

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
Todd Donovan
Ken Mann
Satpal Sidhu
Carl Weimer

WHATCOM COUNTY COUNCIL

COUNCIL AGENDA FOR JANUARY 24, 2017

**MEMBERS OF OUR COMMUNITY WHO REQUIRE
SPECIAL ASSISTANCE TO PARTICIPATE IN OUR
MEETINGS ARE ASKED TO CONTACT OUR OFFICE AT
LEAST 96 HOURS IN ADVANCE**

**AS A COURTESY TO ALL MEETING ATTENDEES,
CELLULAR PHONE USE IS PROHIBITED IN
THE COUNCIL CHAMBERS**

**ACCESSIBLE PARKING IS AVAILABLE NEAR THE
COURTHOUSE SOUTH ENTRANCE**

**OUR REGULAR COUNCIL MEETINGS ARE BROADCAST ON BTV10,
COMCAST CHANNEL 10, AT 7:00 P.M. ON THE TWO WEDNESDAYS FOLLOWING EACH
TUESDAY EVENING COUNTY COUNCIL MEETING**

PLEASE VISIT US AT WWW.CO.WHATCOM.WA.US FOR THE FOLLOWING:

**COUNCIL MEETING AUDIO AND VIDEO
COUNCIL OFFICE EMAIL POLICY
CURRENT COUNCIL AGENDA
CURRENT COUNCIL PACKET
PUBLIC NOTICES
1979 - 2017 ORDINANCES
1979 - 2017 RESOLUTIONS
1984 - 2017 COMMITTEE MINUTES
1979 - 2017 COUNCIL MINUTES**

UPCOMING MEETINGS AND EVENTS:

JANUARY 31, 2017

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

FEBRUARY 7, 2017

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

FEBRUARY 14, 2017

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

FEBRUARY 20, 2017

HOLIDAY – OFFICE CLOSED

FEBRUARY 21, 2017

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

SPECIAL NOTE FOR TODAY:

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE BEGINS AT 1 P.M.

COUNCIL COMMITTEE SCHEDULES

NATURAL RESOURCES COMMITTEE

Members: Todd Donovan, Satpal Sidhu, Carl Weimer

9:30 a.m. Tuesday, January 24, 2017

Council Chambers, 311 Grand Avenue

Special Order of Business

1. Nomination and appointment of committee chair (AB2017-021)
No Paper

Other Business

SPECIAL COMMITTEE OF THE WHOLE

9:35 a.m. Tuesday, January 24, 2017

Council Chambers, 311 Grand Avenue

Committee Discussion – Critical Areas Ordinance Update

1. Continuation of Council's review of the 2016 Critical Areas Ordinance Update – topics scheduled for discussion:

Article 4 – Frequently Flooded Areas (AB2016-276D)

Pages

Article 7 – Habitat Conservation Area (AB2016-276H)

Pages

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Ken Mann, Satpal Sidhu

11 a.m. Tuesday, January 24, 2017

Council Chambers, 311 Grand Avenue

Special Order of Business

1. Nomination and appointment of committee chair (AB2017-021)
No Paper

County Executive's Report

Committee Discussion

1. Discussion regarding amendments to Contract #201205028 (CH2M Hill) and Contract #201205029 (Pacific International Inc. and BNSF) (AB2017-054)
Pages
2. Public Works to report on the Federal Railroad Administration's response to a proposed quiet zone design for the Yacht Club Road at grade railroad crossing (AB2017-043)
Pages

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2017 Whatcom County Budget, first request, in the amount of \$170,302 (AB2017-039)
Pages

2. Ordinance amending Ordinance 2015-037, which amended Ordinance 2015-025 (establishment of the Whatcom County Incarceration Prevention and Reduction Task Force) to extend due dates for delivery of the initial and final Phase III reports (AB2017-040)
Pages
3. Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Applied Geomorphology for the preparation of a detailed geomorphic assessment of the Lower Nooksack River in support of an update to the Comprehensive Flood Hazard Management Plan, in the amount of \$150,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-044)
Pages

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for non-dairy agriculture technical assistance, in the amount of \$100,000 (AB2017-045)
Pages
2. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Regional Council to provide nursing services to offenders at the downtown jail, the work center and juvenile detention, in the amount of \$33,045, for a total amended amount of \$1,247,947 (AB2017-046)
Pages
3. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Design2Last, Inc. to provide building assessment studies and cost estimates for capital improvements at the jail and work center, in the amount of \$218,404.26, for a total amended amount of \$370,287.20 (AB2017-047)
Pages
4. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the share agent costs for the WSU Whatcom County Extension for 2017, in the amount of \$161,437, for a total amended amount of \$1,570,535.90 (AB2017-048)
Pages
5. Request approval for the County Executive to award Bid #16-53 and authorize the Executive to enter into a contract with Jensen Lee Construction for the Health Department Creekside Offices Project, in an amount not to exceed \$54,094.55 (AB2017-049)
Pages
6. Request approval for the County Executive to authorize the purchase of auto body repair services from vendors CEI Group and Gitt's Autobody, using Washington State Contract #05015, in an amount not to exceed \$70,000 (AB2017-050)
Pages

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
Members: Barbara Brenner, Todd Donovan, Ken Mann
~~4:30~~ 1 p.m. Tuesday, January 24, 2017
Council Chambers, 311 Grand Avenue

Special Order of Business

1. Nomination and appointment of committee chair (AB2017-021)
No Paper

Committee Discussion

1. Discussion to clarify the intent of specific language in Whatcom County Code Section 20.80.970, Home Occupation (AB2017-055)
Pages
2. Discussion of a proposed ordinance amending Whatcom County Code 24.05, On-Site Sewage System Regulations (ordinance scheduled for introduction this evening) (AB2017-053)
Pages
3. Discussion with the Health Department regarding a proposal to combine the Behavioral Health Advisory Board and Behavioral Health Revenue Advisory Committee and create a new membership profile (AB2017-056)
Pages

Committee Discussion and Recommendations to Council

1. Resolution adopting an update to the Whatcom County Comprehensive Solid and Hazardous Waste Management Plan (AB2016-302)
Pages
2. Resolution in the matter of considering a vacation of a portion of Chets Road (AB2017-051)
Pages

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Rud Browne, Carl Weimer
3 p.m. Tuesday, January 24, 2017
Council Chambers, 311 Grand Avenue

Special Order of Business

1. Nomination and appointment of committee chair (AB2017-021)
No Paper

Committee Discussion

1. Discussion of proposed ordinance adopting amendments to Whatcom County Code Title 20 Zoning, permitting kennels in the agriculture zone as a conditional use (ordinance scheduled for public hearing this evening) (AB2017-038)
Pages
2. Discussion of proposed ordinance providing local procedures to process development permit applications efficiently and to promote finality of decisions (ordinance scheduled for public hearing this evening) (AB2017-041)
Pages

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, January 24, 2017
Council Chambers, 311 Grand Avenue

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

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

MINUTES CONSENT

1. Special Committee of the Whole for July 5, 2016
Pages
2. Special Committee of the Whole for July 12, 2016
Pages
3. Special Committee of the Whole for July 14, 2016
Pages
4. Surface Water Work Session for July 19, 2016
Pages
5. Special Committee of the Whole for July 26, 2016
Pages
6. Special Committee of the Whole (p.m.) for November 22, 2016
Pages
7. Special Committee of the Whole (executive session) for December 6, 2016
Pages

PUBLIC HEARINGS

Audience members who wish to address the council during a public hearing are asked to sign up at the back of the room before the meeting begins. The council chair will ask those who have signed up to form a line at the podium. Each speaker should state his or her name for the record and will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. Ordinance adopting amendments to Whatcom County Code Title 20 Zoning, permitting kennels in the agriculture zone as a conditional use (AB2017-038)
Pages
2. Ordinance providing local procedures to process development permit applications efficiently and to promote finality of decisions (AB2017-041)
Pages
3. Ordinance adopting the current state building code and repealing the existing Title 15 of the Whatcom County Code (AB2016-289)
Pages

OPEN SESSION (20 MINUTES)

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

CONSENT AGENDA

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

(From Finance and Administrative Services Committee)

1. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for non-dairy agriculture technical assistance, in the amount of \$100,000 (AB2017-045)
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OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Ordinance amending the 2017 Whatcom County Budget, first request, in the amount of \$170,302 (AB2017-039)
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2. Ordinance amending Ordinance 2015-037, which amended Ordinance 2015-025 (establishment of the Whatcom County Incarceration Prevention and Reduction Task Force) to extend due dates for delivery of the initial and final Phase III reports (AB2017-040)
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Pages

(From Public Works, Health, and Safety Committee)

4. Resolution adopting an update to the Whatcom County Comprehensive Solid and Hazardous Waste Management Plan (AB2016-302)
Pages
5. Resolution in the matter of considering a vacation of a portion of Chets Road (AB2017-051)
Pages

(No Committee Assignment)

6. Resolution declaring formation of the Columbia Valley Park and Recreation District (AB2016-218C)
Pages

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. Annual appointments to Council-appointed positions on citizen boards, commissions, and committees (AB2017-031)
Pages
2. Annual appointments to Flood Control Zone District Board of Supervisors–appointed positions on citizen advisory committees (AB2017-032) (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-032)
Pages

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. Annual appointments to Executive-appointed positions on boards, commissions, and committees (AB2017-052)
Pages

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 24.05 On-Site Sewage System Regulations (AB2017-053)
Pages

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. February 7, 2017 in the Council Chambers, 311 Grand Avenue.