

Whatcom County Council

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



Minutes - Draft Minutes

Tuesday, March 24, 2026

6 PM

Hybrid Meeting - Council Chambers

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA REVISION 3.20.2026

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

Council Chair Kaylee Galloway called the meeting to order at 6:02 p.m. in a hybrid meeting.

ROLL CALL

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremler

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, reported on items in the approved operating and capital budgets coming out of the State Legislative Session that have to do with Whatcom County, and he spoke about his office's commitment to pursuing the construction of the behavioral care center concurrently with the new jail. He also stated he would like to acknowledge the Council's consideration of the new public safety tax tonight, which will ensure Whatcom County can keep its deputies on the road, its courts running, and ensure that the Sheriff can have a decent office, and that the jail can have an excellent healthcare system.

MINUTES CONSENT

Scanlon moved to accept the minutes consent items. The motion was seconded by Boyle (see votes on individual items below).

1. [MIN2026-023](#) Special Committee of the Whole for March 3, 2026

Scanlon moved and Boyle seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [MIN2026-024](#) Committee of the Whole Executive Session for March 10, 2026

Scanlon moved and Boyle seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [MIN2026-025](#) Regular County Council for March 10, 2026

Scanlon moved and Boyle seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

4. [MIN2026-026](#) Committee of the Whole for March 10, 2026

Scanlon moved and Boyle seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

PUBLIC HEARINGS

1. [AB2026-213](#) Ordinance authorizing a sales and use tax of one-tenth of one percent for criminal justice purposes as authorized by RCW 82.14.345 and adding a new Chapter 3.27 Sales and Use Tax for Criminal Justice Purposes to the Whatcom County Code

Galloway opened the Public Hearing and the following people spoke:

- Adam Bellingar
- Cynthia Sue Ripke-Kutsagoitz
- Brian Gass
- Hannah Ordos
- Cesar Luna
- Lyle Sorenson
- Michele Cameron

Hearing no one else, Galloway closed the Public Hearing.

Galloway moved and Scanlon seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Stremler moved to table this item in order to give Council the opportunity to consider an alternative ordinance, which gives the voters the ability to decide if they want to participate in a new tax.

The motion was seconded by Elenbaas.

Stremler started to explain why he made the motion to table, but Scanlon offered a point of order since this was a motion to table.

Cathy Halka, Clerk of the Council, answered if there can be discussion on such a motion and stated a motion to table supersedes the main motion, and it requires a second. There is no debate and it requires a two thirds majority.

The motion to table failed by the following vote (requires a two thirds majority vote):

Aye: 4 - Buchanan, Elenbaas, Stremler, and Boyle

Nay: 3 - Galloway, Rienstra, and Scanlon

Elenbaas moved to hold. The motion was seconded by Stremler.

Elenbaas spoke about why he would like to hold this item, and stated he would like the public to have a chance to weigh in on whether they would just like the Council to pass this or if they would like to speak to it at the ballot box (see **AB2026-259** under Introduction).

The following people discussed the motion with the councilmembers:

- Kimberly Thulin, Prosecuting Attorney's Office
- Kayla Schott-Bresler, Executive's Office
- Satpal Sidhu, County Executive
- Steve Harris, Undersheriff
- Cathy Halka, Clerk of the Council

They discussed whether it could go on a ballot in the primary or general election if it were put on the ballot and how that might interact with budget discussions if it is put on the August ballot, that the Executive would have to prepare the budget without this revenue which would cause departments to absorb the costs outlined in Scanlon's proposed version (**AB2026-255** under Items Added by Revision) of the ordinance, that this is repealable by referendum, if they want to keep the public hearing open and if they want to note a specific date about when they would discuss this next, the three options (ordinances) before them, a hesitation to hold because they have a deadline to submit their intention to the State Department of Revenue, that the Elenbaas/Stremler version (**AB2026-259**, added Introduction item) has not had an opportunity for legal review, the importance of getting public input, that public safety is a broad term and refers to more than just deputies on the ground, when they could get legal analysis to see if putting this on the ballot is an option before they have opted *not* to do this councilmanically, that eligibility for the statewide grant program does not require the passage of this sales tax ordinance and the Sheriff's Office's intent is to have their grant application completed by March 31st, thinking

about cuts the Sheriff would have to make in order to absorb \$4-5 million, that they could potentially have three public hearings on April 14 and would have to take action on that date if they want the tax to start in July, that January would be the soonest a tax could go into effect if it was on a ballot, that they have until 2028 to pass it councilmanically, language in the Revised Code of Washington regarding how the tax can be passed, what date they should schedule for continued public hearing and discussion of whether they want to put the tax on the ballot, and whether a hearing can be held at a special meeting.

Elenbaas updated the motion to hold until April 7th or April 14th and stated they can leave it to the discretion of the chair after legal determines what is feasible.

Schott-Bresler spoke about how critical it is to have budget certainty for departments. The Administration is working on budget instructions now and this will be a critical component.

Elenbaas stated taxpayers want budget certainty as well.

The motion to hold (till April 7th or 14th) carried by the following vote:
Aye: 6 - Elenbaas, Rienstra, Scanlon, Stremler, Boyle, and Buchanan
Nay: 1 - Galloway

Clerk's note: It was decided later in this meeting (under **AB2026-259**) to hold a joint public hearing on April 14th.

Elenbaas's motion that the Ordinance Requiring a Public Hearing be HELD IN COUNCIL until April 7th or 14th carried by the following vote:

Aye: 6 - Boyle, Buchanan, Elenbaas, Rienstra, Scanlon, and Stremler

Nay: 1 - Galloway

Held in Council and public hearing held open until April 7th or 14th (see motion on AB2026-255 below).

OPEN SESSION

The following people spoke:

- Cynthia Sue Ripke-Kutsagoitz
- Ryan Bowman
- Alexandra Williams
- Sherwin Tonty
- Jason Postma

- Bill Geyer
- Brian Gass
- Lynette Polinder
- Nicole Sandoval Postma
- Stacey Dailey
- Lyle Sorenson
- Hannah Ordos
- David Foreman
- Dwayne Engelsman
- Natalie Chavez
- Austin Papritz

Hearing no one else, Galloway closed the Open Session.

Councilmembers took a short recess at 8:24 p.m. and reconvened at 8:40 p.m.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Scanlon reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda item numbers 1 and 3-11.

Councilmembers voted on those items (see votes on individual items below).

1. [AB2026-214](#) Request authorization for the County Executive to enter into an amended interlocal between Whatcom County and Washington State Department of Transportation to increase the grant in the amount of \$34,250

Scanlon reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [AB2026-220](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Puget Sound Partnership to provide grant funding for the development of a source control business inspection program that complies with the National Pollutant Discharge Elimination System (NPDES), in the amount of \$100,817

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

3. [AB2026-222](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the County to provide administrative oversight to the City concerning Domestic Violence Perpetrator Opportunity for Treatment Services (DVPOTS) for a total amount of \$150,000

Scanlon reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

4. [AB2026-225](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Washington State Military Department to relocate an All Hazards Alert Broadcast siren in the amount of \$45,000 for a total amended contract amount of \$45,000

Scanlon reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

5. [AB2026-226](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to purchase and distribute basic needs items to low-income families with children ages 0-5 in the amount of \$17,250 for a total amended contract amount of \$111,061

Scanlon reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

6. [AB2026-227](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Center for Early Learning to expand mental health support services to low-income children in the amount of \$289,854 for a total amended contract amount of \$688,563

Scanlon reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

7. [AB2026-228](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Bellingham Food Bank to support operations for procuring/purchasing, warehousing and distributing food and other essentials to low and very low income families in the amount of \$500,000 for a total amended contract amount of \$1,945,000

Scanlon reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremmer

Nay: 0

8. [AB2026-229](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to expand services to eligible families through a Case Manager Position in the Single Entry Access to Services Program in the amount of \$46,000 for a total amended contract amount of \$86,000

Scanlon reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremmer

Nay: 0

9. [AB2026-230](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Department of Transportation to execute a Federal Aid Project Prospectus for the design phase of the Birch Bay-Lynden Road and Kickerville Road Intersection Improvements project in the amount of \$260,000

Scanlon reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremmer

Nay: 0

10. [AB2026-236](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lutheran Community Services Northwest to lease a facility intended for use as a severe weather shelter in the amount of \$32,000 for a total amended contract amount of \$98,455

Scanlon reported for the Finance and Administrative Services Committee and

moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

11. [AB2026-241](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Skagit County to Skagit County's servers, in the amount of \$5,000

Scanlon reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

CONSENT AGENDA CONSIDERED SEPARATELY

2. [AB2026-220](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Puget Sound Partnership to provide grant funding for the development of a source control business inspection program that complies with the National Pollutant Discharge Elimination System (NPDES), in the amount of \$100,817

Scanlon reported for the Finance and Administrative Services Committee **and moved** that the Interlocal be AUTHORIZED.

Elenbaas referred to the reasons he gave in committee for opposing this item and stated it is not that he is opposed to setting up a National Pollutant Discharge Elimination System (NPDES) permit compliance structure.

Scanlon's motion that the Interlocal be AUTHORIZED carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas, and Stremler

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2026-114](#) Ordinance establishing the project budget for the Strawberry Point/Lake Whatcom Boulevard stormwater improvements, request no. 1

Scanlon reported for the Finance and Administrative Services Committee **and moved** that the Ordinance be ADOPTED.

He stated they received a hard copy of the quarter four end of year financial report and it is now online. As a result, the following budget-related ordinances will come into compliance as per the Charter.

Scanlon's motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-011

- 2. [AB2026-134](#) Ordinance amending the project budget for the Courthouse Building Envelope Fund, request no. 7

Scanlon reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-012

- 3. [AB2026-143](#) Ordinance establishing the Ferndale Senior Activity Center Improvements Fund and establishing an initial budget for the Ferndale Senior Activity Center Improvements Fund

Scanlon reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-013

- 4. [AB2026-181](#) Ordinance amending the project budget for the Eagleridge Stormwater Improvements Project Fund, request no. 1

Scanlon reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-014

5. [AB2026-183](#) Ordinance amending the project based budget for the Swift Creek Capital Projects Fund, request no. 3
- Scanlon reported for the Finance and Administrative Services Committee and moved that the SUBSTITUTE Ordinance be ADOPTED. The motion carried by the following vote:**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: ORD 2026-015
6. [AB2026-200](#) Ordinance closing the Bellingham Senior Center HVAC Replacement Fund
- Scanlon reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: ORD 2026-016
7. [AB2026-204](#) Ordinance amending the 2026 Whatcom County Budget, request no. 5, in the amount of \$741,113
- Scanlon reported** for the Finance and Administrative Services Committee **and moved** that the Ordinance be ADOPTED.
- Elenbaas spoke about why he will vote no on this item. He stated there is a list of budget expenditures but he can only vote yes or no on the whole list. If there is something on the list that he has previously voted no for, he votes no.
- Scanlon's motion that the Ordinance be ADOPTED carried by the following vote:**
- Aye:** 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon
- Nay:** 2 - Elenbaas, and Stremler
- Enactment No: ORD 2026-017
8. [AB2026-206](#) Ordinance amending the 2026 Whatcom County Budget, request no. 6, in the amount of \$3,920,278
- Scanlon reported** for the Finance and Administrative Services Committee **and moved** that the Ordinance be ADOPTED.
- Elenbaas stated he will vote yes for this because he previously voted yes on

a majority of the items in here.

Scanlon's motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-018

9. [AB2026-238](#) Resolution updating the appendix of the 2022 Comprehensive Economic Development Strategy (CEDS) project list

Scanlon reported for the Finance and Administrative Services Committee and stated this item did not have a recommendation from committee. *He moved* that the SUBSTITUTE Resolution be APPROVED.

Kayla Schott-Bresler, Executive's Office, confirmed that the difference between the proposed resolution and the substitute was the addition of the behavioral care center and outfitting to the Planning and Development Services building acquisition, and stated the changes are reflected in the table in the substitute resolution.

The motion was seconded by Boyle.

Elenbaas stated the reason why the CEDS list is important is because it is like the comprehensive plan for economic development projects, so to speak. They have to have it in order to apply for certain grants.

Schott-Bresler answered if Council can still add a project if it is not currently on the list and stated they can add items through a resolution at any time. She answered why the 23-hour crisis relief center is separate than the behavioral care center, and stated that is probably an error in the document.

Rienstra spoke about significant number of flood-related projects in the table and stated she is grateful for those.

Scanlon's motion that the SUBSTITUTE Resolution be APPROVED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-010

(No Committee Assignment)

10. [AB2026-242](#) Request for motion to approve a letter to Representative Rick Larsen thanking him for his work to secure the release of federal Hazard Mitigation Grant Program funds from the Federal Emergency Management Agency

Boyle moved and Buchanan seconded that the Request be APPROVED.

Boyle briefed the councilmembers on the letter, and stated they wanted to send gratitude to Congressman Larsen for his support and for doing his part to make sure that the Hazard Mitigation Grant Program funds were released. Those funds have been released and disbursed. They are still awaiting additional funding for five homes to be acquired, but they are moving in the right direction and they wanted to make sure to say thank you to Congressman Larsen.

Boyle's motion that the Request for Motion be APPROVED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

11. [AB2026-243](#) Assignment of a councilmember to serve on the Americans with Disabilities Act Compliance Committee

Galloway moved that they appoint Councilmember Boyle to serve on the Americans with Disabilities Act Compliance Committee.

The motion was seconded by Rienstra.

The motion carried by the following vote:

Aye: 7 - Scanlon, Stremler, Boyle, Buchanan, Elenbaas, Galloway, and Rienstra

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved 7-0 that they appoint Councilmember Boyle to serve on the Americans with Disabilities Act compliance committee.

12. [AB2026-244](#) Request for motion to approve a letter of support for a grant application to the Washington State Department of Transportation Safe Routes to School Grant Program for improvements around Alderwood Elementary School

Scanlon moved and Boyle seconded that the Request be APPROVED.

Scanlon briefed the councilmembers and stated some community members

brought this to the attention of councilmembers, and Public works and Council staff put the letter together. It would add to some of the work the Council did last year on the crossing on Bennett Drive.

Scanlon's motion that the Request for Motion be APPROVED REQUEST carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

ITEMS ADDED BY REVISION

1. [AB2026-255](#) Ordinance authorizing a sales and use tax of one-tenth of one percent for criminal justice purposes as authorized by RCW 82.14.345 and adding a new Chapter 3.27 Sales and Use Tax for Criminal Justice Purposes to the Whatcom County Code

Clerk's note: see also, **AB2026-213** and **AB2026-259** on this agenda.

Scanlon moved and Rienstra seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING.

Scanlon stated this is a version of the ordinance regarding the criminal justice sales tax which takes the base of the executive's proposal and adds in more specificity for the direction for the use of these funds (in the new fourth, fifth, and sixth whereas statements). He spoke about the added statements.

Elenbaas stated he will support introducing this. He would prefer his ordinance (**AB2026-259**), but he would like to evaluate this rather than the one the Executive's Office brought forward (**AB2026-213**).

Scanlon stated he would like the motion to state that they would hold the public hearing on the same date (April 7 or 14) that they would hold the discussion for councilmembers Stremler's and Elenbaas' ordinance if it is introduced.

Scanlon amended the motion **and moved** to introduce the ordinance and set a public hearing for April 7th or 14th at the discretion of the chair to coincide with the other agenda items dealing with the same topic.

Clerk's note: It was decided later in this meeting (under **AB2026-259**) to hold a joint public hearing on April 14th.

Scanlon's motion that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING and a public hearing set for April 7th or 14th at the discretion of the chair to coincide with the other agenda

items dealing with the same topic carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Motion approved 7-0 to introduce and set a public hearing for April 7th or 14th at the discretion of the chair to coincide with the other agenda items dealing with the same topic.

INTRODUCTION ITEMS

Buchanan moved to introduce items one through three. The motion was seconded by Boyle.

Scanlon stated item number 3 is the strategic planning workshop meeting report that came out of Council's retreat in February. He asked when they would be discussing it.

Cathy Halka, Clerk of the Council, stated her recollection of the process was to deliver the report from the letter of agreement contract that we have, and then give the Council the opportunity to provide direction on whether they would like to continue with the next phase, which she thinks would be May 5th if Council would like to move forward and spend additional funds (\$3,500) on a second phase.

Councilmembers voted on the introduction items (see votes on individual items below).

Galloway stated they can distribute the draft scope of work for Phase 2 of strategic planning and then at a future scheduled meeting they can provide more formal direction.

1. [AB2026-221](#) Appointment to a vacancy on the Justice Project Oversight and Planning (JPOP) Committee, criminal legal system user, applicant(s): Cesar Luna

Buchanan moved and Boyle seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [AB2026-232](#) Appointment to a vacancy on the Planning Commission, District 4 or 5, Applicants: Lindsey Elenbaas, Gurdeep Bains, Jeremy Thompson

Buchanan moved and Boyle seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the

following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [AB2026-239](#) Receipt of Whatcom County Council strategic planning workshop meeting report

Buchanan moved and Boyle seconded that the document be RECEIVED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

INTRODUCTION ITEM ADDED

1. [AB2026-259](#) Ordinance submitting to the qualified voters of Whatcom County a proposition authorizing a sales and use tax of one-tenth of one percent (0.1%) for criminal justice purposes, as authorized by RCW 82.14.345

Clerk's note: this file was added and an agenda bill number assigned at this time of the meeting via a motion.

Stremler moved to introduce AB2026-259 Ordinance submitting to the qualified voters of Whatcom County a proposition authorizing a sales and use tax of one-tenth of one percent (0.1%) for criminal justice purposes, as authorized by RCW 82.14.345.

The motion was seconded by Elenbaas.

Councilmembers discussed the RCW notation and Elenbaas stated it should be as stated in the motion.

Scanlon spoke about Section 1 (Submission to voters) on page 2 of the proposed ordinance and stated he does not think a special election is allowed under RCW 82.14.345. His suggestion would be to change "special" to "primary."

Councilmembers discussed the possible amendment and whether there is anything else they would like to amend.

Elenbaas stated he would not be opposed to adding in the list from Scanlon's version (**AB2026-255**) stating what the revenue should be spent on and councilmembers discussed that.

Kimberly Thulin, Prosecuting Attorney's Office, explained why she has not yet approved the ordinance as to form and discussed with Elenbaas if they

need to add a ballot title to the ordinance and who should write it.

Scanlon moved to amend Section 1 (Submission to voters) to strike “or at a special election” and to add “primary or” before “general election” so that it reads:

Section 1. Submission to Voters

Pursuant to RCW 82.14.345, there shall be submitted to the qualified voters of Whatcom County, at the next primary or general election as determined by the County Auditor, a proposition authorizing the County to impose a sales and use tax of one-tenth of one percent (0.1%) for criminal justice purposes.

The motion was seconded by Elenbaas.

The motion to amend carried by the following vote:

Aye: 7 - Galloway, Rienstra, Scanlon, Stremler, Boyle, Buchanan, and Elenbaas

Nay: 0

Scanlon moved to amend the ordinance to add a new whereas clause after the fifth whereas clause which reads:

WHEREAS, the Whatcom County Council intends that revenues from the new Sales and Use tax for criminal justice purposes be prioritized in the 2027-28 biennial budget for support to the Whatcom County Sheriff's Office for jail health and food services, support to the Whatcom County Sheriff's Office for lease payments for the new Sheriff's office, and support for labor costs necessary to maintain levels of service across County departments and offices eligible to use revenues under RCW 82.14.345; and

The motion was seconded by Elenbaas.

Councilmembers discussed the motion, the spirit of RCW 82.14.345, if the items listed in the amendment will help people vote yes or no and if they are better off leaving it out, and keeping specificity in the form of a resolution instead of adding it to the ordinance.

The motion to amend carried by the following vote:

Aye: 6 - Rienstra, Scanlon, Boyle, Buchanan, Elenbaas, and Galloway

Nay: 1 - Stremler

Councilmembers discussed the motion to introduce as amended, how and when it was added to the agenda and why, and that this tax was part of the discussion when they discussed the Sherriff's Office lease,

Kayla Schott-Bresler, Executive's Office, stated she wants to be clear for the record, that in the executive's budget presentations to Council, they identified this revenue source as a core strategy for the 2027-2028 biennial budget process, and were very transparent that they intended to put an ordinance forward to the council.

Councilmembers and Schott-Bresler discussed what changes Council might want to make to the ordinance so that it can all be reviewed by legal, whether they should state that they would hold a joint public hearing on this and the other two versions (**AB2026-255** and **AB2026-213**) on April 14th, and that discussions about the budget essentially said should the council choose not to pass this tax in 2026, the executive would move to implement austerity measures, halt all non-discretionary spending, and proceed with preparing a biennial budget to absorb upwards of \$7 million of cuts.

Cathy Halka, Clerk of the Council, confirmed that the mover and the seconder both agree on the April 14th date for a public hearing.

Stremler's motion that the Ordinance Requiring a Public Hearing be INTRODUCED AS AMENDED FOR PUBLIC HEARING on April 14th carried by the following vote:

Aye: 6 - Boyle, Buchanan, Elenbaas, Rienstra, Scanlon, and Stremler

Nay: 1 - Galloway

MOTION 1

Motion approved 6-1, with Galloway opposed, to introduce AB2026-259 Ordinance submitting to the qualified voters of Whatcom County a proposition authorizing a sales and use tax of one-tenth of one percent (0.1%) for criminal justice purposes, as authorized by RCW 82.14.345 as amended, and to hold a joint public hearing on April 14th.

MOTION 2

Motion approved 7-0 to amend Section 1. Submission to voters to change special election to primary or general so that it reads:

Section 1. Submission to Voters

Pursuant to RCW 82.14.345, there shall be submitted to the qualified voters of Whatcom County, at the next primary or general election as determined by the County Auditor, a proposition authorizing the County to impose a sales and use tax of one-tenth of one percent (0.1%) for criminal justice purposes.

MOTION 3

Motion approved 6-1, with Stremmer opposed, to amend the ordinance to add a new whereas clause after the fifth whereas clause which reads:

WHEREAS, the Whatcom County Council intends that revenues from the new Sales and Use tax for criminal justice purposes be prioritized in the 2027-28 biennial budget for support to the Whatcom County Sheriff's Office for jail health and food services, support to the Whatcom County Sheriff's Office for lease payments for the new Sheriff's office, and support for labor costs necessary to maintain levels of service across County departments and offices eligible to use revenues under RCW 82.14.345; and

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

(Motion from Committee of the Whole Executive Session)

[AB2026-237](#) Discussion of pending litigation with Chief Civil Deputy Prosecutor Thomas Seguire concerning opioid settlements and Whatcom County's participation in the "Six Remnant Defendants" Opioid Settlement Agreement [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110. (1)(i)]
Galloway reported for Committee of the Whole Executive Session.

Rienstra moved and Scanlon seconded to authorize Satpal Sidhu, Whatcom County Executive, to sign the Six (6) Remnant Defendants Combined Participation Form on behalf of Whatcom County, as discussed in Executive Session.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremmer

Nay: 0

Boyle moved and Scanlon seconded to delegate authority to the executive to execute and sign participation forms related to future opioid settlements on behalf of the county, without further approval of the council.

Councilmembers discussed the motion and that the authority delegated is specific only to future opioid settlements.

Kimberly Thulin, Prosecuting Attorney's Office, stated the language is broad but it is broad only with respect to the opioid settlements.

The motion carried by the following vote:

Aye: 7 - Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, Stremmer, and Boyle

Nay: 0

Councilmembers gave other committee reports.

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved 7-0 to authorize executive Satpal Sidhu to sign the Six Remnant Defendants Combined Participation form on behalf of Whatcom County as discussed in Executive Session.

Motion approved 7-0 to delegate authority to the executive to execute and sign participation forms related to future opioid settlements on behalf of the county, without further approval of the council.

ADJOURN

The meeting adjourned at 10:06 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger