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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

May 8, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 9:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, and Satpal Sidhu.

Absent: Tim Ballew

COMMITTEE DISCUSSION

1. DIRECTION ON COMPREHENSIVE PLAN AMENDMENTS REQUESTED BY COUNCIL THROUGH RESOLUTION 2018-015 RELATING TO THE CHERRY POINT URBAN GROWTH AREA (AB2018-076C)

Matt Aamot, Planning and Development Services Department, submitted and read from a discussion draft table of the issue regarding requiring conditional use permits identified in Resolution 2018-015 (*on file*).

The following staff answered questions:

- Nick Smith, Planning and Development Services Department
- Mark Personius, Planning and Development Services Department Director
- Karen Frakes, Prosecutor's Office

Councilmembers and staff discussed focusing on things that impact public health and safety; getting input from the industry on how crude and natural gas are regulated currently; the definition of major project permit; refined versus unrefined fossil fuels; how to measure exports that occurred as of March 1, 2017; how petroleum tank farms are defined; when a conditional use permit process is triggered for permitting petroleum tanks; the impact of tank farms within shorelines and the jurisdiction of the Shoreline Management Plan; and a 1998 settlement agreement.

Brenner moved to remove liquefied petroleum gasses and natural gas from Comprehensive plan policy 2CC-16.

The motion was seconded.

Donovan moved to call the question.

The motion to call the question was seconded.

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1
2 The motion to call the question carried by the following vote:

3 **Ayes:** Browne, Buchanan, Byrd, Donovan, and Sidhu (5)

4 **Nays:** Brenner (1)

5 **Absent:** Ballew (1)

6
7 The motion to amend failed by the following vote:

8 **Ayes:** Brenner and Byrd (2)

9 **Nays:** Browne, Buchanan, Donovan, and Sidhu (4)

10 **Absent:** Ballew (1)

11
12 Sidhu moved to amend Comprehensive Plan Policy 2CC-16, "... environment **from**
13 **products such as** crude oil,...." The motion was not seconded.

14
15 Aamot stated that they won't include the March 1, 2017 date in the regulations.

16
17 ***The Committee approved by general consent.***

18
19 Staff stated they will bring more information at the next meeting.

20
21
22 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

23
24 **1. RESOLUTION RECOGNIZING THE ROLES AND DUTIES OF WHATCOM**
25 **COUNTY, THE WRIA 1 PLANNING UNIT, AND THE WRIA 1 INITIATING**
26 **GOVERNMENTS REGARDING WATER RESOURCES PLANNING UNDER RCW**
27 **90.82 AND ESSB 6091 (AB2018-114)**

28
29 Councilmembers discussed the version of the resolution proposed by the Executive
30 versus the original proposed by Councilmembers Brenner and Byrd; the purpose of the
31 resolution providing clarity on what should be happening in the process; the composition of
32 the Watershed Management Board; and the appropriate level of transparency of staff
33 meetings.

34
35 The following staff answered questions:

- 36
 - Karen Frakes, Prosecutor's Office
 - Jack Louws, County Executive

37
38
39 ***Brenner moved*** to recommend approval of the original resolution proposed by
40 Councilmembers Byrd and Brenner.

41
42 The motion was seconded.

43
44
45 **OTHER BUSINESS**

46
47 There was no other business.

48
49
50 **ADJOURN**

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The meeting adjourned at 11:25 a.m.

The Council approved these minutes on _____, 2018.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

May 8, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 2:30 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, and Satpal Sidhu.

Absent: Tim Ballew

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. REVIEW AND APPROVAL OF DRAFT PUBLIC PARTICIPATION PLAN FOR WHATCOM COUNTY COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION AMENDMENTS (AB2018-147)

Matt Aamot, Planning and Development Services Department, referenced and read from the staff report beginning on Council packet page 42 and answered questions.

Councilmembers and staff discussed how often the list is updated, the changes to levels one, two, and three; having meetings in the area of impact; the voluntary density credit program; location limits in the vacation rental regulations; and the public participation plan level assigned to Cherry Point issues.

Byrd moved to recommend approval to the full Council.

The motion was seconded.

The motion carried by the following vote:

Ayes: Browne, Buchanan, Donovan, and Sidhu (4)

Nays: Brenner and Byrd (2)

Absent: Ballew (1)

2. RESOLUTION AUTHORIZING THE ALLOCATION OF REET I FUNDING TO SUPPORT THE CONSTRUCTION OF A MULTI-USE BUILDING EXPANSION AT THE EAST WHATCOM REGIONAL RESOURCE CENTER (AB2018-131)

Jack Louws, County Executive, gave a staff report and answered questions.

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1 **Buchanan moved** to request that the administration sit down with proponents and
2 discuss cost-saving measures, and give an update to the Council in four weeks. He stated
3 he would also like to hear from the public.

4
5 The motion was seconded.

6
7 Councilmembers discussed the impact of delay and changes on the grant
8 opportunity, the possibility of finding other donors, prioritizing other projects, redesigning
9 the building to remove unnecessary features, improving the design of the roof, fire
10 suppression methods, and saving money on the ongoing life of the building.

11
12 Greg Winter, Opportunity Council, answered questions on the federal grant program
13 and the money from the Opportunity Council.

14
15 Paul Schissler answered questions about value engineering.

16
17 Shorty Bjornstead spoke about the purpose and uses of the existing facility.

18
19 Rebecca Boonstra spoke about taking the time to make sure the design is right and
20 about the purpose of the roofed outdoor area.

21
22 Winter stated the Opportunity Council continues to consult with the architect on the
23 design.

24
25 Jeff Bolts, Foothills Community Partnership Steering Committee, spoke about the
26 project budget and food access to the community.

27
28 Dave Bach spoke about using the resource center as an emergency use facility and a
29 revenue taxing district to fund costs for construction and maintenance.

30
31 Kai Jansen spoke about services for kids and supporting the expansion.

32
33 Councilmembers discussed the possibility of leasing the building to collect
34 maintenance costs, the design of the basketball court, and continuing to find opportunities
35 to reduce costs.

36
37 The motion carried by the following vote:

38 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

39 **Nays:** None (0)

40 **Absent:** Ballew (1)

41
42
43 **COMMITTEE DISCUSSION**

44
45 **1. UPDATE ON EFFORTS RELATED TO ESTABLISHMENT OF A BUSINESS**
46 **ADVISORY COMMITTEE (AB2018-132)**

47
48 Sidhu gave a report on the process to create a business advisory committee and
49 economic development functions in the county.

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1 Councilmembers discussed the benefits and concerns with forming a business
2 advisory committee, focusing solely on business owners, and introducing a proposed
3 resolution or ordinance to form the committee.
4

5
6 **OTHER BUSINESS**

7
8 There was no other business.
9

10
11 **ADJOURN**

12
13 The meeting adjourned at 3:45 p.m.

14
15 The Council approved these minutes on _____, 2018.

16
17 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

18
19
20
21
22 _____
23 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

24
25
26
27 _____
28 Jill Nixon, Minutes Transcription

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1 WHATCOM COUNTY COUNCIL
2 **Regular County Council Meeting**
3

4 May 8, 2018
5

6 **CALL TO ORDER**
7

8 Council Chair Rud Browne called the meeting to order at 7:03 p.m. in the Council
9 Chambers, 311 Grand Avenue, Bellingham, Washington.
10

11
12 **ROLL CALL**
13

14 **Present:** Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd
15 Donovan, and Satpal Sidhu.

16 **Absent:** Tim Ballew
17

18
19 **FLAG SALUTE**
20

21
22 **ANNOUNCEMENTS**
23

24
25 **SPECIAL PRESENTATION**
26

27 **1. BEHAVIORAL HEALTH ADVISORY COMMITTEE TO PRESENT THE 2017**
28 **ANNUAL REPORT ON SERVICES AND EXPENDITURES OF THE BEHAVIORAL**
29 **HEALTH PROGRAM FUND (AB2018-148)**
30

31 Chris Phillips, Behavioral Health Advisory Board Chair, presented the annual report
32 on the expenditure of local dollars. He described the different programs that receive
33 funding from the behavioral health fund. There are extra dollars that could be spent in
34 different ways, including support of the Health Department's work, the new ground-level
35 response and coordinated engagement (GRACE) initiative, and the new triage center.
36

37 Anne Deacon, Health Department, answered questions.
38

39 Deacon and councilmembers discussed the possibility of increased services at the
40 East County Regional Resource Center, how to allow people to live in recreational vehicles
41 (RVs), and access to behavioral health services.
42

43
44 **MINUTES CONSENT**
45

46 ***Buchanan moved*** to approve the Minutes Consent items one through five, including
47 the substitute page for item one.
48

49 The motion was seconded.
50

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1 The motion carried by the following vote:

2 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

3 **Nays:** None (0)

4 **Absent:** Ballew (1)

- 5
- 6 **1. SURFACE WATER WORK SESSION FOR APRIL 17, 2018**
- 7
- 8 **2. COMMITTEE OF THE WHOLE FOR APRIL 24, 2018**
- 9
- 10 **3. SPECIAL COMMITTEE OF THE WHOLE (AM) FOR APRIL 24, 2018**
- 11
- 12 **4. SPECIAL COMMITTEE OF THE WHOLE (PM) FOR APRIL 24, 2018**
- 13
- 14 **5. REGULAR COUNTY COUNCIL FOR APRIL 24, 2018**
- 15

16

17 **PUBLIC HEARINGS**

- 18
- 19 **1. ORDINANCE ESTABLISHING A 25 MPH SPEED LIMIT ON CERTAIN BIRCH**
- 20 **BAY AREA ROADS (AB2018-137)**

21

22 Browne opened the public hearing, and the following people spoke:

23

24 Billy Brown, Birch Bay Chamber of Commerce, stated he supports the speed limit on

25 certain roads in Birch Bay.

26

27 Patrick Alesse stated an option should be a speed limit of 20 miles per hour.

28

29 Doralee Booth, Birch Bay Chamber of Commerce, described the history of speed

30 limits in the Birch Bay area and stated she supports the speed limits on certain roads in

31 Birch Bay.

32

33 Hearing no one else, Browne closed the public hearing.

34

35 ***Buchanan moved*** to adopt the ordinance.

36

37 The motion was seconded.

38

39 Councilmembers discussed allowing more time to inform the public and ensuring

40 safety.

41

42 ***Brenner moved*** to hold for two weeks and continue the public hearing.

43

44 The motion was seconded.

45

46 Councilmembers discussed whether or not to delay the decision to a future meeting.

47

48 Joe Rutan, Public Works Department, answered questions about the current speed

49 limits on the designated roads.

50

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1 The motion to postpone for two weeks carried by the following vote:

2 **Ayes:** Brenner, Buchanan, Donovan, and Sidhu (4)

3 **Nays:** Browne and Byrd (2)

4 **Absent:** Ballew (1)

5
6 **2. ORDINANCE CREATING A "GOLF CART ZONE" ON CERTAIN ROADS IN THE**
7 **BIRCH BAY AREA (AB2018-125)**

8
9 ***Buchanan moved*** to postpone the public hearing for two weeks.

10
11 The motion was seconded.

12
13 Councilmembers discussed leaving the public hearing open for two weeks.

14
15 ***Buchanan withdrew*** the motion to postpone.

16
17 Browne opened the public hearing, and the following people spoke:

18
19 Patrick Alesse stated golf carts should be in the automobile lanes, not the hiking and
20 biking lanes, which should be wider.

21
22 Joe Rutan, Public Works Department, and councilmembers discussed the ability to
23 adjust lane widths.

24
25 Kelvin Barton stated he supports the ordinance.

26
27 Doralee Booth described the history of speed limits on Birch Bay Drive and the
28 various types of users along the road.

29
30 Billy Brown described the history of the community's request.

31
32 Mike Kaufman stated eliminate or reduce the need to drive big vehicles and
33 encourage alternative travel lanes. Fund alternative travel options.

34
35 Hearing no one else, Browne stated the public hearing is held open for another two
36 weeks.

37
38 ***Donovan moved*** to hold in Council for two weeks.

39
40 The motion was seconded.

41
42 The motion carried by the following vote:

43 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

44 **Nays:** None (0)

45 **Absent:** Ballew (1)

46
47 **3. ORDINANCE REPEALING ORDINANCE NOS. 2018-001 AND 2018-005 AND**
48 **ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE**
49 **PLAN AND THE WHATCOM COUNTY CODE TITLE 15 BUILDINGS AND**
50 **CONSTRUCTION, TITLE 20 ZONING, TITLE 21 LAND DIVISION**

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1 **REGULATIONS, AND TITLE 24 HEALTH CODE, RELATING TO WATER**
2 **RESOURCES AND IMPLEMENTING ESSB 6091 (AB2018-129)**
3

4 Browne opened the public hearing, and the following people spoke:
5

6 Roger Almskaar submitted a handout (*on file*) and stated the County Code conflicts
7 with the Coordinated Water Supply Plan (CWSP) and suggested adding an exception to the
8 requirement for public water because the rule is arbitrary.
9

10 John Wolpers, Health Department, answered questions about requirements to hook
11 up to public water when possible.
12

13 Councilmembers discussed the cost of hooking up to a public water supply.
14

15 John Mercer, Planning Unit nongovernment water users caucus representative,
16 stated he has no objection to the ordinance, but objects to last minute changes without
17 review. He answered questions on requirements to hook up to a public water supply.
18

19 Dave Olsen, representative of a number of water utilities, submitted handouts (*on*
20 *file*) and stated there will be impacts to last minute changes that may be approved without
21 any review. He answered questions about the review process and planning effort that has
22 gone into their water plans.
23

24 Ellen Baker, Glacier Water District, stated the CWSP includes a section for dispute
25 resolution. She stated she agrees with the two previous speakers and stay within the
26 current Health Department regulations and the current water supply plans. She answered
27 questions about whether any districts allow an exception if they agree to hook up when a
28 line is eventually extended.
29

30 Gary Honcoop described his experience on a water association waiting list.
31

32 Hearing no one else, Browne closed the public hearing.
33

34 ***Brenner moved*** to hold this item and refer to the Water Utility Coordinating
35 Committee (WUCC) to get more information.
36

37 The following staff answered questions:

- 38 • Mark Personius, Planning and Development Services Department
 - 39 • Karen Frakes, Prosecutor's Office
 - 40 • Tyler Schroeder, Executive's Office
- 41

42 Staff and councilmembers discussed getting compliance with recent legislation and
43 the Growth Management Act (GMA) and the consequences of not being in compliance;
44 adding a Whereas statement about the decision of the Court of Appeals; whether Whatcom
45 County is the initiating government; specifying the amount of the application fee; the
46 perspective of the landowners who are at the periphery of the service district and are
47 effectively asked to fund the infrastructure; the need of the water district to somehow
48 recover the cost of the infrastructure; describing the Planning Unit first, not last, in certain
49 sections of the Comprehensive Plan; the roles and structure of the initiating governments,
50 Watershed Planning Board, County Council, and Planning Unit.

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1
2 **Brenner amended the motion** to hold the question from Mr. Almskaar regarding
3 the problems created by people who are more than 500 feet away from a water main.

4
5 The motion was seconded.

6
7 The motion failed by the following vote:

8 **Ayes:** Brenner and Byrd (2)

9 **Nays:** Browne, Buchanan, Donovan, and Sidhu (4)

10 **Absent:** Ballew (1)

11
12 **Buchanan moved** to adopt the ordinance.

13
14 The motion was seconded.

15
16 Councilmembers discussed the impact of delaying the decision and whether adopting
17 the ordinance now or delaying another six or 12 months would have any impact on the
18 Engrossed Substitute Senate Bill (ESSB) 6091 process, wells, or current development.

19
20 The motion carried by the following vote:

21 **Ayes:** Browne, Buchanan, Donovan, and Sidhu (4)

22 **Nays:** Brenner and Byrd (2)

23 **Absent:** Ballew (1)

24
25 *(Clerk's Note: Discussion continued at the end of the meeting.)*

26
27 *(Clerk's Note: The Council took a break 9:38 – 9:48 p.m.)*

28
29
30 **OPEN SESSION**

31
32 The following people spoke:

- 33 • Ellen Baker submitted a handout (*on file*) and spoke about a comment from
34 the County Executive that resolutions are meaningless.
- 35 • Kathy Sabel submitted handouts (*on file*) and spoke about the Planning Unit
36 and Watershed Management Board meetings and the water resources
37 inventory area (WRIA) 1 structure and process.
- 38 • Jim Peterson, HomesNOW, spoke about the HomesNOW projects to build
39 temporary homeless housing and to provide mobile trucks with showers for
40 the homeless.
- 41 • Ken Calder spoke about delaying introduction of the ordinance regarding solid
42 waste collection in Point Roberts.
- 43 • Joy Gilfilen spoke about the conflict and imbalance in the County Charter
44 between the legislative and executive branches and the amount of people in
45 the jail system in the United States.
- 46 • Mike Kaufman spoke about jail issues and community behavioral health
47 issues.
- 48 • Dana Briggs spoke about getting an accurate count of the number of
49 homeless people in Whatcom County.

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- 1 • Jenny Ablondi spoke about the expansion of the East Whatcom Regional
- 2 Resource Center.
- 3 • Ivy Little spoke about the expansion of the East Whatcom Regional Resource
- 4 Center.
- 5 • Dave Onkels spoke about the proposed resolution recognizing the roles and
- 6 duties of various water resources inventory area (WRIA) 1 watershed
- 7 planning groups (AB2018-114) and certain meetings that weren't published or
- 8 open to the public.
- 9 • Carole Perry spoke about the WRIA 1 planning process structure.
- 10 • Gary Honcoop spoke about the Planning Commission's need for expertise on
- 11 various issues.
- 12 • Tony Freeland stated he is an applicant for the Planning Commission vacancy
- 13 and spoke about his background and qualifications.
- 14
- 15

CONSENT AGENDA

- 16
- 17
- 18 **1. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE THE**
- 19 **PURCHASE, USING WASHINGTON STATE CONTRACT #00816, OF A**
- 20 **REPLACEMENT LOWBOY TRAILER FROM VENDOR PAPE MACHINERY, INC., IN**
- 21 **THE AMOUNT OF \$89,526.76 (AB2018-144)**
- 22

23 Sidhu reported for the Finance and Administrative Services Committee and stated
24 this item is held in committee.

OTHER ITEMS

- 25
- 26
- 27
- 28
- 29 **1. RESOLUTION RECOGNIZING THE ROLES AND DUTIES OF WHATCOM**
- 30 **COUNTY, THE WRIA 1 PLANNING UNIT, AND THE WRIA 1 INITIATING**
- 31 **GOVERNMENTS REGARDING WATER RESOURCES PLANNING UNDER RCW**
- 32 **90.82 AND ESSB 6091 (AB2018-114)**
- 33

34 Browne reported for the Special Committee of the Whole (A.M.) meeting and stated
35 this comes forward with no recommendation from the Committee of the Whole.

36
37 ***Brenner moved*** to approve the resolution as originally proposed by
38 Councilmembers Brenner and Byrd.

39
40 The motion was seconded.

41
42 Councilmembers spoke about whether or not the resolution is necessary to define
43 and clarify the role of the Planning Unit and structure of the water resources inventory area
44 (WRIA) 1 planning process.

45
46 The motion carried by the following vote:

47 **Ayes:** Buchanan, Donovan, Brenner and Byrd (4)

48 **Nays:** Browne and Sidhu (2)

49 **Absent:** Ballew (1)

50

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1 2. **ORDINANCE AMENDING WHATCOM COUNTY CODE 1.08, INITIATIVES,
2 REFERENDUM, AND RECALL, TO REFLECT CHANGES APPROVED BY THE
3 VOTERS (AB2018-134)**

4
5 Debbie Adelstein, County Auditor, gave a staff report.

6
7 **Sidhu moved** to adopt the ordinance.

8
9 The motion was seconded.

10
11 The motion carried by the following vote:

12 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

13 **Nays:** None (0)

14 **Absent:** Ballew (1)

15
16 3. **REVIEW AND APPROVAL OF DRAFT PUBLIC PARTICIPATION PLAN FOR
17 WHATCOM COUNTY COMPREHENSIVE PLAN AND DEVELOPMENT
18 REGULATION AMENDMENTS (AB2018-147)**

19
20 Browne reported for the Special Committee of the Whole (P.M.) meeting.

21
22 **Sidhu moved** to approve the public participation plan.

23
24 The motion was seconded.

25
26 Councilmembers discussed the public participation plan versus the merits of the
27 proposed amendments to the Comprehensive Plan and development regulations.

28
29 The motion carried by the following vote:

30 **Ayes:** Browne, Buchanan, Byrd, Donovan, and Sidhu (5)

31 **Nays:** Brenner (1)

32 **Absent:** Ballew (1)

33
34 4. **RESOLUTION AUTHORIZING THE ALLOCATION OF REET I FUNDING TO
35 SUPPORT THE CONSTRUCTION OF A MULTI-USE BUILDING EXPANSION AT
36 THE EAST WHATCOM REGIONAL RESOURCE CENTER (AB2018-131)**

37
38 **Buchanan** reported for the Special Committee of the Whole – P.M. meeting and
39 stated this item is held in committee for four weeks for more information from the
40 administration. He **moved** to hold in Committee.

41
42 The motion was seconded.

43
44 The motion carried by the following vote:

45 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

46 **Nays:** None (0)

47 **Absent:** Ballew (1)

48
49
50 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

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1. APPOINTMENT TO THE WHATCOM COUNTY PLANNING COMMISSION, PARTIAL TERM ENDING JANUARY 31, 2021, REPRESENTING DISTRICT 1, APPLICANTS: TONY FREELAND, KIMBERLEY LUND (AB2018-133)

Buchanan nominated Tony Freeland and Kimberly Lund.

Councilmembers spoke about the qualifications of the applicants.

The councilmembers voted as follows:

Lund: Browne, Buchanan, and Donovan (3)

Freeland: Brenner, Byrd, and Sidhu (3)

Browne stated they would hold the vote for two weeks and not accept any more applications.

The Council concurred by general consent.

2. APPOINTMENTS TO THE WHATCOM COUNTY LAKE WHATCOM STORMWATER UTILITY ADVISORY COMMITTEE, APPLICANTS: LAURENCE BROWN, JOSEPH BALDWIN, CHRIS KELLER, PETER DOBEY, NANCY ALYANAK, ENOCH LEDET, HARRY (SKIP) JOHNSEN, TODD CITRON, THOMAS DALES (AB2018-140)

Buchanan nominated all applicants.

Sudden Valley Position

Applicants	Barry Buchanan	Barbara Brenner	Rud Browne	Todd Donovan	Tyler Byrd	Satpal Sidhu	Total
Nancy Alyanak							0
Joseph Baldwin							0
Laurence Brown	X		X	X		X	4
Todd Citron							0
Thomas Dales							0
Peter Dobey							0
Harry (Skip) Johnsen							0
Chris Keller							0
Enoch Ledet		X			X		2
Nathaniel Washington							0

28
29
30

Geographic Positions

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1

Applicants	Barry Buchanan	Barbara Brenner	Rud Browne	Todd Donovan	Tyler Byrd	Satpal Sidhu	Total
Nancy Alyanak		X				X	2
Joseph Baldwin					X		1
Laurence Brown							0
Todd Citron	X		X	X		X	4
Thomas Dales	X	X		X	X		4
Peter Dobe							0
Harry (Skip) Johnsen	X	X	X	X	X	X	6
Chris Keller							0
Enoch Ledet		X	X		X		3
Nathaniel Washington	X		X	X		X	4

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Councilmembers elected Laurence Brown to the Sudden Valley position and Citron, Dales, Johnson, and Washington to the geographic positions.

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

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1. **REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE’S REAPPOINTMENT OF BRENT WALKER AND DUNHAM GOODING TO THE BELLINGHAM-WHATCOM PUBLIC FACILITIES DISTRICT (AB2018-149)**

Donovan moved to confirm the reappointments.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

Nays: None (0)

Absent: Ballew (1)

INTRODUCTION ITEMS

Buchanan moved to accept Introduction Items one through eight.

Brenner withdrew item four.

The motion was seconded.

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1 The motion to Introduce items one through three and five through eight carried by
2 the following vote:

3 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

4 **Nays:** None (0)

5 **Absent:** Ballew (1)

6
7 **1. ORDINANCE AMENDING WHATCOM COUNTY CODE 15.04, BUILDING CODES,**
8 **REGARDING FEE FOR APPEALS TO COUNTY COUNCIL (AB2018-142)**

9
10 **2. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, SEVENTH**
11 **REQUEST, IN THE AMOUNT OF \$1,861,232 (AB2018-150)**

12
13 **3. ORDINANCE ESTABLISHING THE MENTAL HEALTH AND DEVELOPMENTAL**
14 **DISABILITIES SPECIAL REVENUE FUND (AB2018-151)**

15
16 **4. ORDINANCE AMENDING WCC 8.11 SOLID WASTE RECYCLING AND**
17 **COLLECTION DISTRICT AND WCC 8.10, SOLID WASTE AND RESIDENTIAL**
18 **RECYCLING COLLECTION REGARDING SOLID WASTE COLLECTION IN POINT**
19 **ROBERTS, WA (AB2018-146)**

20
21 *Brenner moved* to not introduce this item at this time.

22
23 The motion was seconded.

24
25 Jeff Hegedus, Health Department, answered questions.

26
27 Staff and councilmembers discussed whether there is a project or legal deadline for
28 this item.

29
30 The motion carried by the following vote:

31 **Ayes:** Brenner, Buchanan, Byrd, Donovan, and Sidhu (5)

32 **Nays:** Browne (1)

33 **Absent:** Ballew (1)

34
35 **5. ORDINANCE CLOSING THE POTTER ROAD – SOUTH FORK BRIDGE NO. 148**
36 **REPLACEMENT PROJECT FUND 342 (AB2018-152)**

37
38 **6. ORDINANCE CLOSING THE 2015 COUNTY ROADWAY SAFETY PROGRAM**
39 **FUND 355 (AB2018-153)**

40
41 **7. ORDINANCE CLOSING THE CEDAR HILLS/EUCLID STORM WATER**
42 **IMPROVEMENTS PROJECT FUND 367 (AB2018-154)**

43
44 **8. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE CHAPTER 2.126,**
45 **CREATING THE WHATCOM COUNTY BUSINESS AND COMMERCE ADVISORY**
46 **COMMITTEE (AB2018-132A)**

47
48
49 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

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1 Browne reported for the Special Committee of the Whole meetings.

2
3 Sidhu reported for the Finance and Administrative Services Committee.

4
5 Buchanan reported for the Criminal Justice and Public Safety Committee.

6
7 Brenner reported for the Public Works and Health Committee.

8
9 Tyler Schroeder, Executive's Office, answered questions about having discussions
10 with staff regarding customer service in the Planning and Development Services Department
11 and about regulations on people living in recreational vehicles (RVs).

12
13
14 **PUBLIC HEARINGS**

15
16 **3. ORDINANCE REPEALING ORDINANCE NOS. 2018-001 AND 2018-005 AND**
17 **ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE**
18 **PLAN AND THE WHATCOM COUNTY CODE TITLE 15 BUILDINGS AND**
19 **CONSTRUCTION, TITLE 20 ZONING, TITLE 21 LAND DIVISION**
20 **REGULATIONS, AND TITLE 24 HEALTH CODE, RELATING TO WATER**
21 **RESOURCES AND IMPLEMENTING ESSB 6091 (AB2018-129)**

22
23 *Browne moved* to request that staff and the Water Utility Coordinating Committee
24 work to provide recommendations to find affordable options or exceptions for people
25 seeking water within an area where they are currently required to connect to private water
26 district service.

27
28 The motion was seconded.

29
30 The motion carried by the following vote:

31 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

32 **Nays:** None (0)

33 **Absent:** Ballew (1)

34
35 Councilmembers gave updates on recent activities and upcoming events.

36
37
38 **ADJOURN**

39
40 The meeting adjourned at 11:40 p.m.

41
42 The County Council approved these minutes on _____, 2018.

43
44
45 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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1 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

2

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6

Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Committee Of The Whole
May 22, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 9:32 a.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Tim Ballew, Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, and Satpal Sidhu

Absent: None

COMMITTEE DISCUSSION

- DISCUSSION WITH SENIOR DEPUTY PROSECUTOR CHRISTOPHER QUINN REGARDING PENDING LITIGATION INVOLVING CLAIMS AGAINST CORRECTIONS DEPUTIES ACTING WITHIN THEIR OFFICIAL DUTIES (AB2018-018)**
Attorney Present: Christopher Quinn and George Roche

Browne stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.110 (1)(i). Executive session will conclude no later than 9:45 a.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Byrd moved to go into executive session until no later than 9:45 a.m. to discuss the agenda items pursuant to RCW citations as announced by the Council Chair. The motion was seconded.

The motion carried by the following vote:

Ayes: Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

Nays: None (0)

OTHER BUSINESS

ADJOURN

The meeting adjourned at 9:40 a.m.

The Council approved these minutes on _____ 2018.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

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Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Regular County Council Meeting

May 22, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Tim Ballew, Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, and Satpal Sidhu.

Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

Browne submitted and read from the County Code on council meeting general procedures and decorum of debate.

Councilmembers had a moment of silence on the passing of long-time Superior Court Judge Ira Uhrig.

(From Committee of the Whole)

DISCUSSION WITH SENIOR DEPUTY PROSECUTOR CHRISTOPHER QUINN REGARDING PENDING LITIGATION INVOLVING CLAIMS AGAINST CORRECTIONS DEPUTIES ACTING WITHIN THEIR OFFICIAL DUTIES (AB2018-018)

Buchanan stated that having met in executive session and having been advised of the nature of the lawsuit, the allegations contained therein, and pursuant to Whatcom County Code 2.56, he **moved** that the council affirmatively finds the following:

- The deputies named in the lawsuit (Deputies Matt Charrion and Robert Packard) were acting in a matter in which the county had an interest;
- That the officers were acting in the discharge of a duty imposed or authorized by law; and
- The officers did act in good faith

Therefore, the Whatcom County officers named in this lawsuit will be defended and indemnified pursuant to and consistent with the provisions in Whatcom County Code (WCC) Chapter 2.56 and Revised Code of Washington (RCW) 4.96.041.

The motion was seconded.

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1 The motion carried by the following vote:

2 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

3 **Nays:** None (0)

4
5
6 **PUBLIC HEARINGS**

7
8 **1. ORDINANCE ESTABLISHING A 25 MPH SPEED LIMIT ON CERTAIN BIRCH**
9 **BAY AREA ROADS (AB2018-137)**

10
11 Browne opened the public hearing, and the following people spoke:

12
13 Shirley Reed stated she is against the golf carts on Birch Bay Drive for a variety of
14 reasons.

15
16 Billy Brown submitted a handout (*on file*) and stated he supports the 25 mile per
17 hour speed limit.

18
19 Hearing no one else, Browne closed the public hearing.

20
21 ***Byrd moved*** to adopt the ordinance.

22
23 The motion was seconded.

24
25 The motion carried by the following vote:

26 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

27 **Nays:** None (0)

28
29 **2. ORDINANCE CREATING A "GOLF CART ZONE" ON CERTAIN ROADS IN THE**
30 **BIRCH BAY AREA (AB2018-125)**

31
32 Browne opened the public hearing, and the following people spoke:

33
34 Charles Kinzer submitted a handout (*on file*) and stated he is opposed to the
35 ordinance due to safety, community opposition, lack of need, and standing of the Birch Bay
36 Chamber of Commerce.

37
38 Dave Sadell stated he is opposed to the ordinance. Golf carts don't have to be
39 insured against striking someone and are unsafe on public roads.

40
41 Judith Jones stated she is opposed to the ordinance because it allows unlicensed
42 drivers on the road and there is too much traffic and are too many pedestrians.

43
44 David Brewin stated he supports the ordinance to enhance the community. There
45 won't be a large influx of golf cart traffic on the roads. It can ease congestion on the roads.
46 They could require seatbelts to alleviate safety concerns.

47
48 Gail Walker stated she is a business owner that rents recreational equipment . She
49 supports the ordinance because it will be a convenience for the community.
50

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1 Wayne Diaz, Birch Bay Chamber of Commerce Vice-President, stated he supports the
2 ordinance. Parking in the community is difficult to find.
3

4 Billy Brown submitted a handout (*on file*) and stated he supports the ordinance. A
5 vast majority of residents and vacationers also support the ordinance. There are plenty of
6 ways to get out of Birch Bay, so it won't affect traffic. It will be good for Birch Bay tourism.
7

8 Patrick Alesse stated his concern is to protect pedestrian and bicycle safety, but he's
9 neutral on the subject.
10

11 Mike Kent stated safety is key. Lowering the speed limit was necessary. As long as
12 the use is policed and the golf carts are adequately powered, there won't be danger. It will
13 benefit local businesses.
14

15 Margo Savell stated safety is crucial. Golf carts won't be safe.
16

17 Pam Hanson stated she supports the ordinance because it will help the local
18 economy and community. The majority of the use will be in the summer months.
19

20 Todd Rutgers stated he supports the ordinance. They're useful when there is traffic
21 congestion.
22

23 Doralee Booth stated safety is a concern.
24

25 Hearing no one else, Browne closed the public hearing.
26

27 ***Donovan moved*** to adopt the ordinance.
28

29 The motion was seconded.
30

31 Joe Rutan, Public Works Department, answered questions.
32

33 Staff and councilmembers discussed the safety issues, requiring a license and
34 insurance of golf cart drivers, and the benefits of allowing golf carts on the roads in Birch
35 Bay.
36

37 ***Byrd moved*** to amend to add a sunset clause to review the use in one year.
38

39 The motion to amend was seconded.
40

41 Councilmembers discussed the length of the sunset clause.
42

43 ***Byrd amended his motion and moved*** to amend to add a sunset clause to review
44 the use in 18 months.
45

46 The motion to amend carried by the following vote:

47 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Sidhu (6)

48 **Nays:** Donovan (1)
49

50 The motion to adopt as amended carried by the following vote:

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1 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)
2 **Nays:** None (0)
3

4 **3. ORDINANCE AMENDING WHATCOM COUNTY CODE 15.04, BUILDING CODES,**
5 **REGARDING FEE FOR APPEALS TO COUNTY COUNCIL (AB2018-142)**

6
7 Browne opened the public hearing, and hearing no one, closed the public hearing.

8
9 **Byrd moved** to adopt the ordinance.

10
11 The motion was seconded.

12
13 Karen Frakes, Prosecutor’s Office, answered questions.

14
15 Staff and councilmembers discussed the fees.

16
17 The motion carried by the following vote:

18 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)
19 **Nays:** None (0)
20

21
22 **OPEN SESSION**

23
24 The following people spoke:

- 25 • Dana Briggs spoke about homeless statistics in Whatcom County.
- 26 • John Campbell spoke about homeless services in Whatcom County.
- 27 • Mike Kaufman spoke about the mid-century industrial complex promoting the
- 28 advancement of white suburban dwellers and the systemic social problems
- 29 that have resulted.
- 30 • Doralee Booth submitted a handout (*on file*) and spoke about an upcoming
- 31 Birch Bay community event.
- 32 • Joy Gilfilen, Restorative Community Coalition, submitted a handout (*on file*)
- 33 and spoke about partnering with the County to receive a MacArthur
- 34 Foundation grant opportunity to fund one of several potential programs.
- 35

36 Byrd moved to work with Ms. Gilfilen and support multiple grant applications to the
37 foundation. There was no second to the motion.

38
39 Councilmembers discussed working on grant applications until the deadline in June.
40

41
42 **CONSENT AGENDA**

43
44 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
45 to approve Consent Agenda items one through four, including the substitute for item four.

46
47 The motion carried by the following vote:

48 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)
49 **Nays:** None (0)
50

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1. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND NORTHWEST YOUTH SERVICES TO ADD ADDITIONAL FUNDING FOR RENTAL ASSISTANCE TO HELP SUPPORT YOUTH IN THE TRANSITIONAL LIVING PROGRAM AT FRANCIS PLACE, IN THE AMOUNT OF \$36,990, FOR A TOTAL AMENDED CONTRACT AMOUNT OF \$442,652 (AB2018-156)
2. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON DEPARTMENT OF ECOLOGY TO RECEIVE FUNDING FOR OPERATION OF A FIXED TOXICS FACILITY USED FOR THE PROPER DISPOSAL AND RECYCLING OF MODERATE RISK WASTES AND RURAL WASTE OIL AND ANTIFREEZE COLLECTION STATIONS, IN THE AMOUNT OF \$196,714.64 (AB2018-157)
3. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON DEPARTMENT OF ECOLOGY TO RECEIVE FUNDING FOR SOLID WASTE COMPLIANCE MANAGEMENT AND LITTERING AND ILLEGAL DUMPING ENFORCEMENT SERVICES, IN THE AMOUNT OF \$134,811.14 (AB2018-158)
4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A 5 YEAR LEASE AGREEMENT, WITH TWO 5-YEAR LEASE RENEWAL OPTIONS, BETWEEN WHATCOM COUNTY AND THE PORT OF BELLINGHAM FOR USE OF THE PROPERTY LOCATED AT 3720 WILLIAMSON WAY IN THE MONTHLY AMOUNT IN YEARS 1 AND 2 OF \$1,288.98 AND IN YEARS 3 THROUGH 5, THE AMOUNT OF \$1,353.43 (AB2018-159)

OTHER ITEMS

1. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, SEVENTH REQUEST, IN THE AMOUNT OF \$1,861,232 (AB2018-150)

Sidhu reported for the Finance and Administrative Services Committee and *moved* to adopt the ordinance.

Byrd moved to withdraw items three through seven.

The motion to amend was seconded.

The motion carried by the following vote:

Ayes: Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

Nays: None (0)

Councilmembers discussed the proper procedure to amend the ordinance.

Browne moved to rescind the last vote.

The motion to rescind was seconded.

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1 The motion to rescind carried by the following vote:

2 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

3 **Nays:** None (0)

4
5 **Byrd moved** to amend to remove items three through seven from the ordinance.

6
7 The motion was seconded.

8
9 Councilmembers discussed working on homeless issues in the community through
10 funding and hiring more staff versus contributing directly to programs such as HomesNOW
11 pilot programs.

12
13 Regina Delahunt, Health Department Director, answered questions.

14
15 **Donovan moved** to call the question.

16
17 The motion to call the question was seconded.

18
19 The motion to call the question carried by the following vote:

20 **Ayes:** Ballew, Byrd, Browne, Buchanan, Donovan, and Sidhu (6)

21 **Nays:** Brenner (1)

22
23 **Byrd restated the motion** to amend to remove items three through seven from the
24 ordinance.

25
26 The motion to amend failed by the following vote:

27 **Ayes:** Byrd (1)

28 **Nays:** Ballew, Brenner, Browne, Buchanan, Donovan, and Sidhu (6)

29
30 The motion carried by the following vote:

31 **Ayes:** Ballew, Brenner, Browne, Buchanan, Donovan, and Sidhu (6)

32 **Nays:** Byrd (1)

33
34 **2. ORDINANCE ESTABLISHING THE MENTAL HEALTH AND DEVELOPMENTAL**
35 **DISABILITIES SPECIAL REVENUE FUND (AB2018-151)**

36
37 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
38 to adopt the ordinance.

39
40 The motion carried by the following vote:

41 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

42 **Nays:** None (0)

43
44 **3. ORDINANCE CLOSING THE POTTER ROAD – SOUTH FORK BRIDGE NO. 148**
45 **REPLACEMENT PROJECT FUND 342 (AB2018-152)**

46
47 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
48 to adopt the ordinance.

49
50 The motion carried by the following vote:

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1 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)
2 **Nays:** None (0)
3

4 **4. ORDINANCE CLOSING THE 2015 COUNTY ROADWAY SAFETY PROGRAM**
5 **FUND 355 (AB2018-153)**
6

7 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
8 to adopt the ordinance.
9

10 The motion carried by the following vote:

11 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)
12 **Nays:** None (0)
13

14 **5. ORDINANCE CLOSING THE CEDAR HILLS/EUCLID STORM WATER**
15 **IMPROVEMENTS PROJECT FUND 367 (AB2018-154)**
16

17 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
18 to adopt the ordinance.
19

20 The motion carried by the following vote:

21 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)
22 **Nays:** None (0)
23

24 **6. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE THE**
25 **PURCHASE, USING WASHINGTON STATE CONTRACT #00816, OF A**
26 **REPLACEMENT LOWBOY TRAILER FROM VENDOR PAPE MACHINERY, INC., IN**
27 **THE AMOUNT OF \$89,526.76 (FROM MAY 8) (AB2018-144)**
28

29 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
30 to approve the request.
31

32 The following staff answered questions:

- 33 • Jon Hutchings, Public Works Department Director
 - 34 • Jack Louws, County Executive
- 35

36 Staff and councilmembers discussed the costs of repair and the costs of a new
37 trailer, how the trailer is used, equipment replacement schedules, replacement accrual
38 rates, costs if the equipment were to break down, and breakdown issues regardless of
39 whether or not the equipment was new.
40

41 **Buchanan moved** to call the question.
42

43 The motion was seconded.
44

45 The motion to call the question carried by the following vote:

46 **Ayes:** Ballew, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)
47 **Nays:** Brenner (1)
48

49 The motion to approve the request carried by the following vote:

50 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

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1 **Nays:** Byrd and Brenner (2)
2

3 **Add Item. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER**
4 **INTO A CONTRACT AMENDMENT (AMENDMENT NO. 2) BETWEEN**
5 **WHATCOM COUNTY AND THE COUNTY ROAD ADMINISTRATION BOARD**
6 **(CRAB) TO ALLOW THE COUNTY TO RECEIVE ADDITIONAL RURAL**
7 **ARTERIAL PROGRAM (RAP) GRANT FUNDING FOR THE EAST SMITH**
8 **ROAD PAVEMENT REHABILITATION PROJECT (EVERSON-GOSHEN ROAD**
9 **TO SR-542) (AB2018-164)**

10
11 **Sidhu** reported for the Finance and Administrative Services Committee and *moved*
12 to approve the request.

13
14 The motion carried by the following vote:

15 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

16 **Nays:** None (0)
17

18 **7. DISCUSSION AND DIRECTION FROM COUNCIL ON POTENTIAL WHATCOM**
19 **COUNTY CODE AMENDMENTS AND PROJECTS TO HELP PEOPLE WHO ARE**
20 **EXPERIENCING HOMELESSNESS (AB2018-072B)**

21
22 Byrd reported for the Planning and Development Committee.

23
24 **8. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE CHAPTER 2.126,**
25 **CREATING THE WHATCOM COUNTY BUSINESS AND COMMERCE ADVISORY**
26 **COMMITTEE (AB2018-132A)**

27
28 **Browne** reported for the Special Committee of the Whole and *moved* to adopt the
29 substitute ordinance as amended by committee, including adding two voting positions that
30 will represent the agriculture industry and the energy sector industry, for a total of 18
31 members.

32
33 The motion to adopt as amended by committee carried by the following vote:

34 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

35 **Nays:** None (0)
36

37 **9. DIRECTION ON COMPREHENSIVE PLAN AMENDMENTS REQUESTED BY**
38 **COUNCIL THROUGH RESOLUTION 2018-015 RELATING TO THE CHERRY**
39 **POINT URBAN GROWTH AREA (FROM MAY 8) (AB2018-076C)**

40
41 **Browne** reported for the Special Committee of the Whole and stated this item is
42 held in committee.

43
44 **10. APPOINTMENT OF ONE COUNCILMEMBER TO SERVE ON THE WHATCOM**
45 **COUNTY LAKE WHATCOM STORMWATER UTILITY ADVISORY COMMITTEE AS**
46 **A NON-VOTING REPRESENTATIVE (AB2018-140A)**

47
48 **Buchanan moved** to appoint Councilmember Donovan.

49
50 The motion was seconded.

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1
2 The motion carried by the following vote:

3 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

4 **Nays:** None (0)

5
6 **11. RESOLUTION AMENDING RESOLUTION 2017-045 TO REVISE COUNTY**
7 **COUNCIL MEETING DATE SCHEDULE FOR 2018 (AB2018-162)**

8
9 *Brenner moved* to approve the resolution.

10
11 The motion was seconded.

12
13 The motion carried by the following vote:

14 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

15 **Nays:** None (0)

16
17
18 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

19
20 **1. APPOINTMENT TO THE WHATCOM COUNTY PLANNING COMMISSION,**
21 **PARTIAL TERM ENDING JANUARY 31, 2021, REPRESENTING DISTRICT 1,**
22 **APPLICANTS: TONY FREELAND, KIMBERLEY LUND (FROM MAY 8) (AB2018-**
23 **133)**

24
25 *(Clerk's Note: Council nominated the two applicants at the previous Council meeting*
26 *on May 8.)*

27
28 Councilmembers discussed the experience of the applicants.

29
30 Councilmembers voted as follows:

31 **Freeland:** Brenner, Byrd, and Sidhu (3)

32 **Lund:** Ballew, Browne, Buchanan, and Donovan (4)

33
34 The Council appointed Kimberley Lund.

35
36
37 **INTRODUCTION ITEMS**

38
39 *Byrd moved* to accept the Introduction Items.

40
41 The motion was seconded.

42
43 The motion carried by the following vote:

44 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

45 **Nays:** None (0)

46
47 **1. ORDINANCE AMENDING WHATCOM COUNTY CODE 3.08, PURCHASING**
48 **SYSTEM (AB2018-160)**

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- 1 2. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE 1.32, ADOPTING
2 RULES REGARDING COMPLIANCE WITH CHAPTER 42.56 RCW, PUBLIC
3 RECORDS ACT (AB2018-155)
4
5 3. ORDINANCE AMENDING WHATCOM COUNTY CODE 8.11, SOLID WASTE
6 RECYCLING AND COLLECTION DISTRICT, AND 8.10, SOLID WASTE
7 RESIDENTIAL RECYCLING COLLECTION, REGARDING SOLID WASTE
8 COLLECTION IN POINT ROBERTS (AB2018-146A)
9
10 4. ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 2
11 ADMINISTRATION AND PERSONNEL; TITLE 9 PUBLIC PEACE, MORALS AND
12 WELFARE; TITLE 15, BUILDING AND CONSTRUCTION; TITLE 16
13 ENVIRONMENT; TITLE 20 ZONING; TITLE 21 LAND DIVISION REGULATIONS;
14 TITLE 23 SHORELINE MANAGEMENT PROGRAM; TITLE 24 HEALTH; AND
15 CREATING A NEW TITLE 22 LAND USE AND DEVELOPMENT PROCEDURES; TO
16 RELOCATE AND REVISE PROCEDURES FOR LAND USE AND DEVELOPMENT
17 RELATED PROJECT PERMITS AND LEGISLATIVE ACTIONS (AB2018-056)
18
19

20 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

21
22 Committee chairs reported on other committee discussions.
23

24 Councilmembers gave updates on recent activities and upcoming events.
25

26
27 **ADJOURN**

28
29 The meeting adjourned at 9:25 p.m.
30

31 The County Council approved these minutes on _____ 2018.
32

33
34 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

35
36
37
38
39 _____
40 Dana Brown-Davis, Council Clerk

41
42
43
44 _____
45 Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

June 5, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 2:56 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Tim Ballew, Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, and Satpal Sidhu.

Absent: None.

COMMITTEE DISCUSSION

1. DIRECTION ON COMPREHENSIVE PLAN AMENDMENTS REQUESTED BY COUNCIL THROUGH RESOLUTION 2018-015 RELATING TO THE CHERRY POINT URBAN GROWTH AREA (AB2018-076C)

Matt Aamot, Planning and Development Services Department, submitted a handout (*on file*) and gave a presentation beginning on handout page 11, and requested Council direction on materials and substances to be regulated. He answered questions.

The following staff answered questions:

- Mark Personius, Planning and Development Services Department
- Karen Frakes, Prosecutor's Office

Staff and councilmembers discussed aligning the definitions with the Department of Ecology, the difference between hazardous materials and hazardous substances, what types of hazardous materials should be regulated, whether any other jurisdictions in the country have some type of similar definitions and restrictions, keeping the definition broad or narrower and more specific, the threshold for State Environmental Policy Act (SEPA) review, and historic and current use of the Cherry Point pier to export gas.

Browne moved to amend the zoning code to adopt the same definitions as is used in the shoreline management program for hazardous materials and hazardous substances.

The motion was seconded.

Councilmembers discussed whether the definitions would make the zoning code more or less restrictive.

The motion carried by the following vote:

Ayes: Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

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1 **Nays:** Brenner and Byrd (2)
2

3 Staff and councilmembers discussed the matrix of uses and options for amending the
4 zoning code on handout page 15, the differences between zoning code amendments and
5 shoreline code amendments, whether to process any amendments to the Shoreline Program
6 now or with the 2020 update, and membership on citizen and technical advisory committees
7 to the 2020 Shoreline Program Update.
8

9 **Brenner moved** to keep the existing code and permitting requirements for all
10 options in the matrix.
11

12 The motion was seconded.
13

14 Councilmembers discussed how they are just giving staff direction on how to write a
15 draft ordinance. They are not making any decisions on the code at this time.
16

17 The motion failed by the following vote:

18 **Ayes:** Brenner and Byrd (2)

19 **Nays:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)
20

21 Councilmembers and staff discussed whether to process any amendments to the
22 Shoreline Program now or with the 2020 Shoreline Program Update.
23

24 **Donovan moved** to move forward now with Comprehensive Plan and zoning code
25 amendments.
26

27 The motion was seconded.
28

29 The motion carried by the following vote:

30 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

31 **Nays:** Brenner and Byrd (2)
32

33 **Donovan moved** to request staff to develop language for zoning conditional use
34 permits for all uses in the matrix, except the additional pier.
35

36 The motion was seconded.
37

38 Councilmembers and staff discussed getting public input in addition to three minutes
39 at a public hearing.
40

41 The motion carried by the following vote:

42 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

43 **Nays:** Brenner and Byrd (2)
44

45 Councilmembers and staff discussed whether the allowance for the additional pier is
46 vested and updating the Comprehensive Plan for consistency with the shoreline regulations
47 for the additional pier.
48

49 **Donovan moved** to accept option three in the matrix on page 20 of the handout, to
50 amend the Comprehensive Plan and zoning amendment to prohibit additional piers.

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1
2 The motion was seconded.
3

4 The motion carried by the following vote:

5 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

6 **Nays:** Brenner and Byrd (2)
7

8 ***Browne moved*** to request staff to include a review of Policy 2CC-16 to broaden the
9 definition to anything that is a hazardous substance according to the State Washington
10 Administrative Code (WAC).
11

12 The motion was seconded.
13

14 Councilmembers discussed whether or not a broader definition would create
15 unwanted discretion in interpretation.
16

17 The motion carried by the following vote:

18 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

19 **Nays:** Brenner and Byrd (2)
20

21 Councilmembers discussed empowering a specific advisory committee regarding the
22 proposed ordinance that comes forward.
23

24 This item will be held in committee to discuss SEPA policy, master site planning, and
25 reviewing and revising provisions for change of use.
26

27
28 **OTHER BUSINESS**
29

30 There was no other business.
31

32
33 **ADJOURN**
34

35 The meeting adjourned at 4:25 p.m.
36

37 The Council approved these minutes on _____, 2018.
38

39 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

40
41
42
43
44 _____
45 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

46
47
48
49 _____
50 Jill Nixon, Minutes Transcription

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1 WHATCOM COUNTY COUNCIL
2 **Regular County Council Meeting**
3

4 June 5, 2018
5

6 **CALL TO ORDER**
7

8 Council Chair Rud Browne called the meeting to order at 7:00 p.m. in the Council
9 Chambers, 311 Grand Avenue, Bellingham, Washington.
10

11
12 **ROLL CALL**
13

14
15 **Present:** Tim Ballew, Barbara Brenner, Rud Browne, Barry Buchanan, Tyler
16 Byrd, Todd Donovan, and Satpal Sidhu.

17 **Absent:** None.
18

19
20 **FLAG SALUTE**
21

22
23 **ANNOUNCEMENTS**
24

25
26 **PUBLIC HEARINGS**
27

28 **1. ORDINANCE AMENDING WHATCOM COUNTY CODE 8.11, SOLID WASTE**
29 **RECYCLING AND COLLECTION DISTRICT, AND WHATCOM COUNTY CODE**
30 **8.10, SOLID WASTE AND RESIDENTIAL RECYCLING COLLECTION**
31 **REGARDING SOLID WASTE COLLECTION IN POINT ROBERTS (AB2018-146B)**
32

33 Jeff Hegedus, Health Department, submitted a final order from the Utilities and
34 Transportation Commission (UTC) regarding Points Recycling and Refuse (*on file*) and a
35 handout of proposed amendments (*on file*). He gave a staff report on the process and
36 amendments. He answered questions on whether the tax collected is a payment for services
37 before or after services are provided, how often the County reviews exemptions, how rates
38 are set and reviewed by the UTC, whether fees collected on the tax bill are refunded if
39 someone moves out of Point Roberts, how the UTC determines a contractor is qualified, the
40 proposed rate, and how the UTC determines whether a business expense is a valid cost.

41
42 David Gallatly answered questions on the UTC audit process.
43

44 Browne opened the public hearing, and the following people spoke:
45

46 Craig Grossman stated he supports the ordinance. The permanent residents and
47 voters of Point Roberts need the service to prevent illegal dumping and to protect their
48 environmentally sensitive area.
49

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1 Arthur Reber stated he supports the ordinance. This process has been going on for
2 two years, and there have been many opportunities for people to comment. Don't delay.
3 The service is to prevent health hazards from illegal garbage dumping. Mr. Hegedus's work
4 on this project and with the community has been extraordinary.
5

6 Kristen Rock stated she supports the ordinance to prevent illegal dumping.
7 Mandatory garbage pickup is required almost everywhere else.
8

9 Louise Cassidy stated she would like a delay in the decision. There should be
10 incentives to reduce waste. Compare Point Roberts to other remote resort communities.
11 Staff and the UTC have not reviewed the service provider's financial proposal.
12

13 Samantha Scholefield stated she would like a delay in the decision. The level of
14 mandated garbage pickup is too large. The UTC needs to do a better review of the current
15 operator's financial information. She answered questions on the previous service provider's
16 financial information.
17

18 Kimberly Butts submitted and read from a handout (*on file*) and stated she would
19 like a delay in the decision.
20

21 Ken Calder submitted a petition of people asking for a delay in the decision and
22 spoke about the service provider's financial information.
23

24 Annette Madden stated she is opposed to the high minimum standard in the
25 ordinance and spoke about the lack of financial review. A community survey was not given
26 to everyone.
27

28 Mark Robbins, Point Roberts Taxpayers Association President, referenced the letter
29 he sent and stated he supports the ordinance. Prevent the dumping of illegal household
30 waste. Figure out a way to allow self-haulers to use their disposal tags at the transfer
31 station. The transfer station needs improvements, commercial recycling, and other anti-
32 waste measures.
33

34 Harry Kish stated he supports allowing self-haulers to use their hauling tags at the
35 transfer station. Requiring one pickup per month is plenty.
36

37 Heidi Baxter submitted handouts (*on file*) and stated allow people to self-haul if they
38 prefer. She described the garbage collection system on Lopez Island. She is opposed to
39 the ordinance.
40

41 Dee Gough, Chamber of Commerce President, stated the Chamber supports the
42 ordinance to prevent illegal garbage dumping. She supports the ordinance. Don't delay
43 adoption. It's a flat fee for garbage service, just like they pay a flat fee for water,
44 regardless of how much water they use.
45

46 Jeff Christopher, Point Roberts Community Advisory Committee Chair, stated he
47 supports the ordinance. The Health Department staff have been helping the community
48 work through this issue for 30 months, and have provided outstanding service. Volunteers
49 picked up over 1,100 pounds of garbage so far this year, before the season has even
50 started.

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1
2 B.J. Kish stated she is against the ordinance. The proposed level of service is too
3 high, and she prefers to self-haul. Not everyone received the survey.

4
5 Bronwyn Glor stated she supports the ordinance to solve the problem of illegal
6 dumping.

7
8 Matt Perich stated the current system does not work. He supports the proposed
9 ordinance, because it removes the incentive to cheat. It's unreasonable to expect a private
10 business owner not to make a profit.

11
12 Pat Alesse stated people are charged year-round for sewer, water, and lighting in
13 Birch Bay, regardless of whether or not they are full-time residents.

14
15 Hearing no one else, Browne closed the public hearing.

16
17 **Donovan moved** to adopt the ordinance.

18
19 The motion was seconded.

20
21 Councilmembers discussed the lack of Health Department oversight over those
22 people who have exemptions; encouraging people to reduce their garbage; a community
23 subcommittee; a flat fee achieving economies of scale; the benefits of garbage collection;
24 paying for community services that may or may not be used, such as police service; the
25 trend toward recycling; the possibility of creating a sunset clause to force a review in two
26 years; whether or not there is a monopoly on the service in Point Roberts; the impacts of
27 illegal garbage dumping; costs of garbage service; the service provider's financial
28 information; whether mandated garbage service would make an impact on the landfills;
29 whether illegal dumping would continue to occur; and the possibility of stronger anti-
30 dumping fines and rules.

31
32 The motion to adopt carried by the following vote:

33 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

34 **Nays:** Brenner and Byrd (2)

35
36 **Browne moved** to reconsider the previous vote

37
38 The motion was seconded.

39
40 The motion to reconsider carried by the following vote:

41 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (7)

42 **Nays:** None (0)

43
44 Browne restated the motion to adopt.

45
46 **Sidhu moved** to amend 8.10.040(D), "Effective January 1, 2019...the minimum
47 required curbside collection service shall be 26 annual pickups, to occur at the discretion of
48 the customer on any day of the approved every other week garbage collection schedule, of
49 a 32 gallon can...."

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1 The motion to amend was seconded.

2
3 Councilmembers and staff discussed whether the disposal tags are transferrable.

4
5 **Byrd suggested a friendly amendment** to change the number of 26 pickups to 12
6 pickups.

7
8 Councilmembers and staff discussed whether 12 annual pickups per customer
9 instead of 26 would be feasible for the service provider.

10
11 **Sidhu did not accept** the friendly amendment.

12
13 The motion to amend carried by the following vote:

14 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

15 **Nays:** Brenner and Byrd (2)

16
17 **Donovan moved** to adopt the ordinance as amended.

18
19 The motion was seconded.

20
21 The motion to adopt as amended carried by the following vote:

22 **Ayes:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)

23 **Nays:** Brenner and Byrd (2)

24
25 **Brenner moved** to take a break.

26
27 The motion was seconded.

28
29 The motion carried by the following vote:

30 **Ayes:** Ballew, Browne, Brenner, Byrd, Donovan, and Sidhu (6)

31 **Nays:** None (0)

32 **Abstains:** Buchanan (1)

33
34 *(Clerk's Note: The Council took a break at 9:10 p.m.)*

35
36 **2. ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 2**
37 **ADMINISTRATION AND PERSONNEL; TITLE 9 PUBLIC PEACE, MORALS AND**
38 **WELFARE; TITLE 15, BUILDING AND CONSTRUCTION; TITLE 16**
39 **ENVIRONMENT; TITLE 20 ZONING; TITLE 21 LAND DIVISION REGULATIONS;**
40 **TITLE 23 SHORELINE MANAGEMENT PROGRAM; TITLE 24 HEALTH; AND**
41 **CREATING A NEW TITLE 22 LAND USE AND DEVELOPMENT PROCEDURES; TO**
42 **RELOCATE AND REVISE PROCEDURES FOR LAND USE AND USED**
43 **DEVELOPMENT RELATED PROJECT PERMITS AND LEGISLATIVE ACTIONS**
44 **(AB2018-056)**

45
46 Amy Keenan, Planning and Development Services Department, gave a staff report.

47
48 Browne opened the public hearing, and the following person spoke:

49
50 Patrick Alesse stated he supports the ordinance.

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1
2 Hearing no one else, Browne closed the public hearing.
3

4 ***Brenner moved*** to adopt the ordinance.
5

6 The motion was seconded.
7

8 Councilmembers discussed vesting with shoreline exemptions.
9

10 The motion to adopt carried by the following vote:

11 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Sidhu (6)

12 **Nays:** Donovan (1)
13

14 **OPEN SESSION**

15
16 The following people spoke:

- 17 • Jim Peterson, HomesNOW, spoke about the HomesNOW project and homeless
- 18 issues in Whatcom County.
- 19 • Annette Madden spoke about the ordinance amending the Solid Waste
- 20 Recycling and Collection District and Whatcom County Code 8.10 for Point
- 21 Roberts (AB2018-146B).
- 22 • Joseph Dow spoke about Christianity.
- 23 • Ken Calder spoke about the ordinance amending the Solid Waste Recycling
- 24 and Collection District and Whatcom County Code 8.10 for Point Roberts
- 25 (AB2018-146B).
- 26 • Eddy Ury, ReSources for Sustainable Connections, submitted a handout (*on*
- 27 *file*) and spoke about the Comprehensive Plan relating to the Cherry Point
- 28 Urban Growth Area (AB2018-076C).
- 29 • Marcus D. Stidham, HomesNOW, spoke about the HomesNOW project and
- 30 homeless issues in Whatcom County.
- 31 • Patrick Alesse spoke about homeless issues in Whatcom County.
32

33
34 ***Brenner moved*** to adopt an ordinance that allows any non-profit to provide housing
35 for homeless people, preferably tiny homes housing.
36

37 The motion was seconded.
38

39 The following staff answered questions:

- 40 • Karen Frakes, Prosecutor's Office
- 41 • Dana Brown-Davis, Clerk of the Council
- 42 • Mark Personius, Planning and Development Services Department
43

44 Staff and councilmembers discussed the specific stated conditions and requirements
45 of an emergency ordinance, the Council's direction to staff at the previous meeting and the
46 staff's progress on allowing homeless encampments, whether the Council can legally adopt
47 an emergency ordinance that is not in writing, whether an emergency exists, and long-term
48 needs and solutions for the homeless community.
49

50 ***Brenner withdrew*** the motion.

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1
2 (Clerk's Note: Councilmember Sidhu left the meeting at 10:03 p.m.)
3
4

5 **CONSENT AGENDA**
6

7 **Browne** reported for the Finance and Administrative Services Committee and
8 **moved** to approve Consent Agenda items one through three.
9

10 Byrd withdrew item one.
11

12 The motion to approve Consent Agenda items two and three carried by the following
13 vote:

14 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

15 **Nays:** None (0)

16 **Absent:** Sidhu (1)
17

- 18 1. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
19 **CONTRACT BETWEEN WHATCOM COUNTY AND OPPORTUNITY COUNCIL TO**
20 **PROVIDE PARTIAL SUPPORT FOR 24/7/365 FACILITY-BASED STAFFING AT**
21 **22 NORTH, A FORTY-UNIT APARTMENT BUILDING SUPPLYING AFFORDABLE,**
22 **PERMANENT SUPPORTIVE HOUSING FOR INDIVIDUALS EXPERIENCING**
23 **BEHAVIORAL HEALTH AND OTHER HEALTH PROBLEMS AND WHO HAVE A**
24 **HISTORY OF HOMELESSNESS, IN THE AMOUNT OF \$250,000 (AB2018-170)**
25

26 **Browne** reported for the Finance and Administrative Services Committee and
27 **moved** to approve the request.
28

29 The motion to approve carried by the following vote:

30 **Ayes:** Ballew, Brenner, Browne, Buchanan, and Donovan (5)

31 **Nays:** None (0)

32 **Absent:** Sidhu (1)

33 **Abstains:** Byrd (1)
34

- 35 2. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
36 **CONTRACT BETWEEN WHATCOM COUNTY AND OPPORTUNITY COUNCIL TO**
37 **PROVIDE RENTAL ASSISTANCE, UTILITY ASSISTANCE, AND ESSENTIAL**
38 **NEEDS FOR RECIPIENTS OF THE WASHINGTON STATE DEPARTMENT OF**
39 **COMMERCE HOUSING AND ESSENTIAL NEEDS PROGRAM, IN THE AMOUNT**
40 **OF \$1,087,355 (AB2018-171)**
41

- 42 3. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
43 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND TETRA TECH TO**
44 **PROVIDE ADDITIONAL FUNDS TO SUPPLEMENT THE ORIGINAL**
45 **ENGINEERING SERVICES CONTRACT TO ACCOMMODATE AN ENLARGED**
46 **PROJECT AREA FOR THE DESIGN OF THE BIRCH BAY DRIVE OUTFALL**
47 **IMPROVEMENTS PROJECT, IN THE AMOUNT OF \$25,302, FOR A TOTAL**
48 **AMENDED CONTRACT AMOUNT OF \$83,810 (AB2018-172)**
49
50

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1 **OTHER ITEMS**
2

3 **1. ORDINANCE AMENDING WHATCOM COUNTY CODE 3.08, PURCHASING**
4 **SYSTEM (AB2018-160)**
5

6 *Byrd* reported for the Finance and Administrative Services Committee and *moved* to
7 adopt the substitute ordinance.
8

9 Jon Hutchings, Public Works Department Director, answered questions.
10

11 Councilmembers and staff discussed the checks-and-balances between the County
12 administration and County Council and the amounts that can be approved administratively.
13

14 The motion carried by the following vote:

15 **Ayes:** Ballew, Browne, Buchanan, Byrd, and Donovan (5)

16 **Nays:** Brenner (1)

17 **Absent:** Sidhu (1)
18

19 **2. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE 1.32, ADOPTING**
20 **RULES REGARDING COMPLIANCE WITH CHAPTER 42.56 RCW, PUBLIC**
21 **RECORDS ACT (AB2018-155)**
22

23 *Byrd* reported for the Finance and Administrative Services Committee and *moved* to
24 adopt the substitute ordinance.
25

26 The motion carried by the following vote:

27 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

28 **Nays:** None (0)

29 **Absent:** Sidhu (1)
30

31 **3. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO AWARD BID**
32 **#18-18, ENTER INTO A CONTRACT BETWEEN THE WHATCOM COUNTY FLOOD**
33 **CONTROL ZONE DISTRICT AND IVERSON EARTH WORKS, LLC FOR THE**
34 **MARINE DRIVE LEVEE REPAIR IN THE AMOUNT OF \$197,549.42, AND**
35 **REQUEST COUNCIL TO APPROVE THE INCREASE IN THE ESTIMATED**
36 **CAPITAL COST OF THE MARINE DRIVE LEVEE REPAIR FROM \$200,000 TO**
37 **\$300,000, AND AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE**
38 **CONTRACTS UP TO THE INCREASED ESTIMATED CAPITAL COST (COUNCIL**
39 **ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT**
40 **BOARD OF SUPERVISORS) (AB2018-166)**
41

42 *Byrd* reported for the Finance and Administrative Services Committee.
43

44 Jon Hutchings, Public Works Department Director, answered questions.
45

46 Councilmembers and staff discussed miscellaneous expenses.
47

48 *Donovan moved* to adopt the ordinance.
49

50 The motion was seconded.

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1
2 The motion carried by the following vote:

3 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

4 **Nays:** None (0)

5 **Absent:** Sidhu (1)

- 6
7 **4. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
8 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY FLOOD CONTROL**
9 **ZONE DISTRICT AND WHATCOM CONSERVATION DISTRICT TO PROVIDE**
10 **ADDITIONAL FUNDING AND TO EXTEND THE PERIOD OF PERFORMANCE TO**
11 **SUPPORT THE WHATCOM COUNTY POLLUTION IDENTIFICATION AND**
12 **CORRECTION PROGRAM, IN THE AMOUNT OF \$181,700, FOR A TOTAL**
13 **AMENDED CONTRACT AMOUNT OF \$535,066 (COUNCIL ACTING AS THE**
14 **WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF**
15 **SUPERVISORS) (AB2018-167)**

16
17 *Byrd* reported for the Finance and Administrative Services Committee and *moved* to
18 adopt the ordinance.

19
20 The motion carried by the following vote:

21 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

22 **Nays:** None (0)

23 **Absent:** Sidhu (1)

- 24
25 **5. RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACT AS THE**
26 **AUTHORIZED REPRESENTATIVE ON BEHALF OF WHATCOM COUNTY FOR**
27 **WASHINGTON STATE RECREATION AND CONSERVATION OFFICE**
28 **WASHINGTON WILDLIFE AND RECREATION FARMLAND PRESERVATION**
29 **PROJECT GRANTS (AB2018-168)**

30
31 *Byrd* reported for the Finance and Administrative Services Committee and *moved* to
32 adopt the ordinance.

33
34 The motion carried by the following vote:

35 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

36 **Nays:** None (0)

37 **Absent:** Sidhu (1)

- 38
39 **6. REQUEST AUTHORIZATION FOR APPROVAL OF PUD NO. 1'S REQUEST FOR**
40 **EDI FUNDING IN THE AMOUNT OF \$1.6 MILLION AS RECOMMENDED BY THE**
41 **EDI BOARD IN SUPPORT OF THE GRANDVIEW/NORTHGATE WATER SUPPLY**
42 **PIPELINE PROJECT, AS A LOAN IN THE AMOUNT OF \$800,000, AND A GRANT**
43 **IN THE AMOUNT OF \$800,000 (AB2018-169)**

44
45 *Byrd* reported for the Finance and Administrative Services Committee and *moved* to
46 adopt the ordinance.

47
48 The motion carried by the following vote:

49 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

50 **Nays:** None (0)

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1 **Absent:** Sidhu (1)
2
3

4 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
5

6 **1. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE’S REAPPOINTMENT**
7 **OF GEORGIANN DUSTIN, SHIRLEY FORSLOF, AND JOAN FORTUNE TO THE**
8 **NORTHWEST SENIOR SERVICES BOARD (AB2018-175)**
9

10 *Donovan moved* to confirm the appointments.
11

12 The motion was seconded.
13

14 The motion carried by the following vote:

15 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

16 **Nays:** None (0)

17 **Absent:** Sidhu (1)
18

19 **2. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE’S APPOINTMENT OF**
20 **COLLIN VAN SLYKE TO THE DEVELOPMENT STANDARDS TECHNICAL**
21 **ADVISORY COMMITTEE (AB2018-176)**
22

23 *Buchanan moved* to confirm the appointment.
24

25 The motion was seconded.
26

27 The motion carried by the following vote:

28 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

29 **Nays:** None (0)

30 **Absent:** Sidhu (1)
31

32 **INTRODUCTION ITEMS**
33

34 *Brenner moved* to accept the Introduction Items.
35

36 The motion was seconded.
37

38 The motion carried by the following vote:
39

40 **Ayes:** Ballew, Brenner, Browne, Buchanan, Byrd, and Donovan (6)

41 **Nays:** None (0)

42 **Absent:** Sidhu (1)
43

44 **1. RESOLUTION AUTHORIZING USE AND ESTABLISHING EXPENDITURE**
45 **AUTHORITY FOR POINT ROBERTS TRANSPORTATION BENEFIT DISTRICT**
46 **TAX REVENUE FUNDS FOR TYEE DRIVE STREETScape CORRIDOR**
47 **LANDSCAPE MAINTENANCE (COUNCIL ACTING AS THE GOVERNING BODY**
48 **FOR THE POINT ROBERTS BENEFIT DISTRICT) (AB2018-174)**
49

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- 1 2. ORDINANCE ADOPTING AMENDMENTS TO THE POINT ROBERTS AND WISER
2 LAKE LAMIRD REQUIREMENTS (AB2018-177)
3
- 4 3. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, EIGHTH
5 REQUEST, IN THE AMOUNT OF \$44,642 (AB2018-178)
6
- 7 4. ORDINANCE AMENDMENT NO. 1 TO ORDINANCE NO. 2017-046
8 ESTABLISHING THE TRIAGE CENTER EXPANSION FUND AND ESTABLISHING
9 A PROJECT BASED BUDGET FOR THE TRIAGE CENTER EXPANSION PROJECT
10 (AB2018-179)
11
- 12 5. ORDINANCE AUTHORIZING AN INTERFUND LOAN TO CONTINUE FINANCING
13 OF CENTRAL PLAZA BUILDING (AB2018-180)
14
15

16 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
17

18 Committee chairs reported on committee discussions.
19

20 Councilmembers gave updates on recent activities and upcoming events.
21
22

23 **ADJOURN**
24

25 The meeting adjourned at 10:30 p.m.
26

27 The County Council approved these minutes on _____, 2018.
28
29

30 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

31
32
33
34
35 _____
36 Dana Brown-Davis, Council Clerk
37

Rud Browne, Council Chair

38
39
40 _____
41 Jill Nixon, Minutes Transcription