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SPONSORED BY: \_\_\_\_\_

PROPOSED BY: Health

INTRODUCTION DATE: \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**AMENDING WHATCOM COUNTY CODE 2.85 REGARDING THE DEVELOPMENTAL  
DISABILITIES DEPARTMENT**

**WHEREAS**, to be more consistent with RCW 71A.14.020 which says, "The [developmental disability] board shall consist of not less than nine nor more than fifteen members."

**WHEREAS**, the board has historically struggled to recruit and maintain a membership larger than 9; and

**WHEREAS**, existing by-laws were last revised 1/23/2012.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council to amend WCC 2.85 as shown in Exhibit A of this ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

*Christopher Quinn*  
\_\_\_\_\_  
electronically authorized  
April 19, 2024

\_\_\_\_\_  
Satpal Sidhu, County Executive

Civil Deputy Prosecutor

( ) Approved ( ) Denied

Date Signed: \_\_\_\_\_

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# EXHIBIT A

## Chapter 2.85 DEVELOPMENTAL DISABILITIES DEPARTMENT

**Sections:**

- 2.85.010 Department established.**
- 2.85.020 Coordinator appointment.**
- 2.85.030 Repealed.**
- 2.85.040 Developmental disabilities advisory board.**
- 2.85.050 Services.**
- 2.85.060 Cooperation with other entities.**
- 2.85.070 Open meetings act.**
- 2.85.080 Contracts.**
- 2.85.090 Fund establishment.**
- 2.85.100 Severability.**

**2.85.010 Department established.**

~~The department of developmental disabilities shall be dissolved and all of its duties, powers and responsibilities shall be assigned to the county health department on January 1, 1997, also providing the county executive to take any preliminary or transitional steps necessary for the implementation of this chapter.~~ Developmental disabilities shall hereinafter be referred to as a part of the county health department **known as Whatcom County Health and Community Services**. (Ord. 96-061 Exh. A; Ord. 90-61 (part)).

**2.85.020 Coordinator appointment.**

The director of the health department **Health and Community Services** shall appoint the developmental disabilities coordinator, in accordance with the provisions of Chapters 71A.12 and 71A.14 RCW. (Ord. 96-061 Exh. A; Ord. 90-61 (part)).

**2.85.030 Department staff.**

*Repealed by Ord. 96-061. (Ord. 90-61 (part)).*

**2.85.040 Developmental disabilities advisory board.**

A. The Whatcom County developmental disabilities advisory board, hereinafter referred to as the "developmental disabilities board," is created and shall serve in an advisory capacity to ~~the department of developmental disabilities services~~ **Health and Community Services** on all issues related to the county developmental disabilities program and in accordance with Chapters 71A.12 and 71A.14 RCW.

B. The developmental disabilities board shall consist of ~~15~~ **9** members who are residents of Whatcom County. Members shall be appointed by the county executive subject to confirmation by the majority of the county council and shall include but not be limited to representatives of public, private, or voluntary agencies, representatives of local governmental units, and citizens knowledgeable about developmental disabilities or

1 interested in services to persons with developmental disabilities in the community. One  
2 member shall be appointed by the county council. The term of office for the members  
3 appointed by the executive shall be for three years. The term of office for the member  
4 appointed by the county council shall be for one year, from the time of the council's  
5 reorganization meeting to the next such meeting the following year.  
6

7 ~~C. The developmental disabilities advisory board shall continue as to members, terms of~~  
8 ~~office, officers, and rules of procedure for conduct of their business in place on the effective~~  
9 ~~date of the ordinance codified in this chapter. (Ord. 90-61 (part)).~~  
10

11 **2.85.050 Services.**

12 The department, with the advice of the board, shall prepare, solicit and evaluate proposals  
13 from potential service providers to provide developmental disabilities services within the  
14 county. Following the evaluation of such proposals, the department shall file a  
15 recommendation with the county executive for action in accordance with state and county  
16 regulations. (Ord. 90-61 (part)).  
17

18 **2.85.060 Cooperation with other entities.**

19 Subject to the administrative and legislative control of the county executive and the county  
20 council, the department may cooperate and enter into contracts with, and receive moneys  
21 from, public and private entities to carry out services set forth in this chapter. (Ord. 90-61  
22 (part)).  
23

24 **2.85.070 Open meetings act.**

25 The developmental disabilities board meetings shall be subject to the Open Meetings Act,  
26 Chapter 42.30 RCW et seq. (Ord. 90-61 (part)).  
27

28 **2.85.080 Contracts.**

29 All contracts, agreements, rights, claims and obligations, either in favor of or against the  
30 Whatcom County department of developmental disabilities at the time the ordinance  
31 codified in this chapter takes effect, shall continue in full force and effect, and responsibility  
32 therefor shall be transferred to the Whatcom County department of developmental  
33 disabilities. (Ord. 90-61 (part)).  
34

35 **2.85.090 Fund establishment.**

36 The developmental disabilities fund is hereby established as a special revenue fund. The  
37 fund shall be used exclusively for the financing of developmental disabilities services  
38 provided for herein. (Ord. 90-61 (part)).  
39

40 **2.85.100 Severability.**

41 It is understood and agreed to by the parties hereto that if any part of this agreement is  
42 illegal, the validity of the remaining provisions shall not be affected and the rights and  
43 obligations of the parties shall be construed as if the agreement did not contain the  
44 particular illegal part. If it should appear that any provision hereof is in conflict with any  
45 statutory provision of the state of Washington, said provision shall be deemed inoperative  
46 and null and void insofar as they may be in conflict therewith, and shall be modified to  
47 conform to such statutory provision. (Ord. 90-61 (part)).  
48  
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