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WHATCOM COUNTY COUNCIL
Finance and Administrative Services Committee

November 10, 2009

Committee Chair Sam Crawford called the meeting to order at 11:03 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present: Sam Crawford, L. Ward Nelson and Bob Kelly.

Absent: None.

Also Present: Seth Fleetwood, Barbara Brenner, Laurie Caskey-Schreiber and Carl Weimer.

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. ORDINANCE AMENDING THE 2010 WHATCOM COUNTY BUDGET, SECOND REQUEST, IN THE AMOUNT OF \$3,440,693 (AB2009-419)

Crawford stated this discussion would also include a **discussion of 2010 Budget issues and concerns - Superior Court and District Court Probation (AB2009-366A)** as scheduled later in the meeting.

Dewey Desler, Deputy Administrator, gave a staff report.

The following people spoke:

- Brad Bennett, Administrative Services Department, answered questions.
- Chuck Snyder, Superior Court Judge, stated the judicial branch of government is independent. He submitted a handout (*on file*). Functioning courts are a budgetary necessity because they are mandated. They are not discretionary. The original 2009 and 2010 budgets for the courts were insufficient. They have made cutbacks to the extent the cutbacks are impacting the public's ability to go to court. A few increases in revenue are helping a little bit, but they don't know how long that revenue will be available. They don't know how many court cases they'll have next year. Make sure now that the 2010 budget will be adequate, or they will have to lose four to six staff. They already don't have enough staff to get things done timely.
- N.F. Jackson, Superior Court Clerk, answered questions.
- Dave Grant, District Court Judge, stated the District Court historically covers 90 percent of its costs from probation fees, but that amount is down to 75 percent given the economic downturn. He described District Court services and how services would change if cuts are imposed.
- Bruce Van Glubt, District Court Probation, answered questions.

Discussion included Grant County's failure to provide adequate criminal defense; the status of the guardian ad litem (GAL) service and volunteer Court Appointed Special Advocates (CASA) program; the loss of the court calendar clerk; Superior Court's need for \$200,000 to cover the shortfall; the amount the court pays in the administrative services fund; creating an option for paid settlement of cases instead of going to trial; whether the administration has worked and can work collectively with the courts, Prosecutor, and jail to find ways to reduce the budget impact by streamlining processes; constitutional constraints of the courts to influence pre-trial cases; addressing a \$1.6 million shortfall to protect the reserves, and; whether attrition would include transferring and retraining people to other departments to fill the highest priorities.

1
2 Crawford stated there is a \$1.6 million budget gap. He described four budget
3 options presented to the Council two weeks ago. He polled the councilmembers to gage
4 their preference of the four options.
5

6 Fleetwood stated he is open to considering a transfer from the road fund to the
7 general fund. He would not support a tax levy adjustment or use of the conservation
8 futures levy. He would be open to a one- or two-percent tax increase of no more than
9 about \$1 per month for the average taxpayer, to the general fund. He would be open to
10 corresponding cuts. The goal is to come up with \$400,000 for the courts.
11

12 Brenner stated she doesn't approve of attrition without being able to transfer and
13 retrain people. The Council should decide its highest to lowest priorities overall. She would
14 support a transfer from the road fund to the general fund, but not a change in the levy.
15 She would not support a tax increase. She would support taking money out of the reserve
16 if necessary. With attrition and making the transfers, they will hit an equilibrium.
17

18 Nelson stated he is not in favor of a tax increase. His top priority is public health and
19 safety. Use conservation futures funds and the reserve to offset \$1 million of debt. After
20 that, reduce the general fund reserves slightly or have departments make reductions, or do
21 some combination of both to make up the remaining gap, including the Superior Court gap.
22

23 Crawford stated use conservation futures fund to offset \$1 million of gap. He is not
24 in favor of going under the ten percent reserve. Preserve bonding capacity and have money
25 available for an emergency. Make \$600,000 or \$700,000 in cuts. Triage for courts must
26 come from further cuts in other areas. Consider reductions in the Parks, Planning, and
27 Health Departments. The administration should make those cuts as painless as possible.
28 He's not convinced they need to provide more funding to courts, particularly with District
29 Court. They are going to fill the jail to capacity no matter what. Expanding or decreasing
30 probation capacity does not substantially defer jail costs. It just expands and contracts the
31 overall capacity of the justice system. They need to fulfill their constitutional requirements.
32 If they redirect money, it will be at the expense of other departments.
33

34 Kelly stated keep all options on the table. He is not keen on new taxes. He is
35 opposed to attacking the conservation futures fund. They need to supplement the courts.
36 He would be open to budget cuts. Look at what is happening in the administrative services
37 fund. The administration has to explain the administrative services budget.
38

39 Desler described the administrative services budget.
40

41 Kelly stated he would like a presentation on the effect of covering the \$1.7 million
42 shortfall entirely from the administrative services budget.
43

44 Crawford asked the annual budget of the administrative services budget. Desler
45 stated it has three components, including the Finance Division, Human Resources Division,
46 and the Information Technology Division. A large part of the budget is spent on health
47 insurance and tort costs.
48

49 Weimer stated the courts need their gap filled. He is not interested in the tax shift
50 levy. He is not much interested in using conservation futures funds. Look at the budget
51 issues as a whole, not in pieces. Don't pass anything today until they look at the whole
52 budget. He is interested in the details of the administrative services fund and the
53 equipment rental and revolve (ER&R) fund. He wants more detail on the administrative cost

1 allocation and whether they can reduce it by about 20 percent. Also, he would consider a
2 one percent tax increase to close the gap for courts, if it's the only way to close that gap.
3

4 There was discussion on the implication to tonight's public hearings if they postpone
5 this discussion.
6

7 Caskey-Schreiber stated it's deceptive to switch the conservation futures fund, which
8 was a voter-approved levy. Don't do that. She is open to a partial transfer from the road
9 fund, but not a permanent switch. If they really need permanent revenues, have the guts
10 to do a tax increase. However she won't support a tax increase. Be respectful of the three
11 branches of government. Meet the needs of the judicial branch. Reach the shortfall by
12 going into the reserves a bit more and make cuts in the administrative services fund and
13 ER&R fund. Hold off on big equipment purchases until they get through the tough economic
14 times. The economy will recover. There are options other than those the administration
15 presented.
16

17 Brenner stated she would also like the Council or administration to combine certain
18 services under one department instead of several departments. She would like to know
19 what stimulus money they've applied for, even if they can't count on receiving it.
20

21 Crawford stated the tax increase was only favored by Councilmembers Fleetwood
22 and Weimer. Don't pursue it. Five councilmembers are in favor of court funding.
23 Therefore, the budget gap is now \$1.9 million. The road fund one-time transfer may have
24 four supporters. Conservation futures use is off the table. At least four councilmembers are
25 in favor of reducing the reserves. Three councilmembers are in favor of looking at
26 administrative costs. The Council needs clarification on those items.
27

28 There was discussion on attrition and transferring employees to other departments
29 to meet high-priority needs.
30

31 **Nelson moved** to request answers from the administration to the questions of
32 defining the details of the ER&R fund and administrative services fund and to define the
33 impacts of reducing the those funds and the reserve to make up the deficit.
34

35 Weimer stated he has questions about reduced traffic fines and whether that is
36 caused by attrition. He may support reducing conservation futures funds to fund
37 acquisitions programs that would reduce costs in the general fund. They need to be more
38 specific.
39

40 Caskey-Schreiber stated they need to know how much they can transfer from the
41 road fund and how much they want to cut from the administrative services budget, the
42 ER&R fund, or the reserves as a one-time transfer. Get a presentation from the
43 administration.
44

45 The motion carried by the following vote:

46 **Ayes:** Crawford, Nelson and Kelly (3)

47 **Nays:** None (0)
48

49 Weimer stated that if they don't approve a tax increase, they can leave everything
50 else open. They won't have a deadline from the Assessor.
51

52 Desler stated any tax increases or levy shifts have to be done by the middle of
53 December. A transfer from the road fund to the general fund can be done any time. Adopt

1 the supplemental budgets expeditiously to reflect the actual revenue adjustments,
2 expenditures, and some new revenue to begin programs. There are other technical
3 amendments that will come forward. The administration is still calculating those
4 amendments, depending on unions and attrition impacts. The administration has all the
5 documentation about the ER&R fund, administrative services fund, and reserves. It will
6 provide that information this afternoon.
7

8 Crawford stated the Council will meet in two weeks as Committee of the Whole to
9 continue to discuss 2010 budget.
10

11 Weimer stated the six-year road improvement program included the road fund levy
12 shift. The one-year program also is based on that shift. It seems like there isn't much
13 interest in that levy shift now, and they may need to change it. Desler stated the program
14 would still go forward, but could be funded with real estate excise tax (REET) funds.
15

16 Crawford stated they will hold this item for two weeks.
17

18 **2. RESOLUTION ADOPTING THE WHATCOM COUNTY 2010 ANNUAL**
19 **CONSTRUCTION PROGRAM (AB2009-393)**
20

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

23 The motion carried by the following vote:

24 **Ayes:** Crawford, Nelson and Kelly (3)

25 **Nays:** None (0)
26

27 **3. RESOLUTION AMENDING THE 2010 WHATCOM COUNTY FLOOD CONTROL**
28 **ZONE DISTRICT BUDGET, FIRST REQUEST, IN THE AMOUNT OF \$59,140**
29 **(AB2009-420)**
30

31 *Kelly moved* to recommend approval to the Whatcom County Flood Control Zone
32 District Board of Supervisors.
33

34 The motion carried by the following vote:

35 **Ayes:** Crawford, Nelson and Kelly (3)

36 **Nays:** None (0)
37

38 *(Clerk's Note: Discussion continued, below.)*
39

40 **4. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A 9/5**
41 **MAINTENANCE AND QUARTERLY PREVENTATIVE MAINTENANCE AGREEMENT**
42 **BETWEEN WHATCOM COUNTY AND IDENTIX BIOMETRIC SOLUTIONS FOR**
43 **THE ELECTRONIC FINGERPRINT MACHINES, IN THE AMOUNT OF \$26,056.28**
44 **(AB2009-422)**
45

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

48 The motion carried by the following vote:

49 **Ayes:** Crawford, Nelson and Kelly (3)

50 **Nays:** None (0)
51

52 **5. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
53 **CONTRACT BETWEEN WHATCOM COUNTY AND BROWN AND CALDWELL**

1 **ENVIRONMENTAL ENGINEERING & CONSULTANTS FOR LAKE WHATCOM**
2 **TRIBUTARY MONITORING 2010-2011, IN THE AMOUNT OF \$349,514**
3 **(AB2009-423)**

4
5 **Crawford moved** to recommend approval to the full Council.

6
7 The following people answered questions:

- 8 • Chip Anderson, Public Works Department
- 9 • Jon Hutchings, Public Works Department

10
11 Discussion included funding from the Flood Control Zone District fund; whether this
12 is a Council action or a Board of Supervisors action, and; what the County will receive from
13 this contract.

14
15 The motion carried by the following vote:

16 **Ayes:** Crawford, Nelson and Kelly (3)

17 **Nays:** None (0)

18
19 **3. RESOLUTION AMENDING THE 2010 WHATCOM COUNTY FLOOD CONTROL**
20 **ZONE DISTRICT BUDGET, FIRST REQUEST, IN THE AMOUNT OF \$59,140**
21 **(AB2009-420)**

22 *(Clerk's Note: Discussion continued from above.)*

23
24
25 Brenner stated they haven't had public success with the Conservation Program on
26 Agricultural Lands (CPAL) program.

27
28 The following person answered questions:

- 29 • Jon Hutchings, Public Works Department

30
31 **6. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
32 **SPONSOR CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON**
33 **STATE DEPARTMENT OF ECOLOGY FOR A WASHINGTON CONSERVATION**
34 **CORPS CREW IN PARTNERSHIP WITH NSEA FOR HABITAT RESTORATION**
35 **AND PUBLIC EDUCATION PROJECTS FOR SALMON RECOVERY, WATER**
36 **QUALITY, SHELLFISH PROTECTION AND STORMWATER PRIORITIES, IN THE**
37 **AMOUNT OF \$61,500 (AB2009-424)**

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

40
41 The motion carried by the following vote:

42 **Ayes:** Crawford and Kelly (2)

43 **Nays:** None (0)

44 **Absent:** Nelson (1) (out of the room)

45
46 **7. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO AN**
47 **INTERAGENCY AGREEMENT WITH THE WASHINGTON STATE DEPARTMENT**
48 **OF NATURAL RESOURCES FOR SERVICES RELATED TO PREPARING A**
49 **RECONVEYANCE TO THE COUNTY OF CERTAIN STATE FOREST LANDS**
50 **WITHIN THE LAKE WHATCOM WATERSHED FOR PARK PURPOSES, IN AN**
51 **AMOUNT NOT TO EXCEED \$291,000 (AB2009-437)**

52
53 **Kelly moved** to recommend approval to the full Council.

1
2 There was discussion about ongoing expenses, the landscape protection plan,
3 bringing more people into the watershed as a public park; unstable slopes; concerns about
4 development or forestry practices; not creating a park as a means of conservation; the
5 fiduciary responsibility of the County; assuming liability, and; motorcycle and all-terrain
6 vehicle (ATV) use harming conservation areas.
7

8 The motion failed by the following vote:

9 **Ayes:** Kelly (1)

10 **Nays:** Crawford and Nelson (2)
11
12

13 **COUNCIL "CONSENT AGENDA" ITEMS**
14

- 15 **1. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
16 **CONTRACT BETWEEN WHATCOM COUNTY AND ACS-ENTERPRISE SOLUTIONS**
17 **FOR THE PURPOSE OF UPGRADING THE COUNTY AUDITOR RECORDING**
18 **SYSTEM SCANNING ABILITY, IN THE AMOUNT OF \$24,000 (AB2009-425)**
19

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

22 The motion carried by the following vote:

23 **Ayes:** Crawford, Nelson and Kelly (3)

24 **Nays:** None (0)
25

26 *(Clerk's Note: Discussion continued below.)*
27

- 28 **2. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #09-61**
29 **TO LOW BIDDER AURORA TACTICAL, LLC FOR THE PURCHASE OF TWENTY**
30 **MONOCULAR NIGHT VISION DEVICES, IN THE AMOUNT OF \$66,076.50**
31 **(AB2009-426)**
32

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

35 *(Clerk's Note: Discussion continued below.)*
36

- 37 **1. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
38 **CONTRACT BETWEEN WHATCOM COUNTY AND ACS-ENTERPRISE SOLUTIONS**
39 **FOR THE PURPOSE OF UPGRADING THE COUNTY AUDITOR RECORDING**
40 **SYSTEM SCANNING ABILITY, IN THE AMOUNT OF \$24,000 (AB2009-425)**
41

42 *(Clerk's Note: Discussion continued from above.)*
43

44 Shirley Forslof, Auditor, stated this is to put maps on the internet. It's not to
45 upgrade the scanning system. It comes from the Auditor's operation and maintenance
46 (O&M) fund.
47

- 48 **2. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #09-61**
49 **TO LOW BIDDER AURORA TACTICAL, LLC FOR THE PURCHASE OF TWENTY**
50 **MONOCULAR NIGHT VISION DEVICES, IN THE AMOUNT OF \$66,076.50**
51 **(AB2009-426)**
52

53 *(Clerk's Note: Discussion continued from above.)*

1
2 Scott Rossmiller, Sheriff's Office Lieutenant, stated this is not stone garden. It is for
3 a federal buffer zone protection grant. They have gone through the approval process to
4 purchase the devices. This item is to award the bid. The cost includes training.
5

6 The motion carried by the following vote:

7 **Ayes:** Crawford, Nelson and Kelly (3)

8 **Nays:** None (0)
9

- 10 **3. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #09-72**
11 **AND ENTER INTO A CONTRACT WITH LOW BIDDER VERTICAL, INC. FOR**
12 **ALTERATIONS TO THE CIVIC CENTER BUILDING, IN THE AMOUNT OF**
13 **\$885,034.50 (AB2009-427)**
14

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

17 Dewey Desler, Deputy Administrator, gave a staff report.
18

19 The motion carried by the following vote:

20 **Ayes:** Crawford, Nelson and Kelly (3)

21 **Nays:** None (0)
22

- 23 **4. REQUEST APPROVAL FOR THE SHERIFF'S OFFICE TO PURCHASE A WIRELESS**
24 **REMOTE FOR THE BOMB ROBOT FROM SOLE VENDOR REMOTEC, INC., IN THE**
25 **AMOUNT OF \$61,373.03 (AB2009-428)**
26

27 *Kelly moved* to recommend approval to the full Council.
28

29 The motion carried by the following vote:

30 **Ayes:** Crawford, Nelson and Kelly (3)

31 **Nays:** None (0)
32

- 33 **5. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO AN**
34 **AMENDMENT TO THE INTERLOCAL AGREEMENT WITH WHATCOM**
35 **CONSERVATION DISTRICT REGARDING THE CPAL PROGRAM TO IMPLEMENT**
36 **A COST-SHARE PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO**
37 **LANDOWNERS IN IMPLEMENTATION OF FARM PLANS, IN THE AMENDED**
38 **AMOUNT OF \$25,000 (AB2009-213A)**
39

40 *Crawford moved* to recommend approval to the full Council.
41

42 Discussion included citizen complaints about the program; getting information on
43 who is helping with the farm plans; whether the County Planning Department is making
44 changes to farm plan requirements, and; reviewing the process of requiring farm plans.
45

46 The motion carried by the following vote:

47 **Ayes:** Crawford and Nelson (2)

48 **Nays:** None (0)

49 **Absent:** Kelly (1) (out of the room)
50

- 51 **6. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
52 **CONTRACT BETWEEN WHATCOM COUNTY AND VANDERVEEN FAMILY**

