

Whatcom County Council

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



Meeting Agenda

Tuesday, June 20, 2023

6 PM

Hybrid Meeting

**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
Carol Frazey
Kaylee Galloway
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

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 how to watch or participate in the Council's meetings, visit whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010.

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.

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. [MIN2023-041](#) Committee of the Whole for June 6, 2023
2. [MIN2023-042](#) Regular County Council for June 6, 2023

SPECIAL PRESENTATION

1. [AB2023-359](#) Whatcom County Executive Sidhu's "State of the County" address

PUBLIC HEARINGS

To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. 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 participating remotely.

1. [AB2023-349](#) Resolution granting a Quitclaim Right of Way Deed to the City of Lynden
2. [AB2023-354](#) Ordinance adopting amendments to the Six-Year Capital Improvement Program for Whatcom County Facilities 2023-2028

3. [AB2023-356](#) Ordinance adopting Zoning Code amendments relating to density, lot size, setbacks, public water and sewer, and reasonable measures for the Birch Bay UGA
4. [AB2023-258](#) Ordinance amending Whatcom County Code 10.34, Ferry Rates

OPEN SESSION

During open session, audience members may speak to the council on issues not scheduled for public hearing. To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. 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 participating remotely.

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. [AB2023-381](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Jessica Dubek, DDS to provide Dental Services for inmates at the Whatcom County Jail and Work Center in the amount of \$36,000
2. [AB2023-385](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and The Language Exchange to provide language translation and interpreter services in the amount of \$29,600 for a total amended contract amount of \$83,600
3. [AB2023-388](#) Request authorization for the County Executive to enter into a Contract Amendment for Supplemental Agreement No. 2 between Whatcom County and Geo Test Services, Inc., in the amount of \$50,000
4. [AB2023-392](#) Request authorization for the County Executive to enter into a contract amendment for Local Agency Agreement Supplemental No. 1 between Whatcom County and the Washington State Department of Transportation, in the amount of \$1,974,900, for a total amended amount of \$10,972,210.00
5. [AB2023-408](#) Request authorization for County Executive to enter into a contract amendment between Whatcom County and Department of Commerce for pass through funding for direct public services to low and moderate income people in Whatcom, Island and San Juan counties in the amount of \$134,000 for a total amended amount of \$265,000

6. [AB2023-409](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Status Electrical Corporation, dba Status Automation to provide design, installation, programming and maintenance of the Digital Video Management System (DVMS) at various Whatcom County facilities, in the amount of \$58,975.04
7. [AB2023-394](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the US Army Corps of Engineers (USACE) to repair the Timon Levee along the right bank of the Nooksack River located between the towns of Everson and Lynden, in the amount of \$405,207, which is 20% of the total estimated cost of \$2,025,984 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
8. [AB2023-395](#) Request authorization for the County Executive to enter into a contract between Whatcom County and US Army Corps of Engineers (USACE) to repair the Upper Hampton Levee along the right bank of the Nooksack River located between the towns of Everson and Lynden, in the amount of \$221,804, which is 20% of the total amount of \$1,109,020 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
9. [AB2023-376](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Social and Health Services to outline general terms and conditions that govern the work to be performed under agreements between DSHS and Whatcom County
10. [AB2023-386](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Snohomish County Health Department to support participation in planning and engagement in youth cannabis and tobacco prevention strategies and activities in the amount of \$14,928 for a total amended agreement amount of \$97,928
11. [AB2023-389](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the US Forest Service for Jail Work Crew Services in the amount of \$109,512.00, for a total of \$353,520.00

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

1. [AB2023-390](#) Request authorization for the County Executive to enter into a Memorandum of Agreement between the County, Nooksack Indian Tribe, Lummi Nation, and Washington Department of Fish and Wildlife to guide remediation of County culverts that block salmon passage

(From Council Finance and Administrative Services Committee)

2. [AB2023-374](#) Ordinance amending the 2023 Whatcom County Budget, request no. 9, in the amount of \$842,550
3. [AB2023-375](#) Ordinance amending the project budget for the Hovander Park Building Improvements Project, request no. 1
4. [AB2023-382](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to support operations at the permanent supportive housing facility known as 22 North in the amount of \$304,550 for a total amended contract amount of \$838,102

(From Council Public Works and Health Committee)

5. [AB2023-403](#) Resolution on the interpretation and retroactive application of ambiguous language in WCC 10.34.030, Use of Ferry Fee Revenue

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-361](#) Appointment to a vacancy on the Public Health Advisory Board, Applicant(s): Matthew Durkee, Madison Emry, Robyn Phillips-Madson
2. [AB2023-380](#) Appointment to a vacancy on the Open Space Advisory Committee, Applicant(s): Gary Cassera

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. [AB2023-384](#) Request confirmation of the County Executive's appointment of Dylan Deane-Boyle to the Lodging Tax Advisory Committee
2. [AB2023-400](#) Request confirmation of the County Executive's appointments to the Whatcom Racial Equity Commission (WREC) Appointment Committee

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. [AB2023-397](#) Ordinance adopting amendments to WCC Ch. 20.14, Wind Energy Systems, and Ch. 20.97, Definitions
2. [AB2023-399](#) An ordinance adopting various amendments to WCC Title 20, Zoning, regarding home-based businesses

3. [AB2023-415](#) Ordinance providing for submission of a proposition to the qualified electors of Whatcom County pursuant to RCW 82.14.450 authorizing the collection of a local sales and use tax of two-tenths of one percent for the purpose of providing funds for costs associated with public health, safety and justice facilities and services, including behavioral health, supportive housing, public safety, and criminal justice facilities and programs

4. [AB2023-416](#) Ordinance amending Whatcom County Code Section 11.20.025, Flotation Devices on the South Fork of the Nooksack River, to better protect ESA-listed Chinook salmon

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN