



Whatcom County

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

Council Action Summary - Final

Council

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

Tuesday, February 12, 2019

7:00 PM

Council Chambers

AGENDA REVISED 2/11/2019 AND 2/12/2019 (SEE REVISION NOTICES)

COUNTY COUNCIL

CALL TO ORDER

FLAG SALUTE

ROLL CALL

Present: 6 - Brenner, Rud Browne, Buchanan, Todd Donovan, Frazey, and Sidhu

Absent: 1 - Byrd

ANNOUNCEMENTS

MINUTES CONSENT

Approval of the Consent Agenda

APPROVED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

1. [MIN2019-007](#) Committee of the Whole for January 15, 2019
SUBSTITUTE APPROVED BY CONSENT
2. [MIN2019-008](#) Special Committee of the Whole (3PM) for January 15, 2019
APPROVED BY CONSENT
3. [MIN2019-009](#) Special Committee of the Whole (6:30PM) for January 15, 2019

APPROVED BY CONSENT

4. [MIN2019-010](#) Regular County Council for January 15, 2019
APPROVED BY CONSENT
5. [MIN2019-011](#) Regular County Council for January 29, 2019
APPROVED BY CONSENT
6. [MIN2019-012](#) Surface Water Work Session for January 22, 2019
SUBSTITUTE APPROVED BY CONSENT
7. [MIN2019-013](#) Special Committee of the Whole for January 29, 2019
APPROVED BY CONSENT
8. [MIN2019-014](#) Committee of the Whole for January 29, 2019
APPROVED BY CONSENT
9. [MIN2019-015](#) Special Committee of the Whole for January 8, 2019
APPROVED BY CONSENT
10. [MIN2019-016](#) Board of Health for February 5, 2019
APPROVED BY CONSENT

PUBLIC HEARINGS

1. [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

SUBSTITUTE ADOPTED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-013

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

ADOPTED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-014

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

Indexes: Road - Speed Limit; Public Safety

ADOPTED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-015

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

Indexes: Public Safety

ADOPTED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-016

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

Indexes: Public Safety

FAILED

Aye: 3 - Browne, Buchanan, and Sidhu

Nay: 3 - Brenner, Donovan, and Frazey

Absent: 1 - Byrd

OPEN SESSION (20 MINUTES)

- 8. [AB2019-138](#) Resolution requesting that the County Executive provide staff resources and funding to coordinate with Whatcom County cities, social services agencies, and other providers to provide sufficient shelter capacity during

cold weather periods and coordinate issuing hotel/motel accommodation vouchers

APPROVED AS AMENDED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: RES 2019-011

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

- 1. [AB2019-026](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Birch Bay Chamber of Commerce to pay for the operations of the Birch Bay Visitor Center and to support the marketing of multi-day events, in the amount of \$100,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

- 2. [AB2019-104](#) Request authorization for the County Executive to enter into Amendment No. 3 to Whatcom County Contract No. 201802006 between Whatcom County and FCS Group for the amended amount of \$34,560

Indexes: Budget / Finance / Revenue; Stormwater; Utilities

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

- 3. [AB2019-111](#) Request authorization for the County Executive to enter into an interlocal between Whatcom County and Lummi Nation to conduct natural resource monitoring and impact mitigation in the amount of \$120,000

Indexes: Environment

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

4. [AB2019-112](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Herrera Environmental Consultants for Swift Creek Sediment Management Action Plan Implementation

Indexes: Consultant; Environment

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

5. [AB2019-116](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth & Families for support of Perinatal Mood and Anxiety Disorders, in the amount of \$10,000

Indexes: Health and Safety

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

6. [AB2019-117](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Sound Behavioral Health Organization to support substance abuse prevention and mental health promotion programs in Whatcom County, in the amount of \$83,438

Indexes: Health and Safety

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

7. [AB2019-119](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Conservation District to provide a robust Community Wildfire Risk Reduction Program that consists of outreach, education and technical assistance to the Whatcom County communities most at risk from wildfire in Whatcom County

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

8. [AB2019-125](#) Request authorization for the county Executive to enter into an interlocal between Whatcom County and Bellingham Technical College and the City of Bellingham for the administration of the EMT-Paramedic Training Program in the amount of \$56,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 1 - Byrd

9. [AB2019-123](#) Resolution in the Matter of the Sale of Surplus Personal Property and Setting a Date for Public Hearing Thereon Pursuant to WCC 1.10

Indexes: Property - Surplus

WITHDRAWN

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [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

AUTHORIZED

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

Nay: 0

Absent: 1 - Byrd

Abstain: 1 - Donovan

2. [AB2019-105](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County Flood Control Zone and the City of Bellingham for management and operation of the joint City-County aquatic invasive species (AIS) boat inspection program at Lakes Whatcom and Samish, in the amount of \$123,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Indexes: Aquatic Invasive Species; FCZD

AUTHORIZED

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

Nay: 0

Absent: 1 - Byrd

3. [AB2019-107](#) Request Authorization for the County Executive to enter in to a cooperative agreement between The United States of America Army Corps of Engineers and Whatcom County Flood Control Zone District for rehabilitation of a non-federal flood control work in the amount of \$453,100 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Indexes: FCZD; Flood Damage Prevention; Floods

AUTHORIZED

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

Nay: 0

Absent: 1 - Byrd

4. [AB2019-115](#) Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Exact Scientific Services to provide water quality analytical testing services, in the amount of \$90,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Indexes: Water Resources; Water Quality

AUTHORIZED

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

Nay: 0

Absent: 1 - Byrd

(No Committee Assignment)

5. [AB2019-136](#) Request approval to send letter requesting state funding to support the work of the Whatcom County Marine Resources Committee
APPROVED REQUEST

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

Nay: 0

Absent: 1 - Byrd

6. [AB2019-133](#) Resolution requesting support for Washington State House and Senate bills related to: pollution prevention; increasing habitat and fish abundance; protection of southern resident orca whales from vessels; and improving the safety of oil transportation

HELD IN COUNCIL

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

Nay: 0

Absent: 1 - Byrd

Abstain: 1 - Donovan

Enactment No: RES 2019-012

7. [AB2019-137](#) Resolution respectfully requesting that the Whatcom County Prosecutor ask the Washington State Attorney General to review and update opinions previously provided related to the eligibility of county council members and commissioners to be appointed to vacant legislative positions

HELD IN COUNCIL

Aye: 4 - Brenner, Buchanan, Donovan, and Sidhu

Nay: 2 - Browne, and Frazey

Absent: 1 - Byrd

Enactment No: RES 2019-013

INTRODUCTION ITEMS

1. [AB2019-027](#) Ordinance amending Whatcom County Code 6.04 Animal Control, Chapter

6.04.020 Definitions and 6.04.031 Administration and Enforcement

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-017

2. [AB2019-103](#) Ordinance proposing modifications to Whatcom County Code 2.27A, Aquatic Invasive Species (AIS)

Indexes: Aquatic Invasive Species

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-018

3. [AB2019-106](#) Ordinance amending the Unified Fee Schedule to accommodate changes to Whatcom County Code 2.27A, Aquatic Invasive Species

Indexes: Aquatic Invasive Species; Fees

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-019

4. [AB2019-121](#) Ordinance Amending Whatcom County Code Section 1.14 Correcting Certain Precinct Boundary Lines and Precinct Maps

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-020

5. [AB2019-124](#) Ordinance amending the 2019 Whatcom County Budget, request no. 2, in the amount of \$4,901,742

INTRODUCED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-021

6. [AB2019-128](#) Ordinance amending courthouse building envelope project budget (as established through Ordinance 2014-085) third request, in the amount of \$4,700,000 for a total project budget of \$7,377,809

INTRODUCED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2019-022

7. [AB2019-127](#) Appointment to the Whatcom County Planning Commission, applicant must reside in Council District 2, applicants: Robert Bartel, Ria Bordian, Bob Burr, James Hansen, Towhee Wean (the Planning Commission assists the Planning and Development Services Department in carrying out its duties, which include helping to prepare and execute the Comprehensive Plan and making recommendations for adoption of official controls and/or amendments)

INTRODUCED

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

Nay: 0

Absent: 1 - Byrd

8. [AB2019-129](#) Appointment to the Sumas/Everson/Nooksack Flood Control Sub-Zone Advisory Committee - Applicant: Larry Mades (the committee is an integral part of the program reviewing the comprehensive plan for flood control)

INTRODUCED

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

Nay: 0

Absent: 1 - Byrd

9. [AB2019-131](#) Resolution Authorizing the Sale of Surplus Personal Property Pursuant to WCC 1.10

Indexes: Property - Surplus

WITHDRAWN

10. [AB2019-126](#) Resolution amending the 2019 Flood Control Zone District and Subzones Budget, request no. 2, in the amount of \$90,659 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

INTRODUCED

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

Nay: 0

Absent: 1 - Byrd

Enactment No: RES 2019-014

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

ADJOURN