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Whatcom County Council
Surface Water Work Session

April 17, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan called the meeting to order at 10:32 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, Todd Donovan, and Satpal Sidhu.

Absent: Tyler Byrd

SURFACE WATER WORK SESSION (AB2018-024)

1. COUNCIL RECOMMENDATIONS FOR SURFACE WATER WORK SESSIONS

Gary Stoyka, Public Works Department, gave a staff report and answered questions on the history and format of the work sessions.

Staff and councilmembers discussed the scheduling items on the work session agenda versus the Natural Resources Committee agenda. Topics that need more discussion and input from Council and from others should be scheduled in the work session. Keep issues related to Engrossed Substitute Senate Bill (ESSB) 6091, water resources inventory area (WRIA) 1, and the Planning Unit updates in the work session. Budget and policy decisions should be scheduled in Natural Resources Committee. Council will continue discussion in two weeks when they discuss the Planning Unit.

2. WATER PLANNING UPDATE

Gary Stoyka, Public Works Department, stated the next Watershed Management Board meeting is postponed to June. The Board is working on a five-year work plan and how to incorporate the Engrossed Substitute Senate Bill (ESSB) 6091 issue into the broader water issues. The next Planning Unit meeting is on April 25, and they're working on the 6091 update. All consultants are in place and working. He described the current consultants' work. Most Planning Unit members are attending the Planning Unit's Governance and Funding Committee meetings.

Staff and councilmembers discussed the 6091 deadline, the members and purpose of the Governance and Funding Committee, the City of Bellingham's participation with the Planning Unit, using data in the Comprehensive Plan to define exempt well water use, and the need to work on other impacts to instream flows.

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1 Stoyka gave a staff report on the upcoming Lake Whatcom Stormwater Utility
2 community meeting and appointments to the advisory committee, data analysis by the
3 consultant, shellfish protection coordination efforts, and councilmember representation on a
4 shellfish core team.

5
6 **3. SWIFT CREEK UPDATE**

7
8 Roland Middleton, Public Works Department, referenced the information in the
9 meeting packet (*on file*) and gave a staff report on State funding for work at Swift Creek;
10 negotiations with the Attorney General's office on the Model Toxics Control Act (MTCA)
11 consent decree, which will finalize the issue with the Department of Ecology, who have been
12 instrumental in making this happen; and creating a public development authority (PDA) to
13 limit liability for future actions and that will own and manage Swift Creek.

14
15 Jon Hutchings, Public Works Department Director, answered questions.

16
17 Staff and councilmembers discussed what happens to the sediment in the Whatcom
18 aqueduct; plans for materials at the Parker property repository; the funding, structure, and
19 responsibilities of the PDA; the role of the Environmental Protection Agency (EPA); and the
20 process for creating the consent decree as a result of friendly litigation.

21
22
23 **ADJOURN**

24
25 The meeting adjourned at 11:25 a.m.

26
27 The Council approved these minutes on _____, 2018.

28
29 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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35 _____
Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

36
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38
39 _____
Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Committee Of The Whole

April 24, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 1:17 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: None

COMMITTEE DISCUSSION

1. DISCUSSION WITH PUBLIC WORKS STAFF REGARDING A POTENTIAL PROPERTY ACQUISITION (AB2018-018)
Attorney Present: None

Browne stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.110 (1)(b). Executive session will conclude no later than 2:00 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 2:00 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, Browne, Buchanan, Donovan, and Sidhu (6)

Nays: None (0)

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

OTHER BUSINESS

ADJOURN

The meeting adjourned at 2:00 p.m.

The Council approved these minutes on _____ 2018.

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ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

April 24, 2018

CALL TO ORDER

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

ROLL CALL

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

Absent: None.

COMMITTEE DISCUSSION

1. DISCUSSION OF A PROPOSED ORDINANCE REPEALING ORDINANCE NOS. 2018-001 AND 2018-005 AND ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE PLAN AND THE WHATCOM COUNTY CODE TITLE 15 BUILDINGS AND CONSTRUCTION, TITLE 20 ZONING, TITLE 21 LAND DIVISION REGULATIONS, AND TITLE 24 HEALTH CODE, RELATING TO WATER RESOURCES AND IMPLEMENTING ESSB 6091 (ORDINANCE SCHEDULED FOR INTRODUCTION THIS EVENING) (AB2018-129)

Cliff Strong, Planning and Development Services Department, submitted and read from a presentation (*on file*).

The following staff also answered questions:

- John Wolpers, Health Department
- Jack Louws, County Executive
- Mark Personius, Planning and Department Director
- Gary Stoyka, Public Works Department
- Tyler Schroeder, Executive's Office

Staff answered questions and councilmembers discussed why rainwater catchments can be approved for legal availability, Health Department inspections of well sites, the cost of Health Department single family well site review, whether a homeowner should be responsible for installing a well in a bad location, how to prevent a homeowner's well from being drilled in a location that may impact a neighboring property in the future, and adding a disclosure to the permit process that indicates a misplaced well could result in having to relocate the well.

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1 **Byrd moved** to make optional, not required, a site inspection for single family
2 residence private well in Whatcom County Code (WCC) 24.11.090.

3
4 The motion was seconded.

5
6 **Brenner moved** to hold this agenda item in committee.

7
8 The motion was seconded.

9
10 The motion to hold in committee failed by the following vote:

11 **Ayes:** Brenner (1)

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

13
14 **Byrd amended his motion and moved** to allow a homeowner the option of having
15 a Health Department inspection or taking responsibility and liability for any possible results
16 of not having the inspection.

17
18 The motion was seconded.

19
20 The motion failed by the following vote:

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

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

23
24 Strong continued the presentation on Comprehensive Plan amendments and staff
25 answered questions on how to amend the Comprehensive Plan without docketing, the
26 primary functions of the water resources inventory area (WRIA) 1 Watershed Management
27 Board as shown on packet page 25, the lead entity for salmon recovery efforts,
28 representation on the Planning Unit, and the roles of the Watershed Management Board and
29 the Planning Unit in making water-related decisions.

30
31 **Donovan moved** to amend:

- 32 • Amend the language above the new policy 10F-11, "So as to indicate
33 Whatcom County's commitment to working with the **Planning Unit and**
34 Watershed Management Board...."
- 35 • Amend Policy 10F-11, Pursuant to ESSB6091, Whatcom County will work
36 through the **Planning Unit and** the WRIA 1 Watershed Management Board...."

37
38 The motion was seconded.

39
40 Councilmembers discussed the role of the Planning Unit and Watershed Management
41 Board.

42
43 **Browne moved** to call the question.

44
45 The motion was seconded.

46
47 The motion to call the question carried by the following vote:

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

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

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1 The motion to amend carried by the following vote:

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

3 **Nays:** None (0)

4 **Abstains:** Byrd (1)

5
6 Councilmembers continued to discuss the roles of the Planning Unit and the
7 Watershed Management Board.

8
9 **Brenner moved** to amend language in 21.05.080 for short- and long-subdivisions
10 so that if someone is outside a water purveyor service area, the requirement to seek service
11 from the water purveyor be totally voluntary, not required, on the part of both parties.

12
13 The motion was seconded.

14
15 The motion carried by the following vote:

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

17 **Nays:** None (0)

18
19 **Browne moved** to recommend introduction at the evening meeting.

20
21 The motion was seconded.

22
23 The motion carried by the following vote:

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

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

26
27 **Brenner moved to** add language in 21.05.080, "If the service area is within or a
28 half mile from the service area, protect the applicant/property owner from unreasonable
29 costs if the service lines, no matter where the person is, are not in a reasonable area."

30
31 The motion was seconded.

32
33 Roger Almskaar, land use consultant, submitted a handout (*on file*) and stated
34 amend 24.11.050(C)(4) to add exceptions as shown in his handout.

35
36 **Brenner amended her motion and moved** to add language, "If the cost to the
37 applicant for one lot is not reasonable compared to the average cost of property owners in
38 the service area."

39
40 Byrd seconded the amended motion.

41
42 Staff and councilmembers discussed bringing forward amendments to the Health
43 Code, Title 24.11, outside the ESSB 6091 process. The administration will bring forward
44 code amendments to Title 24.11, through a review of the Coordinated Water System Plan,
45 in a separate ordinance to the Council Planning Committee within four weeks.

46
47 **Brenner withdrew** her motion to amend.

48
49
50 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

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1
2 **1. RESOLUTION RECOGNIZING THE ROLES AND DUTIES OF WHATCOM**
3 **COUNTY, THE WRIA 1 PLANNING UNIT, AND THE WRIA 1**
4 **INITIATING GOVERNMENTS REGARDING WATER RESOURCES**
5 **PLANNING UNDER RCW 90.82 AND ESSB 6091 (AB2018-114)**
6

7 Jack Louws, County Executive, submitted and referenced a staff report and proposed
8 an alternate version of the proposed resolution (*on file*).
9

10 Councilmembers and staff discussed sending the resolution to the Planning Unit and
11 the role of the County Council, Watershed Management Board, and Planning Unit.
12

13 ***Brenner moved*** to hold to the next meeting.
14

15 The motion was seconded.
16

17 The motion carried by the following vote:

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

19 **Nays:** Browne and Ballew (2)
20

21
22 **OTHER BUSINESS**
23

24 There was no other business.
25
26

27 **ADJOURN**
28

29 The meeting adjourned at 11:27 a.m.
30

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

33 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

34
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38 _____
39 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

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43 _____
44 Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

April 24, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 4:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: Tyler Byrd and Satpal Sidhu.

COMMITTEE DISCUSSION

1. **DISCUSSION OF SPECIFIC SECTIONS OF THE 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 CODE (AB2018-056)**

B. Council discussion and preliminary direction on sections of proposed Chapter 22.10, Legislative Procedures; Chapter 22.15, Code Compliance Procedures; Chapter 22.20, Land Use and Development Code Interpretation Procedures; and Chapter 22.25 Land Use and Development Fees (see staff memo for specifics)

Amy Keenan, Planning and Development Services Department, submitted and read from a presentation (*on file*) and answered questions.

The following Planning and Development Services Department staff also answered questions:

- Mark Personius, Director
- Matt Aamot
- Nick Smith

Staff and councilmembers discussed how the County can reimburse the Comprehensive Plan docketing fee and an appeal process.

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1 **Brenner moved** to amend 20.90.030(4) to restore the ability to directly docket a
2 zoning amendment by a citizen, even if Council does not vote to docket the amendment.
3

4 The motion was seconded.
5

6 Councilmembers and staff discussed options for a citizen to docket amendments.
7

8 The motion failed by the following vote:

9 **Ayes:** Brenner (1)

10 **Nays:** Ballew, Browne, Buchanan, and Donovan (4)

11 **Absent:** Sidhu and Byrd (2)
12

13 This item will be held in committee for a work session to make amendments in two
14 weeks.
15

16 Staff and councilmembers discussed transfers of development rights (TDR) and
17 purchases of development rights (PDR).
18

19 A. Audience members are invited to comment on sections of proposed Chapter 22.10,
20 Legislative Procedures; Chapter 22.15, Code Compliance Procedures; Chapter 22.20, Land
21 Use and Development Code Interpretation Procedures; and Chapter 22.25 Land Use and
22 Development Fees (see staff memo for specifics)
23

24 No one spoke.
25
26

27 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

28

29 **1. RESOLUTION REQUESTING THE COUNTY EXECUTIVE DIRECT STAFF TO**
30 **DRAFT PROPOSED LEGISLATION RELATING TO PROCESSING AND**
31 **APPROVAL OF MAJOR PROJECT PERMITS IN THE CHERRY POINT URBAN**
32 **GROWTH AREA (AB2018-076B)**
33

34 Donovan reported on providing direction to staff versus engaging a consultant to
35 move forward with proposed legislation.
36

37 The following staff answered questions:

- 38 • Jack Louws, County Executive
- 39 • Mark Personius, Planning and Development Services Department, submitted a
40 handout of proposed amendments (*on file*).
41

42 Staff and councilmembers discussed expanding the scope beyond unrefined fossil
43 fuels, getting staff input on what is already being done in the current process, how to move
44 forward with writing code amendments, and the Cascadia Law Group contract scope of
45 work.
46

47 **Donovan moved** to recommend to the full Council to approve the resolution with
48 the amended recommendations from Mark Personius.
49

50 The motion was seconded.

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The motion carried by the following vote:
Ayes: Ballew, Browne, Buchanan, and Donovan (4)
Nays: Brenner (1)
Absent: Sidhu and Byrd (2)

OTHER BUSINESS

There was no other business.

ADJOURN

The meeting adjourned at 4:52 p.m.

The Council approved these minutes on _____, 2018.

ATTEST: WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Regular County Council Meeting

April 24, 2018

CALL TO ORDER

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

ROLL CALL

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

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

Donovan moved to approve the Minutes Consent items.

The motion was seconded.

The motion carried by the following vote:

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

1. **COMMITTEE OF THE WHOLE FOR APRIL 10, 2018**
2. **SPECIAL COMMITTEE OF THE WHOLE FOR APRIL 10, 2018**
3. **REGULAR COUNTY COUNCIL FOR APRIL 10, 2018**

SPECIAL PRESENTATION

1. **COUNTY EXECUTIVE JACK LOUWS TO PRESENT THE "STATE OF THE COUNTY" ADDRESS (AB2018-138)**

Jack Louws, County Executive, submitted and read from the State of the County address (*on file*).

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1
2 **PUBLIC HEARINGS**
3

4 **1. RESOLUTION AUTHORIZING THE SALE OF WHATCOM COUNTY SURPLUS**
5 **PROPERTY PURSUANT TO WHATCOM COUNTY CODE 1.10 (AB2018-118A)**
6

7 Browne opened the public hearing, and hearing no one, closed the public hearing.
8

9 ***Donovan moved*** to approve the resolution.

10
11 The motion was seconded.
12

13 The motion carried by the following vote:

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

15 **Nays:** None (0)

16 **Absent:** Byrd (1)
17
18

19 **OPEN SESSION**
20

21 The following people spoke:

- 22 • Roger Almskaar spoke about a proposed ordinance relating to water resources
23 and implementing ESSB 6091 (AB2018-129) and answered questions from
24 councilmembers.
- 25 • Kathy Sabel submitted a handout (*on file*) and spoke about a proposed
26 ordinance relating to water resources and implementing ESSB 6091 (AB2018-
27 129).
- 28 • Anton Karuza spoke about a proposed ordinance relating to water resources
29 and implementing ESSB 6091 (AB2018-129).
- 30 • Mike Kaufmann spoke about the County Council's Criminal Justice Committee
31 listening tour and the Pretrial Processes Workgroup of the Incarceration
32 Prevention and Reduction Task Force.
- 33 • Chris Lilly, Whisper Lakes Developments Inc., submitted and read from a
34 handout (*on file*) regarding a sewer line for their development.
- 35 • Dwayne Englesman, Whisper Lakes Developments Inc., continued to read
36 from a handout from the previous speaker regarding a sewer line for their
37 development and answered questions from the councilmembers.
38

39 Jack Louws, County Executive, gave a staff report on the administration's work
40 through the Senior Deputy Civil Prosecuting Attorney with the Whisper Lakes Development.
41 He will report back to the Council in a couple of weeks.
42

- 43 • Josh Summers, Philips 66 Ferndale Refinery, spoke about the proposed
44 resolution relating to processing and approval of major project permits in the
45 Cherry Point urban growth area (AB2018-076B).
- 46 • Pam Brady, BP Cherry Point, spoke about the proposed resolution relating to
47 processing and approval of major project permits in the Cherry Point urban
48 growth area (AB2018-076B).
- 49 • John Campbell spoke about affordable housing and homelessness.

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- Kathy McDevitt spoke about Parks Department staff responding to illegal dumping on Parks property and fire hazard from fireworks and the Lummi Nation's sale of sky lanterns.
- Carole Perry spoke about the water resources inventory area (WRIA) 1 decision-making process.

CONSENT AGENDA

1. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO HAVE THE SHERIFF'S OFFICE PURCHASE A SATELLITE COMMUNICATION SYSTEM FOR THE COMMUNICATIONS VAN AS A RESULT OF RFP#18-21 FROM VENDOR TACSAT NETWORKS INC., IN THE AMOUNT OF \$54,999 (AB2018-135)**

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

The motion carried by the following vote:

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

Nays: None (0)

Absent: Byrd (1)

2. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER IN TO AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH JEFFERSON COUNTY TO UTILIZE JEFFERSON COUNTY'S COMPETITIVELY BID CONTRACTS FOR PURCHASES OF SUPPLIES, GOODS, SERVICES, AND EQUIPMENT, PER RCW CHAPTER 39.34 (AB2018-136)**

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

The motion carried by the following vote:

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

Nays: None (0)

Absent: Byrd (1)

OTHER ITEMS

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

Browne reported for the Special Committee of the Whole A.M. meeting and stated this item is held in committee.

2. **ORDINANCE AMENDING ORDINANCE NO. 2014-081 (ESTABLISHMENT OF THE AGATE HEIGHTS/ESTATE BAY LANE STORM WATER IMPROVEMENT FUND AND ESTABLISHMENT OF A PROJECT BASED BUDGET FOR AGATE**

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1 **HEIGHTS ESTATE/BAY LANE STORM WATER IMPROVEMENTS), FOR A**
2 **SECOND TIME TO ADD \$528,219 OF EXPENDITURE AUTHORITY, FOR A**
3 **TOTAL AMENDED PROJECT BUDGET AMOUNT OF \$1,308,219 (AB2018-126)**

4
5 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
6 to adopt the ordinance.

7
8 The motion carried by the following vote:

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

10 **Nays:** None (0)

11 **Absent:** Byrd (1)

12
13 **3. ORDINANCE AMENDING THE WHATCOM COUNTY BUDGET, SIXTH REQUEST,**
14 **IN THE AMOUNT OF \$2,836,591 (AB2018-127)**

15
16 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
17 to adopt the ordinance.

18
19 The motion carried by the following vote:

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

21 **Nays:** None (0)

22 **Absent:** Byrd (1)

23
24 **4. RESOLUTION AMENDING THE 2018 WHATCOM COUNTY FLOOD CONTROL**
25 **ZONE DISTRICT AND SUBZONES BUDGET, SECOND REQUEST, IN THE**
26 **AMOUNT OF \$750,000 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD**
27 **CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2018-128)**

28
29 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
30 to approve the resolution.

31
32 The motion carried by the following vote:

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

34 **Nays:** None (0)

35 **Absent:** Byrd (1)

36
37 **5. RESOLUTION REQUESTING THE COUNTY EXECUTIVE DIRECT STAFF TO**
38 **DRAFT PROPOSED LEGISLATION RELATING TO PROCESSING AND**
39 **APPROVAL OF MAJOR PROJECT PERMITS IN THE CHERRY POINT URBAN**
40 **GROWTH AREA (AB2018-076B)**

41
42 Browne reported for the Special Committee of the Whole P.M. meeting.

43
44 *Donovan moved* to approve the substitute resolution.

45
46 The motion was seconded.

47
48 Councilmembers discussed the impact to industry at Cherry Point and the scope of
49 the resolution on unrefined fossil fuels.

50

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1 The motion carried by the following vote:

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

3 **Nays:** Brenner (1)

4 **Absent:** Byrd (1)

5
6
7 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

8
9 **1. APPOINTMENT TO THE WHATCOM COUNTY WILDLIFE ADVISORY**
10 **COMMITTEE, TERM ENDING DECEMBER 31, 2022, APPLICANT: SHANNON**
11 **CROSSEN (AB2018-115)**

12
13 *Buchanan moved* to appoint Shannon Crossen.

14
15 The motion was seconded.

16
17 The motion carried by the following vote:

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

19 **Nays:** None (0)

20 **Absent:** Byrd (1)

21
22
23 **INTRODUCTION ITEMS**

24
25 *Donovan moved* to accept the Introduction Items one through six, including the
26 substitute for item four.

27
28 The motion was seconded.

29
30 The motion carried by the following vote:

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

32 **Nays:** None (0)

33 **Absent:** Byrd (1)

34
35 **1. RECEIPT OF APPLICATION(S) FOR THE WHATCOM COUNTY PLANNING**
36 **COMMISSION (ONE VACANCY, PARTIAL TERM ENDING 1/31/2021,**
37 **APPLICANTS MUST RESIDE IN COUNCIL DISTRICT 1) - APPLICANT: TONY**
38 **FREELAND (THE PLANNING COMMISSION ASSISTS THE PLANNING &**
39 **DEVELOPMENT SERVICES DEPARTMENT IN CARRYING OUT ITS DUTIES,**
40 **INCLUDING ASSISTANCE IN THE PREPARATION AND EXECUTION THE**
41 **COMPREHENSIVE PLAN AND RECOMMENDATIONS TO THE DEPARTMENT FOR**
42 **THE ADOPTION OF OFFICIAL CONTROLS AND/OR AMENDMENTS)**
43 **(APPLICATION DEADLINE FOR ANY OTHER APPLICANTS TO THIS VACANCY**
44 **IS 10 A.M. MAY 1, 2018) (AB2018-133)**

45
46 **2. ORDINANCE ESTABLISHING A 25 MPH SPEED LIMIT ON CERTAIN BIRCH**
47 **BAY AREA ROADS (AB2018-137)**

48
49 **3. ORDINANCE CREATING A "GOLF CART ZONE" ON CERTAIN ROADS IN THE**
50 **BIRCH BAY AREA (AB2018-125)**

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- 1
2 4. ORDINANCE REPEALING ORDINANCE NOS. 2018-001 AND 2018-005 AND
3 ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE
4 PLAN AND THE WHATCOM COUNTY CODE TITLE 15 BUILDINGS AND
5 CONSTRUCTION, TITLE 20 ZONING, TITLE 21 LAND DIVISION
6 REGULATIONS, AND TITLE 24 HEALTH CODE, RELATING TO WATER
7 RESOURCES AND IMPLEMENTING ESSB 6091 (AB2018-129)
8
- 9 5. ORDINANCE AMENDING WHATCOM COUNTY CODE 1.08, INITIATIVES,
10 REFERENDUM, AND RECALL, TO REFLECT CHANGES APPROVED BY THE
11 VOTERS (AB2018-134)
12
- 13 6. RECEIPT OF APPLICATION(S) FOR THE WHATCOM COUNTY LAKE WHATCOM
14 STORMWATER UTILITY ADVISORY COMMITTEE, APPLICANTS: LAURENCE
15 BROWN, JOSEPH BALDWIN, CHRIS KELLER, PETER DOBEY (COMMITTEE
16 WILL REPRESENT RATE PAYERS IN THE LAKE WHATCOM STORMWATER
17 UTILITY SERVICE AREA AND ADVISE WHATCOM COUNTY PUBLIC WORKS
18 STAFF AND THE WHATCOM COUNTY COUNCIL ON RECOMMENDED RATE
19 STRUCTURE OPTIONS AND A FUND MECHANISM) (APPLICATION DEADLINE
20 FOR ANY OTHER APPLICANTS TO THIS VACANCY IS 10 A.M. MAY 1, 2018)
21 (AB2018-140)
22
23

24 COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

25
26 Committee chairs reported on committee discussions.
27

28 **PRESENTATION FROM SAFE STORAGE PNW (AB2018-139)**

29
30 **Brenner** reported for the Public Works and Health Committee and **moved** to get
31 more information from the administration and request that the administration consider
32 County property that may be appropriate for locating storage lockers for the homeless
33 population as proposed in the Safe Storage PNW program.
34

35 The motion carried by the following vote:

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

37 **Nays:** None (0)

38 **Absent:** Byrd (1)
39

40 **COUNTY EXECUTIVE AND DEPUTY EXECUTIVE TO PROVIDE AN UPDATE ON** 41 **HOMELESS ISSUES (AB2018-072A)**

42
43 **Brenner** reported for the Planning and Development Committee and **moved**
44 request that staff create ordinances to amend the County Code to allow tiny home projects
45 for the homeless.
46

47 The motion carried by the following vote:

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

49 **Nays:** None (0)

50 **Absent:** Byrd (1)

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Councilmembers gave updates on recent activities and upcoming events.

ADJOURN

The meeting adjourned at 8:31 p.m.

The County Council approved these minutes on _____, 2018.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

Jill Nixon, Minutes Transcription