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Whatcom County Council
Surface Water Work Session

May 15, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 10:30 a.m. in the Civic Center Garden Level Conference Room, 322 Commercial Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: None

SURFACE WATER WORK SESSION (AB2018-024)

1. FLOODPLAINS BY DESIGN UPDATE

Paula Harris, Public Works Department, submitted and read from a presentation (*on file*). The County made the short-list and is invited to submit a full application. She described the background and purpose of the Floodplains by Design program and answered questions on how and why the program was originally developed, whether a project can change after a grant is awarded, who is in charge of decision-making, and potentially building water storage areas.

2. WATER PLANNING UPDATE

Gary Stoyka, Public Works Department, gave an update on the Lake Whatcom Stormwater Utility public meeting and creating the advisory committee; the timeline for implementing the utility for 2019; the status of the Burk Consulting contract; converting population data to consumptive use numbers; the process for determining and offsetting the impact of exempt wells; determining net ecological benefit by offsetting all consumptive use at the place and time it is withdrawn, if possible; the Planning Unit and staff team meeting schedule; and including and prioritizing projects.

Stoyka answered questions and councilmembers discussed the timeline for creating the stormwater utility.

Tyler Schroeder, Executive's Office, provided information on upcoming meetings on the water resources inventory area (WRIA) 1 website.

Stoyka submitted a handout of the WRIA 1 governance structure (*on file*) based on the 2016 Interlocal Agreement and answered questions about the duties of the Planning Unit outside the requirements of Engrossed Substitute Senate Bill (ESSB) 6091.

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1 Jack Louws, County Executive, described the authority, role, and responsibility of the
2 Watershed Management Board. Whatcom County did not abdicate its authority to the
3 Watershed Management Board under State legislation. The Board's actions are not binding
4 on the legislative bodies until approved by the legislative bodies. It's good to collaborate
5 with the Tribes early on in a process. The Watershed Management Board implementation
6 plan is not a planning document. The legislative bodies of the jurisdictions have to approve
7 funding for implementation. The Board structure works and the Planning Unit is doing its
8 work.
9

10 Staff and councilmembers discussed the structure and purpose of the Planning Unit,
11 WRIA 1 governance structure, setting deadlines for the staff decisions on ESSB 6091 to the
12 Planning Unit by September, so there is enough time for the County Council to make
13 changes; amending the draft implementation plan to indicate that the County Council, not
14 the Watershed Management Board, makes the decisions; the implementation efforts in the
15 implementation plan; and the best way for the Council to participate in collaboration efforts,
16 instead of seeing the proposal in September.
17

18 **3. PLANNING UNIT UPDATE**

19

20 Gary Stoyka, Public Works Department, submitted a handout of the water resources
21 inventory area (WRIA) 1 Planning Unit Caucus Representatives (*on file*) and described how
22 caucuses and the Planning Unit as a whole reach consensus.
23

24 The following Planning Unit members submitted a handout of WRIA
25 Basics/Background (*on file*) and gave a presentation on the Planning Unit progress and
26 recent decisions:

- 27 • Dick Whitmore, forestry caucus
- 28 • Dan Eisses, water districts caucus
- 29 • Ann Russell, environmental caucus

30

31 Staff, Planning Unit members, and councilmembers discussed focusing on solutions,
32 not process; working with Gary Stoyka; successful and respectful collaboration; and the
33 proposed resolution from Councilmembers Brenner and Byrd.
34

35 The following people spoke about the governance structure and role of the Planning
36 Unit:

- 37 • Dave Onkels
- 38 • Carol Perry

39

40 **ADJOURN**

41 The meeting adjourned at 12:08 p.m.

42 The Council approved these minutes on _____, 2018.

43 ATTEST:

44 WHATCOM COUNTY COUNCIL
45 WHATCOM COUNTY, WASHINGTON
46

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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 22, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 3:20 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. **DISCUSSION OF PROPOSED ORDINANCE ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE TITLE 2 ADMINISTRATION AND PERSONNEL; TITLE 9 PUBLIC PEACE, MORALS AND WELFARE; TITLE 15, BUILDING AND CONSTRUCTION; TITLE 16 ENVIRONMENT; TITLE 20 ZONING; TITLE 21 LAND DIVISION REGULATIONS; TITLE 23 SHORELINE MANAGEMENT PROGRAM; TITLE 24 HEALTH; AND CREATING A NEW TITLE 22 LAND USE AND DEVELOPMENT PROCEDURES; TO RELOCATE AND REVISE PROCEDURES FOR LAND USE AND DEVELOPMENT RELATED PROJECT PERMITS AND LEGISLATIVE ACTIONS (AB2018-056)**

The following Planning and Development Department staff submitted and read from a presentation (*on file*) and answered questions:

- Amy Keenan
- Nick Smith

The following staff answered questions:

- Royce Buckingham, Prosecutor's Office

Brenner moved to amend 22.20.020, to be more specific than "any person" who can request an interpretation of the code, "Anyone **A person considering submitting a permit application** may request an interpretation...."

The motion was seconded.

Staff and councilmembers discussed allowing anyone who is seeking clarification; the intent for anyone with a complex question; and to allow staff to see if the use complies with the purpose statement, intent of a district, Comprehensive Plan policies, and other informal determinations.

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1 The motion failed by the following vote:

2 **Ayes:** Brenner (1)

3 **Nays:** Ballew, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

4
5 Sidhu moved to amend 22.05.160(1)(c), "~~14~~ 21 days." The motion was not
6 seconded.

7
8 Keenan stated timeline for appeal may be state law, and staff will look into it. She
9 continued with the 2nd and 3rd proposed amendments in the presentation.

10
11 Donovan moved to amend to remove subsections (i), (j), (k), and (l) of section
12 22.05.060(4) regarding vesting, as shown in the presentation. The motion was not
13 seconded.

14
15 Staff and Council discussed how vesting works, State laws regarding vesting, vesting
16 to the start of construction versus completion, whether commercial site plans vest.

17
18 **Brenner moved** to accept the staff's recommendation for Attachment A, Attachment
19 B, and 22.88.130 regarding major project permits, as shown in the presentation and on
20 Council packet pages 202 and 203.

21
22 The motion was seconded.

23
24 The following people spoke about vesting:

- 25 • Roger Almskaar stated don't remove subsections (i), (j), (k), and (l) of
26 section 22.05.060(4), which will subject one project to different rules, and
27 spoke about the cost of development and the benefits of vesting.
- 28 • Linda Twitchell stated vesting must be reasonable for completing a project for
29 financing reasons.

30
31 Councilmembers discussed providing certainty through vesting.

32
33 The motion carried by the following vote:

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

35 **Nays:** None (0)

36 **Absent:** Byrd (out of the room) (1)

37
38 **Donovan moved** to amend to remove subsections (i), (j), (k), and (l) of section
39 22.05.060(4) regarding vesting, as shown in the presentation.

40
41 The motion was seconded.

42
43 Councilmembers discussed the water bodies covered by the shoreline regulations.

44
45 The motion failed by the following vote:

46 **Ayes:** Ballew, Buchanan, and Donovan (3)

47 **Nays:** Sidhu, Browne, Byrd, and Brenner (4)

48
49 Councilmembers discussed deleting the existing transfer of development rights
50 program and creating an alternative.

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1
2 **The Council concurred** to introduce at the evening meeting and have a public
3 hearing in two weeks.

4
5 Councilmembers discussed the Council's meeting schedule and deadlines in section
6 22.05.120(4)(c).

7
8 **Brenner moved** to amend 22.05.120(4)(c), "Within 28 calendar days after the
9 hearing examiner's recommendation has been filed, **unless Council has adjourned for a**
10 **break,** the county council shall hold a public meeting, not an open record public hearing, to
11 deliberate...."

12 The motion was seconded.

13 The motion carried by the following vote:

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

15 **Nays:** None (0)

16
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18
19
20 **COMMITTEE DISCUSSION AND RECOMMENDATIONS TO COUNCIL**

21
22 **1. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE CHAPTER 2.126,**
23 **CREATING THE WHATCOM COUNTY BUSINESS AND COMMERCE ADVISORY**
24 **COMMITTEE (AB2018-132A)**

25 Sidhu gave a staff report on the substitute ordinance.

26
27 Councilmembers discussed the purpose of the associate development organization
28 (ADO).

29
30 **Byrd moved** to add members who represent agriculture and the energy industry to
31 replace two members from higher education institutions.

32 The motion was seconded.

33
34 Councilmembers discussed whether or not they should include educational
35 institutions to make sure they educate a qualified skilled labor force and existing
36 collaboration between education and industry.

37 **Donovan moved** to call the question.

38 The motion to call the question was seconded.

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

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

41 **Nays:** Brenner (1)

42 The motion failed by the following vote:

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

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

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Brenner moved to allow audience members to speak.

The motion was seconded.

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

Ayes: Ballew, Buchanan, Byrd, and Brenner (4)

Nays: Browne, Donovan, and Sidhu (3)

Brett Bonner, Whatcom Business Alliance, spoke about their Youth Engagement Initiative program.

Sidhu moved to recommend adoption of the substitute.

The motion was seconded.

Byrd moved to amend add membership for the agriculture and energy industries.

The motion was seconded.

The motion carried by the following vote:

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

Nays: None (0)

Donovan moved to amend to include a membership of the County Executive or designee.

The motion was seconded.

Byrd suggested a friendly amendment that the education and government representatives be non-voting.

Donovan accepted the friendly amendment.

The motion to amend carried by the following vote:

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

Nays: None (0)

Absent: Buchanan (out of the room) (1)

The motion to recommend adoption as amended carried by the following vote:

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

Nays: None (0)

Absent: Buchanan (out of the room) (1)

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

Brenner moved to allow audience members to speak on the issue.

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1 The motion was seconded.

2
3 **Brenner amended her motion and moved** to always allow public comment at
4 Committee of the Whole meetings.

5
6 The motion was seconded.

7
8 Councilmembers discussed how to manage public comment at every Committee of
9 the Whole meeting.

10
11 **Browne moved** to call the question.

12
13 The motion to call the question was seconded.

14
15 The motion to call the question carried by the following vote:

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

17 **Nays:** Brenner (1)

18 **Absent:** Buchanan (out of the room) (1)

19
20 **Brenner amended her motion and moved** to allow people to speak for 10
21 minutes at today's meeting before the final vote.

22
23 **Browne announced the motion** failed 3-3 with Buchanan absent.

24
25 Matt Aamot, Planning and Development Services Department, submitted and read
26 from a presentation (*on file*) and answered questions.

27
28 Councilmembers discussed the conditional use process being self-supporting.

29
30 Browne stated this item is held in Committee.

31
32
33 **OTHER BUSINESS**

34
35 There was no other business.

36
37
38 **ADJOURN**

39
40 The meeting adjourned at 4:57 p.m.

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

43
44 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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49 _____
50 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

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Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special County Council Meeting

May 29, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 1:30 p.m. in the Garden Level Conference Room, Civic Center Building, 322 N. Commercial St., Bellingham, Washington.

ROLL CALL

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

Absent: Tyler Byrd.

2019/2020 BUDGET PRIORITIES AND GUIDELINES MEETING

Roles and Responsibilities

Jack Louws, County Executive, described the balance and role of the administrative and legislative branches, the Executive's and Council's budget responsibilities according to the County Charter, and identifying shared goals.

Timeline

Tyler Schroeder, County Executive's Office, referenced and described the budget preparation timeline.

Brad Bennett, Administrative Services Department, answered questions.

Louws described the importance of the timeline and answered questions on whether the County can get a draft of the Executive's recommended budget early, before it's printed; the possibility of the Council receiving a copy of the department budgets when submitted in August; providing information on the annual budget projections at the next quarterly report update; and the biggest factors that can impact the budget.

Department Division Program

Staff referenced, reported on, and discussed with the Council the department and division programs in the Council packet. The Council will need more information on the specific items in the Executive's miscellaneous category and the changes year-over-year.

Capital List

Louws referenced and reported on the 2019-2024 capital projects preliminary estimates in the Council's packet.

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1
2 Staff and councilmembers discussed the timeline for approving the annual capital
3 improvement program and technology projects.

4
5 Executive Priorities
6

7 Louws reported on his budget priorities, which include:

- 8 • County infrastructure
- 9 • Housing programs and initiatives
- 10 • The work of the Incarceration Prevention and Reduction Task Force, including
11 the development of a pretrial services program from Superior Court and
12 District Court
- 13 • Operation and construction of the crisis triage facility
- 14 • Facilities Division and Information Technology Division staffing
- 15 • Customer service initiatives
- 16 • Rearranging the fire marshal and fire investigators staffing
- 17 • The Sheriff's radio system
- 18 • The financial management system
- 19 • The equipment rental and revolve (ER&R) fund replacement schedule
- 20 • A new building at the Lynden fairgrounds and a .25 fulltime equivalent (FTE)
21 staff position for the Washington State University (WSU) extension agency
- 22 • A domestic violence offender treatment program of the Domestic Violence and
23 Sexual Assault Services (DVSAS) in cooperation with the City of Bellingham
- 24 • Identification access
- 25 • Several other small initiatives and requests for personnel

26
27 The first priority is funding of the existing ongoing programs.

28
29 Council Priorities
30

31 Councilmembers described their priorities:

- 32 • Upgrading Sheriff's radios for the purpose of coverage and interoperability
33 (Browne)
- 34 • Upgrading the enterprise software (Browne)
- 35 • Investments in Information Technology security (Browne)
- 36 • Funding the identification access program for the next two years, subject to
37 improving, effective this year (Browne)
- 38 • Rental assistance and other existing housing programs (Donovan)
- 39 • Expanding access to the needle exchange program (Donovan)
- 40 • Operating the crisis triage facility (Donovan)
- 41 • Creating baseline data on critical areas (Donovan)
- 42 • The pretrial services unit and risk assessment tool (Donovan)
- 43 • Assigning a non-uniformed jail alternatives staff person to the courthouse to
44 direct people to jail alternative programs during court (Donovan)
- 45 • Tiny homes program for homeless individuals, possibly using economic
46 development investment (EDI) funds (Brenner)
- 47 • Amending County codes to allow for easier development of homeless housing
48 (Brenner)
- 49 • More traffic deputies (Brenner)
- 50 • Combine the Parks and Public Works Departments (Brenner)

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- 1 • Electronic home monitoring programs (Brenner)
- 2 • More funding from all jurisdictions, including the State, for economic
- 3 development in the total amount of \$1 million for the next seven years (Sidhu
- 4 and Browne)
- 5 • Addressing the opiate abuse problem to reduce deaths by opiate overdose,
- 6 including increased access to dispensaries or disposal for prescription pain
- 7 killers, IV disposal, access to affordable housing, and increased access to
- 8 medical detox services (Ballew, Browne, and Brenner)
- 9 • Creating a method to track the success of programs recommended by the
- 10 Incarceration Prevention and Reduction Task Force to demonstrate they have
- 11 reduced or eliminated the likelihood of someone reoffending. Define the
- 12 correlation between investment in programs and costs saved from
- 13 incarceration (Browne)
- 14

15 Councilmembers and staff discussed when nonprofit agencies can submit requests
16 for funding; funding for response to the Engrossed Substitute Senate Bill (ESSB) 6091
17 legislation; and next steps in the budget process.

18
19
20 **ADJOURN**

21
22 The meeting adjourned at 2:54 p.m.

23
24 The County Council approved these minutes on _____, 2018.

25
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27 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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32 _____
33 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

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37 _____
38 Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

June 19, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan called the meeting to order at 9:50 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: Rud Browne

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 staff report.

The following staff answered questions:

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

Staff and councilmembers discussed fees for environmental impact statement (EIS) review, coordinating with federal permits and requirements, development agreements, locating changes to conditional uses in the zoning code, getting the railroad companies and/or developers to contribute to projects that are impacted by the location of a railroad, generic conditional use criteria for all zones, mitigation for the lifecycle of greenhouse impacts in the State Environmental Policy Act (SEPA) review, the possibility of revising SEPA procedures, mitigating conditions, whether use prohibitions would be in the conditional use section of the code, bond and insurance requirements for certain uses, the lack of insurance requirements from railroads, different ownership of different railroad and train components, the ability to require insurance for worst-case scenarios, bonds versus insurance, requiring industry owners to participate in emergency response activities and costs, and insurance requirements on wind energy systems.

The Committee concurred on staff creating language to amend Title 22 to include language for bonds or other security for type IV applications and, if legally allowed, to require insurance policies for certain types of permits.

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1 Staff and councilmembers continued to discuss the bases for imposing conditions on
2 or denying SEPA applications; how to amend the criteria that are considered under the SEPA
3 process; adding a SEPA criterion about identifying other applicable regulations from other
4 federal agencies and/or tribes; allowing concurrent instead of sequential permit review
5 when possible; whether they need clearer bases for SEPA denial; how to document
6 assurances that people will have safe, healthful, productive, and aesthetically and culturally
7 pleasing surroundings; Hearing Examiner's review of conditional use permit revisions;
8 recent Code changes that appeals of Hearing Examiner decisions going straight to Superior
9 Court; setting use and impact thresholds in the conditional use permit; when a more
10 intensive use triggers review of conditional use permit impacts; defining a "minor change"
11 to major project permits; requiring certain businesses and/or industries to submit periodic
12 master plans to the County; extending the interim moratorium ordinance before the Council
13 goes on its August break; and making the County decisions contingent on federal permits,
14 and not expending County resources until federal permits are in place.

15
16 Aamot stated staff will begin to draft language and present the draft changes to the
17 Committee on July 10.

18
19

20 **OTHER BUSINESS**

21
22

There was no other business.

23
24

25 **ADJOURN**

26
27

The meeting adjourned at 10:57 a.m.

28
29

The Council approved these minutes on _____, 2018.

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ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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Dana Brown-Davis, Council Clerk

Todd Donovan, Council Vice-Chair

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Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Committee Of The Whole

June 19, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan called the meeting to order at 1:15 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: Rud Browne

COMMITTEE DISCUSSION

1. **DISCUSSION WITH CHIEF CIVIL DEPUTY PROSECUTOR KAREN FRAKES REGARDING PENDING LITIGATION, KORTLEVER, ET AL. V. WHATCOM COUNTY JAIL (AB2018-018)**

Attorney Present: Karen Frakes

Donovan stated that discussion of agenda item one may take place in executive session pursuant RCW 42.30.110(1)(i). Executive session will conclude no later than 2:15 p.m. If the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

Buchanan moved to go into executive session until no later than 2:15 p.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, Buchanan, Byrd, Donovan, and Sidhu (6)

Nays: None (0)

Absent: Browne (1)

OTHER BUSINESS

ADJOURN

The meeting adjourned at 2:03 p.m.

The Council approved these minutes on _____ 2018.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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Dana Brown-Davis, Council Clerk

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

June 19, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan called the meeting to order at 2:16 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: Rud Browne

COMMITTEE DISCUSSION

1. DISCUSSION WITH HEALTH DEPARTMENT STAFF REGARDING PUBLIC WATER SYSTEM AUTHORITY AND PROCESSES CONTAINED WITHIN THE COORDINATED WATER SYSTEM PLAN TO ADDRESS PROPOSED WATER AVAILABILITY WITHIN SERVICE AREA BOUNDARIES (AB2018-199)

The following staff gave a staff report:

- John Wolpers, Health Department
- Gary Stoyka, Public Works Department, submitted a handout (*on file*)
- Richard Rodriguez, State Department of Health

Staff reported on the Coordinated Water System Plan, retail services areas, the authority for each agency and jurisdiction, and State and municipal water law.

The following members of the public spoke:

- Roger Almskaar, land use consultant, spoke about reasonable water service costs to homeowners.
- Bob Carmichael, attorney for certain water districts, spoke about not applying changes to water districts.
- Dave Olsen, rural water systems consultant, submitted handouts (*on file*) and spoke about plan definitions, including timely and reasonable service standards and costs.

Staff and speakers answered questions on whether the County Council can make amendments, the definition of "reasonable," whether districts participate on the Water Utility Coordinating Committee (WUCC), and whether the coordinated water system plan (CWSP) is flawed.

Byrd moved to refer this issue to the Health Department to engage the WUCC, set a deadline of September 30 to create solutions for the issues, determine the appeals process,

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1 and decide how to regulate themselves. If necessary, they can hire an attorney to advise
2 on what the County Council can and can't do regarding water issues.
3

4 Staff and councilmembers continued to discuss creating temporary cost relief for
5 water customers until the processes are changed, the differences between water districts
6 and water associations and treating them differently, who owns water shares, who elects
7 water district supervisors, impacts of water service to affordable housing, the process for
8 convening the WUCC, and making sure there is a transparent application process.
9

10 **Byrd restated the motion** to refer this issue to the Health Department to convene
11 the WUCC to define a timely, reasonable, and transparent process and to set a deadline of
12 September 30 to create solutions for the issues.
13

14 The motion was seconded.
15

16 Sidhu suggested a friendly amendment to amend the CWSP to create a waiver if a
17 cost estimate is more than three times the water association share. Allow this particular
18 case to move forward before September and allow the WUCC to change the wording on the
19 CWSP to allow a waiver if the cost of hookup is more than three times the cost of the share.
20

21 Donovan stated the friendly amendment is not related to the original motion because
22 it's not related to giving direction to the WUCC.
23

24 The motion carried by the following vote:

25 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)

26 **Nays:** None (0)

27 **Absent:** Browne (1)
28

29 **Sidhu moved** to take this particular case and allow them to change the wording on
30 the CWSP to allow a waiver if the cost of hookup is more than three times the cost of the
31 share.
32

33 The motion was seconded.
34

35 Staff and councilmembers discussed unintended consequences for allowing a waiver
36 for a particular water customer
37

38 **Sidhu withdrew** the motion.
39

40 Donovan stated this item will be discussed at the next surface water work session to
41 discuss how this impacts the Engrossed Substitute House Bill (ESHB) 6091 process and how
42 to mitigate for wells.
43

44 **OTHER BUSINESS**

45 There was no other business.
46
47
48
49

50 **ADJOURN**

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The meeting adjourned at 3:25 p.m.

The Council approved these minutes on _____, 2018.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Todd Donovan, Council Vice-Chair

Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Regular County Council Meeting

June 19, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan 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, Barry Buchanan, Tyler Byrd, Todd Donovan, and Satpal Sidhu.
Absent: Rud Browne

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

Brenner moved to approve the Minutes Consent items.

The motion was seconded.

The motion carried by the following vote:

Ayes: Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)
Nays: None (0)
Absent: Browne (1)

1. **SPECIAL COMMITTEE OF THE WHOLE (AM) FOR MAY 8, 2018**
2. **SPECIAL COMMITTEE OF THE WHOLE (PM) FOR MAY 8, 2018**
3. **REGULAR COUNTY COUNCIL FOR MAY 8, 2018**
4. **COMMITTEE OF THE WHOLE FOR MAY 22, 2018**
5. **REGULAR COUNTY COUNCIL FOR MAY 22, 2018**
6. **SPECIAL COMMITTEE OF THE WHOLE FOR JUNE 5, 2018**
7. **REGULAR COUNTY COUNCIL FOR JUNE 5, 2018**

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

2
3 Byrd described requirements about elected officials not campaigning in the
4 courthouse.

5
6
7 **PUBLIC HEARINGS**

8
9 **1. RESOLUTION AUTHORIZING USE AND ESTABLISHING EXPENDITURE**
10 **AUTHORITY FOR POINT ROBERTS TRANSPORTATION BENEFIT DISTRICT**
11 **TAX REVENUE FUNDS FOR TYEE DRIVE STREETScape CORRIDOR**
12 **LANDSCAPE MAINTENANCE (COUNCIL ACTING AS THE GOVERNING BODY**
13 **FOR THE POINT ROBERTS TRANSPORTATION BENEFIT DISTRICT) (AB2018-**
14 **174)**

15
16 Donovan opened the public hearing, and the following people spoke:

17
18 Ken Calder stated make sure that the Council looks at each component individually
19 as they come up and about public notice in Point Roberts.

20
21 Rhiannon Allen, Point Roberts Garden Club, stated she supports the amendment.

22
23 Scott Hackleman, Point Roberts Garden Club President, stated he supports the
24 resolution. His membership has done the maintenance work in the past. The original
25 landscaping was done with transportation benefit funds.

26
27 Jane Donaldson, Point Roberts Garden Club Treasurer, stated she supports the
28 resolution.

29
30 Dave Lee stated he supports the resolution.

31
32 Arthur Reber stated he supports the resolution. There should be better notice of
33 public meetings in Point Roberts.

34
35 Jeff Christopher stated his committee supports this project. Increase the size of the
36 sidewalk.

37
38 Hearing no one else, Donovan closed the public hearing.

39
40 ***Buchanan moved*** to approve the Minutes Consent items.

41
42 The motion was seconded.

43
44 Brian Walker, Public Works Department, answered questions on whether the scope
45 of the landscape work includes caring for ornamental plants, in addition to mowing and
46 weeding.

47
48 ***Brenner moved to amend*** the staff report on Council packet page 332 to not
49 spend the funding on ornamental flower beds, "...specialized landscape maintenance work to

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1 ~~care for ornamental flower beds, shrubs and street trees~~ for mowing and trimming grass,
2 cleaning and raking the area, clearing and weed cutting, and trimming back blackberries”
3

4 The motion was seconded.
5

6 Councilmembers discussed the appropriate level of maintenance that should occur at
7 the project site.
8

9 The motion to amend failed by the following vote:

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

11 **Nays:** Ballew, Buchanan, Donovan, and Sidhu (4)

12 **Absent:** Browne (1)
13

14 Councilmembers discussed not setting a precedent for the County funding of
15 gardening projects along roads and about communication with the Point Roberts community
16 about upcoming topics on the agenda item regarding Point Roberts issues.
17

18 The motion to approve the resolution carried by the following vote:

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

20 **Nays:** Brenner (1)

21 **Absent:** Browne (1)
22

23 **2. ORDINANCE ADOPTING AMENDMENTS TO THE POINT ROBERTS AND WISER**
24 **LAKE LAMIRD REQUIREMENTS (AB2018-177)**
25

26 Donovan opened the public hearing, and the following people spoke:
27

28 Russ Unrein stated he supports the amendments made at the Planning Commission
29 meeting. Manufacturing existed on the site in 1990.
30

31 Ken Calder spoke about contacts in Point Roberts that can receive information on
32 Council agenda items.
33

34 Hearing no one else, Donovan closed the public hearing.
35

36 ***Brenner moved*** to adopt the ordinance, which should be the Planning Commission-
37 approved version of the ordinance.
38

39 The motion was seconded.
40

41 Mark Personius, Planning and Development Services Department, stated the version
42 in the packet is the Planning Commission-approved version.
43

44 The motion carried by the following vote:

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

46 **Nays:** None (0)

47 **Absent:** Browne (1)
48
49

50 **OPEN SESSION**

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1
2 The following people spoke:

- 3 • Ken Calder submitted a handout (*on file*) and spoke about the impact of the
- 4 recently-adopted garbage service ordinance.
- 5 • Jim Peterson, HomesNOW, spoke about homeless housing services.
- 6 • Lisa Papp spoke about the emergency ordinance regarding the operation of
- 7 temporary tent encampments (AB2018-182).
- 8 • Amy Glasser spoke about the need for homeless housing.
- 9 • Doug Gustafson, HomesNOW, spoke about the emergency ordinance
- 10 regarding the operation of temporary tent encampments (AB2018-182).
- 11 • Mike Kaufman spoke about the Kent State University shooting, other major
- 12 events in Cleveland, Ohio, and how society uses its police forces.
- 13 • Misty O'Loughlin spoke about the emergency ordinance regarding the
- 14 operation of temporary tent encampments (AB2018-182).
- 15 • Bob Gay, International Brotherhood of Electrical Workers Local 191 Business
- 16 Representative, spoke about rescinding Resolution 2018-015.
- 17 • Gary Franco submitted a handout (*on file*) and spoke about his campaigning
- 18 efforts in the County Courthouse.
- 19 • Adam Lambe, Laborers Local 292 Business Agent, spoke about the permit
- 20 reforms for Cherry Point and County industries.
- 21 • Hillary Cole spoke about homeless housing issues.
- 22 • Brian Kruick spoke about the rundown condition at Paradise Lakes in Maple
- 23 Falls and the need for a homeowners' association.
- 24 • Jessica Radovich spoke about homeless housing issues.
- 25 • Craig Kasberg, Tidal Vision Founder and CEO, spoke about homeless housing
- 26 issues.
- 27 • Marcus Sidham spoke about homeless housing issues.
- 28 • Stony Bird spoke about the emergency ordinance regarding the operation of
- 29 temporary tent encampments (AB2018-182).
- 30 • Jennifer Mansfield spoke about homeless housing issues.
- 31 • Lynn Allen spoke about homeless housing issues.
- 32 • John Campbell spoke about a recent homeless event from the Sikh
- 33 community.
- 34 • Joanne Pattern spoke about homeless housing issues.
- 35 • Aaron Thomas spoke about homeless housing issues and non-Indian
- 36 homeowners on Lummi Shore Road using incorrect property maps that
- 37 indicate they own the beach, contrary to Treaty documents.

38
39 **OTHER ITEMS**

40
41 **9. ORDINANCE (EMERGENCY) ADOPTING EMERGENCY ZONING REGULATIONS**

42 **FOR THE SITING, ESTABLISHMENT, AND OPERATION OF TEMPORARY TENT**

43 **ENCAMPMENTS (AB2018-182)**

44
45 ***Brenner moved*** to amend the agenda to deal with this item now.

46
47 The motion was seconded.

48
49 The motion carried by the following vote:

50 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)

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1 **Nays:** None (0)
2 **Absent:** Browne (1)
3

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

6 The motion to adopt was seconded.
7

8 ***Byrd moved*** to amend to edit Section 4, paragraph C regarding fences, "C. A six-
9 foot-tall ~~sight-obscuring~~ fencing is required around the perimeter of the encampment;
10 provided, that the fencing does not create a sight obstruction at the street or street
11 intersections or curbs as determined by the county engineer, unless the director determines
12 that there is sufficient vegetation, topographic variation, or other site conditions such that
13 fencing would not be needed."
14

15 The motion was seconded.
16

17 Councilmembers discussed fence requirements.
18

19 ***Sidhu suggested a friendly amendment*** to also change the fence height to three
20 feet.
21

22 ***Byrd did not accept*** the friendly amendment.
23

24 Motion to amend carried unanimously.
25

26 The following staff answered questions:

- 27 • Mark Personius, Planning and Development Services Director
- 28 • Karen Frakes, Prosecutor's Office
- 29

30 Staff and councilmembers discussed the ability of non-profit agencies to host
31 homeless facilities, the best process for making amendments to the temporary emergency
32 ordinance versus the interim ordinance, the duration of the emergency ordinance, whether
33 the Council wants the decision-making authority to approve extensions, and deadlines and
34 extensions for more permanent tiny home projects.
35

36 ***Byrd moved*** to amend Section 5, "Section 5. Frequency and duration of temporary
37 use. ...Temporary tent encampments may be approved for a period not to exceed ~~90 days~~
38 **one year**. The director may grant ~~one 90-day~~ **a one-year** extension, provided all conditions
39 have been complied with"
40

41 The motion was seconded.
42

43 Brenner moved to amend the motion to add language, "...Temporary tent
44 encampments may be approved for a period not to exceed 90 days. The director may grant
45 **one 90-day... Other temporary structures shall be approved for a period not to exceed one**
46 **year. The director may grant a one-year extension...."** The motion was not seconded.
47

48 The motion failed by the following vote:

49 **Ayes:** Ballew, Benner, and Byrd (3)
50 **Nays:** Donovan, Buchanan, and Sidhu (3)

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1 **Absent:** Browne (1)
2

3 **Byrd moved** to amend Section 4, paragraph O, "O. The sponsor and the managing
4 agency...all people who stay overnight in the temporary tent encampment ~~and this current~~
5 ~~log shall be made available upon demand by any municipal or County Law Enforcement~~
6 ~~Officer~~ and shall advise prospective encampment residents that this log will be available
7 upon request to law enforcement agencies. Persons who have active warrants, or who are
8 required to register as a sex offender, are prohibited from the encampment's location.
9 Status checks of current encampment residents shall be routinely performed by the Warrant
10 Officers of the Whatcom County Sheriff's Department through the current log provided by
11 the sponsor and managing agency."

12
13 The motion was seconded.

14
15 The motion to adopt as amended carried by the following vote:

16 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)

17 **Nays:** None (0)

18 **Absent:** Browne (1)
19

20 **Byrd moved** to replace section M with the suggested section M in the information
21 provided by the Sheriff's Office, "M. ~~The sponsor and the managing agency shall designate~~
22 ~~points of contact and provide contact information (24-hour accessible phone contact) to the~~
23 ~~Patrol Operations Commander for the Whatcom County Sheriff's Department. At least one~~
24 ~~designated point of contact shall be on duty at all times. The names of the on-duty points of~~
25 ~~contact shall be posted on-site daily, and their contact information shall be provided to the~~
26 ~~Whatcom County Sheriff's Department as described above.~~ The sponsor and the managing
27 agency shall designate points of contact and provide contact information (24 hour
28 accessible phone contact) to the chief criminal deputy of the Whatcom County Sheriff or
29 his/her designee. At least one designated point of contact shall be on duty at all times.
30 The names of the on-duty points of contact shall be posted onsite daily and their contact
31 information shall be provided to the Whatcom County Sheriff's Office as described above."
32

33 The motion was seconded.

34
35 The motion carried unanimously.

36
37 The motion to adopt as amended carried by the following vote:

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

39 **Nays:** None (0)

40 **Absent:** Browne (1)
41

42 Councilmembers thanked the HomesNOW advocates.

43
44 *(Clerk's Note: The Council took a break at 9:07 p.m.)*
45
46

47 **CONSENT AGENDA**

48
49 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
50 to approve Consent Agenda items one through ten.

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1
2 The motion carried by the following vote:

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

4 **Nays:** None (0)

5 **Absent:** Browne (1)

- 6
7 1. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN**
8 **INTERAGENCY AGREEMENT BETWEEN WHATCOM COUNTY AND**
9 **WASHINGTON STATE DEPARTMENT OF COMMERCE TO RECEIVE STATE**
10 **FUNDS FOR CONDUCTING WORK RELATING TO THE NEW BUILDABLE LAND**
11 **REQUIREMENTS OF STATE LAW, IN THE AMOUNT OF \$225,000 (AB2018-**
12 **189)**
- 13
14 2. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
15 **SALE AGREEMENT BETWEEN WHATCOM COUNTY AND PUGET SOUND**
16 **ENERGY FOR A 45 FOOT WIDE UTILITY EASEMENT ALONG STATE ROAD 547**
17 **(KENDALL ROAD) AT THE EAST WHATCOM REGIONAL RESOURCE CENTER**
18 **(AB2018-190)**
- 19
20 3. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
21 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND KIMBERLY K.**
22 **GEARIETY, ATTORNEY TO EXTEND NEGOTIATOR SERVICES THROUGH JUNE**
23 **30, 2020 TO COMPLETE A BARGAINING CYCLE FOR FIVE AGREEMENTS, IN**
24 **THE AMOUNT OF \$128,152, FOR A TOTAL AMENDED CONTRACT AMOUNT OF**
25 **\$214,528 (AB2018-191)**
- 26
27 4. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
28 **NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND**
29 **THE CITY OF EVERSON, EFFECTIVE JULY 1, 2018 (AB2018-192)**
- 30
31 5. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
32 **NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND**
33 **THE CITY OF NOOKSACK, EFFECTIVE JULY 1, 2018 (AB2018-193)**
- 34
35 6. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
36 **NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND**
37 **THE CITY OF SUMAS, EFFECTIVE JULY 1, 2018 (AB2018-194)**
- 38
39 7. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
40 **NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND**
41 **THE CITY OF FERNDAL, EFFECTIVE JULY 1, 2018 (AB2018-195)**
- 42
43 8. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
44 **NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND**
45 **THE CITY OF LYNDEN, EFFECTIVE JULY 1, 2018 (AB2018-196)**
- 46
47 9. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
48 **NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND**
49 **THE CITY OF BLAINE, EFFECTIVE JULY 1, 2018 (AB2018-197)**
50

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1 10. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A
2 NEW JAIL FACILITY USE AGREEMENT BETWEEN WHATCOM COUNTY AND
3 THE CITY OF BELLINGHAM, EFFECTIVE JULY 1, 2018 (AB2018-198)
4

5
6 **OTHER ITEMS**
7

8 1. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, EIGHTH
9 REQUEST, IN THE AMOUNT OF \$44,642 (AB2018-178)
10

11 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
12 to adopt the ordinance.
13

14 The motion carried by the following vote:

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

16 **Nays:** None (0)

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

19 2. ORDINANCE AMENDING ORDINANCE 2017-046 (ESTABLISHMENT OF THE
20 TRIAGE CENTER EXPANSION FUND AND ESTABLISHMENT OF A PROJECT
21 BASED BUDGET FOR THE TRIAGE CENTER EXPANSION PROJECT) TO ADD
22 \$1,000,000 OF EXPENDITURE AUTHORITY TO THE ORIGINAL PROJECT
23 BUDGET OF \$300,000, FOR A TOTAL AMENDED PROJECT BUDGET OF
24 \$1,300,000 (AB2018-179)
25

26 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
27 to adopt the ordinance.
28

29 The motion carried by the following vote:

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

31 **Nays:** None (0)

32 **Absent:** Browne (1)
33

34 3. ORDINANCE AUTHORIZING AN INTERFUND LOAN TO CONTINUE FINANCING
35 OF CENTRAL PLAZA BUILDING (AB2018-180)
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, Buchanan, Byrd, Donovan, and Sidhu (6)

42 **Nays:** None (0)

43 **Absent:** Browne (1)
44

45 4. RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, THROUGH PARKS
46 DIRECTOR MICHAEL MCFARLANE, TO MAKE APPLICATION AND ENTER INTO
47 A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON
48 STATE RECREATION AND CONSERVATION OFFICE FOR FUNDING THROUGH
49 THE WASHINGTON WILDLIFE AND RECREATION PROGRAM FOR THE MAPLE

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1 **FALLS PARK TRAILHEAD DEVELOPMENT, IN THE AMOUNT OF \$380,000**
2 **(AB2018-184)**

3
4 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
5 to approve the resolution.

6
7 The motion carried by the following vote:

8 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)

9 **Nays:** None (0)

10 **Absent:** Browne (1)

11
12 **5. RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, THROUGH PARKS**
13 **DIRECTOR MICHAEL MCFARLANE, TO MAKE APPLICATION AND ENTER INTO**
14 **A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON**
15 **STATE RECREATION AND CONSERVATION OFFICE FOR FUNDING THROUGH**
16 **THE WASHINGTON WILDLIFE AND RECREATION PROGRAM FOR THE LAKE**
17 **WHATCOM PARK TRAILHEAD & TRAIL DEVELOPMENT 18-2035, IN THE**
18 **AMOUNT OF \$500,000 (AB2018-185)**

19
20 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
21 to approve the resolution.

22
23 The motion carried by the following vote:

24 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)

25 **Nays:** None (0)

26 **Absent:** Browne (1)

27
28 **6. RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, THROUGH PARKS**
29 **DIRECTOR MICHAEL MCFARLANE, TO MAKE APPLICATION AND ENTER INTO**
30 **A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON**
31 **STATE RECREATION AND CONSERVATION OFFICE FOR FUNDING THROUGH**
32 **THE WASHINGTON WILDLIFE AND RECREATION PROGRAM FOR THE**
33 **LOOKOUT MOUNTAIN FOREST PRESERVE TRAIL DEVELOPMENT 18-2034, IN**
34 **THE AMOUNT OF \$150,000 (AB2018-186)**

35
36 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
37 to approve the resolution.

38
39 The motion carried by the following vote:

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

41 **Nays:** None (0)

42 **Absent:** Browne (1)

43
44 **7. RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, THROUGH PARKS**
45 **DIRECTOR MICHAEL MCFARLANE, TO MAKE APPLICATION AND ENTER INTO**
46 **A GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE WASHINGTON**
47 **STATE RECREATION AND CONSERVATION OFFICE FOR FUNDING THROUGH**
48 **THE WASHINGTON WILDLIFE AND RECREATION PROGRAM FOR THE BIRCH**
49 **BAY BEACH PARK DEVELOPMENT 18-1992, IN THE AMOUNT OF \$500,000**
50 **(AB2018-187)**

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1
2 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
3 to approve the resolution.

4
5 The motion carried by the following vote:

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

7 **Nays:** None (0)

8 **Absent:** Browne (1)

9
10 **8. RESOLUTION OF THE WHATCOM COUNTY COUNCIL UPDATING THE**
11 **APPENDIX OF THE 2015 COMPREHENSIVE ECONOMIC DEVELOPMENT**
12 **STRATEGY (CEDS) (AB2018-188)**

13
14 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
15 to approve the resolution.

16
17 The motion was seconded.

18
19 Tyler Schroeder, Executive's Office, answered questions about the differences in the
20 version in the Council packet and last year's CEDS list.

21
22 **Sidhu moved** to amend the New Jail and New Sheriff's Office locations "LaBounty
23 Read **Whatcom County.**"

24
25 The motion to amend was seconded.

26
27 The motion to amend carried by the following vote:

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

29 **Nays:** None (0)

30 **Absent:** Browne (1)

31
32 The motion to approve as amended carried by the following vote:

33 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)

34 **Nays:** None (0)

35 **Absent:** Browne (1)

36
37
38 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

39
40 **1. APPOINTMENTS TO THE WHATCOM COUNTY BUSINESS AND COMMERCE**
41 **ADVISORY COMMITTEE, 13 VACANCIES (COMMITTEE ADVISES THE**
42 **WHATCOM COUNTY COUNCIL ON ISSUES, INCLUDING REGULATIONS AND**
43 **POLICIES THAT COULD IMPACT LOCAL BUSINESSES, INDUSTRY, OR**
44 **ECONOMIC DEVELOPMENT) (AB2018-132B)**

45
46 **Brenner moved** to hold in Council until the next meeting.

47
48 The motion was seconded.

49
50 The motion carried by the following vote:

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1 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)
2 **Nays:** None (0)
3 **Absent:** Browne (1)
4
5

6 **INTRODUCTION ITEMS**
7

8 **1. ORDINANCE ESTABLISHING PARKING RESTRICTIONS WITHIN TEN FEET OF**
9 **U.S. MAILBOXES ON ALL COUNTY ROADS (AB2018-200)**

10
11 *Buchanan moved* to introduce item one.

12
13 The motion was seconded.

14
15 The motion carried by the following vote:

16 **Ayes:** Ballew, Brenner, Buchanan, Byrd, Donovan, and Sidhu (6)
17 **Nays:** None (0)
18 **Absent:** Browne (1)
19

20 **2. ORDINANCE ADOPTING INTERIM ZONING REGULATIONS FOR THE SITING,**
21 **ESTABLISHMENT, AND OPERATION OF TEMPORARY TENT ENCAMPMENTS**
22 **(AB2018-182A)**
23

24 Mark Personius, Planning and Development Services Department, stated this item
25 was withdrawn from the agenda and held for Introduction to the next meeting. Staff will
26 incorporate proposed changes as discussed earlier in the meeting.
27

28 Karen Frakes, Prosecutor’s Office, stated that after staff makes changes, it will have
29 to be Introduced and then a public hearing two weeks later.
30

31 Councilmembers and staff discussed potential changes that staff will make before
32 Introduction at the next meeting, including creating separate and distinct definitions and
33 regulations for tent encampments and for tiny home projects.
34
35

36 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
37

38 Committee Chairs reported on presentations and discussions during committee
39 meetings.
40

41 Councilmembers gave updates on recent activities and upcoming events.
42
43

44 **ADJOURN**
45

46 The meeting adjourned at 9:48 p.m.
47

48 The County Council approved these minutes on _____, 2018.
49
50

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ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Todd Donovan, Council Vice-Chair

Jill Nixon, Minutes Transcription

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Whatcom County Council
Board of Health

June 26, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan called the meeting to order at 10:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barry Buchanan, Barbara Brenner, Rud Browne, Tyler Byrd, Todd Donovan, Satpal Sidhu, and Timothy Ballew
Absent: None

2. DIRECTOR REPORT

Regina Delahunt, Health Department Director, gave a staff report on the Women, Infant, and Children (WIC) program. SeaMar will take over the County's caseload and open several new locations.

3. PUBLIC HEALTH ADVISORY BOARD (PHAB) UPDATE

Rachel Lucy Cecka, Public Health Advisory Board Chair, gave an update on the upcoming joint meeting with the PHAB and the Board of Health. Outcomes of the meeting will include:

- Clarifying the roles of the Health Department, Board of Health, and PHAB
- A common understanding of the community health assessment
- Evolving role of public health and community health strategy
- An aligned plan of the future strategy and policy

4. HOMELESS HOUSING STRATEGY DISCUSSION

The following Health Department staff read from the presentation in the meeting packet on homelessness and housing in Whatcom County.

- Anne Deacon
- Barbara Johnson-Vinna

Mike Parker, Opportunity Council, answered questions.

Staff answered questions on the process for conducting the homeless point-in-time count; few available rental units and higher rents are causes of homelessness; supply and demand issues other than the availability of affordable rental units; data on the change over time in population compared to the change in available housing; using county data versus state data; barriers to creating more affordable housing in Whatcom county; the types of services provided by the staff at supportive housing facilities; the difference between specialized housing and affordable housing; amount provided per household for rental

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1 assistance; locations and size of low barrier shelters and tent encampments; and working
2 with community partners and private landlords.
3

4 Councilmembers discussed funding for rental assistance; the County's role in
5 preventing homelessness; identifying the root causes of homelessness in Whatcom County;
6 rental assistance as only a temporary solution; whether growth projections need to be
7 revisited; how the County can encourage more housing; encouraging developers to create
8 housing at below-market levels; and the disconnect between available jobs and the labor
9 market.

10
11 **1. PUBLIC SESSION**
12

13 Jim Peterson, HomesNOW President, spoke about tiny home projects and tent
14 encampments as a short-term, temporary solution to homelessness.
15

16 Tony Casale, Bellingham/Whatcom Housing Authority Housing Supervisor, stated the
17 Housing Authority is a partner with Whatcom County. He described the services that the
18 Housing Authority provides to the community. He answered questions on Section 42 federal
19 housing tax credit.
20

21 Mike Parker, Opportunity Council, spoke about social and health barriers to housing
22 and the disparate impacts of the economy. Homelessness doesn't affect everyone equally.
23 Specialized programs address specialized needs.
24

25 Tyler Schroeder, Executive's Office, answered questions on how the Council could
26 initiate the use of County property for homeless shelters or encampments; which ordinances
27 apply to County property owned within city limits; and getting an inventory of County-
28 owned property.
29

30
31 **ADJOURN**
32

33 The meeting adjourned at 12:27 p.m.
34

35 The County Council approved these minutes on _____, 2018.
36
37

38 ATTEST:
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41
42

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

43 _____
44 Dana Brown-Davis, Council Clerk
45
46
47

Rud Browne, Council Chair

48 _____
49 Jill Nixon, Minutes Transcription
50