

Whatcom County Council

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



Minutes - Draft Minutes

ADA REVISED 11.18.2019 (SEE AGENDA REVISION NOTICES IN "MEETING DETAILS")

Tuesday, November 19, 2019

7 PM

Council Chambers

COUNCILMEMBERS

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

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

ROLL CALL

Present: 6 - Barbara Brenner, Rud Browne, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu

Absent: 1 - Barry Buchanan

FLAG SALUTE

ANNOUNCEMENTS

Report from Committee of the Whole

**AB2019-584 Discussion of pending litigation with Civil Deputy Prosecutor Chris Quinn - Swift
Creek Consent Decree**

Donovan reported on a discussion from Committee of the Whole (COUNCIL ACTING AS THE COUNCIL). He *moved* to approve Whatcom County's entry into the Consent Decree regarding Sumas Mountain Landslide (also referred to as the Swift Creek Consent Decree) and to authorize the County Executive to sign the Decree on behalf of Whatcom County.

The motion was seconded.

The motion carried by the following Vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, Sidhu

Nay: 0

Absent: 1 - Buchanan

Browne reported on a second discussion from Committee of the Whole (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL DISTRICT BOARD OF SUPERVISORS)

Frazey moved to approve the Whatcom County Flood Control Zone District's entry into the Consent Decree regarding Sumas Mountain Landslide (also referred to as the Swift Creek Consent Decree) and to authorize the County Executive to sign the Decree on behalf of the Whatcom County Flood Control Zone District.

The motion was seconded.

The motion carried by the following Vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, Sidhu

Nay: 0

Absent: 1 - Buchanan

PUBLIC HEARINGS

1. [AB2019-542](#) Ordinance authorizing the levy of taxes for countywide emergency medical purposes for 2020

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

Donovan moved and Brenner seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-075

2. [AB2019-543](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2020

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

Brenner clarified that the ordinance does not raise taxes.

Donovan moved and Brenner seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-076

3. [AB2019-544](#) Ordinance authorizing the 2020 property tax levy for county road purposes

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

Brenner moved and Frazey seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-077

4. [AB2019-545](#) Resolution authorizing the Board of Supervisors of the Whatcom County Flood Control Zone District (WCFCZD) to impose an ad valorem property tax levy of up to fifty cents per thousand dollars of assessed value upon real property within the district in 2020

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

Donovan moved and Brenner seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-055

5. [AB2019-546](#) Ordinance limiting the 2020 General Fund property tax levy

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

Brenner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion was seconded.

Donovan reported on a motion in Special Committee of the Whole to hold the item to December 3, 2019.

Councilmembers talked about their discussion in Special Committee of the Whole and a motion to recommend imposing a one percent property tax.

Donovan stated he would like to discuss the language of this ordinance and a proposed new ordinance that he would like to introduce tonight.

Brenner's motion that the Ordinance Requiring a Public Hearing be ADOPTED failed by the following vote:

Aye: 2 - Brenner, and Byrd

Nay: 4 - Browne, Donovan, Frazey, and Sidhu

Absent: 1 - Buchanan

6. [AB2019-547](#) Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County Washington for the year of 2020

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

Byrd moved and Brenner seconded that the Ordinance Requiring a Public

Hearing be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-078

- 7. [AB2019-551](#) Resolution adopting 2020 budget for the Point Roberts Transportation Benefit District

Browne opened the public hearing, and the following people spoke:

Louise Cassidy spoke about the disparities between the garden contract and the garbage contract

Allison Calder spoke about the interest from the Point Roberts tax fund

Hearing no one else, Browne closed the public hearing.

Brenner moved to hold the item. The motion was seconded.

Tyler Schroeder, County Executive’s Office, stated this is just a budget item and is not connected to the contracts for roadside maintenance or gardening.

Brenner withdrew her motion and moved to approve the resolution. The motion was seconded.

The motion that the Resolution Requiring a Public Hearing be APPROVED carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-056

- 8. [AB2019-557](#) Resolution adopting the 2020 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)

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

Donovan moved and Frazey seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-057

9. [AB2019-565](#) Ordinance amending the 2020 Whatcom County Budget, Request No. 1, in the amount of \$19,206,192

Councilmembers and Tyler Schroeder discussed which version they are voting on. The total amount on the title should be \$19,206,192.00 to reflect amendments that were made.

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

Frazey moved that the ORDINANCE be adopted. The motion was seconded.

Councilmembers and Schroeder continued to discuss the budget total after a scrivener's error correction in the REET II fund, and amendments recommended in Special Committee of the Whole, and the amounts being transferred from Health for the mental health and developmental disability funds.

Frazey withdrew her motion.

Byrd moved and Frazey seconded that the Ordinance be HELD IN COUNCIL so that the total could be correctly labeled and the changes made. The motion to hold carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

10. [AB2019-568](#) Resolution authorizing the County Executive to enter into a twenty year communications tower lease agreement with Crown Castle GT for leased space on park property at Lookout Mountain

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

Brenner moved and Frazey seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-058

11. [AB2019-285](#) Ordinance amending Whatcom County Code Title 3, requiring that public funds used for construction projects do double duty by also providing apprentices with job

training hours to meet the requirements necessary to become the next generation of skilled trades persons

Browne opened the public hearing, and the following people spoke:

The following people spoke in favor of the ordinance:

Scott Ostlund
Ian Coates
Kevin King
Hannah Holt
Lisa Marx
Teresa Jones
Burton Nims
Tiffany Huff
Paul Galovan
Trevor Smith
Robert Johnson
Bob Gay
Eddy Ury
Abe Jacobson
Lane Mcelvoy
Michelle Stelovich
Rod Roth
Stacy Martin
Chris Hensel
Greg Roessel
Joseph Berg
Luis Saragon
Tammy (last name inaudible)

The following people spoke against the ordinance:

Frank Imhof
Todd Kunzman
Lance Calloway
Jeff Ten Pas
Jacquelyn Styrna
Tom Bajema
Pete Dawson

Hearing no one else, Browne closed the public hearing.

Donovan moved that the ordinance be adopted. The motion was seconded.

Byrd moved to hold. The motion was seconded.

Councilmembers discussed the motion to hold, how apprenticeships might be affected by fluctuation in the economy, hearing about staff or legal concerns, hearing the perspective of open shop laborers, and the financial impact to the County.

Tyler Schroeder answered a question about addressing costs and administrative concerns.

Donovan moved to call the question. The motion was seconded.

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

Aye: 4 - Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 1 - Brenner

Abstain: 1 - Byrd

Absent: 1 - Buchanan

The motion to hold failed by the following vote:

Aye: 4 - Byrd, Brenner

Nay: 2 - Browne, Byrd, Donovan, Frazey, and Sidhu

Absent: 1 - Buchanan

Browne spoke about his experience with an apprenticeship program.

The motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 4 - Browne, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 1 - Buchanan

Enactment No: ORD 2019-079

OPEN SESSION (20 MINUTES)

Browne opened the open session and the following people spoke about garbage in Point Roberts:

Annette Madden

Ken Calder

Allison Calder

Louise Cassidy

Heidi Baxter

The following people spoke about **AB2019-480 Ordinance amending Whatcom**

County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation

and

AB2019-600 Ordinance amending Whatcom County Code 11.16 to protect Lake Samish shoreline properties and Lake Samish water recreation

**Eric McHenry
Laurie Henley
Janet Monks
Becky O'Brien-Wilson
James Wilson
Mark Walker
Mary Walker
Paul Joostens
Rich Deveau**

The following people spoke about other issues:

Bob Gay spoke about Cherry Point and the process of the Planning Commission.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Sidhu reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items one through eight.

Browne asked that item 3 be voted on separately.

Sidhu amended his motion and *moved* to approve Consent Agenda items one through two and four through eight.

Councilmembers voted on those items (see votes on individual items below).

Sidhu moved to approve Consent Agenda item number three.

Councilmembers voted on this item (see vote on item three below).

1. [AB2019-582](#) Resolution to set public hearing to sell tax-title property by public auction

Sidhu moved that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

Enactment No: RES 2019-059

2. [AB2019-587](#) Resolution ordering the cancellation of unredeemed checks (warrants) more than one year old

Sidhu moved that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

Enactment No: RES 2019-060

3. [AB2019-589](#) Resolution ordering the cancellation of accounts receivable more than four years old
Browne stated he would like to discuss item 3 further with the Executive's Office and *moved* to hold the item.

Councilmembers discussed the process of cancelling accounts receivable.

The motion that the Resolution be HELD IN COUNCIL carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

4. [AB2019-574](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to add funding for a behavioral health consultant, in the amount of \$17,800 for a total amended contract amount of \$130,028

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

5. [AB2019-577](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale School District to provide emergency management services, in the amount of \$200,000

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

6. [AB2019-585](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pioneer Human Services to provide substance use disorder assessments and post-assessment treatment coordination to inmates released from the Whatcom County Jail in an estimated amount of \$60,000 for a total estimated amended contract amount of \$91,500

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

7. [AB2019-594](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Healthcare Management Administrators, Inc. (HMA) to provide administrative and claims processing services for the self-insured medical program

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

8. [AB2019-595](#) Request approval for the County Executive to authorize the purchase of a replacement dump truck, dump body, hook lift sander, and plow; using Washington

State Contract #01513 and #01117. The total cost of these purchases is \$281,677.87

Sidhu moved that the Bid Award be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2019-580](#) Request authorization for the County Executive to enter into an Interlocal Agreement with the U.S. Department of Interior Geological Survey Joint Funding Agreement for Stream Gaging (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED. The motion carried by the following vote:

Aye: 5 - Brenner, Browne, Byrd, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Temp Absent: 1 - Donovan

2. [AB2019-581](#) Request authorization for the County Executive to enter into an Interlocal Agreement between the U.S. Department of Interior Geological Survey and the Whatcom County Flood Control Zone District (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

3. [AB2019-552](#) Ordinance amending the 2019 Whatcom County budget, request no. 14, in the amount of \$72,853

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-080

4. [AB2019-553](#) Ordinance amending the project budget for the Lummi Nation Ferry Lease Fund, Request No. 2

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-081

5. [AB2019-562](#) Ordinance amending the Project Budget for the Criminal Justice Integrated Case Management Systems Fund, Request No. 1

Sidhu reported for the Finance and Administrative Services Committee and stated that the Ordinance was HELD IN COMMITTEE.

6. [AB2019-564](#) Ordinance amending the Project Budget for the Lake Whatcom Park Trail Development Fund, Request No. 1

Councilmembers discussed the impacts and contributions of trail development in the Lake Whatcom watershed.

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 4 - Browne, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 1 - Buchanan

Enactment No: ORD 2019-082

7. [AB2019-550](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Lake Whatcom Water & Sewer District for a

follow-up investigation, in the amount of \$40,000.00

Sidhu reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

8. [AB2019-593](#) Resolution adopting a salary schedule and policies for unrepresented Whatcom County Employees, effective January 1, 2020 through December 31, 2020

Sidhu reported for the Finance and Administrative Services Committee and moved that the Resolution be APPROVED.

Brenner stated this does not include Council salaries.

The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-061

(No Committee Assignment)

9. [AB2019-576](#) Request approval of updated Strategic Plan to End Homelessness in Whatcom County

Brenner moved and Sidhu seconded that the REQUEST be APPROVED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

INTRODUCTION ITEMS

Donovan moved to introduced items 1-4 and 6-7.

Byrd suggested a friendly amendment to not include 7.

Donovan accepted the friendly amendment and moved to introduce items 1-4 and 6

(see votes on individual items below).

Donovan moved to introduce item 7 (AB2019-600) **Ordinance amending Whatcom County Code 11.16 to protect Lake Samish shoreline properties and Lake Samish water recreation.** The motion was seconded.

Byrd stated he would like to introduce AB2019-480 on December 3rd and then have a public hearing for January 14.

Donovan stated he would like to Introduce AB2019-600 and then schedule for Special Committee of the Whole on January 14.

Councilmembers discussed how they would like to schedule both AB2019-480 and AB2019-600 regarding Lake Samish, and how to determine the distance lines establishing the no-wake zone.

Donovan restated and amended his motion and moved to introduce Item 7 (AB20219-600) and schedule it for Special Committee of the Whole on January 14, 2019. The motion was seconded (see vote on item 7 below).

1. [AB2019-590](#) Ordinance amending the 2019 Whatcom County Budget, request no. 15, in the amount of \$49,400

Donovan moved that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

2. [AB2019-591](#) Ordinance amending the 2020 Whatcom County Budget, request no. 2, in the amount of \$343,000

Donovan moved that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

3. [AB2019-592](#) Ordinance establishing the Prox Lock Control Panel Replacement Fund and establishing a project based budget for the Prox Lock Control Panel Replacement Project

Donovan moved that the Ordinance be INTRODUCED. The motion carried

by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

4. [AB2019-597](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded facilities in the Cherry Point UGA, the primary purpose of which would be the shipment of unrefined fossil fuels not to be processed at Cherry Point

Donovan moved that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

5. [AB2019-480](#) Ordinance amending Whatcom County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation

This agenda item was WITHDRAWN.

AB2019-480 to be scheduled for introduction at a later date.

6. [AB2019-583](#) Resolution to sell tax-title property by public auction

Donovan moved that the Resolution Requiring a Public Hearing be INTRODUCED. The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

7. [AB2019-600](#) Ordinance amending Whatcom County Code 11.16 to protect Lake Samish shoreline properties and Lake Samish water recreation

Donovan moved and Frazey seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

Aye: 4 - Browne, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 1 - Buchanan

9. [AB2019-607](#) Ordinance limiting the 2020 General Fund tax levy

Donovan moved to introduce **AB2019-607 Ordinance limiting the 2020 General Fund tax levy**. The motion was seconded.

Browne stated this ordinance is different from the (AB2019-546) Ordinance limiting the 2020 General Fund tax levy in that it does not have one section of text that is included in AB2019-546.

Tyler Schroeder answered questions about how the proposed ordinances relate to (AB2019-547) the Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County Washington for the year of 2020.

The motion that the Ordinance be INTRODUCED carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

8. [AB2019-606](#) Ordinance limiting 2020 property tax levy

Donovan moved to introduce **AB2019-606 Ordinance limiting 2020 property tax levy - Donovan** with the modification of the “Now therefore be it ordained and established” paragraph.

Councilmembers, Tyler Schroeder, and Karen Frakes from the Prosecuting Attorney's Office, discussed the proposed amendment, the effects of inflation and population growth, controlling spending, combining the Parks Department in the Public Works Department, and the wording of the motion.

After discussion, ***Donovan withdrew*** his motion and ***moved*** to introduce AB2019-606 with the following amendment to replace the last paragraph of the ordinance:

~~BE IT THEREFORE RESOLVED That Whatcom County adopt a budget that includes the 1% allowable increase in property tax revenues for the General Fund.~~

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Whatcom County Council that amounts collected through the County General levy shall be limited to the amount of the 2019 taxes, increased for the addition of new construction and improvements to property and any increases in the value of state assessed property. A property tax increase in addition to the amount resulting from the addition of new construction and improvements to property and any tax increases in the value of state-assessed property is hereby authorized for the 2020 levy in the amount equal to the 2019 amount plus \$300,000.00, which is a percentage increase

of no more than 1%.

Donovan's motion that the Ordinance be INTRODUCED AS AMENDED FOR PUBLIC HEARING carried by the following vote:

Aye: 4 - Browne, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 1 - Buchanan

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

From Committee of the Whole - Executive Session

AB2019-588 Discussion of pending litigation with Civil Deputy Prosecutor George Roche - Adams v. Whatcom County, et al.

Donovan reported on having met in executive session and having been advised of the nature of the lawsuit, the allegations contained therein, and pursuant to Whatcom County Code 2.56.

and *moved* that the council affirmatively finds the following:

- A. The employees were acting in a matter in which the county had an interest;
- B. The employees were acting in the discharge of a duty imposed or authorized by law;
- C. The employees acted in good faith.

The officers, officials, agents or employees will be defended and indemnified pursuant to and consistent with the provisions in WCC Chapter 2.56.

The motion was seconded.

The motion carried by the following vote:

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

AB2019-588 was reported on and a MOTION WAS APPROVED.

There were no other Councilmember updates

ADJOURN

The meeting adjourned at 12:23 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Rud Browne, Council Chair

Kristi Felbinger, Minutes Transcription