

# Whatcom County Council

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



## Action Summary

Tuesday, May 24, 2022

6 PM

Hybrid Meeting

HYBRID MEETING (PARTICIPATE IN-PERSON OR SEE REMOTE JOIN  
INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL  
360.778.5010)

### COUNCILMEMBERS

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kaylee Galloway  
Kathy Kershner

### CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

### ROLL CALL

**Present:** 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, and Kathy Kershner

**Absent:** None

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

### SPECIAL PRESENTATION

1. [AB2022-269](#) Whatcom County Executive Sidhu will present his "State of the County" remarks to Council

**PRESENTED**

### MINUTES CONSENT

1. [MIN2022-032](#) Committee of the Whole Executive Session for May 10, 2022

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

2. [MIN2022-033](#) Committee of the Whole for May 10, 2022

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

3. [MIN2022-034](#) Regular County Council for May 10, 2022

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

4. [MIN2022-035](#) Water Work Session for May 17, 2022

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

**PUBLIC HEARINGS**

1. [AB2022-266](#) Request approval for the County Executive to submit up to three (3) applications and enter into grant agreements with the Washington State Department of Commerce for 2022 CDBG grant funding to support local projects that will benefit low-to-moderate income families in Whatcom County

**AUTHORIZED**

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

**Nay:** 0

**Absent:** 0

2. [AB2022-239](#) Resolution vacating a portion of Wynn Road

**APPROVED**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2022-026

3. [AB2022-261](#) Resolution amending Resolution No. 2021-056, making additional amendments to the 2020 Shoreline Management Program Periodic Update documents to be considered by the Department of Ecology in their final review and approval

**APPROVED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner

**Nay:** 0

**Absent:** 0

**Recused:** 1 - Elenbaas

Enactment No: RES 2022-027

4. [AB2022-282](#) Resolution declaring Whatcom County real property surplus

**APPROVED**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2022-028

5. [AB2022-283](#) Resolution authorizing the transfer of Whatcom County surplus property

**HEARD PUBLIC TESTIMONY AND HELD IN COUNCIL**

Motion approved 7-0 to leave the public hearing open (no later than June 30) until they have a defined transaction

**OPEN SESSION**

**CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

1. [AB2022-252](#) Request authorization for the County Executive to enter into a grant contract between Whatcom County and Washington State Health Care Authority for financial assistance to expand the MOUD (Medication for Opioid Use Disorder) Program in the Jail in the amount of \$149,839.00

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

2. [AB2022-284](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and U.S. Department of Agriculture (USDA), Forest Service, for a part time Sheriff's Office Deputy to patrol Mt. Baker-Snoqualmie National Forest, in the amount of \$21,773.14

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

3. [AB2022-285](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and U.S. Department of Agriculture (USDA), Forest Service, for a part-time Sheriff's Office Deputy to patrol Mt. Baker-Snoqualmie National Forest, in the amount of \$34,986.86

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

4. [AB2022-286](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Agriculture (USDA), Forest Service, for overtime patrols, in the amount of \$21,900.00

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

5. [AB2022-287](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Regional Council (NWRC) for Medication for Opioid Use Disorder (MOUD) Nursing Services at the Whatcom County Jail and Work Center in the amount of \$54,748.00

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

6. [AB2022-289](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and Local 114-PD of the Washington State Council of County and City Employees (WSCCCE) Council 2, American Federation of State, County & Municipal Employees (AFSCME) effective date of adoption through December 31, 2024

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

7. [AB2022-290](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Action Research to develop an outreach program to foster behavior changes related to proper disposal of moderate-risk hazardous waste in the amount of \$74,340

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

8. [AB2022-293](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Western Washington University for support of the construction of a Longhouse in the amount of \$75,000

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

9. [AB2022-297](#) Request approval for the County Executive to enter into an Interlocal Cooperative Purchasing Agreement with Kitsap County which will allow reciprocal utilization of competitively bid contracts, pursuant to RCW Chapter 39.34 Interlocal Cooperation Act

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

10. [AB2022-298](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to support operations of an overnight shelter for young adults experiencing homelessness in the amount of \$165,000 for a total amended contract amount of \$250,018

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

11. [AB2022-299](#) Request approval of the 2022 Economic Development Infrastructure Project list for funding from the EDI Fund and approval for the County Executive to enter into the required interlocals

**APPROVED REQUEST**

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

**Nay:** 0

**Absent:** 0

**OTHER ITEMS**

**(From Council Finance and Administrative Services Committee)**

1. [AB2022-260](#) Ordinance amending the project budget for the Sudden Valley Stormwater Improvements Fund, request no. 1  
**ADOPTED**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner  
**Nay:** 0  
**Absent:** 0  
Enactment No: ORD 2022-042
2. [AB2022-274](#) Ordinance amending the project based budget for the 2010 Jail Improvements Fund, request no. 5  
**ADOPTED**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner  
**Nay:** 0  
**Absent:** 0  
Enactment No: ORD 2022-043
3. [AB2022-275](#) Ordinance amending the 2022 Whatcom County Budget, request no. 8, in the amount of \$11,498,022  
**ADOPTED AS AMENDED**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner  
**Nay:** 0  
**Absent:** 0  
Enactment No: ORD 2022-044

(Item removed from this ordinance will be introduced tonight as a separate ordinance)

4. [AB2022-280](#) Ordinance amending Whatcom County Code Section 3.08.095, Small Works Roster Contract Award process, to update requirements for Bids and Proposals  
**HELD IN COMMITTEE**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner  
**Nay:** 0  
**Absent:** 0

**(From Council Committee of the Whole)**

5. [AB2022-302](#) Resolution supporting every person's right to inclusive healthcare

**SUBSTITUTE APPROVED**

**Aye:** 4 - Buchanan, Donovan, Frazey, and Galloway

**Nay:** 0

**Absent:** 0

**Abstain:** 3 - Byrd, Elenbaas, and Kershner

Enactment No: RES 2022-029

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2022-258](#) Appointment to a vacancy on the Board of Supervisors for Drainage Improvement District #6, Position 1, to serve a partial term until the next election in February 2024 - Applicant(s): Edward L. Thompson

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

2. [AB2022-276](#) Appointment to the Stakeholder Advisory Committee for the Justice Project, applicants: Teresa Bosteter, Eve Smason-Marcus (Application deadline for any other applicants to this vacancy is 10 a.m. on May 17, 2022)

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

**CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2022-294](#) Request confirmation of the County Executive's appointments of Shamika Brooks, Edna Revey and Therese Horan to the Public Health Advisory Board

**CONFIRMED**

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

**Nay:** 0

**Absent:** 0

2. [AB2022-296](#) Request confirmation of the County Executive's appointment of Jim Boyle to the Marine Resources Committee

**CONFIRMED**

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

**Nay:** 0

**Absent:** 0

**ITEMS ADDED BY REVISION****INTRODUCTION ITEMS**

1. [AB2022-303](#) Ordinance providing for the submission of a proposition to the qualified electors of Whatcom County authorizing the County to lift the limit on regular property taxes under Chapter 84.55 RCW for the purpose of funding for childcare, early learning programs, and increased support for vulnerable children

**SUBSTITUTE INTRODUCED FOR PUBLIC HEARING**

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

**Nay:** 0

**Absent:** 0

2. [AB2022-281](#) Appointment to a vacancy on the Board of Equalization for an at-large alternate - Applicant(s): Thomas Goetzl and Jen Glyzinski

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

- [AB2022-319](#) Ordinance amending the 2022 Whatcom County Budget, request No. 8a, in the amount of \$1,500,000

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

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