

WHATCOM COUNCIL OF GOVERNMENTS  
BOARD MINUTES  
October 11, 2017

IN ATTENDANCE:

MEMBERS VOTING: Michael McAuley, Port of Bellingham (Vice-Chairman); Terry Bornemann, Bellingham; Michael Lilliquist, Bellingham; Harry Robinson, Blaine; Jon Mutchler, Ferndale; Scott Korthuis, Lynden; Tom Jones, Nooksack; Satpal Sidhu, Whatcom County; NON-VOTING: Donna Gibbs, Western Washington University; Pete Stark, Whatcom Transportation Authority

GUESTS Todd Carlson, WSDOT; Paul Greenough, Blaine; Tom Parker, Parker Northwest; Joe Rutan, Whatcom County; Greg Young, Ferndale

STAFF Bob Wilson, Ron Cubellis

A. CALL TO ORDER

At 3:38 p.m., in the absence of a quorum and with no Board officers in attendance, there was consensus for Mr. Wilson to present the informational items on the agenda to the representatives present.

B. PUBLIC COMMENT

No members of the public were in attendance.

E. BUDGET REPORT

Mr. Cubellis presented the budget report as of September 30, 2017, and he and Mr. Wilson responded to questions from the representatives.

G. NEW BUSINESS

G.1 Presentation of 2018 Budget, First Draft

Mr. Wilson presented the draft budget, and he and Mr. Cubellis answered questions posed by the representatives. Mr. Wilson then informed the Board that the Executive Committee would review the second draft at its meeting on December 13<sup>th</sup>, immediately before the Council Board meeting at which the final draft will be acted on. He also encouraged the representatives to contact him or Mr. Cubellis at any time if they have questions about the draft budget.

Mr. Cubellis then shared with the Board concerns he and Mr. Wilson have discussed recently about the possibility of not being able to meet payroll and other recurring expenses in a given month due to the irregular nature of the Council's cash flow and the lack of either a cash reserve or a line of credit. Mr. Wilson added that he believes

WCOG needs to have about two months of cash on hand for recurring expenses such as payroll, benefits, rent and utilities. Further discussion of this matter will be placed on the agenda of the Executive Committee meeting scheduled for December 13<sup>th</sup>.

(At 4:17 p.m., Mr. McAuley arrived and a quorum was obtained, and he assumed the chair.)

C. AGENDA APPROVAL

Mr. Wilson requested that the two items in the Consent Agenda be removed from it and addressed as separate action items.

**MOTION:** Mr. Lilliquist moved, Mr. Jones seconded, to approve the agenda with the amendment requested by the Executive Director.

**MOTION PASSED**

D. CONSENT AGENDA

D.1 Minutes of the Meeting of January 18, 2017

Mr. Wilson distributed a substitute for the draft minutes that were included in the meeting packet, which incorrectly listed Birch Bay Water & Sewer District (BBWSD) representative Patrick Alesse as a non-voting member. At the January 2017 Council Board meeting, BBWSD was still a voting member.

**MOTION:** Mr. Korthuis moved, Mr. Jones seconded, to approve the minutes of the Council Board meeting of January 18, 2017, as amended.

D.2 June – September 2017 Claims

Included in the meeting packet sent to the representatives on October 4, 2017, was a listing of claims from June 1 through September 29, 2017, totaling \$563,049.77, and which were audited and certified by the Executive Director acting as the Auditing Officer as required by RCW 42.24.090.

**MOTION:** Korthuis moved, Mr. Lilliquist seconded, to authorize payment of the claims listed for the period beginning June 1, 2017, and running through September 29, 2017, in the total amount of \$563,049.77.

**MOTION PASSED**

F. OLD BUSINESS

None

G. NEW BUSINESS (continued)

G.2 Adoption of 2018 Transportation Funding Requests

Mr. Wilson described the funding requests submitted by member jurisdictions. Based on information provided by Mr. Carlson about the status of the funding authorized for Slater Road improvements in the 2015 *Connecting Washington* bill, there was consensus that there was no need to include another request for that project during the 2018 State Legislative session. The remaining five requests follow:

Blaine: I-5 Exit 274 Interchange Improvements – This request is necessitated by the defunding in 2016 of the \$45-million Exit 274 interchange improvements project contained in *Connecting Washington*, and the Governor’s veto of a \$12-million project at this location included in the adopted State Transportation Budget in 2017. The City is currently working with WSDOT to develop a “practical solution” to address the lack of southbound access to Blaine’s city center from I-5 south of Exit 276; congestion from northbound I-5 to the Pacific Highway port-of-entry into British Columbia, and; deficient freeway access to the Blaine Industrial Area. WSDOT has indicated that this process should be completed by the end of 2017, with an amount determined for the project’s construction. Request: To be determined.

Lynden: Duffner Ditch Culvert Replacement – This project would replace the existing twin 48-inch concrete culverts with an 18-foot by 6-foot by 130-foot box culvert. It is currently at the 60 percent level for plans and is fully permitted, as it is included in WSDOT’s plan for the widening of State Route 539. All necessary right-of-way for the project has been obtained. This culvert is on WSDOT’s “Fish Passage Barrier” list that requires corrective action per the Federal Court Injunction. Construction in advance of the larger widening project would allow that project to be completed with fewer impacts on travelers. Request: \$3.4-million.

WCOG (on behalf of the Kendall-Columbia Valley Connectivity Plan Association): Kendall Highway Pedestrian and Bicycle Safety Trail – This request would fund 30 percent design, topographical and geotechnical analyses, and wetland delineation needed for the development of a 3.15-mile separated trail constructed along SR 547 to safely connect several large neighborhoods to key destinations in this rural, low-income community, including Kendall Elementary School, the library, the East Whatcom Regional Resource Center, and WTA transit stops. This work would be performed by a consulting engineer under a contract with WCOG, which is overseeing this effort in consultation with Whatcom County and WSDOT. Request: \$315,000.

Whatcom County: West Horton Road Multi-modal Corridor Extension, Phase 2 – This project would be carried out as a partnership between the City of Bellingham and Whatcom County. It would extend West Horton Road a half-mile west – from Aldrich Road to Northwest Avenue – as an arterial street with sidewalks and bicycle lanes, and a roundabout at the intersection of Horton and Northwest. Land acquisition, off-site mitigation and minimizing the road footprint will be necessary to address anticipated environmental impacts. Request: TBD, up to \$16-million.

Western Washington University, Bellingham and WTA: Lincoln Creek Transportation Center Improvements – This facility – owned and operated by WWU – serves as both a park-and-ride lot and a regional transit center, providing parking for about 500 cars along with regular WTA bus service to Western and employment centers in Whatcom, Skagit and Snohomish counties. This project would correct the facility’s significant surface deficiencies (uneven grade, potholes, pavement failure and inadequate drainage) and improve its storm water management infrastructure. Request: TBD, up to \$8-million.

**MOTION:** Mr. Korthuis moved, Mr. Bornemann seconded, to adopt the five previously-listed funding requests as the “2018 Unfunded Transportation Needs of Whatcom County.”

**MOTION PASSED**

G.3 Authorize the Executive Director to Send a Letter in Support of Bellingham International Airport

Mr. Wilson directed the representatives’ attention to the draft letter to U.S. Secretary of Transportation Elaine Chao which was included in the meeting packet, and then he briefly summarized the situation.

**MOTION:** Mr. Lilliquist moved, Mr. Bornemann seconded, to instruct the Executive Director to send a letter to U.S. Secretary of Transportation Elaine Chao expressing the Council’s disappointment in both the Federal Highway Administration and the Federal Aviation Administration for their unwillingness to provide a reasonable accommodation to Bellingham International Airport so that it can practicably meet FAA runway safety regulations, and requesting the Secretary’s assistance in bringing the parties together to find a satisfactory solution for all.

**MOTION PASSED**

(A copy of the letter is attached to these minutes.)

H. EXECUTIVE DIRECTOR'S REPORT

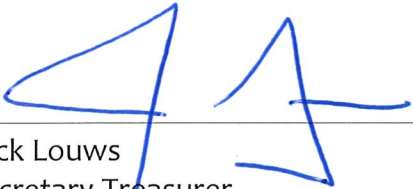
Mr. Wilson directed the representatives' attention to the list of chairpersons of WCOG going back to its establishment in 1966, which was included in the meeting packet.

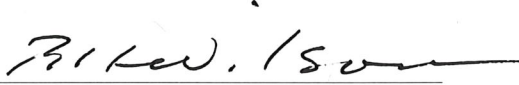
I. BOARD OPEN FORUM

No comments were offered by the representatives.

J. ADJOURNMENT

There being no further business, the meeting adjourned at 4:30 p.m.

  
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Jack Louws  
Secretary-Treasurer

  
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Robert H. Wilson, AICP  
Executive Director

Minutes approved December 13, 2017



## whatcom council of governments

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October 12, 2017

The Honorable Elaine L. Chao, Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Madam Secretary:

The Whatcom Council of Governments (WCOG) is the state-designated regional council for Whatcom County, Washington, and also serves as the federally-recognized metropolitan planning organization for the Bellingham Urbanized Area. At its meeting yesterday, WCOG's Board acted unanimously to instruct me to send you this letter urging your Department to provide reasonable administrative relief for one of our region's critical transportation and economic development assets, Bellingham International Airport (BLI), a federally-obligated public-use commercial service airport owned and operated by the Port of Bellingham.

The Federal Aviation Administration's *Airport Design Criteria* require airports to maintain 500,000 square-foot, cleared and graded Runway Safety Areas (RSA). At BLI, the RSA for the Runway 34 end of its single Runway 34-16 is in compliance with this requirement, but the Runway 16 end is not, since a very small portion of the required RSA – less than one-and-a-half percent – is within the right-of-way of Interstate 5 and not on the Airport's property. However, until last year, when FAA's Northwest Mountain Region informed BLI that the Runway 16 RSA must be brought into full compliance, this minor deficiency did not seem to be a fatal flaw. In fact, the Northwest Mountain Region determined in 2005 that the Runway 16 RSA met 98.65 percent of the required standard, and it subsequently awarded BLI an Airport Improvement Program (AIP) grant for runway improvements (in 2010) and approved its AIP-funded master plan and airport layout plan in 2015.

In light of this recent FAA directive, the Airport is currently seeking an interagency agreement with the Federal Highway Administration and the Washington State Department of Transportation that would allow it to construct a retaining wall within the I-5 right-of-way – but well outside the 35-foot clear zone – to meet the required RSA design standard. This approach is the only one of the eleven alternatives analyzed by BLI's airport master planning consultant that is economically and operationally practicable for the Airport. Unfortunately, FHWA refuses to grant the Airport's request, citing the need to preserve right-of-way in the event an additional lane is needed on this portion of I-5. For your information, the metropolitan transportation plan adopted by WCOG in June

The Honorable Elaine L. Chao

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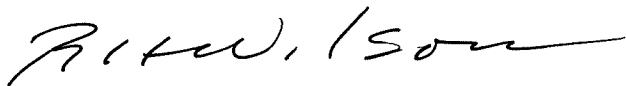
of this year – *Whatcom Mobility 2040* – does not call for the addition of lanes on I-5 anywhere in Whatcom County through the Plan’s horizon year of 2040. Even in the unlikely event that such a need is identified after 2040, an additional lane could be added in the median or on the shoulder side with a 32-foot wide (instead of a 35-foot wide) clear zone. It should also be pointed out that when the Airport deeded the right-of-way to FHWA in 1972 so that that section of I-5 could be built, it did so on the condition that operation of the Airport would not be impeded by the freeway.

The Board of the Whatcom Council of Governments finds it deeply troubling that the rigidity of both the FAA and the FHWA will result in a significant economic hardship for the Airport and the Port of Bellingham, especially when a very small and reasonable accommodation from either of these agencies could prevent it. Indeed, such an accommodation would be consistent with Congress’s 2005 runway safety mandate, which acknowledged that improvements must be achieved “to the extent *practicable*” (emphasis added).

Therefore, we respectfully request your assistance in bringing the parties together to facilitate a reasonable accommodation in this matter. Your help would be greatly appreciated by the jurisdictions constituting the Whatcom Council of Governments and the citizens and businesses of Whatcom County.

Thank you for your consideration.

Very truly yours,



Robert H. Wilson, AICP  
Executive Director

Copies: The Hon. Jay Inslee, Governor of Washington  
The Hon. Patty Murray, U.S. Senator  
The Hon. Maria Cantwell, U.S. Senator  
The Hon. Rick Larsen, U.S. Representative  
The Hon. Suzan DelBene, U.S. Representative  
The Hon. Michael P. Huerta, Administrator, FAA  
The Hon. Brandye Hendrickson, Acting Administrator, FHWA  
The Hon. Roger Millar, Secretary of Transportation, Washington  
Commissioners, Port of Bellingham  
Rob Fix, Executive Director, Port of Bellingham  
Sunil Harman, Director of Aviation, Port of Bellingham  
Council Board, Whatcom Council of Governments