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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

October 30, 2018

CALL TO ORDER

Council Vice-Chair Todd Donovan called the meeting to order at 9:33 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.

The committee observed a moment of silence for the victims of the Pittsburgh synagogue mass shooting.

1. 2017-2018 WHATCOM COUNTY BUDGET COUNCIL REVIEW AND RECOMMENDATIONS (AB2018-305)

The following staff answered questions throughout the meeting:

- Tyler Schroeder, Deputy Executive
- Jack Louws, Executive
- Brad Bennett, Administrative Services Department
- Marianne Caldwell, Administrative Services Department

Public Defender

Starck Follis gave a staff report and answered questions. He described the request for and benefits of the new case management system and a clerk IV full-time equivalent (FTE) employee, the uncertain impacts of caseloads given a new Prosecutor as of January, and a request for funding to send a lawyer to the National Defense College.

Staff and councilmembers discussed unapproved additional services requests (ASRs) for ongoing costs being funded from another source, and a public defender in Yakima for the inmates housed in the Yakima jail.

Prosecuting Attorney/Law Library

Kathy Walker, Prosecuting Attorney's Office, gave a staff report and answered questions. She described the ASRs expanding a part-time FTE to full-time, increasing caseloads in District Court, and after-hours search warrant overtime funding.

Staff and councilmembers discussed the source of the drug fund, using software to increase efficiencies, transitioning to electronic storage of documents and recordings, the

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1 possibility of having a universally shared data collection system for the criminal justice
2 system, and how to potentially cut 10 percent of the budget.
3

4 Superior Court

5

6 Deborra Garrett, Superior Court Judge, submitted a handout (*on file*), described the
7 request for a pretrial services unit for the Superior Court, and answered questions.
8

9 Staff and councilmembers discussed the delayed request for funding the pretrial
10 services unit, the possibility of fully funding the unit incrementally, future savings from a
11 pretrial services unit, services provided to pretrial defendants, the public's desire for jail
12 alternative programs, a federal program for free phones for the homeless, incarceration as a
13 risk-factor to reoffend, the ability to measure the return on investment, and the needs of
14 people with severe mental illness.
15

16 Superior Court and Juvenile Court/Probation

17

18 Dave Reynolds, Superior Court Administrator, described the ASRs for Superior Court
19 and spoke about the timing of the request for funding for a pretrial services unit. He
20 answered questions about offenders with charges in both District Court and Superior Court,
21 allocation of Superior Court staff duties to different funds, specific administrative expenses,
22 the structure of Whatcom County's Superior Court, and the static costs of juvenile
23 detention.
24

25 Councilmembers and staff discussed Charter requirements to establish a budget in
26 which the expenses do not exceed revenue and to maintain capital facilities, and including
27 the reserves to meet the Charter requirements.
28

29 Jail and Sheriff

30

31 Bill Elfo, County Sheriff, described the submitted budget, performance indicators,
32 crime trends, jail use data, ASRs, and the Cascadia Rising event. He answered questions.
33

34 Jeff Parks, Sheriff's Office, answered questions.
35

36 Staff and councilmembers discussed increased capacity for patrol deputies,
37 particularly in the east county, if they hire additional FTEs; an unfunded request for a social
38 worker in the jail that could be funded from other funds; how expenditures from the
39 Behavioral Health fund are allocated; how patrol areas are decided upon; overtime costs;
40 body cam vendors; jail and jail alternatives costs; a deputy stationed in Newhalem; and the
41 Spellman data system.
42

43 (*Clerk's Note: The Committee took a break from 12:07 to 1:00 p.m. Councilmember*
44 *Buchanan left the meeting.*)
45

46 Washington State University (WSU) Cooperative Extension

47

48 Schroeder referenced the memo from the Cooperative Extension and described the
49 ASRs. He answered questions about whether there are other agencies that contribute to
50 Cooperative Extension.

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2 Health
3

4 Regina Delahunt, Health Department Director, referenced and read through the
5 Health Department budget memo and described the budget, revenue, expenses, upcoming
6 changes in behavioral health services and other programs, ASRs, a domestic violence
7 offender treatment program, and hiring a social worker for the jail. She answered
8 questions.
9

10 Patty Proctor, Health Department, answered questions.
11

12 Staff and councilmembers discussed the solid waste self-hauler excise tax, extra staff
13 for the solid waste program, the proposed domestic violence offender treatment program,
14 funding for the syringe program, unapproved ASRs for mental health and developmental
15 disabilities, reductions in mental health services, behavioral health fund, homeless housing
16 funds, the proposed Access ID program, and measuring the success of Health Department
17 programs in the jail.
18

19 Public Works
20

21 Jon Hutchings, Public Works Department Director, described programs funded from
22 special purpose revenues; the capital program; day-to-day operations, including regular
23 road fund maintenance; fleet management and the equipment rental and revolve (ER&R)
24 fund; ASRs; fund balances; and the need for water resource funding.
25

26 Staff and councilmembers discussed frontloading expenses in the first year; concerns
27 about water resources funding; the 2020 budget; flood control zone district expenditures;
28 and the homeowner incentive program (HIP).
29

30 Parks and Recreation
31

32 Mike McFarlane, Parks and Recreation Department Director, described senior center
33 services, trends in park and trail use, rising costs, and ASRs. He answered questions.
34

35 Christ Thomsen, Parks Operations Manager, answered questions.
36

37 Staff and councilmembers discussed the source of the operating transfer in from
38 conservation futures funds, the Plantation Rifle Range, and an unapproved ASR for covered
39 storage.
40

41 Planning and Development Services
42

43 Mark Personius, Planning and Development Services Director, described the overall
44 budget proposal and the ASRs. He answered questions.
45

46 Staff and councilmembers discussed locating the fire marshal and inspector
47 positions; the need for staff to do monitoring; cross-training staff; and funding for long-
48 term planning.
49

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1 *(Clerk's Note: The Committee took a break from 3:15 p.m. to 3:30 p.m.*
2 *Councilmembers Ballew, Donovan, and Byrd left the meeting. The quorum of members was*
3 *lost.)*

4 Auditor, Assessor, Treasurer, and Council

5
6 The Committee did not discuss these departments.

7
8
9 **ADJOURN**

10
11 The meeting adjourned at 3:30 p.m.

12
13 The Council approved these minutes on _____, 2018.

14
15 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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20 _____
21 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

22
23
24
25 _____
26 Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

November 6, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 9:35 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: Tyler Byrd and Tim Ballew.

1. 2017-2018 WHATCOM COUNTY BUDGET COUNCIL REVIEW AND RECOMMENDATIONS (AB2018-305)

The following staff answered questions throughout the meeting:

- Tyler Schroeder, Deputy Executive
- Jack Louws, Executive
- Brad Bennett, Administrative Services Department
- Marianne Caldwell, Administrative Services Department

County Council

Dana Brown Davis-Clerk of the Council reported on the Office budget and additional service requests (ASRs).

Donovan submitted an ASR for the Climate Impact Advisory Committee to update the Climate Action Plan update.

Councilmembers and staff discussed the ASR for the Climate Action Plan update; an ASR from the Domestic Violence and Sexual Assault Services (DVSAS) for offender treatment; an ASR from the Sean Humphrey House; and additional funding requests from Superior Court for pretrial services; and the Purchase of Development Rights (PDR)/Transfer of Development Rights (TDR) Advisory Committee for staffing.

District Court/Probation

Bruce Van Glubt, District Court Administrator, referenced his budget memo and reported on ASRs for District Court and District Court Probation. He answered questions.

Staff and councilmembers discussed the purchase of office equipment, data and software, fines and fees for the indigent, electronic monitoring equipment, and behavioral health court services.

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1 Establish General Fund Ending Fund Balance Goal

2
3 Councilmembers and staff discussed options for preserving the current ending fund
4 balance goal of 15 percent of expenses, which is approximately \$14 million; the County's
5 long-term funding strategy and vision; using banked capacity to fund capital projects and
6 for bonding purposes, if necessary; and the agenda for discussion for the rest of the day.

7
8 **Donovan moved** to put agenda item one below agenda item two.

9
10 The motion was seconded.

11
12 The motion carried by the following vote:

13 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

14 **Nays:** None (0)

15 **Absent:** Ballew and Byrd (2)

16
17 Budget Work Session

18
19 Councilmembers and staff discussed the fund balance and the Executive's Office
20 budget.

21
22 **Donovan moved** to discuss the non-departmental budget.

23
24 The motion was seconded.

25
26 The motion carried by the following vote:

27 **Ayes:** Browne, Donovan, Buchanan and Sidhu (4)

28 **Nays:** None (0)

29 **Absent:** Ballew and Byrd (2)

30 **Abstains:** Brenner (1)

31
32 **Brenner moved** to approve the Sean Humphrey House request in the amount of
33 \$49,000 for 2019 and \$15,600 for 2020 and DVSAS request for offender treatment for
34 \$41,000 per year.

35
36 The motion was seconded.

37
38 Councilmembers discussed the funding requests.

39
40 The motion carried by the following vote:

41 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

42 **Nays:** None (0)

43 **Absent:** Ballew and Byrd (2)

44
45 Donovan moved to discuss the budget for the Facilities Division of the Administrative
46 Services Department. The motion was not seconded.

47
48 Staff and councilmembers discussed the morgue relocation project and renovation of
49 the Northwest Annex and other historic buildings; the approved and unapproved ASRs
50 submitted by the departments; whether to make specific cuts to staff or programs or to cut

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1 a percentage and let the department decide where to cut; and the benefit of a Climate
2 Action Plan.

3
4 Donovan moved to eliminate the Facilities Maintenance technician apprentice ASR.
5 The motion was not seconded.

6
7 **Browne moved** to work on the additions to the budget first.

8
9 The motion was seconded.

10
11 The motion to amend carried by the following vote:

12 **Ayes:** Browne, Donovan, Buchanan and Sidhu (4)

13 **Nays:** Brenner (1)

14 **Absent:** Ballew and Byrd (2)

15
16 **Sidhu moved** the Climate Action Plan in the amount of \$75,000 for 2019 only.

17
18 The motion was seconded.

19
20 Brenner moved to hold the motion until after the presentation. The motion was not
21 seconded.

22
23 Sidhu withdrew his motion.

24
25 Councilmembers and staff discussed the PDR/TDR committee request for funding and
26 Agricultural Advisory Committee staffing levels.

27
28 **Brenner moved** to approve the PDR Committee request with the stipulation that the
29 money comes from the Conservation Futures Fund in the amount of \$86,000 per year for
30 each year.

31
32 The motion was seconded.

33
34 **Sidhu moved** to amend to fund in half the amount requested each year for the PDR
35 Committee, in the amount of \$43,000.

36
37 The motion to amend was seconded.

38
39 The motion to amend carried by the following vote:

40 **Ayes:** Browne, Donovan, Buchanan and Sidhu (4)

41 **Nays:** Brenner (1)

42 **Absent:** Ballew and Byrd (2)

43
44 The motion to approve the funding request as amended carried by the following
45 vote:

46 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

47 **Nays:** None (0)

48 **Absent:** Ballew and Byrd (2)

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1 **Sidhu moved** to fund the Superior Court pretrial services request in the amount of
2 \$150,000 for 2019 and \$300,000 for 2020.
3

4 The motion was seconded.
5

6 Councilmembers and staff discussed how soon the program staff would be hired and
7 how soon the program would be operational.
8

9 The motion carried by the following vote:

10 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

11 **Nays:** None (0)

12 **Absent:** Ballew and Byrd (2)
13

14 **Brenner moved** to fund the mid-county senior services program request in the
15 amount of \$20,000 in the year 2020 only.
16

17 The motion was seconded.
18

19 The motion carried by the following vote:

20 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

21 **Nays:** None (0)

22 **Absent:** Ballew and Byrd (2)
23

24 *(Clerk's Note: The Committee took a break from 12:00 to 1:04 p.m.)*
25

26 Deborra Garrett, Superior Court Judge, reported on a previous budget allocation in
27 2018 for risk assessment validation in the amount of \$50,000 and requested that the funds
28 be diverted to pretrial risk assessment and services startup costs in 2019. She answered
29 questions on the Superior Court pretrial services unit.
30

31 Councilmembers and staff discussed a one-time budget correction to raise the ending
32 fund balance in the amount of \$50,000.
33

34 **Sidhu moved** to increase the 2019 funding for Superior Court for pretrial services
35 from \$150,000 to \$175,000.
36

37 The motion was seconded.
38

39 **Brenner moved** to amend the motion to increase to \$200,000 for 2019.
40

41 The motion to amend was seconded.
42

43 The motion to amend carried by the following vote:

44 **Ayes:** Brenner, Browne, Donovan, and Buchanan (4)

45 **Nays:** Sidhu (1)

46 **Absent:** Ballew and Byrd (2)
47

48 The motion as amended carried by the following vote:

49 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

50 **Nays:** None (0)

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1 **Absent:** Ballew and Byrd (2)
2

3 **Brenner moved** to add funding for the Community Wildfire Risk Reduction Program
4 in the amount of \$50,000 for 2019 only.
5

6 The motion was seconded.
7

8 Councilmembers and staff discussed other potential funding sources and increasing
9 risks of wildfire.
10

11 The motion carried by the following vote:

12 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

13 **Nays:** None (0)

14 **Absent:** Ballew and Byrd (2)
15

16 Councilmembers and staff discussed expanding the homeless identification program
17 to all people, not just youth, and video-recording the Council's committee meetings.
18

19 **Sidhu moved** to add funding for outdoor storage lockers. In the amount of \$20,000
20 for 2019.
21

22 The motion was seconded.
23

24 The motion carried by the following vote:

25 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

26 **Nays:** None (0)

27 **Absent:** Ballew and Byrd (2)
28

29 Staff and councilmembers discussed funding to provide identification to homeless
30 people.
31

32 **Browne moved** to increase funding for identification to the homeless in the
33 additional amount of \$14,000, for a total of \$50,000 each year, from the Behavioral Health
34 fund.
35

36 The motion was seconded.
37

38 The motion carried by the following vote:

39 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

40 **Nays:** None (0)

41 **Absent:** Ballew and Byrd (2)
42

43 Councilmembers and staff discussed the Sheriff's priorities for additional deputies
44 and other ASRs.
45

46 **Brenner moved** to approve funding one resident deputy in the amount of \$125,000
47 for 2019 and \$68,000 in 2020, hopefully with a focus in the east county.
48

49 The motion was seconded.
50

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1 Councilmembers discussed the location of the current neighborhood deputies.

2
3 The motion carried by the following vote:

4 **Ayes:** Brenner, Browne, Donovan, Buchanan and Sidhu (5)

5 **Nays:** None (0)

6 **Absent:** Ballew and Byrd (2)

7
8 **Sidhu moved** to approve software maintenance contracts increases for the
9 Treasurer in the amount of \$9,140 in 2020.

10
11 The motion was seconded.

12
13 Staff and councilmembers discussed funding the ASR from bank fees instead.

14
15 **Sidhu withdrew** the motion.

16
17 Steve Oliver, County Treasurer, answered questions.

18
19 **Brenner moved** to approve funding software maintenance contracts increases and
20 postage for the Treasurer.

21
22 The motion was seconded.

23
24 The motion failed by the following vote:

25 **Ayes:** Brenner, Donovan, and Buchanan (3)

26 **Nays:** Sidhu and Browne (2)

27 **Absent:** Ballew and Byrd (2)

28
29 Councilmembers and staff discussed the request for a social worker in the jail being
30 funded from the behavioral health fund and grants; jail transport to Yakima and tracking
31 expenses specifically related to the jail; possible alternative funding sources for the budget
32 additions; and the Executive's recommendations.

33
34 Browne moved to schedule another meeting to discuss further changes and adjourn.
35 The motion was not seconded.

36
37 Councilmembers and staff continued to discuss budget policies and reserve amounts
38 and the County's debt policy as required by State statutes.

39
40 The Committee concurred to schedule a meeting at 3:30 p.m. on November 7, 2018
41 if possible.

42
43
44 **ADJOURN**

45
46 The meeting adjourned at 3:05 p.m.

47
48 The Council approved these minutes on _____, 2018.

49
50 ATTEST:

WHATCOM COUNTY COUNCIL

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WHATCOM COUNTY, WASHINGTON

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Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Committee Of The Whole

November 7, 2018

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 1:30 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: Todd Donovan

COMMITTEE DISCUSSION

1. DISCUSSION WITH CHIEF CIVIL DEPUTY PROSECUTOR KAREN FRAKES REGARDING A PROPOSED ORDINANCE AMENDING WHATCOM COUNTY CODE 24.11, DRINKING WATER (AB2018-018)PURPOSES (AB2013-018)

Attorneys Present: Karen Frakes and Royce Buckingham

Browne stated that discussion of agenda item one may take place in executive session pursuant to RCW42.30.110 (1)(i). 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.

Brenner 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: Brenner, Browne, Byrd, and Sidhu (4)

Nays: None (0)

Absent: Ballew and Buchanan (out of the room) and Todd Donovan (3)

At 2:00 p.m., Browne announced the executive session is extended to no later than 2:15 p.m., and if the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

At 2:15 p.m., Browne announced the executive session is extended to no later than 2:30 p.m., and if the meeting extends beyond the stated conclusion time, he will step out of the meeting to make a public announcement.

OTHER BUSINESS

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1 **ADJOURN**

2
3 The meeting adjourned at 2:25 p.m.

4
5 The Council approved these minutes on _____ 2018.

6
7 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

8
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12 _____
13 Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

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17 _____
18 Jill Nixon, Minutes Transcription

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WHATCOM COUNTY COUNCIL
Regular County Council Meeting

November 7, 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, Tyler Byrd, Todd Donovan, and Satpal Sidhu.
Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

SPECIAL ORDER OF BUSINESS – INTRODUCTION ITEMS

Brenner moved to accept Introduction Items one through 17 and 19 through 21, including the substitute for item 10. Item 18 is withdrawn from the agenda.

The motion was seconded.

The motion carried by the following vote:

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

Nays: None (0)

1. **RECEIPT OF APPLICATION FOR THE WHATCOM COUNTY PLANNING COMMISSION, APPLICANT: STEPHEN JACKSON (APPLICATION DEADLINE FOR ANY OTHER APPLICANTS TO THIS VACANCY IS 10 A.M., NOVEMBER 13, 2018) (AB2018-306)**
2. **RECEIPT OF APPLICATION FOR THE WHATCOM COUNTY LUMMI ISLAND FERRY ADVISORY COMMITTEE, APPLICANT: JUDY OLSEN, (APPLICATION DEADLINE FOR ANY OTHER APPLICANTS TO THIS VACANCY IS 10 A.M., NOVEMBER 13, 2018) (AB2018-308)**
3. **RESOLUTION AUTHORIZING THE LEVY OF TAXES FOR THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT FOR 2019 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2018-315)**

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- 1 4. RESOLUTION ADOPTING THE 2019 BUDGET FOR THE WHATCOM COUNTY
2 FLOOD CONTROL ZONE DISTRICT AND SUBZONES (COUNCIL ACTING AS THE
3 WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF
4 SUPERVISORS) (AB2018-316)
5
- 6 5. RESOLUTION ADOPTING THE FINAL 2019 BUDGET OF THE POINT ROBERTS
7 TRANSPORTATION BENEFIT DISTRICT (AB2018-317)
8
- 9 6. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR CONSERVATION
10 FUTURES PURPOSES FOR 2019 (AB2018-327)
11
- 12 7. ORDINANCE AUTHORIZING THE LEVY OF 2019 PROPERTY TAXES FOR
13 COUNTY ROAD PURPOSES (AB2018-328)
14
- 15 8. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTYWIDE
16 EMERGENCY MEDICAL PURPOSES FOR 2019 (AB2018-329)
17
- 18 9. ORDINANCE LIMITING THE 2019 GENERAL FUND PROPERTY TAX LEVY
19 (AB2018-330)
20
- 21 10. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY AND STATE
22 PURPOSES IN WHATCOM COUNTY, WASHINGTON FOR THE YEAR OF 2019
23 (AB2018-331)
24
- 25 11. ORDINANCE AUTHORIZING THE 2019 WHATCOM COUNTY UNIFIED FEE
26 SCHEDULE (AB2018-332)
27
- 28 12. ORDINANCE ADOPTING OF THE FINAL 2019-2020 WHATCOM COUNTY
29 BUDGET (AB2018-305A)
30
- 31 13. ORDINANCE AMENDING THE 2018 WHATCOM COUNTY BUDGET,
32 FOURTEENTH REQUEST, IN THE AMOUNT OF \$5,501,518 (AB2018-318)
33
- 34 14. ORDINANCE ESTABLISHING THE LAW LIBRARY/ELECTIONS REMODEL FUND
35 AND ESTABLISHING A PROJECT BASED BUDGET TO REMODEL THE LAW
36 LIBRARY/ELECTIONS SPACE (AB2018-319)
37
- 38 15. ORDINANCE AMENDING THE TRIAGE CENTER EXPANSION PROJECT BUDGET
39 (AS ESTABLISHED THROUGH ORDINANCE NO. 2017-046), SECOND REQUEST
40 (AB2018-320)
41
- 42 16. ORDINANCE ESTABLISHING THE NORTH LAKE SAMISH ROAD BRIDGE NO.
43 107 REPLACEMENT FUND AND ESTABLISHING A PROJECT BASED BUDGET
44 FOR THE NORTH LAKE SAMISH ROAD BRIDGE NO. 107 REPLACEMENT FUND,
45 CRP #913006 (AB2018-321)
46
- 47 17. ORDINANCE ESTABLISHING THE MARINE DRIVE/LOCUST AVE. TO
48 ALDERWOOD AVE. RECONSTRUCTION FUND AND ESTABLISHING A PROJECT
49 BASED BUDGET FOR THE MARINE DRIVE/LOCUST AVE. TO ALDERWOOD
50 AVE. RECONSTRUCTION FUND; CRP 917001 (AB2018-322)

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1
2 **18. ORDINANCE ESTABLISHING THE COUNTY MORGUE RELOCATION FUND AND**
3 **ESTABLISHING A PROJECT BASED BUDGET TO RELOCATE THE COUNTY**
4 **MORGUE (AB2018-323)**

5
6 This item was withdrawn from the agenda.
7

8 **19. ORDINANCE AMENDING SILVER LAKE PARK IMPROVEMENTS PROJECT**
9 **BUDGET (ESTABLISHED THROUGH ORDINANCE 2014-077), FIRST REQUEST**
10 **(AB2018-324)**

11
12 **20. ORDINANCE ESTABLISHING THE VACTOR TRUCK STORAGE BUILDING FUND**
13 **AND ESTABLISHING A PROJECT BASED BUDGET FOR THE VACTOR TRUCK**
14 **AND EQUIPMENT STORAGE BUILDING (AB2018-325)**

15
16 **21. ORDINANCE ESTABLISHING THE PUBLIC SAFETY RADIO SYSTEM FUND AND**
17 **ESTABLISHING A PROJECT BASED BUDGET TO REPLACE THE CURRENT**
18 **PUBLIC SAFETY RADIO SYSTEM (AB2018-326)**
19

20
21 **MINUTES CONSENT**

22
23 *Donovan moved* to approve the Minutes Consent Items.
24

25 The motion was seconded.
26

27 The motion carried by the following vote:

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

29 **Nays:** None (0)
30

31 **1. COMMITTEE OF THE WHOLE FOR OCTOBER 23, 2018**

32
33 **2. SPECIAL COMMITTEE OF THE WHOLE FOR OCTOBER 23, 2018**

34
35 **3. COUNTY COUNCIL FOR OCTOBER 23, 2018**
36
37

38 **PUBLIC HEARINGS**

39
40 **1. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
41 **COMPREHENSIVE PLAN RELATING TO DENSITY CREDITS, PDRS, AND TDRS**
42 **(AB2018-298) (Recommended motion: Forward for concurrent review. This**
43 **ordinance cannot be adopted this evening. The Council must consider**
44 **initiated comprehensive plan amendments concurrently so that the**
45 **cumulative effect of the various proposals can be evaluated. All proposed**
46 **amendments will be scheduled together for final adoption at a later date.)**
47

48 Browne opened the public hearing, and hearing no one, closed the public hearing.
49

50 *Brenner moved* to forward for concurrent review.

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1
2 The motion was seconded.
3

4 The motion carried by the following vote:

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

6 **Nays:** None (0)
7

8 **2. ORDINANCE AMENDING WHATCOM COUNTY CODE 24.11, DRINKING WATER**
9 **(AB2018-303)**

10
11 Browne opened the public hearing, and the following people spoke:
12

13 Douglas Wittinger, Deer Creek Water Association, submitted handouts (*on file*) and
14 spoke about delaying until the Water Utility Coordinating Committee (WUCC) gives its
15 recommendation.
16

17 Mary Kay Robinson spoke about the need to define the timely delivery of service and
18 what are reasonable costs.
19

20 Anton Karuza spoke about the power and lack of progress from his water association
21 and defining reasonableness and consistency.
22

23 Roger Almskaar, Carusa Family Representative, spoke about the family's building
24 project, the WUCC's lack of progress on this issue, and problems with the current code.
25

26 Jay Markarian, Y Squalicum Water Association Board Member, spoke about their
27 association's five year service program. He answered questions about a reasonable
28 distance for the service area.
29

30 Patrick Alesse spoke about delaying adoption and figuring out the needs of farmers
31 and houses.
32

33 Hearing no one else, Browne closed the public hearing.
34

35 ***Byrd moved*** to adopt the ordinance.
36

37 The motion was seconded.
38

39 Councilmembers discussed the possibility of adopting the ordinance as an interim,
40 the WUCC, the water associations' lack of accountability and clarity about their plans,
41 whether the Deer Creek Water Association is suffering a harm, not legislating for one
42 particular citizen, how the ordinance applies to properties without wells, the County's
43 regulatory authority over a water association, how to define what is timely and reasonable,
44 and the cost of hiring a special water attorney.
45

46 Wittinger answered questions about reviewing the application for service from the
47 Deer Creek Water Association.
48

49 ***Sidhu moved*** to hold in Council for four weeks to the December Council meeting
50 until they get more information from the WUCC and the Deer Creek Water Association.

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1
2 The motion was seconded.
3

4 Councilmembers continued to discuss potential litigation and obtaining legal advice
5 from outside counsel.
6

7 Karen Frakes, Prosecutor's Office, answered questions about the process.
8

9 ***Browne suggested a friendly amendment*** to the motion: to hold and refer to
10 Committee of the Whole on December 4, and request staff and legal counsel to provide a
11 report on the correct legal process and limit of the Council's authority to regulate water
12 associations.
13

14 ***Sidhu accepted*** the friendly amendment.
15

16 The motion to hold and refer to Committee of the Whole carried by the following
17 vote:

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

19 **Nays:** Brenner and Byrd (2)
20

21
22 **OPEN SESSION**
23

24 The following people spoke:

- 25 • Dana Riggs spoke about the proposed food system ordinance and homeless
26 issues.
- 27 • Ivy Little submitted a handout (*on file*) and spoke about increasing law
28 enforcement presence in Kendall.
- 29 • Roman Pub, Laborer's Local 292, spoke about his union members.
- 30 • Ken Calder spoke about garbage service in Point Roberts.
- 31 • Alison Calder submitted a handout (*on file*) and spoke about garbage service
32 in Point Roberts.
- 33 • John Yakawich spoke about his application to the Climate Impact Advisory
34 Committee.
- 35 • Breanna Zamora, Laborer's Local 292, spoke about protecting Cherry Point
36 businesses and not moving too fast to protect the environment.
- 37 • Anna (*no last name given*), Laborer's Local 292, spoke about protecting
38 Cherry Point businesses.
- 39 • Bob Gay spoke about International Brotherhood of Electrical Workers, spoke
40 about protecting Cherry Point businesses.
- 41 • Adam Lambe, Laborer's Local 292, spoke about protecting Cherry Point
42 businesses.
- 43 • Patrick Alesse spoke about homeless services and preserving Cherry Point for
44 a future container port.
45

46
47 **OTHER ITEMS**
48

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1 **1. RESOLUTION APPROVING A SALARY SCHEDULE AND POLICIES FOR**
2 **UNREPRESENTED WHATCOM COUNTY EMPLOYEES, EFFECTIVE JANUARY 1**
3 **THROUGH DECEMBER 31, 2019 (AB2018-309)**

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

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 (out of the room) (1)

12
13 **2. RESOLUTION ORDERING THE CANCELLATION OF ACCOUNTS RECEIVABLE**
14 **MORE THAN FOUR YEARS OLD (AB2018-310)**

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

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 (out of the room) (1)

23
24 **3. RESOLUTION ORDERING THE CANCELLATION OF CHECKS (WARRANTS)**
25 **MORE THAN A YEAR OLD (AB2018-311)**

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

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 (out of the room) (1)

34
35 **4. ORDINANCE ESTABLISHING THE NORTHSHORE DRIVE/EDGEWATER LANE**
36 **STORMWATER IMPROVEMENTS FUND AND ESTABLISHING A PROJECT**
37 **BASED BUDGET FOR THE NORTHSHORE DRIVE/EDGEWATER LANE**
38 **STORMWATER IMPROVEMENTS FUND (AB2018-300)**

39
40 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
41 to adopt the ordinance.

42
43 The motion carried by the following vote:

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

45 **Nays:** None (0)

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

47
48 **5. ORDINANCE ESTABLISHING THE E. SMITH/HANNEGAN ROAD**
49 **INTERSECTION IMPROVEMENTS FUND AND ESTABLISHING A PROJECT**

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1 **BASED BUDGET FOR THE E. SMITH/HANNEGAN ROAD INTERSECTION**
2 **IMPROVEMENTS; CRP #914002 (AB2018-301)**
3

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

7 *Brenner moved* to hold in Council until they get more information from the Public
8 Works Department.
9

10 The motion to hold was seconded.

11 Councilmembers discussed the benefits and problems with roundabouts versus traffic
12 signals.
13

14 The motion to hold in Council failed by the following vote:

15 **Ayes:** Ballew and Byrd (2)

16 **Nays:** Ballew, Browne, Buchanan, Donovan, and Sidhu (5)
17
18

19 Tyler Schroeder, Executive's Office, gave a staff report and answered questions.
20

21 Staff and councilmembers discussed the difference between establishing the fund
22 and project-based budget and defining the project.
23

24 The motion to adopt carried by the following vote:

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

26 **Nays:** Brenner (1)
27

28 **6. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE 2.47, CREATING A**
29 **WHATCOM COUNTY FOOD SYSTEM COMMITTEE INTENDED TO DRAFT,**
30 **IMPLEMENT AND PROVIDE OVERSIGHT FOR A COUNTY-WIDE PLAN TO**
31 **STRENGTHEN OUR LOCAL AND REGIONAL FOOD SYSTEM (AB2018-302)**
32

33 *Brenner* reported for the Public Works and Health Committee and *moved* to adopt
34 the ordinance.
35

36 The motion carried by the following vote:

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

38 **Nays:** None (0)
39

40 **7. RESOLUTION APPROVING THE GLACIER WATER DISTRICT WATER**
41 **COMPREHENSIVE SYSTEM PLAN (AB2018-307)**
42

43 *Brenner* reported for the Public Works and Health Committee and *moved* to approve
44 the substitute resolution.
45

46 Tyler Schroeder, Executive's Office, answered questions.
47

48 Councilmembers discussed whether the plan has been reviewed for consistency with
49 County plans and meets requirements.
50

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1 **Byrd moved** to hold in Council to the second meeting in January 2019 to get a
2 presentation from staff about the review process.
3

4 The motion to hold was seconded.
5

6 The motion carried by the following vote:

7 **Ayes:** Ballew, Browne, Buchanan, Byrd, and Sidhu (5)

8 **Nays:** Brenner and Donovan (2)
9

10 **8. RESOLUTION APPROVING RECOMMENDATIONS ON APPLICATIONS FOR**
11 **OPEN SPACE CURRENT USE ASSESSMENT (AB2018-313)**
12

13 This item was withdrawn from the agenda.
14
15

16 **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
17

18 **1. APPOINTMENTS TO FILL VACANCIES ON THE WHATCOM COUNTY CLIMATE**
19 **IMPACT ADVISORY COMMITTEE, APPLICANTS: ELLYN MURPHY, JOHN**
20 **YAKAWICH, SEAN SPURGIN, BENJAMIN FACKLER-ADAMS (AB2018-289)**
21

22 Buchanan nominated all applicants.
23

24 The nomination was seconded.
25

26 Ballew voted for Ellyn Murphy and John Yakawich.
27

28 Brenner voted for Ellyn Murphy and John Yakawich.
29

30 Buchanan voted for Ellyn Murphy and John Yakawich.
31

32 Byrd voted for Ellyn Murphy and John Yakawich.
33

34 Donovan voted for Ellyn Murphy and Benjamin Fackler-Adams.
35

36 Sidhu voted for Ellyn Murphy and John Yakawich.
37

38 Browne voted for Ellyn Murphy and John Yakawich.
39

40 The Council appointed Ellyn Murphy and John Yakawich.
41
42

43 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**
44

45 **1. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S APPOINTMENT OF**
46 **STERLING CHICK TO THE WHATCOM COUNTY PUBLIC HEALTH ADVISORY**
47 **COMMITTEE (AB2018-314)**
48

49 **Donovan moved** to confirm the appointment.
50

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1 The motion was seconded.
2

3 The motion carried by the following vote:

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

5 **Nays:** None (0)
6
7

8 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
9

10 Committee Chairs reported on committee discussions.
11

12 Regina Delahunt, Health Department Director, answered questions regarding the
13 agenda item **Public Health Advisory Board seeks support to move forward with a**
14 **proposal for a resolution to stand in support of immigrant families in Whatcom**
15 **County (AB2018-312).**
16

17 Councilmembers gave updates on recent activities and upcoming events.
18
19

20 **ADJOURN**
21

22 The meeting adjourned at 9:10 p.m.
23

24 The County Council approved these minutes on _____, 2018.
25

26
27 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

28
29
30
31
32 _____
33 Dana Brown-Davis, Council Clerk

34
35
36
37 _____
38 Jill Nixon, Minutes Transcription