

**WHATCOM COUNTY**  
Planning & Development Services  
5280 Northwest Drive  
Bellingham, WA 98226-9097  
360-778-5900, TTY 800-833-6384  
360-778-5901 Fax



**Mark Personius**  
Director

## Memorandum

October 30, 2023

TO: The Honorable Satpal Sidhu, Whatcom County Executive

FROM: Matt Aamot, Senior Planner

THROUGH: Steve Roberge, Assistant Director

RE: Cost Sharing Interlocal Agreement for 2025 Comp Plan Update

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### **Requested Action**

This request is to enter into an Interlocal Agreement with the cities and the Whatcom Council of Governments (WCOG) concerning cost sharing for planning studies associated with the 2025 Comprehensive Plan update and urban growth area review.

### **Background and Purpose**

The Growth Management Act (GMA) indicates that county and city comprehensive plans, including urban growth area (UGA) plans, must be coordinated and consistent (RCW 36.70A.100). The GMA also requires Whatcom County and the cities to update their respective comprehensive plan by June 2025 (RCW 36.70A.130). Because this review requires a coordinated effort between Whatcom County and the seven cities, the City/County Planners Group developed an Interlocal Agreement that would share costs associated with certain tasks that will benefit both the County and the cities.

### **Funding Amount and Source**

Under the terms of the Interlocal Agreement, the County, the cities, and the WCOG agree to provide a total of \$600,000 to jointly fund consultant services associated with the 2025 Comp Plan update. The County's portion of the cost-sharing agreement (\$212,680) would come from State grant money. Please note that there are other consultant tasks associated with the 2025 Comprehensive Plan update that will be solely funded by the County (from State grant money) and, therefore, are not included in this Interlocal Agreement.

The Whatcom County Council authorized you to enter into the Interlocal Agreement on September 26 (AB 2023-598). We are now asking the County Executive's Office to initiate the DocuSign process.

Thank you for your consideration of the proposed contract.

**WHATCOM COUNTY CONTRACT  
INFORMATION SHEET**

Whatcom County Contract No.  
**202310028**

Originating Department:	Planning & Development Services
Division/Program: <i>(i.e. Dept. Division and Program)</i>	Long Range Planning
Contract or Grant Administrator:	Matt Aamot
Contractor's / Agency Name:	Cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas and the Whatcom Council of Governments

Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes  No   
 Yes  No  If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: N/A

Does contract require Council Approval? Yes  No  If No, include WCC: \_\_\_\_\_  
 Already approved? Council Approved Date: 9/26/2023 (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)

Is this a grant agreement? Yes  No  If yes, grantor agency contract number(s): \_\_\_\_\_ CFDA#: \_\_\_\_\_

Is this contract grant funded? Yes  No  If yes, Whatcom County grant contract number(s): Not Available

Is this contract the result of a RFP or Bid process? Contract \_\_\_\_\_  
 Yes  No  If yes, RFP and Bid number(s): \_\_\_\_\_ Cost Center: 2592

Is this agreement excluded from E-Verify? No  Yes  If no, include Attachment D Contractor Declaration form.

- If YES, indicate exclusion(s) below:
- Professional services agreement for certified/licensed professional.
  - Contract work is for less than \$100,000.
  - Contract work is for less than 120 days.
  - Interlocal Agreement (between Governments).
  - Contract for Commercial off the shelf items (COTS).
  - Work related subcontract less than \$25,000.
  - Public Works - Local Agency/Federally Funded FHWA.

Contract Amount:(sum of original contract amount and any prior amendments):  
 \$ 600,000  
 This Amendment Amount:  
 \$ N/A  
 Total Amended Amount:  
 \$ N/A

Council approval required for; all property leases, contracts or bid awards **exceeding \$40,000**, and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, **except when:**

1. Exercising an option contained in a contract previously approved by the council.
2. Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance.
3. Bid or award is for supplies.
4. Equipment is included in Exhibit "B" of the Budget Ordinance.
5. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.

Summary of Scope:

**Interlocal Agreement with the Cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas and the Whatcom Council of Governments concerning cost sharing associated with the Comprehensive Plan Update and Urban Growth Area Review**

Term of Contract: When signed by all parties | Expiration Date: June 30, 2026

Contract Routing:	1. Prepared by: <u>MA</u>	Date: <u>9/11/2023</u>
	2. Attorney signoff: <u>R Buckingham</u>	Date: <u>9/13/2023</u>
	3. AS Finance reviewed: <u>A Tan</u>	Date: <u>9/12/2023</u>
	4. IT reviewed (if IT related): _____	Date: _____
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: <u>&gt;</u>	Date: <u>10/30/2023</u>
	7. Council approved (if necessary): <u>AB2023-598</u>	Date: <u>9/26/2023</u>
	8. Executive signed: _____	Date: <u>10/30/2023</u>
	9. Original to Council: _____	Date: _____

Whatcom County Contract No.  
202310028

INTERLOCAL AGREEMENT  
BETWEEN  
WHATCOM COUNTY, WCOG, AND THE CITIES OF BELLINGHAM,  
BLAINE, EVERSON, FERNDALE, LYNDEN, NOOKSACK, SUMAS  
CONCERNING COST SHARING FOR PLANNING STUDIES  
ASSOCIATED WITH THE COMPREHENSIVE PLAN UPDATE AND UGA REVIEW

This agreement is made by and between Whatcom County (herein after referred to as the “County”) and the Cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas (herein after referred to as the “Cities”) and the Whatcom Council of Governments (hereinafter referred to as “WCOG”).

WHEREAS, the Growth Management Act (GMA) requires the County and Cities to update their respective comprehensive plans and review and, if necessary, revise urban growth areas by June 30, 2025 (RCW 36.70A.130); and

WHEREAS, cooperative relationships, joint review of growth management planning issues, and coordination between the County and Cities are mutually beneficial; and

WHEREAS, the Cities, WCOG, and County desire to share costs for planning, transportation analysis, and environmental studies associated with the comprehensive plan urban growth area review that is due by 2025;

NOW, THEREFORE, subject to the terms and conditions contained herein, the Cities, WCOG and County agree as follows:

**Section 1. Cost Sharing for Planning Studies**

The Cities, WCOG and the County agree to provide a total of \$600,000 for:

- \* County-wide population and housing projections and allocations to urban growth areas;
- \* County-wide employment projections and allocations to urban growth areas;
- \* Allocation of housing, households, population and employment to other geographic units;
- \* Land Capacity Analysis;
- \* Environmental review under the State Environmental Policy Act;
- \* Transportation model analysis support;
- \* Housing element work products;
- \* Tribal participation in planning;
- \* Climate planning – resiliency sub-element (GMA amendments in House Bill 1181);
- \* The 40 year planning strategy; and
- \* Project management, periodic update checklist, and expenses.

The WCOG will provide \$40,000 for technical allocations of population, dwelling units, households, group quarter population, and employment and transportation model analysis tasks.

The remaining \$560,000 will be apportioned as shown in the chart below. The County and each city will contribute a flat amount of \$5,000 and the remaining costs will be distributed based upon the percentage of population in the respective jurisdiction relative to the total population of Whatcom County in 2023.

	<b>2023 OFM Population</b>	<b>% of Total Pop.</b>	<b>Equal Allocation Shares</b>	<b>Population Allocation Shares</b>	<b>Total Share for 2025 Update</b>	<b>% of Total Cost</b>
Whatcom County (Unincorporated)	94,175	39.94%	\$5,000	\$207,680	\$212,680	35.45%
Bellingham	95,960	40.70%	\$5,000	\$211,617	\$216,617	36.10%
Blaine	6,310	2.68%	\$5,000	\$13,915	\$18,915	3.15%
Everson	3,135	1.33%	\$5,000	\$6,913	\$11,913	1.99%
Ferndale	16,330	6.93%	\$5,000	\$36,012	\$41,012	6.84%
Lynden	16,520	7.01%	\$5,000	\$36,431	\$41,431	6.91%
Nooksack	1,560	0.66%	\$5,000	\$3,440	\$8,440	1.41%
Sumas	1,810	0.77%	\$5,000	\$3,992	\$8,992	1.50%
WCOG					\$40,000	6.67%
<b>TOTAL</b>	<b>235,800</b>	<b>100%</b>	<b>\$40,000</b>	<b>\$520,000</b>	<b>\$600,000</b>	<b>100.00%</b>

## **Section 2. Invoicing and Reimbursements**

The County agrees to invoice the Cities and WCOG for their respective portions of the costs every three months. The Cities and WCOG agree to reimburse the County for their respective portions of the costs within 30 days of receiving an invoice.

## **Section 3. Budgeting**

In order to facilitate budgeting by the Cities and the County, it is agreed that:

- The cities and WCOG will plan to pay the County 50% of their total funding share by June 30, 2024.
- The cities and WCOG will plan to pay the County 25% of their total funding share between July 1, 2024 and December 31, 2024.
- The cities and WCOG will plan to pay the County 25% of their total funding share between January 1, 2025 and June 30, 2025.


The percentages in Section 3 of this agreement may be modified by written agreement of all of the County and city planning directors (or designees), without the need to amend this Interlocal Agreement. The County will invoice the cities at least 30 days prior to when payment is due.

**Section 4. Effective Date, Duration and Termination**

This agreement shall be effective upon signature by the Mayor and/or City Manager of each of the seven Cities, the Executive Director of WCOG and the Whatcom County Executive. This agreement shall remain in effect until June 30, 2026 unless modified or terminated by written agreement of the parties.

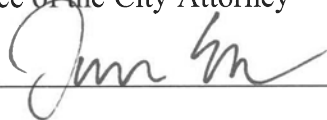
Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF BELLINGHAM

By   
Seth Fleetwood, Mayor

Date October 25, 2023

Approved as to form:  
Office of the City Attorney

  
\_\_\_\_\_

Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF BLAINE

DocuSigned by:  
By Michael Harmon  
4905E6231E674BA...  
Michael Harmon, City Manager

Date 11/6/2023

Approved as to form:  
Office of the City Attorney  
DocuSigned by:  
JON SITKIN 10/30/2023  
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Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF EVERSON

DocuSigned by:  
By John Perry  
8E972F8782054C8...  
John Perry, Mayor

Date 11/13/2023


Approved as to form:  
Office of the City Attorney

DocuSigned by:  
JAN SITKIN 10/30/2023  
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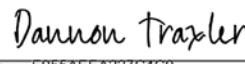
Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF FERNDALE

DocuSigned by:  
By   
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Greg Hansen, Mayor

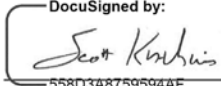
Date 11/16/2023

Approved as to form:  
Office of the City Attorney

DocuSigned by:  
 11/13/2023  
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Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF LYNDEN

DocuSigned by:  
By   
558D3A8759594AF  
Scott Korthuis, Mayor

Date 11/27/2023

Approved as to form:  
Office of the City Attorney

DocuSigned by:  
 11/27/2023  
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Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF NOOKSACK

DocuSigned by:  
*Kevin W. Hester*  
By \_\_\_\_\_  
1A741500200F41A...  
Kevin Hester, Mayor

Date 11/28/2023

Approved as to form:  
Office of the City Attorney

DocuSigned by:  
*Bob Carmichael*      11/27/2023  
\_\_\_\_\_  
FBBDC741692F406...

Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

CITY OF SUMAS

DocuSigned by:  
By Bruce Bosch  
Bruce Bosch, Mayor

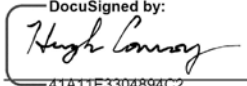
Date 11/29/2023

Approved as to form:  
Office of the City Attorney

DocuSigned by:  
Jim Wright 11/29/2023

Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

WHATCOM COUNCIL OF GOVERNMENTS

DocuSigned by:  
  
By \_\_\_\_\_  
41AT1E3304894C2...  
Hugh Conroy, Executive Director

Date 11/29/2023

Each signatory below to this agreement warrants that they are the authorized agent of the respective party; and that they have the authority to enter into the agreement and bind the party thereto.

WHATCOM COUNTY

DocuSigned by:  
By Satpal Singh Sidhu  
1192C7C18B864E5...  
Satpal Sidhu, County Executive

Date 10/30/2023

Approved as to form:  
Whatcom County Prosecutor

DocuSigned by:  
Royce Buckingham 10/30/2023  
1EE5DDBD9542404...