

# **Whatcom County Council**

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



## **Action Summary**

**VIRTUAL MEETING - VIEW ONLINE**

**Tuesday, October 13, 2020**

**6 PM**

**Virtual Meeting**

### **COUNCILMEMBERS**

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

# COUNTY COUNCIL

## CALL TO ORDER

## ROLL CALL

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas, and Kathy Kershner

**Absent:** None

## FLAG SALUTE

## ANNOUNCEMENTS

## COUNTY EXECUTIVE'S REPORT

## MINUTES CONSENT

1. [MIN2020-093](#) Water Work Session for September 22, 2020

**APPROVED BY CONSENT**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**Temp Absent:** 1 - Elenbaas

2. [MIN2020-095](#) Committee of the Whole for September 29, 2020

**APPROVED BY CONSENT**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**Temp Absent:** 1 - Elenbaas

3. [MIN2020-096](#) Regular County Council for September 29, 2020

**APPROVED BY CONSENT**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**Temp Absent:** 1 - Elenbaas

**PUBLIC HEARINGS**

1. [AB2020-390](#) Ordinance regarding installation of a stop sign on Homesteader Road  
**ADOPTED**  
**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner  
**Nay:** 0  
**Absent:** 0  
Enactment No: ORD 2020-050
2. [AB2020-391](#) Ordinance to Establish Speed Limits on Marine Drive  
**ADOPTED**  
**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner  
**Nay:** 0  
**Absent:** 0  
Enactment No: ORD 2020-051
3. [AB2020-393](#) Ordinance amending Whatcom County Code 16.30 Lake Whatcom Stormwater Utility Service Area  
**ADOPTED**  
**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner  
**Nay:** 2 - Byrd, and Elenbaas  
**Absent:** 0  
Enactment No: ORD 2020-052

**OPEN SESSION (20 MINUTES)****OTHER ITEMS (Part 1)**

1. [AB2020-409](#) Ordinance increasing community oversight and transparency to establish fair contract negotiations  
**WITHDRAWN**  
**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner  
**Nay:** 0  
**Absent:** 0

**CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

1. [AB2020-423](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Western Washington University to employ eligible students participating in the Federal Off-Campus Work Study Program, at an estimated amount between \$500 to \$2,000 per per student, per quarter

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

2. [AB2020-420](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Maul Foster & Alongi, Inc. to update the Comprehensive Solid and Hazardous Waste Management Plan, in the amount of \$113,000

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

3. [AB2020-425](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Snohomish Health District to provide prevention services for tobacco and vapor devices to Whatcom County residents, in the amount of \$12,500

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

4. [AB2020-427](#) Resolution in the matter of the sale of surplus personal property and setting a date for public hearing, pursuant to WCC 1.10

**APPROVED**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2020-041

**OTHER ITEMS (Part 2)**

**(From Council Finance and Administrative Services Committee)**

2. [AB2020-394](#) Request authorization for the County Executive to enter into an Interagency Agreement between Whatcom County Flood Control Zone District and Puget Sound Partnership for coordination of the Whatcom County Local Integrating Organization (LIO), in the amount of \$125,000.00 (Council acting as the Whatcom County Flood Control District Board of Supervisors)

**AUTHORIZED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

3. [AB2020-424](#) Request permission for the County Executive and the County Council to enter into a Joint Funding Agreement between the Whatcom County Flood Control Zone District (FCZD) and the United States Geological Survey (USGS); (Council acting as the FCZD Board of Supervisors)

**AUTHORIZED**

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

**Nay:** 0

**Absent:** 0

**(From Council Planning and Development Committee)**

4. [AB2020-421](#) Discussion and Council motion to approve the Public Participation Plan for Whatcom County Comprehensive Plan and Development Regulation Amendments

**DISCUSSED AND MOTION(S) APPROVED**

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

**Nay:** 0

**Absent:** 0

A motion was approved 7-0 to approve the Public Participation Plan with the amendment proposed by the Planning Commission and reflected in the memo to replace "Planning and Development Staff" with "The County" in the following:

Remote Participation - New Section 1.2 in Chapter 1 (p. 1-3):

[Planning and Development staff ] The County should identify methods for remote public participation for all public hearings (for example, online or telephonic participation).

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2020-362](#) Appointment to the Climate Impact Advisory Committee, Applicant(s): Stevan Harrel, Sue Gunn, Hunter Hassig

**APPOINTED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Elenbaas

A motion was approved to appoint the three applicants with an amendment to assign Hassig to the term expiring 1/31/2021 and Harrel and Gunn to the term expiring on 1/31/2023.

2. [AB2020-407](#) Appointment to the Birch Bay Watershed and Aquatic Resources Management Advisory Committee (BBWARM), Applicant(s): Theresa Coe, Michael Allan (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**APPOINTED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Elenbaas

**EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2020-429](#) County Executive requests confirmation of his appointments (per attached list) to the Whatcom County Commission on Salaries for Elected Officials (Salary Commission)

**CONFIRMED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Elenbaas

**ITEMS ADDED BY REVISION**

**INTRODUCTION ITEMS**

1. [AB2020-430](#) Ordinance amending the project budget for the Birch Bay Drive and Pedestrian Facility Project Fund, Request No. 6, in the amount of \$841,786

**INTRODUCED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

2. [AB2020-433](#) Ordinance amending the 2020 Whatcom County Budget, request no. 19, in the amount of \$7,904,575

**INTRODUCED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

3. [AB2020-373](#) Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities

**INTRODUCED FOR PUBLIC HEARING**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

4. [AB2020-432](#) Receipt of application for the Drainage Improvement District #6, Supervisor Position 3 - Applicant(s): Thomas Shaffer (Deadline for additional applications for this position is 10:00 a.m. on October 20, 2020)

**INTRODUCED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

5. [AB2020-428](#) Resolution authorizing the sale of surplus personal property pursuant to WCC 1.10

**INTRODUCED FOR PUBLIC HEARING**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

6. [AB2020-435](#) Resolution adopting the 2021 Annual Road Construction Program (ACP)

**INTRODUCED FOR PUBLIC HEARING**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 0

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

**ADJOURN**