

Whatcom County Council

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



Action Summary

**Tuesday, March 7, 2023
6 PM
Hybrid Meeting**

**HYBRID MEETING (PARTICIPATE IN-PERSON AT 311 GRAND AVENUE SUITE
101, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010), AGENDA
REVISED 3.6.2023**

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

MINUTES CONSENT

1. [MIN2023-017](#) Committee of the Whole Executive Session for February 21, 2023

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

2. [MIN2023-018](#) Committee of the Whole for February 21, 2023

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

3. [MIN2023-019](#) Regular County Council for February 21, 2023

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

PUBLIC HEARINGS

1. [AB2023-122](#) Ordinance updating Whatcom County Code (WCC) 12.36, Load Limits and repealing WCC 10.30, Permanent Weight Limitations

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2023-008

2. [AB2023-127](#) Resolution adopting the Healthy Children's Fund Implementation Plan
PUBLIC HEARING HELD (file not final)

Motion approved 7-0 that they keep the public hearing open until the issue comes before the Council on March 21st.

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2023-147](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department to provide disaster case management and housing assistance to households impacted by the December 2022 storms, in the amount of \$396,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

2. [AB2023-151](#) Request approval for the County Executive to authorize the purchase of two (2) passenger vans, using the Washington State Contract #05916, from Bud Clary Ford/Hyundai, located in Longview, Washington, in an amount not to exceed \$73,707.66

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

3. [AB2023-153](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the City of Bellingham to support staffing and implementation of the Alternative Response Team Pilot Program in the amount of \$62,969 for a total amended contract amount of \$322,179

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

4. [AB2023-154](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to support the Housing and Essential Needs Program in the amount of \$157,120 for a total amended contract amount of \$2,811,264

This item was considered separately (see below).

5. [AB2023-161](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Long Term Recovery Group to provide disaster case management and housing assistance to households impacted by the December 2022 storms, in the amount of \$360,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

6. [AB2023-163](#) Request authorization for County Executive to enter into a contract between Whatcom County and Bellingham Technical College for oversight of the instructional process of the Paramedic Training program in the amount of \$42,990

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

7. [AB2023-170](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide funding for motel rooms for families with children who would otherwise experience unsheltered homelessness in the amount of \$172,111.49 for a total amended contract amount of \$573,129.49

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

8. [AB2023-175](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to operate the Whatcom

Homeless Service Center in the amount of \$1,344,000 for a total amended contract amount of \$9,033,021

This item was considered separately (see below).

9. [AB2023-176](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lifeline Connections to provide behavioral health services in the Whatcom County Jail and Work Center in the amount of \$310,000 for a total amended contract amount of \$1,580,586

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

10. [AB2023-184](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Crossroads Consulting to expand the scope and compensation of the agreement, in an amount of \$66,750 for a total amended contract amount of \$217,700

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

4. [AB2023-154](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to support the Housing and Essential Needs Program in the amount of \$157,120 for a total amended contract amount of \$2,811,264

AUTHORIZED

Aye: 5 - Buchanan, Donovan, Frazey, Galloway, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

8. [AB2023-175](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center in the amount of \$1,344,000 for a total amended contract amount of \$9,033,021

AUTHORIZED

Aye: 5 - Buchanan, Donovan, Frazey, Galloway, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

1. [AB2023-181](#) Request approval to send a letter in support of Ejidos Community Farm's 2023 Local Community Projects Capital Budget request

APPROVED REQUEST

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

Nay: 1 - Elenbaas

Absent: 0

(From Council Finance and Administrative Services Committee)

2. [AB2023-183](#) Letter of support for the Small and Rural Courthouse Matching Grant Program for enhanced courthouse security

APPROVED REQUEST AS AMENDED

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

Nay: 0

Absent: 0

Approved the request to send the letter with Galloway's suggested language after sending that to the Clerk of the Council who will poll Councilmembers for final approval.

(No Committee Assignment)

3. [AB2023-152](#) Request authorization for the County Executive to sign the Washington State Allocation Agreement Governing the Allocation of Funds Paid by Certain Settling Opioid Manufacturers and Pharmacies and the attached Subdivision Settlement Participation forms

APPROVED REQUEST

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

Nay: 0

Absent: 0

4. [AB2023-156](#) Ordinance suspending Whatcom County Code 1.28 to update the Correctional Facilities Operational Standards

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2023-009

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-160](#) Appointment to fill a vacancy on the Surface Mining Advisory Committee, surface mining material user position, Applicant(s): Ryan Devries

APPOINTED

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

Nay: 0

Absent: 0

ITEMS ADDED BY REVISION

1. [AB2023-191](#) Request approval to send a letter of support for application to U.S. Department of Justice to fund the Whatcom County Law Enforcement Assisted Diversion (LEAD) program

APPROVED REQUEST

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

Nay: 0

Absent: 0

2. [AB2023-193](#) Request approval to send a letter of support for net ecological gain

APPROVED REQUEST

Aye: 5 - Buchanan, Byrd, Donovan, Frazey, and Galloway

Nay: 1 - Elenbaas

Absent: 0

Abstain: 1 - Kershner

INTRODUCTION ITEMS

1. [AB2022-641](#) Ordinance adopting the Buildable Lands Report

SUBSTITUTE INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

2. [AB2023-145](#) Ordinance amending Ordinance No. 2022-058 to change the due date of the Child and Family Well-Being Task Force Phase III report

INTRODUCED

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

Nay: 0

Absent: 0

3. [AB2023-149](#) Ordinance amending the project budget for the Academy Road Stormwater Improvements Project Fund, request no. 3

INTRODUCED

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

Nay: 0

Absent: 0

4. [AB2023-155](#) Ordinance amending Whatcom County Code 2.128, Business and Commerce Advisory Committee, to revise membership

INTRODUCED

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

Nay: 0

Absent: 0

5. [AB2023-158](#) Ordinance declaring public necessity for and the authorization to acquire certain property rights by eminent domain for the E. Smith Road and Hannegan Road Intersection Improvements Project

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

6. [AB2023-166](#) Ordinance establishing a compost procurement policy

INTRODUCED

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

Nay: 0

Absent: 0

7. [AB2023-172](#) Ordinance adopting amendments to Whatcom County Code Chapter 16.50, Commercial Property Assessed Clean Energy and Resiliency (C-PACER) Program

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

8. [AB2023-174](#) Ordinance adopting various minor amendments to Whatcom County Code Title 20, Zoning; Title 21, Land Division Regulations, and; Title 22, Land Use and Development

This item was considered separately (see below).

9. [AB2023-182](#) Appointment to fill a vacancy on the Child and Family Well-Being Task Force, Applicant(s): Samantha Cruz-Mendoza

INTRODUCED

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

Nay: 0

Absent: 0

10. [AB2023-185](#) Ordinance amending the 2023 Whatcom County Budget, request no. 4, in the amount of \$7,015,999

INTRODUCED

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

Nay: 0

Absent: 0

11. [AB2023-186](#) Ordinance amending the project based budget for the Courthouse Improvement Fund, request no. 4

INTRODUCED

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

Nay: 0

Absent: 0

INTRODUCTION ITEMS CONSIDERED SEPARATELY

8. [AB2023-174](#) Ordinance adopting various minor amendments to Whatcom County Code Title 20,

Zoning; Title 21, Land Division Regulations, and; Title 22, Land Use and Development

WITHDRAWN

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

Nay: 0

Absent: 0

Further discussion on this item will be scheduled in Committee.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

MOTION FROM EXECUTIVE SESSION (AB2023-157):

Motion approved 6-1, with Elenbaas opposed, to authorize the County Executive to move forward with and complete the acquisition of the property and to lease a portion of the property as long as the purchase price of the property does not exceed the amount discussed in executive session.

ADJOURN