



Whatcom County

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

Council Action Summary - Final

Council

Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

Tuesday, January 29, 2019

7:00 PM

Council Chambers

AGENDA REVISED 1/29/2019 - SEE REVISION NOTICE

COUNTY COUNCIL

CALL TO ORDER

FLAG SALUTE

ROLL CALL

Present: 7 - Brenner, Rud Browne, Buchanan, Byrd, Todd Donovan, Frazey, and Sidhu

Absent: 0

ANNOUNCEMENTS

PUBLIC HEARINGS

- 1 [AB2019-032](#) Resolution to sell tax-title property by public auction

Resolution 2019-003

APPROVED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-003

2. [AB2019-064](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded facilities in the Cherry Point UGA, the primary purpose of which would be the shipment of unrefined fossil fuels not to be processed at Cherry Point

Ordinance 2019-010

ADOPTED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 0

Enactment No: ORD 2019-010

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

- 1 [AB2019-113](#) Resolution requesting the County Executive provide staff resources and funding to allow Cascadia Law Group to complete Contract No. 201708008 related to legal ways the County may choose to limit the negative impacts on public safety, transportation, the economy, and environment from crude oil, coal, liquefied petroleum gases, and natural gas transshipments from the Cherry Point UGA

Resolution 2019-004

APPROVED AS AMENDED

Aye: 4 - Browne, Donovan, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 1 - Buchanan

Enactment No: RES 2019-004

OPEN SESSION (20 MINUTES)

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

- 1. [AB2019-024](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Marvin Wayne, M.D., P.S. in the amount of \$160,000

AUTHORIZED BY CONSENT

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

- 2. [AB2019-025](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Humane Society to extend the term of the Agreement to April 30, 2019

AUTHORIZED BY CONSENT

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-081](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Office of Crime Victims Advocacy to increase advocacy for child victims of abuse or neglect in dependency Court Appointed Special Advocates program, in the amount of \$95,173.00

Indexes: Revenue & Finance

AUTHORIZED BY CONSENT

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

4. [AB2019-068](#) Resolution to approve annual petition for refunds paid list consistent with RCW 84.69.020

Resolution 2019-005

APPROVED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-005

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

- 1 [AB2019-033](#) Ordinance amending the 2019-2020 Whatcom County Budget, request no. 1, in the amount of \$778,500

Ordinance 2019-011

ADOPTED

Aye: 5 - Brenner, Browne, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Buchanan

Enactment No: ORD 2019-011

2. [AB2019-036](#) Ordinance amending Whatcom County Code 2.108, Bellingham-Whatcom County Commission Against Domestic Violence, expanding the scope of the Commission and referring to interlocal agreement with the City of Bellingham

Indexes: Boards and Commissions

Ordinance 2019-012

ADOPTED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-012

3. [AB2019-040](#) Ordinance amending Whatcom County Code Chapter 2.128, Business and Commerce Advisory Committee, to add one additional member
FAILED

Aye: 3 - Browne, Frazey, and Sidhu

Nay: 2 - Brenner, and Byrd

Absent: 1 - Buchanan

Abstain: 1 - Donovan

4. [AB2019-082](#) Request for County Council to approve the Criminal Justice Treatment Account Plan

Indexes: Criminal Justice

AUTHORIZED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

5. [AB2019-087](#) Request authorization for the County Executive to enter into an EDI Interlocal Loan and Grant Agreement between Whatcom County and Port of Bellingham in the amount of \$250,000

Indexes: Economic Development; Revenue & Finance

HELD IN COMMITTEE

- 6. [AB2019-089](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$215,951 for a total amended contract amount of \$1,999,276.90

AUTHORIZED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

- 7. [AB2019-037](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham regarding the City of Bellingham-Whatcom County Commission on Domestic & Sexual Violence

Indexes: Boards and Commissions

AUTHORIZED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

- 8. [AB2019-034](#) Resolution amending the 2019 Flood Control Zone District and Subzones Budget, request no. 1, in the amount of \$35,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Resolution 2019-006

APPROVED

Aye: 5 - Brenner, Browne, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Buchanan

Enactment No: RES 2019-006

- 9. [AB2019-049](#) Resolution cancelling uncollectible personal property taxes

Resolution 2019-007

APPROVED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-007

10. [AB2019-108](#) Resolution allowing appointment of one Councilmember to serve as an optional alternate member of the Washington State Association of Counties Board of Directors

Resolution 2019-008

APPROVED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: RES 2019-008

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-052](#) Appointments to fill vacancies on the Flood Control Zone District Advisory Committee - Applicants: Geographic Area - Dale Blok, Albert DeBoer, Scott Hulse, Kent Roorda. Special Districts - Ron Bronsema, Jeff DeJong. Impacted Cities - Kyle Christensen, John Perry. Council acting as the Whatcom County Flood Control Zone Board of Supervisors

APPOINTED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

2. [AB2019-092](#) Appointment to fill vacancy on Portage Bay Shellfish Protection District Advisory Committee. Applicant: Alan Chapman

APPOINTED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

3. [AB2019-093](#) Appointment to fill vacancy on the Sumas/Everson/Nooksck Flood Control Sub-Zone Advisory Committee. Applicant: Jerry Juergens

APPOINTED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-086](#) County Executive Jack Louws requests confirmation of his new appointments and reappointments to Executive boards and committees; appointments to take effect on February 1, 2019

Indexes: Boards and Commissions

CONFIRMED

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

INTRODUCTION ITEMS

1. [AB2019-073](#) Ordinance Regarding Temporary Installation of Stop Signs on Certain County Roads

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-014

2. [AB2019-074](#) Ordinance Establishing a Temporary Speed Limit Change for Birch Bay Drive

Indexes: Road - Speed Limit; Public Safety

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-015

3. [AB2019-075](#) Ordinance Establishing Temporary One-Way Traffic on Birch Bay Drive

Indexes: Public Safety

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-016

4. [AB2019-076](#) Ordinance Authorizing the Temporary Re-Opening of Cottonwood Drive at Morgan Drive to Vehicular Traffic

Indexes: Public Safety

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

5. [AB2019-018](#) Ordinance adopting various minor amendments to Whatcom County Code Titles 20 (Zoning), 21 (Land Division Regulations), and 22 (Land Use and Development Procedures), making corrections, updates, and clarifications

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Brenner, Browne, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 1 - Buchanan

Enactment No: ORD 2019-013

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Motion carried 5-1, Brenner opposed and Buchanan absent to recommend that the County Council support the vote of the Planning Unit at its last meeting on January 23, to send the letters and the catalog of materials to Ecology and State legislators.

ADJOURN