

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 778-5010



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

**COUNCIL AGENDA
FOR DECEMBER 4, 2018**

PLEASE NOTE FOR 2019

IN JANUARY WHATCOM COUNTY WILL TRANSITION TO A NEW AGENDA MANAGEMENT SYSTEM. THE NEW SYSTEM WILL CHANGE HOW COUNCIL MEETING INFORMATION IS ACCESSED AND PROVIDE GREATER ACCESSIBILITY TO MEETING-RELATED DOCUMENTS. THERE WILL BE ONE LINK ON THE COUNCIL PAGE MAIN MENU TITLED "LEGISLATIVE INFORMATION CENTER" THAT WILL GUIDE YOU TO A NEW MEETING HUB.

UPCOMING MEETINGS AND EVENTS:

DECEMBER 24 AND 25, 2018
OFFICE CLOSED

JANUARY 15, 2019
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

TODAY'S SCHEDULE:

9:30 A.M. – SPECIAL COMMITTEE OF THE WHOLE

9:35 A.M. – NATURAL RESOURCES COMMITTEE

**IMMEDIATELY FOLLOWING NATURAL RESOURCES COMMITTEE (NO LATER THAN 11 A.M.) -
FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**

1:15 P.M. - PUBLIC WORKS AND HEALTH COMMITTEE

**IMMEDIATELY FOLLOWING PUBLIC WORKS AND HEALTH COMMITTEE (NO LATER THAN 2:15 P.M.) –
COMMITTEE OF THE WHOLE (EXECUTIVE SESSION)**

2:45 P.M. – SPECIAL COMMITTEE OF THE WHOLE

IN ACCORDANCE WITH WHATCOM COUNTY CODE SECTIONS 2.02.040 AND 2.02.060, THE FOLLOWING RULES SHALL APPLY DURING ALL COUNCIL AND COUNCIL COMMITTEE MEETINGS:

Section 2.02.040 Meetings – General rules.

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E. All council and council committee meetings shall be conducted pursuant to The American Institute of Parliamentarians Standard Code of Parliamentary Procedure, latest edition, except when in conflict with the standing rules of the council.

L. During an open session or public hearing, audience members will be given three minutes to address the council.

M. Cell phones shall be silenced and cell phone conversations shall be prohibited within the confines of the council chambers during meetings.

N. Placards, signs, applause, or other distractions shall not be allowed in the council chambers without the consent of the council chair.

O. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, while attending a council or council committee meeting may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the council during that meeting.

2.02.060 Meetings – Decorum of debate.

A. Any councilmember desiring to speak shall first be recognized by the chair, and shall confine his or her remarks to the specific subject under consideration or to be considered. The councilmember who has proposed a motion or the committee member who has presented a report shall be allowed the first opportunity to explain the motion or report, and usually is allowed to speak last on it. No member or small group of members shall be permitted to monopolize the discussion on a question. If a member has already spoken and other members wish to speak, they should be recognized in preference to the member who has already spoken on a question.

B. Councilmembers shall address each other as "councilmember" and the council chair shall be addressed as "chair."

C. Staff members, presenters, and the general public shall be addressed as Mr., Mrs., Ms., or by their official or honorary title.

D. When two or more councilmembers desire to speak at the same time, the chair shall name the member who shall have the floor.

E. When a councilmember is speaking, no other member shall hold discourse which may interrupt the speaker except to raise a point of order. The chair should insist that every member be attentive to the business before the assembly.

F. Councilmembers shall have time to explain any motion they intend to make. All motions will begin with the words, "I move" and must receive a second prior to being put to a vote.

G. When it appears that all councilmembers who wish to speak have done so, the chair shall inquire, "Is there any further discussion?" If there is not, the question is put to a vote.

H. To bring a question to immediate vote, a councilmember may move to close debate. If more than one motion is pending, the motion to close debate should specify the pending motions to which it applies (main motion, motion to amend, etc.). The motion to close debate cannot interrupt a speaker, is not debatable, and requires an affirmative vote by two-thirds of the councilmembers in attendance. The motion to close debate should be used in moderation, as members cannot be expected to maintain interest in an organization if they are frequently denied the right to participate in its deliberations.

COUNCIL COMMITTEE SCHEDULES

SPECIAL COMMITTEE OF THE WHOLE
9:30 a.m. Tuesday, December 4, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Appointment of Councilmember Carol Frazey to fill vacant council committee assignments (Natural Resources Committee, Public Works and Health Committee) (AB2018-021)
No Paperwork
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-

NATURAL RESOURCES COMMITTEE
Members: Todd Donovan, Carol Frazey, Satpal Sidhu
9:35 a.m. Tuesday, December 4, 2018
Council Chambers, 311 Grand Avenue

Special Presentation

1. Overview of update of the 2005 WRIA 1 Watershed Management Plan prepared in accordance with ESSB 6091 (RCW 90.94) (AB2018-290)
Page 1

Committee Discussion

1. Discussion of proposed ordinance amending Whatcom County Code 16.20, Whatcom County Shellfish Protection District (ordinance scheduled for introduction this evening) (AB2018-353)
Pages 2 - 15

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Tyler Byrd, Satpal Sidhu
Immediately Following Natural Resources Committee (no later than 11 a.m.)
Tuesday, December 4, 2018
Council Chambers, 311 Grand Avenue

County Executive's Report

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2018 Whatcom County Budget, fifteenth request, in the amount of \$314,598 (AB2018-347)
Pages 16 - 31
2. Ordinance amending Whatcom County Code Chapter 2.78, Solid Waste Advisory Committee (AB2018-351)
Pages 32 - 35
3. Ordinance amending Whatcom County Code 2.03, Boards and Commissions (AB2018-350)
Pages 36 - 41
4. Resolution approving the 2019 recommended Convention Center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816 (AB2018-354)
Pages 42 - 45

5. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County Flood Control Zone District and Whatcom Conservation District for Pollution Identification and Correction Program non-dairy agricultural best management practices outreach and cost-share, in the amount of \$55,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-355)
Pages 46 - 56
6. Request authorization for the County Executive to enter into a contract amendment between Whatcom County, the Port of Bellingham, and the City of Bellingham for the purposes of Economic Development, for a total amended contract amount of \$3,805,208 (AB2018-369)
Pages 57 - 64
7. Request authorization for the County Executive to enter into a local agency agreement amendment between Whatcom County and Washington State Department of Transportation for the West Badger Road/Bertrand Creek Bridge No. 50 replacement project, in the amount of \$3,149,851, for a total amended contract amount of \$3,368,689 (AB2018-363)
Pages 65 - 72
8. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Stericycle Environmental Solutions to extend the agreement to operate the Disposal of Toxics Facility for an additional three years, in the amended amount of \$1,124,760 for a total contract amount of \$3,256,260 (AB2018-374)
Pages 73 - 81

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Bellingham Whatcom Tourism in support of operations, in the amount of \$290,000 (AB2018-356)
Pages 82 - 98
2. Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Events for support of marketing and promotion of the annual Ski to Sea, Tour de Whatcom and Mt. Baker Hill Climb races, in the amount of \$40,000 (AB2018-357)
Pages 99 - 112
3. Request authorization for the County Executive to enter into a contract between Whatcom County and Mount Baker Foothills Chamber of Commerce in support of their Visitor Center operations as recommended by the Lodging Tax Advisory Committee in the amount of \$100,000 (AB2018-358)
Pages 113 - 128
4. Request authorization for the County Executive to enter into a contract between Whatcom County and Bellingham Food Bank to procure, warehouse and distribute food and other essentials to low and very low income families, in the amount of \$276,000 (AB2018-359)
Pages 129 - 142
5. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and The Whatcom Dispute Resolution Center to continue to provide administration of the Family Law Mediation Program, in the amount of \$100,000, for a total amended contract amount of \$150,000 (AB2018-360)
Pages 143 - 148
6. Request authorization for the County Executive to enter into an interlocal cooperative purchasing agreement between Whatcom County and Whatcom Transportation Authority to utilize each other's competitively bid contracts for purchases of supplies, goods, services and equipment, per RCW 39.34 Interlocal Cooperation Act (AB2018-361)
Pages 149 - 152
7. Request authorization for the County Executive to enter into a lease agreement amendment between Whatcom County and Cornwall Center, Inc. for nine additional parking spaces adjacent to the Civic Center Annex parking lot, in the amount of \$4,521.17, for a total amended contract amount of \$45,932.42 (AB2018-362)
Pages 153 - 157

8. Request authorization for the County Executive to enter into a contract between Whatcom County and Tetra Tech Inc. for the Lake Whatcom Subwatershed Master Plan for East Geneva, in the amount of \$82,685 (AB2018-364)
Pages 158 - 178
9. Request authorization for the County Executive to enter into an interagency agreement between Whatcom County, Bellingham Technical College and Bellingham Fire Department for the purposes of administering the countywide EMT-Paramedic school program, in the amount of \$56,000 plus expenses (AB2018-365)
Pages 179 - 188
10. Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to fund housing assistance for people with criminal charges who are challenged with substance use disorders, in the amount of \$76,643 (AB2018-366)
Pages 189 - 206
11. Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide partial funding to support two clinical care managers for increased behavioral health services, in the amount of \$96,917 (AB2018-367)
Pages 207 - 224
12. Request authorization for the County Executive to enter into a contract between Whatcom County and Domestic Violence and Sexual Assault Services to support the Bellingham Whatcom County Commission Against Domestic Violence, in the amount of \$120,000 (AB2018-368)
Pages 225 - 243
13. Request authorization for the County Executive to enter into a contract between Whatcom County and Community Attributes Inc. for professional services relating to the new Buildable Lands Program, in the amount of \$78,500 (AB2018-370)
Pages 244 - 258
14. Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Regional Council to support Meals on Wheels services, in the amount of \$120,000 (AB2018-371)
Pages 259 - 271
15. Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Office of Public Defense to receive grant funding, in the amount of \$196,141 (AB2018-372)
Pages 272 - 282
16. Request authorization for the County Executive to enter into an agreement between Whatcom County and Wave Business Solutions, LLC (Wave) for a five-year lease for fiber optic connectivity from the Courthouse to county buildings, for a total amount over five years of \$186,360 (AB2018-373)
Pages 283 - 321
17. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Communities in Schools to expand the program to the Blaine School District, in the amended amount of \$34,000, for a total contract amount of \$282,750 (AB2018-375)
Pages 322 - 328
18. Request authorization for the County Executive to enter into a contract to provide funding for Sun Community Services to operate Sun House, an emergency shelter for residents with mental illness who may be homeless, leaving jail, and/or mental health institutions, in an amount not to exceed \$285,635 (AB2018-376)
Pages 329 - 354

Committee Discussion and Recommendation to Council

1. Ordinance authorizing the 2019 Whatcom County Unified Fee Schedule (from 11/20) (AB2018-332)
Pages 355 - 429

Other Business

PUBLIC WORKS AND HEALTH COMMITTEE

Members: Barbara Brenner, Barry Buchanan, Carol Frazey

1:15 p.m. Tuesday, December 4, 2018

Council Chambers, 311 Grand Avenue

Special Presentation

1. Quarterly report from Whatcom County Public Works (AB2018-066)
Page 430

Committee Discussion and Recommendations to Council

1. Request authorization of ninety-day extension for Council approval of the Glacier Water District Comprehensive Water System Plan (AB2018-307A)
Pages 431 - 434
2. Resolution regarding health protection for immigrant families (AB2018-312A)
Pages 435 - 439

Other Business

COMMITTEE OF THE WHOLE

Immediately Following Public Works and Health Committee (no later than 2:15 p.m.)

Tuesday, December 4, 2018

Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Public Works staff regarding Birch Bay Berm potential property acquisitions (AB2018-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(b)]
No Paperwork

Other Business

SPECIAL COMMITTEE OF THE WHOLE

2:45 p.m. Tuesday, December 4, 2018

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding preliminary draft Comprehensive Plan and zoning amendments – Cherry Point (discussion to focus on industry responses to questions asked by Council in September) (AB2018-076D)
Pages 440 - 467

Discussion and Recommendation to Council

1. Ordinance amending Whatcom County Code 24.11, Drinking Water (from November 7, 2018) (AB2018-303)
Pages 468 - 472

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, December 4, 2018
Council Chambers, 311 Grand Avenue

CALL TO ORDER
ROLL CALL
FLAG SALUTE
ANNOUNCEMENTS

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

SPECIAL PRESENTATION

1. Presentation by the Washington State Department of Transportation of the 2018 Award of Excellence – “Best County Project” to Whatcom County Public Works for the Potter Road/South Fork River Bridge #148 Replacement (AB2018-017)
Page 473

MINUTES CONSENT

1. Special Committee of the Whole for November 7, 2018
Pages 474 - 476
2. Committee of the Whole for November 15, 2018
Pages 477 - 478
3. Special Committee of the Whole for November 15, 2018
Pages 479 - 482
4. Committee of the Whole for November 20, 2018
Pages 483 - 484
5. County Council for November 20, 2018
Pages 485 - 499
6. Special Committee of the Whole for November 27, 2018
Pages 500 - 501

OPEN SESSION (20 MINUTES)

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

CONSENT AGENDA

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

(From Finance and Administrative Services Committee)

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OTHER ITEMS

(From Finance and Administrative Services Committee)

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(From Public Works and Health Committee)

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Pages 435 – 439

(From Special Committee of the Whole)

12. Ordinance amending Whatcom County Code 24.11, Drinking Water (from November 7, 2018) (AB2018-303)
Pages 468 - 472

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.060 and 100.02.080, applications for council-appointed and FCZD board of supervisor-appointed citizen boards, commissions, and committees may be accepted until 10:00 a.m. on Tuesday of the week prior to the regularly scheduled council meeting at which nominations and possible vote to appoint are scheduled to occur.

1. Appointment to fill vacancy on the Whatcom County Drayton Harbor Shellfish Protection District Advisory Committee, 3 vacancies – 4 year terms. Members must have a direct interest in the shellfish protection district. Duties are to advise the County Council on the proposed actions and operations relating to the restoration of water quality in the Drayton Harbor Shellfish Protection District. Applicant: Heather Christianson (AB2018-333)
Pages 502 – 508

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. Request confirmation of the County Executive's appointment of Tara Satushek to the Bicycle/Pedestrian Advisory Committee (AB2018-378)
Pages 509 - 512
2. Request confirmation of the County Executive's appointment of Kara Mitchell to the North Sound Behavioral Health Organization's Advisory Board (AB2018-379)
Pages 513 - 516

INTRODUCTION ITEMS

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

1. Ordinance amending Whatcom County Code 2.46, to amend the Whatcom County Incarceration Prevention and Reduction Task Force purpose, function, membership, and organization; to repeal Whatcom County Code 2.19, Law and Justice Council; and to designate the Task Force to serve as the Law and Justice Council (AB2018-352)
Pages 517 - 528
2. Ordinance amending Whatcom County Code 16.20 Whatcom County Shellfish Protection District (AB2018-353)
Pages 2 - 15
3. Ordinance adopting amendments Whatcom County Code Title 17 Flood Damage Prevention (AB2018-380)
Pages 529 - 561

4. Ordinance repealing Whatcom County Code 1.28 in its entirety (AB2018-381)
Pages 562 - 568

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. January 15, 2019, in the Council Chambers, 311 Grand Avenue.

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE

311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
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Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

**AGENDA REVISION NOTICE
FOR DECEMBER 4, 2018**

(DISTRIBUTED AT 2:30 P.M. ON DECEMBER 3, 2018)

The following agenda item has been moved from the evening Council meeting to the 1:30 p.m. Public Works and Health Committee meeting:

Presentation by the Washington State Department of Transportation of the 2018 Award of Excellence – "Best County Project" to Whatcom County Public Works for the Potter Road/South Fork River Bridge #148 Replacement (AB2018-017)

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