

Whatcom County Council

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



Meeting Agenda

Tuesday, December 3, 2024

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)

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

The Council is currently holding meetings in hybrid format with options for in-person or remote viewing and participation. For instructions on remote participation, visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to speak remotely. Individuals who require special assistance to participate in the Council's meetings are asked to contact the Council Office at 360.778-5010 at least 96 hours in advance.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website or call the Council Office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2024-080](#) Committee of the Whole Executive Session for November 6, 2024
2. [MIN2024-081](#) Regular County Council for November 6, 2024
3. [MIN2024-082](#) Committee of the Whole for November 6, 2024
4. [MIN2024-083](#) Special Council for November 12, 2024

PUBLIC HEARINGS

Participants requesting to speak during public hearings may attend in person. To speak remotely, please visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to receive a join link.

All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

1. [AB2024-793](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review
2. [AB2024-796](#) Ordinance amending Whatcom County Code Title 20 (Zoning) to define appropriate industrial uses and conditions for industrial uses in Heavy Impact Industrial (HII) districts within a city's designated Urban Growth Area
3. [AB2024-802](#) Resolution adopting the 2025-2026 budget for the Point Roberts Transportation Benefit District (Council acting as the governing body of the Point Roberts Transportation Benefit District)

OPEN SESSION

Participants requesting to speak during open session may attend in person. To speak remotely, please visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to receive a join link.

During open session, audience members may speak to the council on issues not scheduled for public hearing. All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

Per RCW 42.36.060 Councilmembers are prohibited from engaging in ex parte communications in matters where the Council determines the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Council serves in a quasi-judicial role as a decision-maker on major project permits, which cannot be discussed by members of the public at Council meetings. Examples of major project permits that cannot be discussed at Council meetings include MPP2024-00001 City of Bellingham Mitigation Bank, LSS2024-00001 R and R Acres Long Subdivision and Development Agreement, LSS2022-00001 Red Mountain Long Subdivision and Development Agreement, PUD2022-00001 Royal Emerald Motors Planned Unit Development, MPP2024-00002 ALA Energy, Ferndale Terminal Existing and Planned Improvements, and CUP2023-00003/DEV2024-00001 Ponderosa Estates Mobile Home Park.

CONSENT AGENDA

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

(From Council Finance and Administrative Services Committee)

1. [AB2024-788](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Health to provide funding for various public health programs in the amount of \$166,856, for a total amended contract amount of \$19,158,215
2. [AB2024-797](#) Request authorization for the County Executive to enter into a contract to bind coverage with Midwest Employer Casualty for renewal of insurance protection for the self-insured workers compensation program in the amount of \$119,569 for calendar year 2025
3. [AB2024-798](#) Request authorization for the County Executive to enter into a two year agreement between Whatcom County and Birch Bay Chamber for visitor center operations and tourism services in the amount of \$460,000

4. [AB2024-799](#) Request authorization for the County Executive to enter into a two-year agreement between Whatcom County and Mount Baker Foothills Chamber for Visitor Center operations and tourism services in the amount of \$452,000
5. [AB2024-804](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to conduct Phase I of an investigation into the impacts of agricultural tile drains on stream flows, in the amount of \$108,863 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
6. [AB2024-806](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whidbey Telephone Company to add additional equipment to a radio tower and increase the rent in the amount of \$667 per month for a total amended contract amount of \$15,148.08
7. [AB2024-807](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for Pollution Identification and Correction (PIC) Program technical assistance and cost share, in the amount of \$77,627.98 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
8. [AB2024-811](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom County Library System for inmate library services in the amount of \$12,000 per year
9. [AB2024-812](#) Request authorization for the County Executive to enter into a six month contract amendment/reassignment between Whatcom County and Ideal Option/MXD PLLC for jail physician services in the amount of \$138,921
10. [AB2024-814](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Shawna Bosman for jail nurse practitioner services in the amount of \$32,730
11. [AB2024-815](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sun Community Services to operate an emergency shelter in the amount of \$640,070, for a total amended contract amount of \$1,631,861
12. [AB2024-816](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and SpectraSite Communications LLC to add additional equipment to a radio tower and increase the rent in the amount of \$225.88 per month for a total amended contract amount of \$201,079.88
13. [AB2024-817](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Recreation and Conservation Office (RCO) for reimbursement of property acquisition costs to the Whatcom County Conservation Futures Fund, in the amount of \$2,900,000

14. [AB2024-818](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to provide administrative oversight of the City's Domestic Violence Perpetrator Opportunity for Treatment Services (DVPOTS) funds for a total amount of \$50,000
15. [AB2024-820](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Black and Veatch Corporation to provide engineering and technical consulting services in the implementation and administration of current Hazard Mitigation Grant Program (HMGP) elevation and acquisition grants awarded under Federal Emergency Management Agency's (FEMA) Hazard Mitigation Assistance Grant Programs, in the amount of \$302,038 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
16. [AB2024-822](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Office of Public Defense for the purpose of improving the quality of the public defense services in the amount of \$213,104
17. [AB2024-824](#) Request authorization for the County Executive to enter into a two-year agreement between Whatcom County and Bellingham Whatcom County Tourism for regional tourism promotion in the amount of \$500,000
18. [AB2024-825](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bruce Harris & Associates, Inc. for professional services to assist with the upgrade of the enterprise geographic information systems (GIS) infrastructure in the amount of \$78,933.51
19. [AB2024-826](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections for Agritourism promotion throughout Whatcom County in the amount of \$45,000
20. [AB2024-827](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Whatcom Events for tourism promotion and marketing of the Ski to Sea and other events in the amount of \$40,000
21. [AB2024-828](#) Request authorization for the County Executive to enter into a two year contract with Whatcom Humane Society for the provision of animal control and shelter services in the amount of \$932,318
22. [AB2024-829](#) Request authorization for the County Executive to enter into an interlocal agreement with the City of Bellingham for cost sharing on the 5-year parking lot lease at the Bellingham Senior Activity Center in the amount of \$91,476

23. [AB2024-830](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Phoenix Counseling Service, LLC, to provide domestic violence assessment and treatment services for defendants processed through Whatcom County District Court and Bellingham Municipal Court, in the amount of \$70,000
24. [AB2024-831](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Meridian School District to construct a child care facility, in the amount of \$2,000,000
25. [AB2024-832](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Chuckanut Health Foundation for facilitation of the Whatcom Racial Equity Commission in the amount of \$200,000
26. [AB2024-834](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Dr. Marvin Wayne, M.D. to provide services as an Emeritus (Delegate) Physician supporting the transition to the newly appointed Whatcom County Medical Program Director from January 1, 2025 to December 31, 2025, in the amount of \$5,000
27. [AB2024-835](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Tetra Tech, Inc., to provide final surface water planning and design services, public outreach, and development of a drainage management plan related to stormwater problems in the Point Roberts area, in the amount of \$86,783, for a total amended contract amount of \$215,528
28. [AB2024-837](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and FSi Engineers for professional design and engineering services for building improvements at the Parks Headquarters facility in the amount of \$28,634, for a total contract value of \$187,717
29. [AB2024-838](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ralph Weiche, M.D. for Medical Program Director (MPD) services as the State Appointed Whatcom County Emergency Medical Services MPD, in the amount of \$265,000
30. [AB2024-839](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Helmsman Management Services, LLC to provide administration of the County's self-insured Worker's Compensation program in the amount of \$67,500 annually in 2025, \$70,200 in 2026, and \$73,008 in 2027 for a total amount of \$210,708 through December 31, 2027

TITLE REVISED 12.2.2024

31. [AB2024-840](#) Request approval for the County Executive to authorize the purchase one (1) new sport utility vehicle, using the Washington State Contract #05916, from Alan Webb Auto Group, located in Vancouver, Washington, in an amount not to exceed \$51,050.14
32. [AB2024-841](#) Request authorization for a Letter of Understanding between Whatcom County and AFSCME to amend the collective bargaining agreement for the period January 1, 2025 - December 31, 2025
33. [AB2024-842](#) Request authorization for the County Assessor to enter into a contract between Whatcom County and Just Appraised Inc to create an online portal for the Senior Citizen and People with Disabilities Exemption, in the amount of \$60,285
34. [AB2024-846](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and The Society of Photo-Optical Instrumentation Engineers (SPIE) for SPIE to lease 104B Unity Street, Bellingham WA in the amount of \$143,352
35. [AB2024-848](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Code Publishing LLC, a General Code Company, for legal code publishing services, in the amount of \$15,000, for a total amended contract amount of \$45,000
36. [AB2024-851](#) Request authorization for the County Executive to enter into a six-month contract amendment between Whatcom County and Northwest Regional Council for jail and juvenile detention nursing services in the amount \$1,172,489.50 for a total amended contract amount of \$9,655,025.67
37. [AB2024-855](#) Request authorization for the County Executive to enter into a contract between Whatcom County and YWCA Bellingham to provide housing case management services and shelter operational support, in the amount of \$425,012
38. [AB2024-857](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to operate an emergency shelter program, in the amount of \$358,426
39. [AB2024-859](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to provide funding for the Ground-Level Response and Coordinated Engagement (GRACE) Program, in the amount of \$819,056
40. [AB2024-861](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pioneer Human Services to operate a permanent supportive housing facility known as City Gate, in the amount of \$670,010

41. [AB2024-862](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale Community Services to provide housing engagement and stability services, in the amount of \$500,643
42. [AB2024-863](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mercy Housing Northwest to provide resident coordination services, in the amount of \$240,870
43. [AB2024-864](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to operate a rapid rehousing program and provide housing stability services, in the amount of \$249,080
44. [AB2024-865](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to operate a permanent supportive housing program, in the amount of \$129,487

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2024-753](#) Ordinance establishing the project based budget and an initial budget for the courtroom audio visual systems upgrade
2. [AB2024-766](#) Ordinance establishing a project based budget for the Central Shop Underground Storage Tank Removal project
3. [AB2024-768](#) Ordinance amending the project based budget for the North Fork Road/Kenney Creek Fish Passage Project Fund, request no. 1
4. [AB2024-770](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 7, in the amount of \$20,695 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
5. [AB2024-772](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide housing case management services, in the amount of \$1,003,932
6. [AB2024-847](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center, in the amount of \$2,355,352
7. [AB2024-852](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide on-site supportive services to residents of the permanent supportive housing facility known as 22 North in the amount of \$648,568, for a total amended contract amount of \$2,135,238

8. [AB2024-775](#) Ordinance amending the 2024 Whatcom County Budget, request no. 15, in the amount of \$12,651,067
9. [AB2024-776](#) Ordinance amending Ordinance 2013-022, to allow the Road Fund to issue cash-flow loans to capital project budgets from \$1 million to \$2 million for a term not to exceed two years
10. [AB2024-780](#) Ordinance amending the 2025 Whatcom County Budget, request no. 1, in the amount of \$16,292,701
11. [AB2024-791](#) Request authorization for the County Executive to enter into a three year interlocal agreement between Whatcom County, the Port of Bellingham and the City of Bellingham for a coordinated approach to funding and contracting with economic service providers through a Regional Economic Partnership in the amount of \$2,648,084
12. [AB2024-836](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Emily Welch, M.D. for supervising physician services as appointed by the Whatcom County Medical Program Director to support basic life support (BLS) operations, training, continuous quality improvement, and other BLS support activities, in the amount of \$110,000
13. [AB2024-858](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide housing case management services, in the amount of \$252,000
14. [AB2024-860](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide funding for an outreach and engagement program for vulnerable young people experiencing a housing crisis, in the amount of \$75,000

(From Council Public Works and Health Committee)

15. [AB2024-853](#) Resolution supporting the development and implementation of a localized child care provider rate augmentation and family subsidy program

(From Council Committee of the Whole)

16. [AB2024-739](#) Ordinance amending Whatcom County Code Chapter 2.130 Economic Development Investment Board
17. [AB2024-747](#) Ordinance amending Whatcom County Code Chapter 2.06 Medical Examiner to establish a Medical Examiner Department
18. [AB2024-767](#) Resolution to establish Council goals for full, timely awarding of Healthy Children's Fund contracts

19. [AB2024-794](#) Ordinance establishing Whatcom County Code 2.190 Birch Bay Community Advisory Committee
20. [AB2024-795](#) Ordinance amending Whatcom County Code 2.03 Advisory Groups
21. [AB2024-856](#) Request County Council to appoint a Council Health Board member to serve on final interview panel for the Health Officer candidate

(No Committee Assignment)

22. [AB2024-850](#) Request for County Council to add the County Prosecutor as a voting member of the Justice Project Oversight and Planning (JPOP) Committee

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-714](#) Appointment to two vacancies on the Climate Impact Advisory Committee, Applicant(s): Marc Hoeschele, Ted Scott, Joshua Williams, Robert Drake
2. [AB2024-761](#) Appointment to a vacancy on the Business and Commerce Advisory Committee, manufacturing industry representative position, Applicant(s): Gil Lund

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. [AB2024-801](#) Resolution to declare Whatcom County real property as surplus and approve sale
2. [AB2024-810](#) Ordinance for the installation of stop signs on South Pass Road at the intersection with Goodwin Road as Whatcom County Code 10.16.1720
3. [AB2024-843](#) Ordinance amending Whatcom County Code 2.21 Board of Equalization to clarify Board of Equalization membership
4. [AB2024-870](#) Ordinance amending Whatcom County Code Chapter 2.130 Economic Development Investment Board

ITEM ADDED 12.3.2024

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN