

Whatcom County Council

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



Action Summary

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 Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2024-076](#) Special Council AM for October 29, 2024

APPROVED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

2. [MIN2024-077](#) Health Board and Public Health Advisory Board for October 29, 2024

APPROVED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

3. [MIN2024-078](#) Special Council PM (Budget) for October 29, 2024

APPROVED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

4. [MIN2024-079](#) Special Council for October 30, 2024

APPROVED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

PUBLIC HEARINGS

Motion approved 7-0 to reverse agenda item numbers 4 and 5.

1. [AB2024-745](#) Ordinance in the matter of the adoption of the final budget of Whatcom County for

the Biennium 2025-2026

ADOPTED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: ORD 2024-057

2. [AB2024-695](#) Ordinance adopting amendments to WCC Titles 20 and 22 to enact SSB 5290 regarding local project review

FAILED

Aye: 0

Nay: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

3. [AB2024-697](#) Ordinance adopting the Seven-Year Capital Improvement Program for Whatcom County Facilities 2025-2031

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-058

THE ORDER OF THE NEXT TWO AGENDA ITEMS WAS REVERSED (SEE MOTION ABOVE IN HEADER)

5. [AB2024-779](#) Ordinance authorizing the levy of taxes for Countywide Emergency Medical purposes for 2025

FAILED

Aye: 2 - Buchanan, and Galloway

Nay: 5 - Byrd, Donovan, Elenbaas, Scanlon, and Stremler

4. [AB2024-728](#) Ordinance authorizing the levy of taxes for Countywide Emergency Medical purposes for 2025

ADOPTED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: ORD 2024-059

6. [AB2024-729](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2025

ADOPTED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: ORD 2024-060

7. [AB2024-730](#) Ordinance authorizing the levy of taxes for County Road purposes for 2025

ADOPTED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: ORD 2024-061

8. [AB2024-731](#) Ordinance authorizing the levy of taxes for County and State Purposes in Whatcom County, Washington for the year of 2025

ADOPTED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: ORD 2024-062

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)

APPROVED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2024-049

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)

APPROVED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: RES 2024-050

11. [AB2024-743](#) Ordinance authorizing the 2025 Whatcom County Unified Fee Schedule

ADOPTED

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

Nay: 1 - Elenbaas

Enactment No: ORD 2024-063

OPEN SESSION

CONSENT AGENDA

(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

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

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

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

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

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

4. [AB2024-769](#) Resolution approving the 2025 recommended convention center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816

Enactment No: RES 2024-052

This item was considered separately below.

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

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

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

This item was considered separately below.

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

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

8. [AB2024-777](#) Resolution approving a salary schedule and policies for Unrepresented Whatcom County employees effective January 1, 2025 through December 31, 2025

APPROVED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2024-051

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

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

CONSENT AGENDA CONSIDERED SEPARATELY

4. [AB2024-769](#) Resolution approving the 2025 recommended convention center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816

APPROVED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2024-052

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

HELD IN COMMITTEE

Aye: 6 - Buchanan, Byrd, Donovan, Elenbaas, Scanlon, and Stremler

Nay: 1 - Galloway

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

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-064

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

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-065

3. [AB2024-739](#) Ordinance amending Whatcom County Code Chapter 2.130, Economic Development Investment Board

HELD IN COMMITTEE

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

4. [AB2024-744](#) Ordinance amending the 2024 Whatcom County Budget, request no. 14, in the amount of \$4,564,923

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-066

5. [AB2024-748](#) Ordinance amending the project budget for the 23-Hour Crisis Relief Center Project Fund, request no. 1

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-067

6. [AB2024-749](#) Ordinance amending the project budget for the Hovander Park Building Improvement Project, request no. 3

ADOPTED

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

Nay: 1 - Elenbaas

Enactment No: ORD 2024-068

7. [AB2024-750](#) Ordinance amending the project budget for the Courthouse Building Envelope Fund, request no. 6

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-069

8. [AB2024-752](#) Ordinance amending the project budget for the Integrated Land Records and Permit Management System Fund, request no. 3

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2024-070

9. [AB2024-753](#) Ordinance establishing the project based budget and an initial budget for the courtroom audio visual systems upgrade

HELD IN COMMITTEE

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

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

APPROVED REQUEST

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

(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

APPROVED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2024-053

(From Council Planning and Development Committee)

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

APPROVED REQUEST

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

(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

HELD IN COMMITTEE

Aye: 4 - Buchanan, Byrd, Donovan, and Scanlon

Nay: 3 - Elenbaas, Galloway, and Stremler

14. [AB2024-767](#) Resolution to establish Council goals for full, timely awarding of Healthy Children's Fund contracts

WITHDRAWN

15. [AB2024-789](#) Discussion and motion to approve Whatcom County's state legislative priorities for 2025 legislative session.

APPROVED REQUEST

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- 1. [AB2024-781](#) Request confirmation of the County Executive’s appointment of Patrick Bush to the Bicycle / Pedestrian Advisory Committee

CONFIRMED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

- 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

CONFIRMED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

- 3. [AB2024-783](#) Request confirmation of the County Executive’s appointment of Alexi Guddal to the Marine Resources Committee

CONFIRMED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

- 1. [AB2024-761](#) Appointment to a vacancy on the Business and Commerce Advisory Committee, manufacturing industry representative position, Applicant(s): Gil Lund

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

- 2. [AB2024-766](#) Ordinance establishing a project based budget for the Central Shop Underground Storage Tank Removal project

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

3. [AB2024-768](#) Ordinance amending the project based budget for the North Fork Road/Kenney Creek Fish Passage Project Fund, request no. 1

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

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)

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

5. [AB2024-775](#) Ordinance amending the 2024 Whatcom County Budget, request no. 15, in the amount of \$12,651,067

SUBSTITUTE INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

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

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

7. [AB2024-780](#) Ordinance amending the 2025 Whatcom County Budget, request no. 1, in the amount of \$16,292,701

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

Temp Absent: 1 - Byrd

8. [AB2024-793](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review

This item was considered separately below.

9. [AB2024-794](#) Ordinance establishing Whatcom County Code 2.190 Birch Bay Community Advisory Committee

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

Temp Absent: 1 - Byrd

10. [AB2024-795](#) Ordinance amending Whatcom County Code 2.03 Advisory Groups

INTRODUCED

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

Temp Absent: 1 - Byrd

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

This item was considered separately below.

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)

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

Temp Absent: 1 - Byrd

13. [AB2024-809](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review

This item was considered separately below.

INTRODUCTION ITEMS CONSIDERED SEPARATELY

8. [AB2024-793](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review

SUBSTITUTE INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Absent: 1 - Byrd

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

SUBSTITUTE INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Absent: 1 - Byrd

13. [AB2024-809](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review

FAILED

Aye: 2 - Galloway, and Scanlon

Nay: 3 - Buchanan, Elenbaas, and Stremler

Temp Absent: 2 - Byrd, and Donovan

SPECIAL COUNCIL ONLY ITEM

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

APPROVED BY THE COUNCILMEMBERS

Aye: 5 - Buchanan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 2 - Byrd, and Donovan

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Motion approved 4-1, with Elenbaas opposed and Byrd and Donovan out of the meeting, to adjourn the meeting.

ADJOURN