**
21

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

24 Nelson read the proposed amendments. He asked if the full-time equivalent
25 (FTE) employee positions for the Planning Department were discussed at the
26 Executive level and from where the funding comes.
27

28 Dewey Desler, Deputy Administrator, stated it was discussed. They already
29 have expenditure authority for these positions. This action converts temporary
30 positions to ongoing positions.
31

32 ***Motion carried unanimously.***
33
34

35 **COUNCIL "CONSENT AGENDA" ITEM**
36

37 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
38 **CONTRACT, BASED UPON PASSAGE OF SUPPLEMENTAL BUDGET**
39 **REQUEST #10, BETWEEN WHATCOM COUNTY AND NOOKSACK**
40 **SALMON ENHANCEMENT ASSOCIATION TO PROVIDE WORK CREW**
41 **SUPERVISION FOR WATERSHED RESTORATION WORK AT MULTIPLE**
42 **SITES WITHIN WHATCOM COUNTY, IN AN AMOUNT NOT TO EXCEED**
43 **\$40,000 (AB2005-400)**
44

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

47 Roy stated these folks do a good job.

1
2 *Motion carried unanimously.*
3

4 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO THE**
5 **MASTER COLLECTIVE BARGAINING AGREEMENT BETWEEN WHATCOM**
6 **COUNTY AND GENERAL TEAMSTERS' LOCAL UNION NO. 231 FOR THE**
7 **PERIOD JANUARY 1, 2005, THROUGH DECEMBER 31, 2007 (AB2005-**
8 **401)**
9

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

12 McShane stated he has a question about where a couple of positions were
13 placed on the matrix. Some positions were moved from one range to another
14 range. He asked the implications. It's about a specific group of individuals in the
15 Planning Department. Employees at ranges 15, 18, and 20 were moved to 140,
16 170, and 190. It appears those positions end up going slightly down in pay scale,
17 even though they get a raise across the board.
18

19 Wendy Wefer Clinton, Employee Relations Manager, stated they get a raise of
20 more than two percent.
21

22 McShane stated it's a raise of less than two percent.
23

24 Nelson stated they can discuss the percentages later.
25

26 McShane asked about the skill enhancement programs. The engineers have
27 already been completed. Wefer Clinton stated they have to lay out the exact
28 criteria of the skill enhancement program. The ranges have been laid out.
29

30 McShane asked if they will create steps for the fire inspectors, public service
31 inspectors, and plan examiner positions. Wefer Clinton stated the programs
32 already exist. They will refine them to add things that management needs in those
33 areas.
34

35 McShane asked if skill enhancement programs are subject to approval of the
36 Council. Wefer Clinton stated they are not.
37

38 McShane stated he has concerns and more questions.
39

40 *Motion carried unanimously.*
41

42 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
43 **CONTRACT BETWEEN WHATCOM COUNTY AND HOME PORT**
44 **LEARNING CENTER FOR EDUCATIONAL SERVICES FOR YOUTH UNDER**
45 **THE SUPERVISION OF THE WHATCOM COUNTY JUVENILE COURT, IN**
46 **AN AMOUNT NOT TO EXCEED \$72,000 PER YEAR (AB2005-402)**
47

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

2
3 Nelson asked if the amount is the same.

4
5 Dave Reynolds, Juvenile Court Administrator, stated this is an increase from
6 last year. The amount last year was \$66,000.

7
8 Nelson asked if the rate per hour is the same. Reynolds stated it is. The
9 rate is cost per youth, which is different from the past, when it was a flat rate. The
10 change is to make sure they meet the budgetary needs and to be cost-effective.

11
12 Nelson stated this is a good program.

13
14 **Motion carried unanimously.**

15
16 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**
17 **CONTRACT AMENDMENT #3 BETWEEN WHATCOM COUNTY AND HDR**
18 **ARCHITECTURE, TO PROVIDE ADDITIONAL FUNDS FOR**
19 **REIMBURSABLE EXPENDITURES INCURRED BY HDR DUE TO THE**
20 **EXTENDED TIME FRAME AND MULTIPLE SUBMISSIONS TO THE**
21 **AUTHORITIES HAVING JURISDICTION FOR THIS PROJECT, IN THE**
22 **AMOUNT OF \$20,465, FOR A TOTAL CONTRACT AMOUNT OF \$774,810**
23 **(AB2005-403)**

24
25 Nelson asked how many more extensions they will need.

26
27 Dewey Desler, Deputy Administrator, stated they will probably need another
28 to cover printing costs. This has to do with engineering and design on the
29 minimum security jail.

30
31 Mike Russell, Facilities Division Manager, stated the contractor HDR gave a
32 cost estimate and amount of reimbursables. In the process, they have had to
33 resubmit the project design many times to the City and State Health Department
34 for approval. The cost of redoing those plans for the City and State was not in the
35 original cost estimate. They've asked to increase the amount to cover that cost.

36
37 Nelson asked the total amended amounts. There have been other
38 amendments. Desler stated they will check on this.

39
40 Russell stated the amendment is primarily due to the permitting process.
41 They met with City and Public Works. They took their input for the plan. Then they
42 met with the City again before submitting the plans.

43
44 Desler stated dealing with the State Department of Health has also been time
45 consuming. The County is also building a triage center. The State Department of
46 Health laid out additional requirements and specifications which the County did not

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1 predict. Also, they modified their own rules and regulations under which the
2 County would operate, in the middle of the process.
3

4 Roy asked the timeline. Desler stated the County has received bids, and is
5 pleased with them. He expects to bring them forward to the Council in two weeks.
6 They plan to start construction very soon. At this point, completion will be 280 to
7 300 days from the point they authorize the contractor to proceed.
8

9 Roy asked if construction starts the first of the year. Desler stated
10 construction starts before then.
11

12 Russell stated they will move into the facility in September or October 2006.
13

14 Crawford asked the kinds of things the City required that the County was not
15 aware of before. Russell stated the City required changes to the heating,
16 ventilation, and air conditioning (HVAC), sewer lines, and water lines. As the City
17 found an issue, they would close the package, send it back to the contractor, the
18 contractor would make changes and send it back to the City. After that happened
19 three times, they asked the City to make all its changes at once instead of having
20 to redo the prints every time.
21

22 Crawford asked if changes are due to the City not seeing certain things the
23 first time. Russell stated the reason was because different people got involved at
24 different times.
25

26 *Crawford moved* to recommend approval to the full Council.
27

28 *Motion carried unanimously.*
29

30 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
31 **CONTRACT BETWEEN WHATCOM COUNTY AND ASPECT CONSULTING**
32 **TO CONDUCT A GROUNDWATER STUDY ON LUMMI ISLAND TO**
33 **ADDRESS WATER QUANTITY, SEAWATER INTRUSION AND OTHER**
34 **CONTAMINANTS, IN THE AMOUNT OF \$119,899 (AB2005-404)**
35

36 *Roy moved* to recommend approval to the full Council. She asked if this
37 assessment is a paper assessment where they look at maps and charts, or if it is
38 field assessment.
39

40 McShane stated this scope of work is well-crafted. Roland Middleton worked
41 on it. It's an appropriate approach. There will be some on-the-ground work. They
42 won't identify and solve all the water problems on Lummi Island. It will provide a
43 framework for them to demonstrate that development won't harm other peoples'
44 water. It is a framework to set up a reasonable threshold for making that
45 determination. It is a good compromise for meeting a private and public sector
46 dollars.
47

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1 Nelson stated the question is how the information is going to be conveyed.

2
3 Roy stated citizens on Lummi Island complained a long time ago that a study
4 would be more of a review of information they already have, a lot of which is not
5 accurate, according to them. If Councilmember McShane thinks this is good, she
6 respects his opinion.

7
8 Nelson asked if the global positioning system (GPS) information will provide
9 new information on elevations and such.

10
11 Roy stated there is controversy about the accuracy of the current
12 information. She hopes they don't build a study on inaccurate information.

13
14 Jeff Hegedus, Environmental Health Division Manager, stated a lot of data
15 exists. The scope of work includes a lot of work to fill data gaps. The project goal
16 is not another study, but to come up with a methodology to assess the impacts of a
17 development, regarding quality and quantity. That methodology will be either
18 interactive, prescriptive, or some combination of the two. This will be a way to
19 improve their ability to evaluate impacts.

20
21 Nelson asked the requirements outlined in the request for proposals (RFP).
22 Hegedus stated the requirement is to compile existing data and fill data gaps. They
23 will look at all well logs, do additional sampling and analysis, find the recharge
24 areas and aquifer, and find out if there are contaminants to be concerned about.
25 After that modeling is done and based on the certainty of the data, come up with a
26 prescriptive approach or interactive approach. The interactive is low certainty and
27 they need additional reports to grant a permit. With prescriptive, they have a
28 higher certainty that certain tasks will have certain results.

29
30 McShane stated this is a much better way to go. This will have prescriptive
31 approaches where it makes sense and interactive approaches where it makes
32 sense. Ultimately, there will be people who will be unhappy with the results.

33
34 Crawford stated they can have a combination of both approaches.

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

37
38 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**
39 **CONTRACT AMENDMENT #3 BETWEEN WHATCOM COUNTY AND**
40 **ELLIOTT BAY DESIGN GROUP TO PERFORM ADDITIONAL PHASE II**
41 **WORK INCLUDING ENGINEERING SUPPORT SERVICES IN THE**
42 **DESIGN AND CONSTRUCTION SUPERVISION OF A NEW PASSENGER**
43 **VEHICLE FERRY AND REVISE AND AUGMENT THE SCOPE OF WORK**
44 **AND CONTRACT AMOUNT FOR SCALE FERRY MODEL TESTING, IN THE**
45 **AMOUNT OF \$28,480, FOR A TOTAL CONTRACT AMOUNT OF \$268,705**
46 **(AB2005-405)**
47

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1 **Crawford moved** to recommend approval to the full Council. He would like
2 to see the model that results. He asked if it would be possible for the
3 councilmembers to see the testing. Include a concerned citizen or two from Lummi
4 Island to see this.

5
6 Jeff Monsen, Public Works Director, stated a field trip is possible. A reason
7 for modeling and testing is to verify the hull design in order to save \$750,000 to \$1
8 million from not having to dredge in the dock area. They have previously imagined
9 having to spend a million dollars on dredging work necessary at the dock. This may
10 eliminate that need.

11
12 They have two choices for a model. This version is a lower end model that
13 only does stability and hull form testing. For another \$40,000, they can add
14 propulsion units to the model and drive it around.

15
16 Crawford asked if this propulsion system is different from the propeller. He
17 asked if this hull design has to do also with that propulsion system, or if it's a
18 different issue. Monsen stated they are related, but not directly. The hull design
19 fits well with a propulsion unit. The savings from this amendment is the company
20 using their own design to match the propulsion unit.

21
22 Crawford stated a problem with proprietary software is that the County pays
23 people to design things, after which they can profit from the County's paid work to
24 sell the design to someone else. He asked if Elliott Bay could patent this and
25 benefit from it. Monsen stated the patent issues are already patented. The work
26 from Elliott Bay is a public document. The only potential client for Elliott Bay on
27 this design is with Skagit County. He has already talked with Skagit County about
28 cost sharing.

29
30 Crawford stated that's good.

31
32 Monsen stated in this case, the construction of the model and the testing is
33 unique to this boat in this setting. No new science is being developed from which
34 the company can profit.

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

37
38 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**
39 **INTERLOCAL AGREEMENT AMENDMENT #1 BETWEEN WHATCOM**
40 **COUNTY AND PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM**
41 **COUNTY FOR SERVICES RELATED TO THE WATER RESOURCE**
42 **INVENTORY AREA #1 (WRIA #1) WATERSHED MANAGEMENT**
43 **PROJECT, WHICH IS A NO-COST SCOPE OF WORK MODIFICATION**
44 **AND WILL UTILIZE EXISTING BUDGET CAPACITY FOR THIS WORK**
45 **(AB2005-406)**

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1 Nelson asked if Washington State University is doing work on Bertrand as
2 well, and, if so, whether they are working together.
3

4 Bruce Roll, Assistant Director, stated Washington State University is working
5 on it also. They are working together intimately. There will be no duplication of
6 work. The Public Utility District (PUD) is developing the framework for managing
7 water for Bertrand Creek. A key component is to move away from surface water to
8 groundwater during critical times of the year. The work from Washington State
9 University will use an existing model developed by Simon Frasier University for the
10 Sumas aquifer to help characterize the groundwater. As they want to put in wells
11 and switch to groundwater during certain parts of the year, they'll know how far
12 they will need to be away from the stream. It feeds into the PUD one, which
13 creates the framework for negotiating and coming up with instream flow
14 recommendations for the Bertrand Creek watershed.
15

16 Nelson asked if the models from this and the Ten Mile Creek work will apply
17 to other areas. Roll stated there is a lack of knowledge about groundwater. Go
18 into that endeavor cautiously to see how functional these models are. His goal is to
19 expand that, since the model includes the whole Sumas aquifer. Being able to use
20 that model is a great win for the community. Part of the interest in starting in
21 those areas is there is a good receivership group that is capable of receiving the
22 information and making recommendations.
23

24 ***Nelson moved*** to recommend approval to the full Council.
25

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

- 28 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**
29 **SUPPLEMENT #2 TO THE STANDARD CONSULTANT AGREEMENT**
30 **BETWEEN WHATCOM COUNTY AND KPFF CONSULTING ENGINEERS**
31 **FOR ADDITIONAL CONSTRUCTION SUPPORT SERVICES TO REPLACE**
32 **HIGH BRIDGE NO. 115 ON LAKE WHATCOM BOULEVARD, IN THE**
33 **AMOUNT OF \$87,154.70, FOR A TOTAL CONTRACT AMOUNT OF**
34 **\$444,073.30 (AB2005-407)**
35

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

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

- 40 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
41 **CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON STATE**
42 **UNIVERSITY TO DEVELOP A MODEL COMPARING THE AFFECTS OF**
43 **GROUNDWATER USE ON SURFACE WATER QUANTITY IN THE**
44 **BERTRAND, TEN MILE AND FISHTRAP DRAINAGES OF WRIA #1, IN**
45 **THE AMOUNT OF \$154,971 (AB2005-408)**
46

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

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1
2 *Motion carried unanimously.*
3

4 **10. RESOLUTION SETTING A HEARING TO DISPOSE OF TAX-TITLE**
5 **PROPERTY BY DEED TO THE CITY OF BELLINGHAM FOR LAND LYING**
6 **BENEATH CITY STREETS, REQ. #2005-06 (AB2005-409)**
7

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

10 *Motion carried unanimously.*
11

12 **ADDENDUM**

13 **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
14 **CONTRACT WITH SNOHOMISH COUNTY FOR JAIL BED SERVICES TO**
15 **HOUSE SOME OF WHATCOM COUNTY'S OFFENDERS, UP TO 30 BEDS**
16 **AT \$56.00 PER DAY (NOT INCLUDING MEDICAL COSTS) BEGINNING**
17 **OCTOBER 27, 2005, AND CONTINUING UNTIL THE NEW MINIMUM**
18 **SECURITY JAIL FACILITY OPENS, IN AN AMOUNT NOT TO EXCEED**
19 **\$564,480 (AB2005-417)**
20

21 Dewey Desler, Deputy Administrator, stated there are serious problems with
22 jail overcrowding. The administration proposes this contract while the County is
23 involved in constructing this new jail. They propose tonight to bring forward a
24 supplemental budget request to fund this housing for the next two months, for
25 about \$110,000. The administration will propose another supplemental to the 2006
26 budget to cover this cost for the first eight to ten months in 2006.
27

28 Crawford asked if the money for this comes from the general fund. Desler
29 stated the money comes from funding from the corrections and jail tax, which goes
30 into the general fund.
31

32 Crawford asked how this affects the plan to pay for the new jail. He asked
33 how much more money it would cost if the new jail were running today. This
34 means they are advancing those operating costs. Desler stated they had hoped to
35 be open in April or May of 2006, but there have been permitting delays, so there is
36 additional effective revenue from that delay. Also, they are working with jail
37 administration to determine the additional revenue that would occur as a result of
38 this additional jail capacity. The County sells beds as well to other jurisdictions.
39 Effectively, they're buying capacity.
40

41 Crawford asked if the sales tax revenue is up somewhat. Desler stated there
42 is a modest increase in sales tax revenue of about \$150,000 to \$175,000 this year.
43 Next year, it will be a little more. However, they are also working on complicated
44 projections in how to assign the revenue to pay for the new jail. The cost of the jail
45 may be lower than anticipated. However, they are still working on all the revenue
46 for ultimate financing of construction and operations. Also, the City/County Jail
47 Investment Act program is on the table, but not yet finalized. The proposal is for

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1 the cities to also invest in the cost of the jail. In return, they would use part of the
2 revenue to cover their own cost of additional support requirements for the
3 operation of the jail.

4
5 ***Crawford moved*** to recommend contract approval to the full Council, based
6 on these letters and the explanation just given by Mr. Desler.

7
8 Desler stated this proposal for budget approval is for introduction tonight.

9
10 Nelson asked Sheriff Elfo if the inmates are all primarily felony inmates that
11 they're trying to accommodate.

12
13 Bill Elfo, County Sheriff, stated they are primarily pre-trial felons. They are
14 going to try and divert as many sentenced offenders that don't have concurrent
15 charges from another jurisdiction or case, because of the logistical problem of
16 sending them to an out of county jail. This will increase the number of beds for the
17 pre-trial population.

18
19 Nelson asked if there would be beds for federal prisoners. Elfo stated there
20 would be beds for extreme cases only. Federal prisoners go to the federal
21 detention center at Sea-Tac. The County is just not able to accept them at this
22 time.

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

25
26 Crawford stated it's great for the administration to come up with these
27 solutions.

28
29 McShane stated it would be interesting to hear the rationale for this from the
30 Superior Court judges. They are clearly taking a policy position. Part of their job
31 as elected officials is to advocate for these sorts of things directly to the Council. It
32 would be nice to hear from them. Elfo stated some of the inmates the judges are
33 considering for early release are those that go on to commit new crimes, fail to
34 meet court dates, and are generally a bad risk to the community.

35
36
37 **OTHER BUSINESS**

38
39 There was no other business.

40
41
42 **ADJOURN**

43
44 The meeting adjourned at 11:41 a.m.

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1 Jill Nixon, Minutes Transcription

2

3

4 ATTEST:

WHATCOM COUNTY COUNCIL

5

WHATCOM COUNTY, WASHINGTON

6

7

8

9

10 _____
Dana Brown-Davis, Council Clerk

L. Ward Nelson, Committee Chair