

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

June 23, 2022

TO: The Honorable Satpal Sidhu, Whatcom County Executive

FROM: Matt Aamot, Senior Planner

THROUGH: Steve Roberge, Assistant Director

RE: Extension to Interlocal Agreement with Ferndale Concerning Planning, Annexation, and Development within the Urban Growth Area

Whatcom County Comprehensive Plan Goal 2R and related policies indicate that the County should have interlocal agreements with the Cities relating to planning, annexation, and development in urban growth areas (UGAs).

The County had interlocal agreements with each City that were originally approved between 1997 and 2001. When these original interlocal agreements expired, new agreements were approved in 2012. However, the 2012 agreements have 10-year durations and are set to expire on June 30, 2022. Therefore, the County and the City of Ferndale are working together to develop a new interlocal agreement. However, the terms of the new agreement are still being negotiated. Therefore, the County and City have agreed to extend the existing 2012 Interlocal Agreement for six months.

The County Council approved a motion authorizing the County Executive to sign the extension on June 21, 2022.

Thank you for your consideration of this matter.

**WHATCOM COUNTY CONTRACT
INFORMATION SHEET**

Whatcom County Contract No.

201205008-1

Originating Department:	Planning & Development Services
Division/Program: (i.e. Dept. Division and Program)	Long Range Planning 2620/262025/2527
Contract or Grant Administrator:	Matt Aamot
Contractor's / Agency Name:	City of Ferndale
Is this a New Contract? If not, is this an Amendment or Renewal to an Existing Contract? Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> If Amendment or Renewal, (per WCC 3.08.100 (a)) Original Contract #: <u>201205008</u>	
Does contract require Council Approval? Yes <input checked="" type="radio"/> No <input type="radio"/> If No, include WCC: _____ Already approved? Council Approved Date: <u>6/21/2022</u> (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, grantor agency contract number(s): _____ CFDA#: _____	
Is this contract grant funded? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, Whatcom County grant contract number(s): _____	
Is this contract the result of a RFP or Bid process? Yes <input type="radio"/> No <input checked="" type="radio"/> If yes, RFP and Bid number(s): _____ Contract _____ Cost Center: <u>N/A</u>	
Is this agreement excluded from E-Verify? No <input type="radio"/> Yes <input checked="" type="radio"/> If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: <input type="checkbox"/> Professional services agreement for certified/licensed professional. <input type="checkbox"/> Contract work is for less than \$100,000. <input type="checkbox"/> Contract for Commercial off the shelf items (COTS). <input type="checkbox"/> Contract work is for less than 120 days. <input type="checkbox"/> Work related subcontract less than \$25,000. <input checked="" type="checkbox"/> Interlocal Agreement (between Governments). <input type="checkbox"/> Public Works - Local Agency/Federally Funded FHWA.	
Contract Amount:(sum of original contract amount and any prior amendments): \$ <u>N/A</u> This Amendment Amount: \$ <u>N/A</u> Total Amended Amount: \$ <u>N/A</u>	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: Six month extension of existing Interlocal Agreement with the City of Ferndale Concerning Planning, Annexation, and Development within the Urban Growth Area	
Term of Contract: July 1, 2022	Expiration Date: December 31, 2022

Contract Routing:	1. Prepared by: <u>MA</u>	Date: <u>6/22/2022</u>
	2. Attorney signoff: <u>R Buckingham</u>	Date: <u>6/23/2022</u>
	3. AS Finance reviewed: <u>M Caldwell</u>	Date: <u>6/22/2022</u>
	4. IT reviewed (if IT related): _____	Date: <u>6/28/2022</u>
	5. Contractor signed: _____	Date: _____
	6. Submitted to Exec.: <u>></u>	Date: <u>6/23/22</u>
	7. Council approved (if necessary): <u>AB2022-347</u>	Date: <u>6/21/2022</u>
	8. Executive signed: _____	Date: <u>6/29/2022</u>
	9. Original to Council: _____	Date: _____

Whatcom County Contract No. 201205008-1

AMENDMENT TO THE
2012
INTERLOCAL AGREEMENT BETWEEN
THE CITY OF FERNDAL AND WHATCOM COUNTY
CONCERNING PLANNING, ANNEXATION AND DEVELOPMENT
WITHIN THE FERNDAL UGA

This amendment is made by and between the City of Ferndale (herein after referred to as the City) and Whatcom County (herein after referred to as the County), political subdivisions of the State of Washington, pursuant to the Interlocal Cooperation Act, RCW 39.34.

WHEREAS, cooperative relationships between the City and County benefit both organizations as well as residents and stakeholders of incorporated and unincorporated neighborhoods; and

WHEREAS, the City and the County have an existing Interlocal Agreement approved in 2012 that expires June 30, 2022; and

WHEREAS, the City and the County are negotiating a new Interlocal Agreement to replace the 2012 Interlocal Agreement; and

WHEREAS, the City and County agree to extend the existing 2012 Interlocal Agreement for up to six months to allow more time to negotiate a replacement Interlocal Agreement.

NOW, THEREFORE, the City and County agree that the 2012 Interlocal Agreement is hereby amended as follows:


Section 18. Effective Date, Duration and Termination

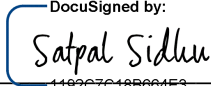
This agreement shall be effective upon signature by both the Mayor of the City and Whatcom County Executive. This agreement shall remain in effect until December 31, 2022 or until a successor Interlocal Agreement becomes effective (whichever occurs first), unless modified or terminated by written agreement of both parties.

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF FERNDALE

WHATCOM COUNTY

By  _____
9AEEC0A8D7C441F...
Greg Hansen, Mayor

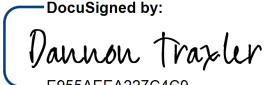
By  _____
1192C7C18B604E3...
Satpal Sidhu, County Executive

Date 6/28/2022

Date 6/29/2022

Approved as to form:
Dannon Traxler, City Attorney

Approved as to form:
Whatcom County Prosecutor

 6/28/2022
E955AEEA227C4C9...

 6/23/2022
1EE5DDBD9542404...