

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 FEBRUARY 23, 2016

**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 - 2016 ORDINANCES
1979 - 2016 RESOLUTIONS
1984 - 2016 COMMITTEE MINUTES
1979 - 2016 COUNCIL MINUTES**

UPCOMING MEETINGS AND EVENTS:

MARCH 8, 2016

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

MARCH 15, 2016

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

MARCH 22, 2016

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

SPECIAL NOTES FOR TODAY:

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

PLANNING AND DEVELOPMENT COMMITTEE BEGINS AT 2:30 P.M.

COUNCIL COMMITTEE SCHEDULES

NATURAL RESOURCES COMMITTEE

Members: Todd Donovan, Satpal Sidhu, Carl Weimer
9:30 a.m. Tuesday, February 23, 2016
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Briefing and discussion on Comprehensive Plan Chapter 11, Environment, and Appendix G, Water Resources Program and Salmon Recovery Program (AB2016-047K)
Pages 1 - 21
2. Presentation of the Draft Lookout Mountain and Lake Whatcom Park Recreational Trail Plan (AB2016-091)
Pages 22 - 56

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Ken Mann, Satpal Sidhu
11 a.m. Tuesday, February 23, 2016
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Update from Whatcom County Sheriff Bill Elfo regarding jail use agreement negotiations with the City of Bellingham (AB2016-100)
Page 57
2. Update on the Port of Bellingham's economic development activities on behalf of the County (AB2016-103)
Page 58

Committee Discussion and Recommendations to Council

1. Resolution setting hearing and notice of hearing on the sale of county tax title property by negotiation – Request No. TR2016-01 (AB2016-073) (from 2/9)
Pages 59 - 64
2. Ordinance amending the 2016 Whatcom County Budget, fifth request, in the amount of \$5,241,772 (AB2016-083)
Pages 65 - 77
3. Ordinance amending Ordinance No. 2010-040 to authorize additional capital projects for which unexpended bond proceeds may be used by the county (AB2016-086)
Pages 78 - 82
4. Resolution cancelling uncollectible personal property taxes (AB2016-092)
Pages 83 - 89

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a local agency agreement between Whatcom County and Transportation Engineers Northwest, LLC, for the design of a pedestrian actuated crosswalk signal across Lakeway Drive, in the amount of \$65,090.34 (AB2016-093)
Pages 90 - 133
2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the purposes of providing for the joint usage of the Vactor Waste Site facility from January 1, 2016, through December 31, 2016 (AB2016-094)
Pages 134 - 144
3. Request approval for the County Executive to have Public Works purchase retro-reflective materials (glass beads for traffic marking paint) for 2016, as needed, using Washington State Contract #02513 from vendor Alpine Products, for a total expenditure not to exceed \$100,000 (AB2016-095)
Pages 145 - 147

4. Request authorization for the County Executive to enter into a contract between Whatcom County and Shawna Bosman, ARNP, to provide advanced nursing services to the youth detained in Juvenile Detention, in the amount of \$25,000 (AB2016-096)
Pages 148 - 161

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE

Members: Barbara Brenner, Rud Browne, Ken Mann

1 p.m. Tuesday, February 23, 2016

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding Comcast franchise agreement (AB2016-101)
Page 162

Committee Discussion and Recommendation to Council

1. Presentation of the Incarceration Prevention and Reduction Task Force Phase 1 Report (AB2016-102) (official acceptance of the report scheduled for this evening)
Page 163

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Todd Donovan, Carl Weimer

2:30 p.m. Tuesday, February 23, 2016

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendations to Council

1. Consideration of Hearing Examiner's recommended approval of a planned unit development, filed by Wayne Allen dba Whisper Lake Developments, Inc. (AB2016-089)
Pages 164 - 233
2. Resolution adopting a Statement of Incarceration Prevention, Criminal Justice, and Jail Planning Principles for Whatcom County's criminal justice and behavioral health systems (AB2016-072)
Pages 234 - 238

Other Business

SPECIAL COMMITTEE OF THE WHOLE

Immediately Following Planning and Development Committee

Tuesday, February 23, 2016

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Briefing and discussion on Comprehensive Plan Chapter 2, Land Use (AB2016-047B)
Pages 239 - 259

Committee Discussion and Preliminary Direction

1. Discussion and preliminary direction on Comprehensive Plan Chapter 1, Introduction and Growth Projections (AB2016-047A)
Pages 260 - 263
2. Discussion and preliminary direction on Comprehensive Plan Chapter 4, Capital Facilities (AB2016-047D)
Pages 264 - 267

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING

7 p.m. Tuesday, February 23, 2016
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 November 10, 2015
Pages 268 - 278
2. Regular County Council for November 10, 2015
Pages 279 - 288
3. Committee of the Whole for November 24, 2015
Pages 289 - 290
4. Committee of the Whole for December 8, 2015
Pages 291 - 294

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 authorizing the installation of stop signs on Jackson Road at the intersection of Bay Road (AB2016-084)
Pages 295 - 308
2. Ordinance establishing speed limits on portions of Jackson Road and Bay Road in the Birch Bay area (AB2016-085)
Pages 309 - 312

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 a local agency agreement between Whatcom County and Transportation Engineers Northwest, LLC, for the design of a pedestrian actuated crosswalk signal across Lakeway Drive, in the amount of \$65,090.34 (AB2016-093)
Pages 90 - 133

2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the purposes of providing for the joint usage of the Vactor Waste Site facility from January 1, 2016, through December 31, 2016 (AB2016-094)
Pages 134 - 144
3. Request approval for the County Executive to have Public Works purchase retro-reflective materials (glass beads for traffic marking paint) for 2016, as needed, using Washington State Contract #02513 from vendor Alpine Products, for a total expenditure not to exceed \$100,000 (AB2016-095)
Pages 145 - 147
4. Request authorization for the County Executive to enter into a contract between Whatcom County and Shawna Bosman, ARNP, to provide advanced nursing services to the youth detained in Juvenile Detention, in the amount of \$25,000 (AB2016-096)
Pages 148 - 161

OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Resolution setting hearing and notice of hearing on the sale of county tax title property by negotiation – Request No. TR2016-01 (AB2016-073) (from 2/9)
Pages 59 - 64
2. Ordinance amending the 2016 Whatcom County Budget, fifth request, in the amount of \$5,241,772 (AB2016-083)
Pages 65 - 77
3. Ordinance amending Ordinance No. 2010-040 to authorize additional capital projects for which unexpended bond proceeds may be used by the county (AB2016-086)
Pages 78 - 82
4. Resolution cancelling uncollectible personal property taxes (AB2016-092)
Pages 83 - 89

(From Public Works, Health, and Safety Committee)

5. Acceptance of the Incarceration Prevention and Reduction Task Force Phase 1 Report (AB2016-102)
Page 163

(From Planning and Development Committee)

6. Consideration of Hearing Examiner's recommended approval of a planned unit development, filed by Wayne Allen dba Whisper Lake Developments, Inc. (AB2016-089)
Pages 164 - 233
7. Resolution adopting a Statement of Incarceration Prevention, Criminal Justice, and Jail Planning Principles for Whatcom County's criminal justice and behavioral health systems (AB2016-072)
Pages 234 - 238

(No Committee Assignment)

8. Resolution adopting the 2016 Comprehensive Parks, Recreation, and Open Space Plan (AB2016-062A)
Pages 313 - 317
9. Resolution requesting the Committee on Geographic Names recommend to the Board on Geographic Names, when the time is appropriate, that the landform at the mouth of Terrell Creek be evermore known as Wolf Bauer Point (AB2016-088)
Pages 318 - 321
10. Appointment of two members to serve on the Criminal Justice Treatment Account Panel: Chris Watras (SeaMar Community Health) and Jon Komorowski (criminal defense bar member) (AB2016-090)
Pages 322 - 323

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 Gary Jensen to the Whatcom County Ethics Commission (AB2016-097)
Pages 324 - 326
2. Request confirmation of the County Executive's appointment of Jamie Gunst to the Whatcom County Agricultural Advisory Committee (AB2016-098)
Pages 327 - 328
3. Request confirmation of the County Executive's appointment of Les Seelye to the Whatcom County Public Health Advisory Board (AB2016-099)
Pages 329 - 331

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. March 8, 2016, 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
(360) 676-6690



COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Todd Donovan
Ken Mann
Satpal Sidhu
Carl Weimer

WHATCOM COUNTY COUNCIL

**AGENDA REVISION NOTICE
FOR FEBRUARY 23, 2016**

(DISTRIBUTED AT 4:30 P.M. ON FEBRUARY 18, 2016)

THE FOLLOWING ITEM HAS BEEN ADDED TO NATURAL RESOURCE COMMITTEE:

Committee Discussion

3. Briefing from Public Works on flood damage at Rutsatz Road (AB2016-104)

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE

311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 676-6690



COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Todd Donovan
Ken Mann
Satpal Sidhu
Carl Weimer

WHATCOM COUNTY COUNCIL

**SECOND AGENDA REVISION NOTICE
FOR FEBRUARY 23, 2016**

(DISTRIBUTED AT 2:30 P.M. ON FEBRUARY 22, 2016)

THE FOLLOWING ITEM HAS BEEN REMOVED FROM THE COUNCIL'S FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE AGENDA:

Committee Discussion

- ~~1. Update from Whatcom County Sheriff Bill Elfo regarding jail use agreement negotiations with the City of Bellingham (AB2016-100)
Page 57~~

THE FOLLOWING MEETING HAS BEEN ADDED TO THE COUNCIL'S SCHEDULE:

COMMITTEE OF THE WHOLE

**6:30 p.m. Tuesday, February 23, 2016
Council Conference Room, 311 Grand Avenue**

Committee Discussion

1. Update from Whatcom County Sheriff Bill Elfo regarding jail use agreement negotiations with the City of Bellingham (AB2016-100)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
Page 57

Other Business