

Whatcom County Council

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Action Summary

Tuesday, October 26, 2021

6 PM

Virtual Meeting

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010)**

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, and Kathy Kershner

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2021-079](#) Committee of the Whole for October 12, 2021

APPROVED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

2. [MIN2021-080](#) Regular County Council for October 12, 2021

APPROVED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

3. [MIN2021-081](#) Special Committee of the Whole Executive Session for October 19, 2021

APPROVED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

PUBLIC HEARINGS

1. [AB2021-572](#) Ordinance amending Whatcom County Code 12.20 Road Vacations to update procedures for processing petitions

ADOPTED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

Enactment No: ORD 2021-065

2. [AB2021-576](#) Resolution adopting the 2022 Annual Construction Program (ACP)

APPROVED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

Enactment No: RES 2021-045

3. [AB2021-590](#) Ordinance imposing a second interim moratorium on the acceptance and processing of permit applications for new or expanded recreational cannabis growing and/or processing facilities which are proposed to operate outdoors or in greenhouses

SUBSTITUTE ADOPTED

Aye: 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

Nay: 2 - Elenbaas, and Kershner

Absent: 0

Enactment No: ORD 2021-066

OPEN SESSION (20 MINUTES)

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2021-585](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Drug Enforcement Administration for Cooperative State and Local Task Force Agreement FY2022

AUTHORIZED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

2. [AB2021-586](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Drug Enforcement Administration for Program-Funded State and Local Task Force Agreement

FY2022, in the amount of \$38,744.00

AUTHORIZED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

3. [AB2021-588](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and San Juan County for Whatcom County Veteran Service Officer support services to San Juan County resident veterans, in an amount not to exceed \$10,000

AUTHORIZED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

4. [AB2021-604](#) Request authorization for the County Executive to enter into a contract between Whatcom County and National Service Office for Nurse-Family Partnership to provide technical support and training, in the estimated amount of \$42,444

AUTHORIZED BY CONSENT

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2021-447](#) Resolution accepting the 2021 Whatcom County Comprehensive Economic Development Strategy (CEDS) and amended Appendix and approving submittal of the draft to the United States Department of Commerce Economic Development Administration

SUBSTITUTE APPROVED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

Enactment No: RES 2021-046

2. [AB2021-582](#) Ordinance amending the 2021 Whatcom County Budget, request no. 16, in the

amount of \$411,953

ADOPTED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 1 - Byrd

Absent: 0

Enactment No: ORD 2021-067

3. [AB2021-583](#) Resolution amending the Flood Control Zone District & Subzones 2021 budget, request no. 4, in the amount of \$855,502 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

APPROVED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

Enactment No: RES 2021-047

4. [AB2021-593](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Island County to provide COVID-related isolation and quarantine to Island County residents, in the amount of \$200 per resident, per day

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 0

5. [AB2021-595](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to administer the Housing and Essential Needs Program in the amount of \$503,370 for a total amended contract amount of \$2,540,694

AUTHORIZED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

6. [AB2021-600](#) Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Geneva Consulting Services for the coordination of the Whatcom Lead Integrating Organization (Council acting as the

Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

7. [AB2021-602](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Greg Dibble for the lease of 600 Dupont Street, Bellingham WA

AUTHORIZED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

(From Council Public Works and Health Committee)

8. [AB2021-598](#) Discussion and request for motion regarding community requested revision to the Birch Bay Golf Cart Zone boundary

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to have Public Works Department create an ordinance to extend the zone to Gemini Street.

(From Council Committee of the Whole)

9. [AB2021-611](#) Discussion and possible motion to recommend rescinding a previous action of the Council that established a no shooting zone in Drayton Harbor

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to rescind the motion that adopted Ordinance 2021-061 on October 12, 2021 (the no-shooting zone in Drayton Harbor).

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

1. [AB2021-594](#) Ordinance amending Whatcom County Code Chapter 2.02 (County Council) to define absence and temporary disability

SUBSTITUTE INTRODUCED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

- 2. [AB2021-599](#) Ordinance establishing the Ferry Fare Capital Surcharge Fund

INTRODUCED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

- 3. [AB2021-601](#) Ordinance amending the 2021 Whatcom County Budget, request no. 17, in the amount of \$4,967,500

INTRODUCED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

- 4. [AB2021-606](#) Ordinance adopting amendments to the Whatcom County Code Title 20, Zoning, to provide additional affordable housing options, including allowing and regulating tiny homes and allowing duplexes in planned unit developments

WITHDRAWN

- 5. [AB2021-609](#) Ordinance amending Whatcom County Code Title 3 (Revenue and Finance), specifically Chapters 3.06 (Grants) and 3.08 (Purchasing System)

INTRODUCED

Aye: 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN