

Whatcom County Council

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



Meeting Agenda

Tuesday, November 19, 2024

6 PM

Hybrid Meeting - Council Chambers

AGENDA REVISED 11.18.2024, SECOND AGENDA REVISION 11.19.2024 -
HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN
INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL
360.778.5010)

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

The Council is currently holding meetings in hybrid format with options for in-person or remote viewing and participation. For instructions on remote participation, visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to speak remotely. Individuals who require special assistance to participate in the Council's meetings are asked to contact the Council Office at 360.778-5010 at least 96 hours in advance.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website or call the Council Office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2024-076](#) Special Council AM for October 29, 2024
2. [MIN2024-077](#) Health Board and Public Health Advisory Board for October 29, 2024
3. [MIN2024-078](#) Special Council PM (Budget) for October 29, 2024
4. [MIN2024-079](#) Special Council for October 30, 2024

PUBLIC HEARINGS

PLEASE NOTE: PUBLIC HEARING ORDER REVISED (11.18.2024). Participants requesting to speak during public hearings may attend in person. To speak remotely, please visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to receive a join link.

All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

1. [AB2024-745](#) Ordinance in the matter of the adoption of the final budget of Whatcom County for the Biennium 2025-2026
2. [AB2024-695](#) Ordinance adopting amendments to WCC Titles 20 and 22 to enact SSB 5290 regarding local project review
SEE AB2024-793, ORDINANCE ON INTRODUCTION
3. [AB2024-697](#) Ordinance adopting the Seven-Year Capital Improvement Program for Whatcom County Facilities 2025-2031
4. [AB2024-728](#) Ordinance authorizing the levy of taxes for Countywide Emergency Medical purposes for 2025
SEE AB2024-779
5. [AB2024-779](#) Ordinance authorizing the levy of taxes for Countywide Emergency Medical purposes for 2025
SEE AB2024-728
6. [AB2024-729](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2025
7. [AB2024-730](#) Ordinance authorizing the levy of taxes for County Road purposes for 2025
8. [AB2024-731](#) Ordinance authorizing the levy of taxes for County and State Purposes in Whatcom County, Washington for the year of 2025
9. [AB2024-732](#) Resolution amending the levy of taxes for the Whatcom County Flood Control Zone District for 2025 (Council acting as the Flood Control Zone District Board of Supervisors)

10. [AB2024-742](#) Resolution adopting the 2025 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)
11. [AB2024-743](#) Ordinance authorizing the 2025 Whatcom County Unified Fee Schedule

OPEN SESSION

Participants requesting to speak during open session may attend in person. To speak remotely, please visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to receive a join link.

During open session, audience members may speak to the council on issues not scheduled for public hearing. All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.

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Per RCW 42.36.060 Councilmembers are prohibited from engaging in ex parte communications in matters where the Council determines the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Council serves in a quasi-judicial role as a decision-maker on major project permits, which cannot be discussed by members of the public at Council meetings. Examples of major project permits that cannot be discussed at Council meetings include MPP2024-00001 City of Bellingham Mitigation Bank, LSS2024-00001 R and R Acres Long Subdivision and Development Agreement, LSS2022-00001 Red Mountain Long Subdivision and Development Agreement, PUD2022-00001 Royal Emerald Motors Planned Unit Development, MPP2024-00002 ALA Energy, Ferndale Terminal Existing and Planned Improvements, and CUP2023-00003/DEV2024-00001 Ponderosa Estates Mobile Home Park

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 Council Finance and Administrative Services Committee)

1. [AB2024-741](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Caspio, Inc. to purchase and implement a low-code software solution, in the amount of \$68,049

2. [AB2024-762](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and ACCU Reference Medical Lab for Jail Lab Services in the amount of \$40,000 for a total contract amount of \$65,000
3. [AB2024-764](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Dr. Tyson Hawkins for Jail Administrative Physician Services in the amount of \$13,940
4. [AB2024-769](#) Resolution approving the 2025 recommended convention center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816
5. [AB2024-771](#) Request authorization for the County Executive to enter into a contract between Whatcom County and YWCA Bellingham to provide supportive services and oversight for families supported in emergency motel shelter during the winter season, in the amount of \$98,158
6. [AB2024-772](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide housing case management services, in the amount of \$1,003,932
7. [AB2024-773](#) Request authorization for the County Executive to enter into a contract between Whatcom County and AssetWorks, Inc. to provide professional services for the implementation of the new ER&R asset management system, in the amount of \$197,345.78
8. [AB2024-777](#) Resolution approving a salary schedule and policies for Unrepresented Whatcom County employees effective January 1, 2025 through December 31, 2025
9. [AB2024-786](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Children, Youth, and Families to provide funding for the Nurse Family Partnership Program in the amount of \$404,218.60, for a total amended contract amount of \$818,837.20

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2024-719](#) Ordinance amending the project budget for the Central Shop NPDES Stormwater Improvements Project Fund, request no. 1
2. [AB2024-723](#) Ordinance amending the project based budget for the Goshen Road/Anderson Creek Bridge No. 248 Replacement Fund and Project Based Budget, request no. 1, in the amount of \$200,000, for a total amended amount of \$700,000

3. [AB2024-739](#) Ordinance amending Whatcom County Code Chapter 2.130, Economic Development Investment Board
4. [AB2024-744](#) Ordinance amending the 2024 Whatcom County Budget, request no. 14, in the amount of \$4,564,923
5. [AB2024-748](#) Ordinance amending the project budget for the 23-Hour Crisis Relief Center Project Fund, request no. 1
6. [AB2024-749](#) Ordinance amending the project budget for the Hovander Park Building Improvement Project, request no. 3
7. [AB2024-750](#) Ordinance amending the project budget for the Courthouse Building Envelope Fund, request no. 6
8. [AB2024-752](#) Ordinance amending the project budget for the Integrated Land Records and Permit Management System Fund, request no. 3
9. [AB2024-753](#) Ordinance establishing the project based budget and an initial budget for the courtroom audio visual systems upgrade
10. [AB2024-778](#) Request council review and approval of the Economic Development Investment Board's recommendation for funding of the Habit for Humanity property acquisition for an affordable housing project

(From Council Public Works and Health Committee)

11. [AB2024-765](#) Resolution approving the Equipment Rental and Revolving Rental Rates (ER&R) for the 2025-2026 calendar years

(From Council Planning and Development Committee)

12. [AB2024-785](#) Discussion of and request for motion on recommendation for 2024 Open Space applications

(From Council Committee of the Whole)

13. [AB2024-747](#) Ordinance amending Whatcom County Code Chapter 2.06, Medical Examiner, to establish a Medical Examiner Department
 14. [AB2024-767](#) Resolution to establish Council goals for full, timely awarding of Healthy Children's Fund contracts
- ITEM REMOVED 11.18.2024**
15. [AB2024-789](#) Discussion and motion to approve Whatcom County's state legislative priorities for 2025 legislative session.

CONFIRMATION OF 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. [AB2024-781](#) Request confirmation of the County Executive's appointment of Patrick Bush to the Bicycle / Pedestrian Advisory Committee
2. [AB2024-782](#) Request confirmation of the County Executive's appointment of Rosemarie Tom and Heidi Bode to the Bellingham-Whatcom County Commission on Sexual and Domestic Violence
3. [AB2024-783](#) Request confirmation of the County Executive's appointment of Alexi Guddal to the Marine Resources Committee

ITEMS ADDED BY REVISION

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. [AB2024-761](#) Receipt of application to a vacancy on the Business and Commerce Advisory Committee, manufacturing industry representative position, Applicant(s): Gil Lund (Deadline for applications to this position is 10:00 a.m. on Tuesday, November 12, 2024)
2. [AB2024-766](#) Ordinance establishing a project based budget for the Central Shop Underground Storage Tank Removal project
3. [AB2024-768](#) Ordinance amending the project based budget for the North Fork Road/Kenney Creek Fish Passage Project Fund, request no. 1
4. [AB2024-770](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 7, in the amount of \$20,695 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
5. [AB2024-775](#) Ordinance amending the 2024 Whatcom County Budget, request no. 15, in the amount of \$12,651,067

TITLE REVISED 11.18.2024

6. [AB2024-776](#) Ordinance amending Ordinance 2013-022, to allow the Road Fund to issue cash-flow loans to capital project budgets from \$1 million to \$2 million for a term not to exceed two years

7. [AB2024-780](#) Ordinance amending the 2025 Whatcom County Budget, request no. 1, in the amount of \$16,292,701
8. [AB2024-793](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review
SEE AB2024-695, ORDINANCE UNDER PUBLIC HEARINGS
9. [AB2024-794](#) Ordinance establishing Whatcom County Code 2.190 Birch Bay Community Advisory Committee
10. [AB2024-795](#) Ordinance amending Whatcom County Code 2.03 Advisory Groups
11. [AB2024-796](#) Ordinance amending Whatcom County Code Title 20 (Zoning) to define appropriate industrial uses and conditions for industrial uses in Heavy Impact Industrial (HII) districts within a city's designated Urban Growth Area
12. [AB2024-802](#) Resolution adopting the 2025-2026 budget for the Point Roberts Transportation Benefit District (Council acting as the governing body of the Point Roberts Transportation Benefit District)
ITEM ADDED 11.18.2024
13. [AB2024-809](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review
ITEM ADDED 11.19.2024, SEE AB2024-695 AND AB2024-793

SPECIAL COUNCIL ONLY ITEM

1. [AB2024-651](#) Approval of 2025 standing meeting dates (Health Board)

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