

**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**  
Timothy Ballew II  
Barbara Brenner  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Satpal Sidhu

## WHATCOM COUNTY COUNCIL

# COUNCIL AGENDA FOR NOVEMBER 20, 2018

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 CAN BE VIEWED LIVE AT  
<https://www.youtube.com/user/WhatcomCountyGov>  
AND ARE ALSO BROADCAST ON BTV10 (COMCAST CHANNEL 10)  
AT 7 P.M. ON THE TWO WEDNESDAYS FOLLOWING EACH  
TUESDAY EVENING COUNCIL MEETING

PLEASE VISIT US AT [WWW.CO.WHATCOM.WA.US](http://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 - 2018 ORDINANCES  
1979 - 2018 RESOLUTIONS  
1984 - 2018 COMMITTEE MINUTES  
1979 - 2018 COUNCIL MINUTES

### UPCOMING EVENTS:

NOVEMBER 22, 2018  
HOLIDAY – OFFICE CLOSED

NOVEMBER 23, 2018  
HOLIDAY – OFFICE CLOSED

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### TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE

10:30 A.M. - FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1 P.M. – COMMITTEE OF THE WHOLE – EXECUTIVE SESSION

1:30 P.M. - PUBLIC WORKS AND HEALTH COMMITTEE

IMMEDIATELY FOLLOWING PUBLIC WORKS AND HEALTH COMMITTEE -  
PLANNING AND DEVELOPMENT COMMITTEE

IMMEDIATELY FOLLOWING PLANNING AND DEVELOPMENT COMMITTEE -  
SPECIAL COMMITTEE OF THE WHOLE

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

**Section 2.02.040 Meetings – General rules.**

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

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

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

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

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

**2.02.060 Meetings – Decorum of debate.**

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

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

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

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

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

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

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

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

# **COUNCIL COMMITTEE SCHEDULES**

## **NATURAL RESOURCES COMMITTEE**

**Members: Timothy Ballew, Todd Donovan, Satpal Sidhu**

**9:30 a.m. Tuesday, November 20, 2018**

**Council Chambers, 311 Grand Avenue**

### **Committee Discussion and Recommendations to Council**

1. Ordinance amending Whatcom County Code 3.25A, Purchase of Development Rights (PDR) Program (from 9/11) (AB2018-235)

**Pages 1 - 90**

### **Other Business**

## **FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**

**Members: Rud Browne, Tyler Byrd, Satpal Sidhu**

**10:30 a.m. Tuesday, November 20, 2018**

**Council Chambers, 311 Grand Avenue**

### **County Executive's Report**

#### **Special Presentations**

1. Quarterly report from Whatcom County's Finance Department (AB2018-066)  
**Page 91**
2. Semi-annual report from Whatcom County's Facilities Department (AB2018-066)  
**Page 91**

### **Committee Discussion and Recommendations to Council**

1. Ordinance amending the 2018 Whatcom County Budget, fourteenth request, in the amount of \$5,501,518 (AB2018-318)  
**Pages 92 - 107**
2. Ordinance establishing the Law Library/Elections Remodel Fund and establishing a project based budget to remodel the Law Library/Elections space (AB2018-319)  
**Pages 108 - 113**
3. Ordinance amending the Triage Center Expansion Project budget (as established through Ordinance 2017-046), second request (AB2018-320)  
**Pages 114 - 118**
4. Ordinance establishing the North Lake Samish Road Bridge No. 107 Replacement Fund and establishing a project based budget for the North Lake Samish Road Bridge No. 107 Replacement Fund, CRP #913006 (AB2018-321)  
**Pages 119 - 124**
5. Ordinance establishing the Marine Drive/Locust Ave. to Alderwood Ave. Reconstruction Fund and establishing a project based budget for the Marine Drive/Locust Ave. to Alderwood Ave. Reconstruction Fund, CRP #917001 (AB2018-322)  
**Pages 125 - 130**
6. Ordinance amending the Silver Lake Park Improvements Project Budget (established through Ordinance 2014-077), first request (AB2018-324)  
**Pages 131 - 135**
7. Ordinance establishing the Vactor Truck Storage Building Fund and establishing a project based budget for the vactor truck and equipment storage building (AB2018-325)  
**Pages 136 - 138**

8. Ordinance establishing the Public Safety Radio System Fund and establishing a project based budget to replace the current public safety radio system (AB2018-326)  
**Pages 139 - 144**
9. Resolution authorizing the County Executive (through Parks Director Michael McFarlane) to make application and enter into a grant agreement with the Washington State Recreation and Conservation Office for funding through the Nonhighway and Off-road Vehicle Activities Program for trail development at South Fork Park, in the amount of \$200,000 (AB2018-334)  
**Pages 145 - 155**
10. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County Flood Control Zone District and the Washington State Department of Fish and Wildlife to establish and define the obligations and responsibilities related to ongoing maintenance and repair of the Marine Drive Levee and to secure a cost share for the Marine Drive Levee Repair Project, in the amount of \$30,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-335)  
**Pages 156 - 166**
11. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Department of Commerce for the Acute Detox Facility Project, in the amount of \$1,950,000 (AB2018-340)  
**Pages 167 - 194**
12. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Department of Commerce for the Mental Health Voluntary Triage Center construction project, in the amount of \$4,950,000 (AB2018-341)  
**Pages 195 - 222**
13. Request authorization for the County Executive to enter into a contract between Whatcom County and Cando Recycling to implement requirements to collect a fee for service on the Point Roberts property tax bills and remit the fee for service to the service provider as invoiced on an every other month basis, in an amount not to exceed \$475,000 (AB2018-344)  
**Pages 223 - 242**

#### **Council "Consent Agenda" Items**

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide funding for case management and supportive services to those individuals receiving rental subsidies through the Whatcom Homeless Service Center in order to improve housing stability and reduce homelessness in Whatcom County, in the amount of \$18,700, for a total amended contract amount of \$343,120 (AB2018-336)  
**Pages 243 - 249**
2. Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide funding for personnel costs essential to facility operations of the Northwest Youth Services Positive Adolescent Development program emergency shelter, in the amount of \$115,000 (AB2018-337)  
**Pages 250 - 274**
3. Request authorization for the County Executive to award Bid #18-37 and enter into a contract with low bidder Blythe Plumbing & Heating for the Central Shop North End Exhaust System Upgrade Project, in the amount of \$113,228.43 (AB2018-338)  
**Pages 275 - 278**
4. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for maintenance and operations of the Crisis Triage Facility, in the amount of \$59,000 (AB2018-339)  
**Pages 279 - 287**
5. Request authorization for the County Executive to accept Sun Life Stop-Loss Policy renewal option 1 for insurance protection for the self-insured medical program for 2019 (AB2018-342)  
**Pages 288 - 291**

6. Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Sanitary Service Company for access easements and the use and occupancy of the closed Cedarville and Birch Bay landfill sites to provide citizens of the County the opportunity to recycle and dispose of self-hauled waste, in the amount of \$6,000 over five years plus state leasehold tax of 12.84% (AB2018-343)  
**Pages 292 - 307**
7. Request authorization for the County Executive to enter into a contract between Whatcom County and Skagit County to provide funding to Skagit County Public Health to support their participation in planning and implementing regional youth marijuana prevention strategies and activities, in the amount of \$26,000 (AB2018-345)  
**Pages 308 - 318**
8. Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Peace Health for the provision of office space for EMS administration staff (AB2018-346)  
**Pages 319 - 344**

### **Other Business**

**COMMITTEE OF THE WHOLE**  
**1 p.m. Tuesday, November 20, 2018**  
**Council Conference Room, 311 Grand Avenue**

### **Committee Discussion**

1. Discussion with Public Works staff regarding a potential property acquisition for the Flood Control Zone District (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-018)  
**[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1) (b)]**  
**No Paperwork**

### **Other Business**

**PUBLIC WORKS AND HEALTH COMMITTEE**  
**Members: Barbara, Tim Ballew, Barry Buchanan**  
**1:30 p.m. Tuesday, November 20, 2018**  
**Council Chambers, 311 Grand Avenue**

### **Special Presentation**

1. Regulatory update from Puget Sound Energy (AB2018-348)  
**Page 345**

### **Other Business**

**PLANNING AND DEVELOPMENT COMMITTEE**  
**Members: Barbara Brenner, Tyler Byrd, Todd Donovan,**  
**Immediately Following Public Works and Health Committee**  
**Tuesday, November 20, 2018**  
**Council Chambers, 311 Grand Avenue**

### **Committee Discussion and Recommendations to Council**

1. Resolution approving recommendations on applications for Open Space Current Use Assessment (AB2018-313) (from 11/7)  
**Pages 346 - 396**

### **Other Business**

**SPECIAL COMMITTEE OF THE WHOLE**  
**Immediately Following Planning and Development Committee**  
**Tuesday, November 20, 2018**  
**Council Chambers, 311 Grand Avenue**

**Committee Discussion**

1. Budget work session – continued discussion and formulation of 2019-2020 budget recommendations (budget documents can be found at [www.whatcomcounty.us/2895/2019-2020-Biennial-Budget](http://www.whatcomcounty.us/2895/2019-2020-Biennial-Budget)) (AB2018-305)  
**Pages 397 - 398**

**Other Business**

# **COUNCIL AGENDA**

**REGULAR COUNCIL MEETING**  
7 p.m. Tuesday, November 20, 2018  
Council Chambers, 311 Grand Avenue

## **CALL TO ORDER**

## **ROLL CALL**

## **FLAG SALUTE**

## **ANNOUNCEMENTS**

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

## **MINUTES CONSENT**

1. Special Committee of the Whole (Budget) for October 30, 2018  
**Pages 399 - 402**
2. Special Committee of the Whole (Budget) for November 6, 2018  
**Pages 403 - 409**
3. Committee of the Whole for November 7, 2018  
**Pages 410 - 411**
4. County Council for November 7, 2018  
**Pages 412 - 420**

## **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 prior to the meeting. The council chair will ask those who have signed up to form a line at the podiums. Each speaker should state his or her name for the record and optionally include city of residence. Speakers 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 comments. When a large group of individuals supports the same position on an issue, the selection of one or two representatives to speak on behalf of the entire group is encouraged.

1. 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)  
**Pages 421 - 422**
2. Resolution adopting the 2019 budget for the Whatcom County Flood Control Zone District and subzones (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-316)  
**Pages 423 - 438**
3. Resolution adopting the final 2019 budget of the Point Roberts Transportation Benefit District (AB2018-317)  
**Pages 439 - 440**
4. Ordinance authorizing the levy of taxes for conservation futures purposes for 2019 (AB2018-327)  
**Pages 441 - 442**
5. Ordinance authorizing the levy of 2019 property taxes for county road purposes (AB2018-328)  
**Pages 443 - 444**
6. Ordinance authorizing the levy of taxes for countywide emergency medical purposes for 2019 (AB2018-329)  
**Pages 445 - 446**

7. Ordinance limiting the 2019 General Fund property tax levy (AB2018-330)  
**Pages 447 - 448**
8. Ordinance authorizing the levy of taxes for county and state purposes in Whatcom County, Washington for the year 2019 (AB2018-331)  
**Pages 449 - 471**
9. Ordinance authorizing the 2019 Whatcom County Unified Fee Schedule (AB2018-332)  
**Pages 472 - 546**
10. Ordinance adopting of the final 2019-2020 Whatcom County Budget (AB2018-305A)  
**Pages 547 - 568**

#### **OPEN SESSION (20 MINUTES)**

**During open session, audience members can speak to the council on any issue not scheduled for public hearing. Each speaker should state his or her name for the record and optionally include city of residence. Speakers 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 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 contract amendment between Whatcom County and Lydia Place to provide funding for case management and supportive services to those individuals receiving rental subsidies through the Whatcom Homeless Service Center in order to improve housing stability and reduce homelessness in Whatcom County, in the amount of \$18,700, for a total amended contract amount of \$343,120 (AB2018-336)  
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**Pages 292 - 307**



7. Request authorization for the County Executive to enter into a contract between Whatcom County and Skagit County to provide funding to Skagit County Public Health to support their participation in planning and implementing regional youth marijuana prevention strategies and activities, in the amount of \$26,000 (AB2018-345)  
**Pages 308 - 318**

8. Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Peace Health for the provision of office space for EMS administration staff (AB2018-346)  
**Pages 319 - 344**

#### **OTHER ITEMS**

##### **(From Natural Resources Committee)**

1. Ordinance adopting amendments to the Purchase of Development Rights (PDR) Program (from 9/11) (AB2018-235)  
**Pages 1 - 90**

##### **(From Finance and Administrative Services Committee)**

2. Ordinance amending the 2018 Whatcom County Budget, fourteenth request, in the amount of \$5,501,518 (AB2018-318)  
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**Pages 223 - 242**

**(From Planning and Development Committee)**

15. Resolution approving recommendations on applications for Open Space Current Use Assessment (AB2018-313) (from 11/7)  
**Pages 346 - 396**

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

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

1. Appointment to fill vacancy on the Whatcom County Planning Commission, partial term expires 1/31/2021 (applicant must reside in Whatcom County Council District 1 or 2), applicants: Stephen Jackson, Nick Moss (AB2018-306)  
**Pages 569 - 577**
2. Appointment to fill vacancy on the Whatcom County Lummi Island Ferry Advisory Committee, vacancy is for a resident or property owner on Lummi Island or County resident who does not live or own property on Lummi Island (partial term ending 1/31/2019), applicant: Judy Olsen (AB2018-308)  
**Pages 578 - 582**

**APPROVAL OF COMPREHENSIVE PLAN AMENDMENT**

**Per Whatcom County Code 22.10.040, amendments to the capital facilities element of the Comprehensive Plan are adopted concurrently with the Whatcom County budget.**

1. Ordinance adopting amendments to the Whatcom County Comprehensive Plan relating to Capital Facilities (AB2018-282)  
**Pages 583 - 642**

**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. Receipt of application for the Whatcom County Drayton Harbor Shellfish Protection District Advisory Committee, applicant: Heather Christianson (application deadline for any other applicants to this vacancy is 10 a.m., November 27, 2018) (AB2018-333)  
**Pages 643 - 649**
2. Ordinance amending the 2018 Whatcom County Budget, fifteenth request, in the amount of \$314,598 (AB2018-347)  
**Pages 650 - 665**

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

**ADJOURN**

The next regular council meeting is scheduled for 7 p.m. December 4, 2018, in the County 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  
Timothy Ballew II  
Barbara Brenner  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Satpal Sidhu

## WHATCOM COUNTY COUNCIL

# AGENDA REVISION NOTICE FOR NOVEMBER 20, 2018

(DISTRIBUTED AT 4 P.M. ON NOVEMBER 19, 2018)

THE FOLLOWING MEETING HAS BEEN REMOVED FROM THE COUNCIL'S SCHEDULE:

~~SPECIAL COMMITTEE OF THE WHOLE  
Immediately Following Planning and Development Committee  
Tuesday, November 20, 2018  
Council Chambers, 311 Grand Avenue~~

~~Committee Discussion~~

- ~~1. Budget work session — continued discussion and formulation of 2019-2020 budget recommendations (budget documents can be found at [www.whatcomcounty.us/2895/2019-2020-Biennial-Budget](http://www.whatcomcounty.us/2895/2019-2020-Biennial-Budget)) (AB2018-305)  
Pages 397 - 398~~

~~Other Business~~

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THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE COUNCIL MEETING AGENDA:

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 Sarah Spritzer to the Whatcom County Public Defense Advisory Committee (AB2018-349)  
Paperwork Attached

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.

3. Ordinance amending Whatcom County Code Chapter 2.78, Solid Waste Advisory Committee (AB2018-351)  
Paperwork Attached
4. Ordinance amending Whatcom County Code 2.03, Boards and Commissions (AB2018-350)  
Paperwork Attached