

COUNCIL AGENDA FOR WEDNESDAY NOVEMBER 12, 2014

MEMBERS OF OUR COMMUNITY WHO REQUIRE SPECIAL ASSISTANCE TO PARTICIPATE IN OUR MEETINGS ARE ASKED TO CONTACT OUR OFFICE AT LEAST 96 HOURS IN ADVANCE.

AS A COURTESY TO ALL MEETING ATTENDEES, CELLULAR PHONE USE IS PROHIBITED IN THE COUNCIL CHAMBERS.

ACCESSIBLE PARKING IS AVAILABLE NEAR THE COURTHOUSE SOUTH ENTRANCE.

OUR REGULAR COUNCIL MEETINGS ARE BROADCAST ON BTV10, COMCAST CHANNEL 10, AT 7:00 P.M. ON THE TWO WEDNESDAYS FOLLOWING EACH TUESDAY EVENING COUNTY COUNCIL MEETING.

PLEASE VISIT US AT WWW.CO.WHATCOM.WA.US FOR THE FOLLOWING:

COUNCIL MEETING AUDIO
COUNCIL OFFICE EMAIL POLICY
CURRENT COUNCIL AGENDA
CURRENT COUNCIL PACKET
PUBLIC NOTICES
1979 - 2014 ORDINANCES
1979 - 2014 RESOLUTIONS
1984 - 2014 COMMITTEE MINUTES
1979 - 2014 COUNCIL MINUTES

UPCOMING MEETINGS AND EVENTS:

NOVEMBER 18, 2014
10:30 A.M. - SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

NOVEMBER 25, 2014
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

SPECIAL NOTES FOR TODAY:

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE BEGINS AT 1 P.M.

PLANNING AND DEVELOPMENT COMMITTEE BEGINS IMMEDIATELY FOLLOWING PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE

COUNCIL COMMITTEE SCHEDULES

COUNCIL NATURAL RESOURCES COMMITTEE

Members: Barry Buchanan, Sam Crawford, Carl Weimer

9:30 a.m. Wednesday, November 12, 2014

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Ordinance amending Whatcom County Code Title 20 and the Comprehensive Plan regarding surface mine permitting, the mineral resource lands designation process, and mineral resource lands designation criteria (AB2014-344) **(ordinance scheduled for introduction this evening)**
Pages 1 - 62

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Barry Buchanan, Sam Crawford

11 a.m. Wednesday, November 12, 2014

Council Chambers, 311 Grand Avenue

Executive Reports

Committee Discussion and Recommendation to Council

1. Ordinance amending the 2014 Whatcom County Budget, seventeenth request, in the amount of \$77,912 (AB2014-341)
Pages 63 - 69

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Beckwith Consulting Group for assistance with the 2016 Comprehensive Plan update to the Housing Chapter, in the amount of \$25,000 (AB2014-346)
Pages 70 - 85
2. Request authorization for the County Executive to renew insurance for the Whatcom Chief Ferry for policy year 01/01/15 through 01/01/16 (AB2014-347)
Pages 86 - 93
3. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Department of Ecology to fund administrative and action projects for the Whatcom County Marine Resources Committee, in the amount of \$74,018 (AB2014-348)
Pages 94 - 128

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE

Members: Barbara Brenner, Pete Kremen, Ken Mann

4:30 **1** p.m. Wednesday, November 12, 2014

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Ordinance adopting the Six-Year Capital Improvement Program for Whatcom County facilities (2015-2020) and amending level of service standards (AB2014-330) **(ordinance scheduled for introduction this evening)**
Pages 129 - 214

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Rud Browne, Ken Mann

Immediately Following Public Works, Health, and Safety Committee

Wednesday, November 12, 2014

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Ordinance approving a rezone request for five acres at the intersection of Slater Road and Elder Road from Neighborhood Commercial (NC) to Rural General Commercial (RGC) (AB2014-331) **(ordinance scheduled for introduction this evening)**
Pages 215 - 266

Other Business

SPECIAL COMMITTEE OF THE WHOLE

3:30 p.m. Wednesday, November 12, 2014

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion and formulation of recommendations related to a proposed ordinance approving the 2015-2016 Whatcom County Budget (AB2014-205C) **(ordinance scheduled for introduction this evening)**
Page 267 - 272
2. County staff and Executive seek input from Council on the proposed 2015 WRIA 1 Watershed Management Project Joint Board Budget (AB2014-345)
Pages 273 - 278

Other Business

COUNCIL COMMITTEE OF THE WHOLE

6:15 p.m. Wednesday, November 12, 2014

Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Public Works staff regarding a potential property acquisition for Flood Control Zone District (AB2014-018)
[Discussion of this item will take place in executive session (closed to the public) pursuant to RCW42.30.110(1)(b)]
Page 279
2. Discussion with Senior Deputy Prosecutor Karen Frakes regarding pending litigation, Whatcom County v. Western Washington Growth Management Hearings Board, Skagit County Superior Court Case No. 13-2-00211-9.
(AB2014-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
Page 280

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING

7 p.m. Wednesday, November 12, 2014

Council Chambers, 311 Grand Avenue

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

If you will be handing out paperwork to councilmembers, please give one copy to the clerk for our office files. Thank you.

CITIZEN BOARD AND COMMITTEE VACANCIES

Each agenda features one council-appointed citizen board, commission, or committee that currently has unfilled **positions**. Council encourages qualified Whatcom county registered voters who are interested in participating in county government to submit an application for this or any committee vacancy. For more information or an application, please visit the Council website, or call, email, or visit the Council Office.

Surface Mining Advisory Committee (2 Vacancies)

Applicants must represent either a surface mining material user or potable domestic groundwater supply, such as a public water system representative or private well owner. Term of office is two years.

MINUTES CONSENT

1. Regular County Council for September 30, 2014
Pages 281 - 299
2. Board of Health for October 7, 2014
Pages 300 - 305
3. Regular County Council for October 14, 2014
Pages 306 - 315

OPEN SESSION (20 MINUTES)

During open session, audience members can speak to the council on any issue not scheduled for public hearing or related to the proposed Gateway Pacific Terminal project (GPT). Each speaker should state his or her name for the record and will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

CONSENT AGENDA

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

(From Finance and Administrative Services Committee)

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Beckwith Consulting Group for assistance with the 2016 Comprehensive Plan update to the Housing Chapter, in the amount of \$25,000 (AB2014-346)
Pages 70 - 85
2. Request authorization for the County Executive to renew insurance for the Whatcom Chief Ferry for policy year 01/01/15 through 01/01/16 (AB2014-347)
Pages 86 - 93
3. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Department of Ecology to fund administrative and action projects for the Whatcom County Marine Resources Committee, in the amount of \$74,018 (AB2014-348)
Pages 94 - 128

OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Ordinance amending the 2014 Whatcom County Budget, seventeenth request, in the amount of \$77,912 (AB2014-341)
Pages 63 - 69

INTRODUCTION ITEMS

Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. Ordinance amending Whatcom County Code 16.20, Whatcom County Shellfish Protection District (AB2014-351) **(proposed schedule – November 25 public hearing)**
Pages 316 - 329
2. Ordinance amending Ordinance 2014-011 (amendment No. 1), establishing the Dakota Creek Bridge No. 500 project fund and related capital budget appropriation (AB2014-352) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 330 - 332
3. Ordinance amending the 2014 Whatcom County Budget, eighteenth request, in the amount of \$665,276 (AB2014-353) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 333 - 336
4. Ordinance establishing the Lake Whatcom Boulevard Re-surfacing Fund and establishing a project based budget for Lake Whatcom Boulevard Re-surfacing CPR #913002 Project (AB2014-354) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 337 - 338
5. Ordinance establishing the Hannegan Road/Nooksack River Bridge No. 252 Fund and establishing a project based budget for Hannegan Road/Nooksack River Bridge No. 252 Scour Mitigation Project (AB2014-355) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 339 - 340
6. Ordinance establishing the Slater Road/Nooksack River Bridge fund and establishing a project based budget for Slater Road/Nooksack River Bridge Painting Project (AB2014-356) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 341 - 342
7. Ordinance establishing the 2015 County Roadway Safety Program Fund and establishing a project based budget for the 2015 County Roadway Safety Program – CRP #915015 (AB2014-357) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 343 - 344
8. Ordinance establishing the Hannegan Road Structural Overlay Fund and establishing a project based budget for Hannegan Road Structural Overlay CRP #915010 Project (AB2014-358) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 345 - 346
9. Ordinance establishing the 2015 Courthouse Improvement Fund and establishing a project based budget for Courthouse improvements (AB2014-359) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 347 – 353
10. Ordinance establishing the 2015 Girard Street Building Improvement Fund and establishing a project based budget for Girard Street building improvements (AB2014-361) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 354 - 365

11. Ordinance establishing the Courthouse Building Envelope Project Fund and establishing a project based budget for the Courthouse Building Envelope Project (AB2014-362) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 366 - 370
12. Ordinance establishing the 2015 Central Plaza Improvement Fund and establishing a project based budget for Central Plaza building improvements (AB2014-363) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 371 - 375
13. Ordinance establishing the 2015 Silver Lake Park Improvement Fund and establishing a project based budget for Silver Lake Park improvements (AB2014-364) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 376 - 380
14. Ordinance establishing the 2015 Lighthouse Marine Park Improvement Fund and establishing a project based budget for Lighthouse Marine Park improvements (AB2014-365) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 381 - 385
15. Ordinance establishing the South Fork Park Improvement Fund and establishing a project based budget for South Fork Park improvements (AB2014-366) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 386 - 390
16. Ordinance establishing the Academy Road Storm Water Improvements Fund and establishing a project based budget for Academy Road storm water improvements (AB2014-367) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 391 - 395
17. Ordinance establishing the Agate Heights Estate/Bay Lane Storm Water Improvements Fund and establishing a project based budget for Agate Heights Estate/Bay Lane storm water improvements (AB2014-368) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 396 - 400
18. Ordinance establishing the Beaver Creek Storm Water Improvements Fund and establishing a project based budget for Beaver Creek storm water improvements (AB2014-369) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 401 - 405
19. Ordinance establishing the Cedar Hills/Euclid Storm Water Improvements Fund and establishing a project based budget for Cedar Hills/Euclid storm water improvements (AB2014-370) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 406 - 410
20. Ordinance establishing the Criminal Justice Integrated Case Management Systems fund and establishing a project based budget for criminal justice integrated case management system projects (AB2014-374) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 411 - 414
21. Ordinance establishing the Integrated Land Records and Permit Management System Fund and establishing a project based budget for integrated land records and permit management system projects (AB2014-375) **(proposed schedule – November 25 Finance and Administrative Services Committee and Council)**
Pages 415 - 419
22. Ordinance amending Whatcom County Code Title 20 and the Comprehensive Plan regarding surface mine permitting, the mineral resource lands designation process, and mineral resource lands designation criteria (AB2014-344) **(proposed schedule – November 25 public hearing)**
Pages 420 - 481

23. Ordinance approving a rezone request for five acres at the intersection of Slater Road and Elder Road from Neighborhood Commercial (NC) to Rural General Commercial (RGC) (AB2014-331) **(proposed schedule – November 25 public hearing)**
Pages 482 - 533
24. Resolution authorizing the levy of taxes for Whatcom County Flood Control Zone District for 2015 (AB2014-377) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (proposed schedule – November 25 public hearing)**
Pages 534 - 535
25. Resolution adopting the 2015 budget for the Whatcom County Flood Control Zone District and Subzones (AB2014-378) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (proposed schedule – November 25 public hearing)**
Pages 536 - 539
26. Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County, Washington, for the year of 2015 (AB2014-371) **(proposed schedule – November 25 public hearing)**
Pages 540 - 543
27. Ordinance authorizing the levy of 2015 property taxes for County road purposes (AB2014-360) **(proposed schedule – November 25 public hearing)**
Pages 544 - 546
28. Ordinance limiting the 2015 general fund property tax levy (AB2014-372) **(proposed schedule – November 25 public hearing)**
Pages 547 - 548
29. Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2015 (AB2014-373) **(proposed schedule – November 25 public hearing)**
Pages 549 - 550
30. Ordinance adopting the 2015 Whatcom County Unified Fee Schedule (AB2014-376) **(proposed schedule – November 25 public hearing)**
Pages 551 - 603
31. Ordinance adopting the Six-Year Capital Improvement Program for Whatcom County facilities (2015-2020) and amending level of service standards (AB2014-330) **(proposed schedule – November 25 public hearing)**
Pages 604 - 689
32. Ordinance adopting the 2015-2016 Whatcom County Budget (AB2014-205C) **(proposed schedule – November 25 public hearing)**
Pages 690 - 695

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7:00 p.m. Tuesday, November 25, 2014, in the Council Chambers, 311 Grand Avenue.