

CLERK OF THE COUNCIL
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COUNTY COURTHOUSE
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COUNCILMEMBERS
Barbara E. Brenner
Sam Crawford
Kathy Kershner
Bill Knutzen
Pete Kremen
Ken Mann
Carl Weimer

WHATCOM COUNTY COUNCIL

COUNCIL AGENDA FOR JULY 9, 2013

**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 TELEVISED ON BTV10,
COMCAST CHANNEL 10, AT 7 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 - 2013 ORDINANCES
1979 - 2013 RESOLUTIONS
1979 - 2013 COMMITTEE MINUTES
1979 - 2013 COUNCIL MINUTES**

UPCOMING MEETINGS AND EVENTS:

JULY 8, 2013

**LAKE WHATCOM POLICY GROUP
9:30 A.M., GARDEN LEVEL CONFERENCE ROOM
322 N. COMMERCIAL**

JULY 16, 2013

**SURFACE WATER WORK SESSION
10:30 A.M., GARDEN LEVEL CONFERENCE ROOM
322 N. COMMERCIAL**

JULY 23, 2013

**REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE**

JULY 30, 2013

**HEALTH BOARD
10:30 A.M., COUNCIL CHAMBERS
311 GRAND AVENUE**

COUNCIL COMMITTEE SCHEDULES

COUNCIL NATURAL RESOURCES COMMITTEE

Members: Sam Crawford, Bill Knutzen, Carl Weimer

9:30 a.m. Tuesday, July 9, 2013

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion of proposed amendments to Whatcom County Code Chapter 20.51, Lake Whatcom Watershed Overlay District, and related Comprehensive Plan amendments (AB2013-102A)
Pages 1 - 43
2. Birch Bay Watershed and Aquatic Resources Management District program update (AB2013-215)
Pages 44 - 45

Committee Discussion and Recommendations to Council

1. Interlocal agreement with the City of Bellingham regarding administration of the Homeowner Incentive Program (HIP) (AB2013-239)
Pages 46 - 81

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Sam Crawford, Ken Mann, Carl Weimer

11 a.m. Tuesday, July 9, 2013

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Update on Whatcom County's self-insured medical program (AB2013-017)
Page 82
2. Whatcom County Executive Jack Louws to provide an update on EMS contract progress (AB2013-170)
Page 83

Committee Discussion and Recommendations to Council

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Kibble & Prentice for benefit consultation services for the self-insured medical program, in the amount of \$45,000 in 2014, \$46,500 in 2015, and \$48,000 in 2016 (AB2013-193) (from 6/4)
Pages 84 - 102
2. Request approval of the Economic Development Investment Board's recommendation for EDI funding (AB2013-241)
Pages 103 - 124

Council "Consent Agenda" Items

1. Resolution ordering the cancellation of checks more than two years old from the Whatcom County Jail Inmate Trust Fund (AB2013-242)
Pages 125 - 142
2. Request approval of the Whatcom County Deputy Sheriff's Guild Collective Bargaining Agreement (AB2013-243)
Pages 143 - 197

3. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Opportunity Council for transportation and hygiene product assistance for DSHS Medical Care recipients in the amount of \$22,610, for a total amended contract in the amount of \$606,396 (AB2013-244)
Pages 198 - 204
4. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and North Sound Mental Health Administration for the Crisis Stabilization beds program, in the amount of \$50,000, for a total amended contract in the amount of \$974,811 (AB2013-245)
Pages 205 - 209
5. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and BergerABAM, Inc. for additional environmental permitting coordination, cathodic protection design, and sedimentation pond design, in the amount of \$38,117, for a total amended contract in the amount of \$201,955 (AB2013-246)
Pages 210 - 220
6. Resolution amending CRP No. 913001 and approval for the County Executive to enter into a contract between Whatcom County and low bidder, Granite Construction, Inc. for Hannegan Road pavement rehabilitation, in the amount of \$1,629,380 (AB2013-247)
Pages 221 - 242
7. Request authorization for the County Executive to approve the repair of a 1998 Freightliner basket truck by the sole source provider, Altec, in the amount of \$41,423.42 (AB2013-248)
Pages 243 - 245
8. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and DLR Group to include supplemental services required to complete preferred site analysis, in the amount of \$38,000, for a total amended contract in the amount of \$491,902 (AB2013-249)
Pages 246 - 260

Special Presentation

1. Whatcom Rowing Association update and funding proposal for new boat house (AB2013-257)
Page 261

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
Members: Barbara Brenner, Pete Kremen, Ken Mann
1:30 p.m. Tuesday, July 9, 2013
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Pertussis outbreak update (AB2013-250)
Pages 262 - 269

Committee Discussion and Recommendation to Council

1. Resolution restoring the WRIA 1 Planning Unit to assist the Whatcom County Council regarding water resources (AB2013-190) (from 6/4)
Pages 270 - 273

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Bill Knutzen, Ken Mann

3 p.m. Tuesday, July 9, 2013

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Briefing on the 2016 urban growth area review process (AB2013-251)
Pages 274 - 275

Committee Discussion and Recommendations to Council

1. Ordinance to enter into a development agreement to mitigate for wetland buffer fill in order to create additional parking pursuant to Conditional Use Permit (CUP) 2012-00001 (AB2013-234)
Pages 276 - 371
2. Resolution amending Whatcom County Resolution No. 2013-007 to initiate changes to the Point Roberts Character Plan (AB2013-088A)
Pages 372 - 379

Committee Discussion and Recommendations to Council – Comprehensive Plan

1. Ordinance repealing the 1986 Lynden-Nooksack Valley Subarea Plan and amending provisions in the Whatcom County Comprehensive Plan relating to subarea plans (AB2013-203) **(recommended motion for this item: forward for concurrent review)**
Pages 380 - 491
2. Ordinance repealing the 1987 Birch Bay-Blaine Subarea Plan and amending provisions in the Whatcom County Comprehensive Plan relating to subarea plans (AB2013-204) **(recommended motion for this item: forward for concurrent review)**
Pages 492 - 596
3. Ordinance repealing the 1986 Chuckanut-Lake Samish Subarea Plan and amending provisions the Whatcom County Comprehensive Plan relating to subarea plans (AB2013-205) **(recommended motion for this item: forward for concurrent review)**
Pages 597 - 680

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, July 9, 2013
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.

MINUTES CONSENT

1. Special Committee of the Whole for May 21, 2013
Pages 681 - 685
2. Regular County Council for May 21, 2013
Pages 686 - 703
3. Special Committee of the Whole (Morning Rural Element Discussion) for June 4, 2013
Pages 704 - 715
4. Special Committee of the Whole (Afternoon Jail Planning Update) for June 4, 2013
Pages 716 - 722
5. Regular County Council for June 4, 2013
Pages 723 - 736
6. Special Committee of the Whole for June 18, 2013
Pages 737 - 747
7. Committee of the Whole for June 18, 2013
Pages 748 - 749

PUBLIC HEARINGS

Audience members who wish to address the council during a public hearing are asked to sign up at the back of the room before the meeting begins. The council chair will ask those who have signed up to form a line at the podium. 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. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. Ordinance closing a portion of Boundary Road (AB2013-202)
Pages 750 - 755
2. Ordinance ordering the closure of Limestone Road east of Tilbury Road (AB2013-235)
Pages 756 - 760
3. Ordinance imposing an interim moratorium on the acceptance of new applications for divisions of land resulting in lots smaller than five acres within the Lake Whatcom watershed (AB2012-040C)
Pages 761 - 764

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)

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Pages 125 - 142
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Pages 246 - 260

OTHER ITEMS

(From Natural Resources Committee)

1. Interlocal agreement with the City of Bellingham regarding administration of the Homeowner Incentive Program (HIP) (AB2013-239)
Pages 46 - 81

(From Finance and Administrative Services Committee)

2. Request authorization for the County Executive to enter into a contract between Whatcom County and Kibble & Prentice for benefit consultation services for the self-insured medical program, in the amount of \$45,000 in 2014, \$46,500 in 2015, and \$48,000 in 2016 (AB2013-193) (from 6/4)
Pages 84 - 102

3. Request approval of the Economic Development Investment Board's recommendation for EDI funding (AB2013-241)
Pages 103 - 124

(From Public Works, Health, and Safety Committee)

4. Resolution restoring the WRIA 1 Planning Unit to assist the Whatcom County Council regarding water resources (AB2013-190) (from 6/4)
Pages 270 - 273

(From Planning and Development Committee)

5. Ordinance to enter into a development agreement to mitigate for wetland buffer fill in order to create additional parking pursuant to Conditional Use Permit (CUP) 2012-00001 (AB2013-234)
Pages 276 - 371
6. Resolution amending Whatcom County Resolution No. 2013-007 to initiate changes to the Point Roberts Character Plan (AB2013-088A)
Pages 372 - 379
7. Ordinance repealing the 1986 Lynden-Nooksack Valley Subarea Plan and amending provisions in the Whatcom County Comprehensive Plan relating to subarea plans (AB2013-203)
(Recommended motion: Forward for concurrent review. This ordinance cannot be adopted this evening. The Council must consider initiated comprehensive plan amendments concurrently so the cumulative effect of the various proposals can be evaluated. All proposed amendments will be scheduled together for final adoption at a later date.)
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(Recommended motion: Forward for concurrent review. This ordinance cannot be adopted this evening. The Council must consider initiated comprehensive plan amendments concurrently so the cumulative effect of the various proposals can be evaluated. All proposed amendments will be scheduled together for final adoption at a later date.)
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(Recommended motion: Forward for concurrent review. This ordinance cannot be adopted this evening. The Council must consider initiated comprehensive plan amendments concurrently so the cumulative effect of the various proposals can be evaluated. All proposed amendments will be scheduled together for final adoption at a later date.)
Pages 597 - 680

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 to allow agricultural area amendments and related changes affecting the Agriculture Zone (AB2013-128B) **(proposed schedule – July 23 public hearing)**
Pages 765 - 795
2. Ordinance adopting amendments to the Six-year Capital Improvement Program (CIP) for Whatcom County facilities (2013-252) **(proposed schedule - July 23 public hearing)**
Pages 796 - 819
3. Ordinance amending Whatcom County Code Chapter 10.34 Ferry Rates (AB2013-253) **(proposed schedule - July 23 public hearing)**
Pages 820 - 830

4. Ordinance amending the Whatcom County Budget, eighth request, in the amount of \$178,129 (AB2013-254) **(proposed schedule – July 23 Finance and Administrative Services Committee and Council)**
Pages 831 - 846
5. Ordinance amending Ordinance No. 2013-003 (first amendment) establishing a project fund for the new jail project 2013-2014 (AB2013-255) **(proposed schedule - July 23 Finance and Administrative Services Committee and Council)**
Pages 847 - 851
6. Ordinance establishing the Nessel Farm Restoration Project Fund and establishing a project based budget for the Nessel House Restoration Project (AB2013-256) **(proposed schedule - July 23 Finance and Administrative Services Committee and Council)**
Pages 852 - 855
7. Ordinance authorizing an interfund loan to finance cash flow for the Nessel Farm Restoration Project fund (AB2013-256A) **(proposed schedule - July 23 Finance and Administrative Services Committee and Council)**
Pages 856 - 857
8. Ordinance adopting amendments to the Whatcom County Code to allow packinghouses in the Agriculture Zoning District (AB2012-300B) **(proposed schedule – July 23 public hearing)**
Pages 858 - 880
9. Ordinance amending Whatcom County Code 12.20 Road Vacations (AB2013-238) **(proposed schedule – July 23 Public Works, Health, and Safety Committee and Council)**
Pages 881 - 885

OTHER BUSINESS

REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

ADJOURN

The next regular council meeting is scheduled for 7 p.m. Tuesday, July 23, 2013, in the Council Chambers, 311 Grand Avenue.