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1 WHATCOM COUNTY COUNCIL
2 **Regular County Council Meeting**
3

4 April 9, 2019
5

6 **CALL TO ORDER**
7

8 Council Chair Rud Browne called the meeting to order at 7:00 p.m. in the Council
9 Chambers, 311 Grand Avenue, Bellingham, Washington.
10

11
12 **ROLL CALL**
13

14 **Present:** Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd
15 Donovan, Carol Frazey, and Satpal Sidhu.

16 **Absent:** None.
17

18
19 **FLAG SALUTE**
20

21 **ANNOUNCEMENTS**
22

23 **MINUTES CONSENT**
24

25 *Brenner moved* to accept the Minutes Consent items.
26

27 The motion was seconded.
28

29 The motion carried by the following vote:

30 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

31 **Nays:** None (0)
32

33 1. **MIN2019-030 JOINT MEETING WITH SKAGIT AND SAN JUAN**
34 **COUNTIES ON FEBRUARY 5, 2019**
35

36 2. **MIN2019-031 REGULAR COUNTY COUNCIL FOR MARCH 26, 2019**
37

38
39 **PUBLIC HEARINGS**
40

41 1. **AB2019-183 ORDINANCE AMENDING WHATCOM COUNTY CODE**
42 **SECTION 1.14, CORRECTING CERTAIN PRECINCT BOUNDARY LINES AND**
43 **PRECINCT MAPS (SECOND AMENDMENT)**
44

45 Debbie Adelstein, County Auditor, gave a staff report and answered questions on the
46 impact to the voters.
47

48 Browne opened the public hearing, and hearing no one, closed the public hearing.
49

50 *Buchanan moved* to adopt the ordinance.

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1
2 The motion was seconded.
3

4 The motion carried by the following vote:

5 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

6 **Nays:** None (0)
7
8

9 **OPEN SESSION**

10
11 The following people spoke:

- 12 • Lance Calloway, Associated General Contractors (AGC) of Washington, spoke
13 about the proposed ordinance regarding creating a local apprenticeship
14 program (AB2019-210).
- 15 • Jacquelyn Styrna spoke about the proposed ordinance regarding creating a
16 local apprenticeship program (AB2019-210).
- 17 • Atul Deshmane spoke about the Public Utility District's county drought
18 response plan.
- 19 • Kirsten Wilson submitted a handout and spoke about an enforcement
20 investigation at a neighboring property.
- 21 • Trevor Smith spoke about the proposed ordinance regarding creating a local
22 apprenticeship program (AB2019-210) and answered questions about local
23 training and apprenticeship programs.
24

25 ***Sidhu moved*** to discuss Introduction Item seven after Open Session.

26
27 The motion was seconded.
28

29 The motion carried by the following vote:

30 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

31 **Nays:** None (0)
32

- 33 • Bob Gay, International Brotherhood of Electrical Workers, spoke about
34 funding for Cascadia Law Group, the benefits of Cherry Point industries, and
35 apprenticeship programs.
- 36 • Louis (*inaudible*), Local #292 Member, spoke about the benefits of
37 apprenticeship programs.
- 38 • Dana Briggs spoke about problems resulting from climate change.
- 39 • Joe Baldwin spoke about the proposed ordinance regarding creating a local
40 apprenticeship program (AB2019-210) and answered questions on the size of
41 his company and his ability to use apprentices.
- 42 • Theresa Jones spoke about creating a local apprenticeship program (AB2019-
43 210).
44
45

46 **INTRODUCTION ITEMS**

- 47
48 7. **AB2019-210 ORDINANCE AMENDING WHATCOM COUNTY CODE TITLE 3,**
49 **CREATING A LOCAL EMPLOYEE AND APPRENTICESHIP PROGRAM**
50

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1 Councilmembers discussed problems with and benefits of labor unions and
2 apprenticeship thresholds, the possibility of phasing in different apprenticeship thresholds,
3 registered programs, the capacity for taking on apprentices, how non-union shops would
4 hire apprentices, and whether senior journeymen would have to be fired to accommodate
5 15 percent apprentices.

6
7 Trevor Smith answered questions.

8
9 **Byrd moved** to refer to Public Works Committee in two weeks.

10
11 The motion was seconded.

12
13 Councilmembers discussed continuing discussion in Public Works Committee versus
14 the Committee of the Whole.

15
16 **Brenner moved** to call the question.

17
18 The motion to call the question was seconded.

19
20 The motion to call the question carried by the following vote:

21 **Ayes:** Brenner, Buchanan, Byrd, Donovan, Frazey, and Sidhu (6)

22 **Nays:** Browne (1)

23
24 The motion to refer to Public Works Committee carried by the following vote:

25 **Ayes:** Brenner, Buchanan, Byrd, Donovan, Frazey, and Sidhu (6)

26 **Nays:** Browne (1)

27
28
29 **CONSENT AGENDA**

30
31 **Sidhu** reported for the Finance and Administrative Services Committee and **moved**
32 to accept Consent Agenda items one through four.

33
34 Brenner withdrew item three.

35
36 The motion to approve Consent Agenda items one, two, and four carried by the
37 following vote:

38 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

39 **Nays:** None (0)

- 40
41 **1. AB2019-173 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
42 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON**
43 **STATE PARKS AND RECREATION COMMISSION FOR ANNUAL RECREATIONAL**
44 **BOATING SAFETY FEDERAL FINANCIAL ASSISTANCE GRANT, IN THE**
45 **AMOUNT OF \$15,392.75 AND REQUIRING LOCAL MATCH OF \$27,617.31**
46
47 **2. AB2019-185 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
48 **ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND**
49 **CODE PUBLISHING CO. TO INCREASE COMPENSATION TO AN AMENDED**
50 **TOTAL AMOUNT OF \$63,412**

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1
2 3. **AB2019-195 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
3 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND CASCADIA**
4 **LAW GROUP, PLCC TO DEVELOP SPECIFIC TEXT AMENDMENTS TO THE**
5 **WHATCOM COUNTY COMPREHENSIVE PLAN AND WHATCOM COUNTY CODE**
6 **(WCC) THAT IMPLEMENT AND ARE CONSISTENT WITH THE PROVISIONS OF**
7 **RESOLUTION NO.2019-004**

8
9 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
10 to approve the request.

11
12 The motion was seconded.

13
14 Councilmembers discussed the objectivity of the contractor, transparency, the source
15 of the funding for the contract's cost, and the next step in the process once approved.

16
17 The motion carried by the following vote:

18 **Ayes:** Browne, Buchanan, Donovan, Frazey, and Sidhu (5)

19 **Nays:** Brenner and Byrd (2)

20
21 4. **AB2019-206 REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD**
22 **RFP #19-12, AND AUTHORIZATION TO ENTER INTO A 36-MONTH LEASE**
23 **WITH MARPLE FLEET LEASING FOR LEASING FOUR VEHICLES FOR THE**
24 **SHERIFF'S OFFICE, IN THE AMOUNT OF \$71,704.12**

25
26
27 **OTHER ITEMS**

28
29 1. **AB2019-216 RESOLUTION SUPPORTING FUNDING FOR STEWARDSHIP**
30 **FORESTER POSITIONS IN THE DEPARTMENT OF NATURAL RESOURCES**
31 **SMALL FOREST LANDOWNER OFFICE**

32
33 *Donovan* reported for the Natural Resources Committee and *moved* to approve the
34 resolution.

35
36 The motion carried by the following vote:

37 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

38 **Nays:** None (0)

39
40 2. **AB2019-176 ORDINANCE AMENDING THE FERRY SYSTEM PETTY CASH**
41 **REVOLVING FUND FROM \$1800 TO \$3300**

42
43 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
44 to adopt the ordinance.

45
46 The motion carried by the following vote:

47 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

48 **Nays:** None (0)

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1 **3. AB2019-184 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE**
2 **EAST WHATCOM REGIONAL RESOURCE CENTER EXPANSION PROJECT, IN**
3 **THE AMOUNT OF \$115,000**

4
5 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
6 to adopt the ordinance.

7
8 The motion carried by the following vote:

9 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

10 **Nays:** None (0)

11
12 **4. AB2019-187 ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER**
13 **2.128, BUSINESS AND COMMERCE ADVISORY COMMITTEE, TO AMEND**
14 **MEMBERSHIP**

15
16 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
17 to adopt the substitute ordinance.

18
19 The motion carried by the following vote:

20 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

21 **Nays:** None (0)

22
23 **5. AB2019-189 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
24 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND PACIFIC CM**
25 **LLC FOR MATERIAL SAMPLE COLLECTION, ON-SITE MATERIAL INSPECTION,**
26 **ON-SITE CONSTRUCTION INSPECTION, CONCRETE TESTING, HOT MIX**
27 **ASPHALT (HMA), AGGREGATES AND OTHER CONSTRUCTION MATERIALS,**
28 **FOR VARIOUS PROJECTS, IN THE AMOUNT NOT TO EXCEED \$200,000**

29
30 *Sidhu* reported for the Finance and Administrative Services Committee and *moved*
31 to approve the request.

32
33 The motion carried by the following vote:

34 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

35 **Nays:** None (0)

36
37 **6. AB2019-209 APPROVAL OF LETTER IN SUPPORT OF RETAINING THE**
38 **ALASKA MARINE HIGHWAY SYSTEM BETWEEN BELLINGHAM AND ALASKA**

39
40 *Buchanan moved* to approve the letter.

41
42 The motion was seconded.

43
44 The motion carried by the following vote:

45 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

46 **Nays:** None (0)

47
48 **7. AB2019-161 RESOLUTION CELEBRATING APRIL AS A MONTH OF SIKH**
49 **AWARENESS AND APPRECIATION IN WHATCOM COUNTY**

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1 Sidhu reported on the process for developing the draft resolution.

2
3 **Buchanan moved** to approve the substitute resolution.

4
5 The motion was seconded.

6
7 **Donovan moved** to amend to correct a typo in the sixth Whereas statement,
8 "...State **County**...."

9
10 The motion to amend was seconded.

11
12 The motion to amend carried by the following vote:

13 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

14 **Nays:** None (0)

15
16 Councilmembers discussed keeping government and religion separate, despite
17 supporting the Sikh community.

18
19 The motion to approve as amended carried by the following vote:

20 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, and Sidhu (6)

21 **Nays:** None (0)

22 **Abstains:** Frazey (1)

23
24
25 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

- 26
27 1. **AB2019-205 REQUEST CONFIRMATION OF COUNTY EXECUTIVE'S**
28 **APPOINTMENT OF DAVE FINET TO THE WHATCOM COUNTY HOUSING**
29 **AUTHORITY BOARD OF COMMISSIONERS AND FOR INFORMATION, THE**
30 **COUNTY EXECUTIVE CONCURS WITH MAYOR LINVILLE'S APPOINTMENT OF**
31 **STEPHEN GOCKLEY TO THE BELLINGHAM HOUSING AUTHORITY BOARD OF**
32 **COMMISSIONERS**

33
34 **Brenner moved** to confirm the appointment.

35
36 The motion was seconded.

37
38 The motion carried by the following vote:

39 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

40 **Nays:** None (0)

41
42
43 **INTRODUCTION ITEMS**

44
45 **Buchanan moved** to accept Introduction Items one through six and eight.

46
47 The motion was seconded.

48
49 Tyler Schroeder, Executive's Office, answered questions about the budget
50 supplemental process.

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1
2 Councilmembers discussed whether or not to introduce item eight before having a
3 discussion in committee.

4
5 Byrd withdrew item eight.

6
7 The motion to accept Introduction Items one through six carried by the following
8 vote:

9 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

10 **Nays:** None (0)

11
12 1. **AB2019-179 ORDINANCE AMENDING WCC 2.120.040 MEMBERSHIP- TERM**
13 **OF OFFICE FOR SURFACE MINING ADVISORY COMMITTEE**

14
15 2. **AB2019-190 ORDINANCE ESTABLISHING TEMPORARY INSTALLATION**
16 **OF STOP SIGNS DURING CONSTRUCTION OF THE WEST BADGER**
17 **ROAD/BERTRAND CREEK BRIDGE NO 50 REPLACEMENT PROJECT**

18
19 3. **AB2019-201 ORDINANCE AMENDING THE 2019 WHATCOM COUNTY**
20 **BUDGET, REQUEST NO. 5, IN THE AMOUNT OF \$1,613,991**

21
22 4. **AB2019-202 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE JAIL**
23 **IMPROVEMENT FUND, REQUEST NO. 4**

24
25 5. **AB2019-203 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE**
26 **NEW JAIL FUND 2013-2014, REQUEST NO. 4**

27
28 6. **AB2019-207 ORDINANCE ADOPTING AMENDMENTS TO WCC TITLE 20**
29 **ZONING, AMENDING THE LOT COVERAGE LIMITS FOR PUBLIC COMMUNITY**
30 **FACILITIES IN THE RESIDENTIAL RURAL (RR), RURAL (R), AND POINT**
31 **ROBERS TRANSITIONAL ZONE (TZ) DISTRICTS**

32
33 8. **ORDINANCE AMENDING THE 2019 WHATCOM COUNTY BUDGET, SIXTH**
34 **REQUEST, IN THE AMOUNT OF \$836,000**

35
36 ***Byrd moved*** to hold in Council.

37
38 The motion was seconded.

39
40 Councilmembers discussed problems with and benefits of moving forward with
41 Plantation Rifle Range facility repairs versus allowing a private organization to take over the
42 facility and whether or not to delay introduction.

43
44 Byrd withdrew his motion to hold in Council.

45
46 ***Buchanan moved*** to accept the Introduction Item.

47
48 The motion was seconded.

49
50 The motion carried by the following vote:

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1 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)
2 **Nays:** None (0)
3
4

5 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
6

7 Committee chairs reported on committee discussions.
8

9 Buchanan reported on referring the proposed ordinance to amend WCC 1.28 to the
10 Incarceration Prevention and Reduction Task Force and asked for clarity on what the Council
11 would like the Task Force to do.
12

13 Councilmembers discussed the Council’s expectations of the Task Force when
14 discussing the Sheriff’s Office proposal to repeal and replace WCC 1.28; how other
15 jurisdictions define their operational standards, polices, and procedures; and operational
16 standards versus facility standards.
17

18 Councilmembers gave updates on recent activities and upcoming events.
19
20

21 **ADJOURN**
22

23 The meeting adjourned at 9:25 p.m.
24

25 The County Council approved these minutes on _____, 2019.
26
27

28 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

29
30
31
32
33 _____
34 Dana Brown-Davis, Council Clerk
35
36
37
38 _____
39 Jill Nixon, Minutes Transcription

Rud Browne, Council Chair