

COUNCIL AGENDA FOR NOVEMBER 12, 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:

NOVEMBER 26, 2013
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

NOVEMBER 28, 2013
HOLIDAY – OFFICE CLOSED

NOVEMBER 29, 2013
HOLIDAY – OFFICE CLOSED

DECEMBER 2, 2013
LAKE WHATCOM POLICY GROUP
9:30 A.M., GARDEN LEVEL CONFERENCE ROOM
322 N. COMMERCIAL

DECEMBER 10, 2013
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

COUNCIL COMMITTEE SCHEDULES

NATURAL RESOURCES COMMITTEE

Members: Sam Crawford, Bill Knutzen, Carl Weimer

9:30 a.m. Tuesday, November 12, 2013

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding the County's Pollution Identification and Correction (PIC) Program (AB2013-356)
Pages 1 - 6
2. Discussion regarding the County's Aquatic Invasive Species (AIS) Inspection Program (AB2013-145A)
Pages 7 - 35

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Sam Crawford, Ken Mann, Carl Weimer

11 a.m. Tuesday, November 12, 2013

Council Chambers, 311 Grand Avenue

Special Presentation

1. City of Bellingham Mayor Kelli Linville and staff to present a summary of the planned economic development of the Bakerview/I-5/Northwest corridor (AB2013-353)
Page 36

Committee Discussion

1. Discussion of 2014 Shared Legislative Objectives (AB2013-258A)
Pages 37 - 39

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2013 Whatcom County Budget, thirteenth request, in the amount of \$18,974,579 (AB2013-346)
Pages 40 - 55
2. Ordinance amending Ordinance No. 2013-003 (second amendment) establishing a project fund for the new jail project (AB2013-347)
Pages 56 - 63
3. Ordinance establishing the State Street Building Acquisition and Improvement Fund and related capital budget appropriation (AB2013-348)
Pages 64 - 72
4. Ordinance establishing a capital budget appropriation for renovation of the Civic Center building (AB2013-349)
Pages 73 - 80
5. Resolution identifying 2014 and 2015 salaries and benefits for Executive branch elected officials (AB2013-357)
Pages 81 - 83
6. Request approval for the County Executive to enter into a contract between Whatcom County and LandC, etc., LLC for on call hydraulic modeling assistance for the Lower Nooksack River, in the amount of \$50,000 (AB2013-358) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)**
Pages 84 - 96
7. Request approval for the County Executive to enter into a contract between Whatcom County and Watershed Science & Engineering for on call hydraulic modeling assistance for the Lower Nooksack River, in the amount of \$50,000 (AB2013-359) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)**
Pages 97 - 109

8. Request approval for the County Executive to enter into a joint funding agreement between Whatcom County and the United States Geological Survey for the ongoing operation and maintenance of the County's stream gauges, in the amount of \$85,620 (AB2013-360) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)**
Pages 110 - 116

Council "Consent Agenda" Items

1. Request approval for the County Executive to enter into a contract amendment between Whatcom County and the Opportunity Council for the operation of the Housing and Essential Needs program in the amount of \$116,772, for a total amended contract in the amount of \$2,221,801 (AB2013-361)
Pages 117 - 123
2. Request approval for the County Executive to enter into a contract between Whatcom County and Healthcare Management Administrators, Inc. for administration and claims processing for the self-insured medical program, in the amount of \$24.30 per employee per month for 2014, \$25.05 per employee per month for 2015, and \$25.80 per employee per month for 2016 (AB2013-362)
Pages 124 - 147
3. Request approval for the County Executive to enter into a contract between Whatcom County and Foster Pepper PLLC for the Whatcom County Purchase of Development Rights Core Agricultural Strategy Project, in the amount of \$50,000 (AB2013-363)
Pages 148 - 171
4. Request approval for the County Executive to enter into a contract between Whatcom County and the Washington State Military Department to support and enhance emergency management programs, in the amount of \$38,791 (AB2013-364)
Pages 172 - 202
5. Request approval for the County Executive to enter into a contract 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 \$68,259 (AB2013-365)
Pages 203 - 231
6. Resolution ordering the cancellation of accounts receivable more than a year old (AB2013-366)
Pages 232 - 235
7. Resolution approving the correction of Equipment Rental and Revolving Fund accounting records (AB2013-367)
Pages 236 - 239
8. Resolution requesting authorization for the acquisition of 1500 N. State Street building and property (AB2013-368)
Pages 240 - 243
9. Resolution authorizing the transfer of the Civic Center building from general government ownership to the Whatcom County Road fund (AB2013-369)
Pages 244 - 247
10. Resolution authorizing the transfer of the 316 Lottie Street building from the Equipment Rental and Revolving fund to the Administrative Services fund (AB2013-370)
Pages 248 - 251
11. Resolution authorizing the transfer of the land located at 901 West Smith Road, site of the Road Maintenance and Operations Shop, from general government ownership to the Whatcom County Road fund (AB2013-371)
Pages 252 - 255
12. Resolution accepting the addition of a capital project into the 2010 Whatcom Comprehensive Economic Development Strategy (CEDS) (AB2013-372)
Pages 256 - 258

Other Business

SPECIAL COUNCIL COMMITTEE OF THE WHOLE

1:30 p.m. Tuesday, November 12, 2013

Council Chambers, 311 Grand Avenue

Special Presentation

1. Consultant DLR Group to provide an update on jail planning (AB2013-042B)
Page 259

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Bill Knutzen, Ken Mann

3 p.m. Tuesday, November 12, 2013

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Ferndale Urban Growth Area – Development Standards briefing (AB2013-373)
Pages 260 - 264

Committee Discussion and Recommendations to Council

1. Consideration of a request for a one-year extension of a Binding Site Plan Permit, submitted by Belcher/Swanson on behalf of Oxy Corporation for Northgate Industrial Park No. 2 (BSP2006-0001) (AB2013-351)
Pages 265 - 278

Committee Discussion and Recommendations to Council – Comprehensive Plan

1. Ordinance adopting Comprehensive Plan amendments relating to capital facility planning for special purpose districts (AB2013-345) (**recommended motion for this item: forward for concurrent review**)
Pages 279 - 380

Other Business

COUNCIL COMMITTEE OF THE WHOLE

5:45 p.m. Tuesday, November 12, 2013

Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Strategy planning discussion and positions to be taken regarding collective bargaining (AB2013-018)
[Discussion of this item will take place in executive session (closed to the public) pursuant to RCW42.30.140 (4)(a)]
Page 381
2. Discussion with Chief Civil Deputy Prosecutor Daniel Gibson regarding pending litigation, Clark Pit (AB2013-018)
[Discussion of this item will take place in executive session (closed to the public) pursuant to RCW42.30.110 (1)(i)]
Page 382
3. Discussion with Senior Deputy Prosecutor Royce Buckingham regarding potential litigation related to a deed of trust decision by a federal agency (AB2013-018)
[Discussion of this item will take place in executive session (closed to the public) pursuant to RCW42.30.110 (1)(i)]
No Paper
4. Discussion with Senior Deputy Prosecutor Karen Frakes regarding pending litigation, Hirst et al v. Whatcom County, GMHB Case No. 12-2-0013 (AB2013-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
No Paper

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING

7 p.m. Tuesday, November 12, 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. Surface Water Work Session for October 15, 2013
Pages 383 - 391
2. Committee of the Whole for October 22, 2013
Pages 392 - 393
3. Regular County Council for October 22, 2013
Pages 394 - 402

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 support the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. Resolution adopting the Whatcom County 2014 Annual Road Construction Program (AB2013-344)
Pages 403 - 440

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 approval for the County Executive to enter into a contract amendment between Whatcom County and the Opportunity Council for the operation of the Housing and Essential Needs program in the amount of \$116,772, for a total amended contract in the amount of \$2,221,801 (AB2013-361)
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OTHER ITEMS

(From Finance and Administrative Services Committee)

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Pages 110 - 116

(From Planning and Development Committee)

9. Consideration of a request for a one-year extension of a Binding Site Plan Permit, submitted by Belcher/Swanson on behalf of Oxy Corporation for Northgate Industrial Park No. 2 (BSP2006-0001) (AB2013-351)
Pages 265 - 278
10. Ordinance adopting Comprehensive Plan amendments relating to capital facility planning for special purpose districts (AB2013-345)
(Recommended motion: Forward for concurrent review. This ordinance cannot be adopted this evening. The Council must consider initiated comprehensive plan amendments concurrently so that 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 279 - 380

(No Committee Assignment)

11. Joint Resolution Supporting WSAC Fiscal Sustainability Initiative (AB2013-352)
Pages 441 - 443
12. Approval of "standing" Council meetings for 2014 – Surface Water Work Sessions and Health Board (AB2013-355)
Pages 444 - 445
13. Request confirmation of the County Executive's appointment of Rachel Cox to the Behavioral Health Advisory Board (AB2013-374)
Pages 446 - 448
14. Resolution approving the Samish Water District Comprehensive Sewer Plan Update (AB2013-354)
Pages 449 - 458

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 6.04.150 Impound, Redemption and Disposition of Animals (AB2013-375) **(proposed schedule – November 26 Finance and Administrative Services Committee and Council)**
Pages 459 - 461
2. Ordinance regarding installing stop signs on various roads within the County (AB2013-376) **(proposed schedule – November 12 public hearing)**

Pages 462 - 465

3. Resolution adopting the 2014 budget for the Whatcom County Flood Control Zone District (AB2013-377) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (proposed schedule – November 12 public hearing)**
Pages 466 - 513
4. Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2014 (AB2013-378) **(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (proposed schedule – November 12 public hearing)**
Pages 514 - 515
5. Ordinance authorizing the levying of 2014 property taxes for county road purposes (AB2013-379) **(proposed schedule – November 12 public hearing)**
Pages 516 – 518
6. Ordinance limiting the 2014 general fund property tax levy (AB2013-380) **(proposed schedule – November 12 public hearing)**
Pages 519 - 520
7. Ordinance authorizing the levy of taxes for county and state purposes in Whatcom County, Washington for the year of 2014 (AB2013-381) **(proposed schedule – November 12 public hearing)**
Pages 521 - 524
8. Adoption of an ordinance authorizing the levy of taxes for County Conservation Futures purposes for 2014 (AB2013-382) **(proposed schedule – November 12 public hearing)**
Pages 525 - 526
9. Ordinance amending the Whatcom County Budget, fourteenth request, in the amount of \$420,866 (AB2013-383) **(proposed schedule – November 26 Finance and Administrative Services Committee and Council)**
Pages 527 - 547
10. Ordinance to replace the Emergency Medical and Ambulance Advisory Board established through Whatcom County Ordinance No. 82-109 and amended through Ordinance 2006-007 (codified in Whatcom County Code as Chapter 5.04.080) with the EMS Oversight Board and Technical Advisory Board defining the composition and duties of these newly established boards (AB2013-384) **(proposed schedule – November 26 Finance and Administrative Services Committee and Council)**
Pages 548 - 558
11. Ordinance amending the 2014 Whatcom County Budget, second request, in the amount of \$8,301,374 (AB2013-385) **(proposed schedule – November 26 Finance and Administrative Services Committee and Council)**
Pages 559 - 670

OTHER BUSINESS

REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

ADJOURN

The next regular council meeting is scheduled for 7 p.m. Tuesday, November 26, 2013, in the Council Chambers, 311 Grand Avenue.