

Whatcom County Council

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



Minutes - Draft Minutes

**VIRTUAL MEETING - VIEW ONLINE; AGENDA REVISED 11.23.2020
AND 11.24.2020**

Tuesday, November 24, 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

Council Chair Barry Buchanan called the meeting to order at 6 p.m. in a virtual meeting.

He shared that today is his and Elenbaas' birthdays.

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

Satpal Sidhu, County Executive, did not have a report but wished the two Councilmembers a happy birthday.

MINUTES CONSENT

Donovan moved to accept the minutes consent items. The motion was seconded by Byrd (see votes on individual items below).

1. [MIN2020-105](#) Committee of the Whole Executive Session for October 27, 2020

Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

2. [MIN2020-108](#) Committee of the Whole for October 27, 2020

Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

3. [MIN2020-109](#) Regular County Council for October 27, 2020

Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

4. [MIN2020-110](#) Special Council for November 2, 2020

Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

5. [MIN2020-111](#) Special Council Budget Work Session for November 5, 2020

Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

6. [MIN2020-112](#) Special Council Budget Work Session for November 12, 2020

Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

PUBLIC HEARINGS

Council staff played a short video about how to speak at the meeting.

1. [AB2020-466](#) Ordinance amending Whatcom County Code Section 1.14, adjusting Precinct Boundary Lines and Precinct Maps

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Byrd moved and Donovan seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-060

2. [AB2020-447](#) Ordinance adopting the Six-Year Capital Improvement Program (CIP) for Whatcom County Facilities (2021-2026) and repealing the Six-Year CIP for Whatcom County Facilities (2019-2024)

Tyler Schroeder, Executive's Office, briefed the Councilmembers.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Byrd moved and Frazey seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-061

3. [AB2020-490](#) Ordinance authorizing the 2021 Whatcom County Unified Fee Schedule

Tyler Schroeder, Executive's Office, did not speak on this item but pointed out for members of the public that the budget agenda item is AB2020-524 and will come up later in the meeting.

Dana Brown-Davis, Clerk of the Council, clarified which version of the Ordinance they were voting on.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Byrd moved and Frazey seconded that the SUBSTITUTE Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Enactment No: ORD 2020-062

4. [AB2020-491](#) Resolution adopting 2021 budget for the Point Roberts Transportation Benefit District (Council acting as the governing body of the Point Roberts Transportation Benefit District)

Buchanan opened the Public Hearing and the following person spoke:

- Tom O'Breien

Hearing no one else, Buchanan closed the Public Hearing.

Byrd moved and Donovan seconded that the Resolution Requiring a Public Hearing be approved.

The following people discussed the item with Councilmembers and answered questions:

- Jim Karcher, Public Works Department
- Satpal Sidhu, County Executive
- Jon Hutchings, Public Works Department Director

Staff answered whether this needs to be approved tonight or if it can be approved in January, whether a staff member is currently going up to Point Roberts or if everything is now remote, whether we have a ledger of the amount of time that was used and what was spent in association with the contract, whether meetings could be attended virtually in the future instead of in person, the deadline for approving this item and whether it needs to be approved with the entire budget package, and incorporating budget deadlines going forward so the Point Roberts Community Advisory Committee (PRCAC) can start figuring out what they want to use this fund for and have time to make recommendations to the Council.

Byrd's motion that the Resolution Requiring a Public Hearing be APPROVED carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Enactment No: RES 2020-049

Councilmembers and Sidhu continued to discuss the item after the vote and why Byrd and Elenbaas voted against it.

5. [AB2020-493](#) Resolution adopting the 2021 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of

Supervisors)

Jon Hutchings, Public Works Department Director, stated he did not have a report.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Donovan moved and Frazey seconded that the Resolution (FCZDBS) Requiring a Public Hearing be approved.

Elenbaas spoke about working toward managing our river more and directing some of this funding to different areas in the future.

Donovan's motion that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: RES 2020-050

6. [AB2020-509](#) Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County, Washington, for the year 2021

Brad Bennett, Administrative Services Department answered questions about the difference between AB2020-511 and this item and whether they are both legally required.

Buchanan opened the Public Hearing and, hearing no one for this item, closed the Public Hearing.

Tyler Schroeder, Executive's Office, clarified what this item is addressing.

Kershner moved and Frazey seconded that the Ordinance Requiring a Public Hearing be adopted.

Councilmembers discussed the motion and Bennett answered why Exhibit A is not currently presented with the Ordinance.

Dana Brown-Davis, Clerk of the Council, answered a question about the agenda packet and which versions Councilmembers can use.

Councilmembers continued to discuss the motion and the Resolution with

Bennett and Satpal Sidhu, County Executive. They discussed the consequences if this is not approved, how the levy rate is figured, how the rate affects the amount of property taxes owed and whether those assessments will generate a lot of new revenue in the end because of the levy rate, and voting on the item without all the information since it just gives the Administration authority to levy taxes.

Kershner's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

Aye: 6 - Browne, Buchanan, Donovan, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

Abstain: 1 - Byrd

Enactment No: ORD 2020-063

7. [AB2020-510](#) Ordinance authorizing the Levy of Taxes for Countywide Emergency Medical purposes for 2021

Buchanan opened the Public Hearing and the following person spoke:

- Frank James asked about the levy for the Chuckanut Community Forest Park District and when he would have an opportunity to speak about that.

Steve Oliver, County Treasurer, clarified that the EMS levy is a property tax levy and not sales tax as stated by Buchanan.

Hearing no one speak on this item, Buchanan closed the public hearing.

Donovan moved and Frazey seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-064

8. [AB2020-511](#) Ordinance limiting the General Fund property tax levy

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Browne moved and Kershner seconded that the Ordinance Requiring a

Public Hearing be adopted.

Councilmembers discussed the motion and whether they should take the banked capacity.

The following people spoke and answered questions:

- Brad Bennett, Administrative Services Department
- Satpal Sidhu, County Executive
- Tyler Schroeder, Executive's Office

They discussed whether there are things they can do within the budget to balance the budget without raising taxes, what would happen if this is not approved, what other ideas for the budget have been discussed, and whether our ending fund balance has been within normal parameters this year.

Browne's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

Aye: 4 - Browne, Buchanan, Elenbaas, and Kershner

Nay: 3 - Byrd, Donovan, and Frazey

Absent: 0

Enactment No: ORD 2020-065

9. [AB2020-512](#) Ordinance authorizing the Levy of Taxes for County Conservation Futures Purposes for 2021

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Donovan moved and Frazey seconded that the Ordinance Requiring a Public Hearing be adopted.

Tyler Schroeder, Executive's Office, answered questions about the conservation futures fund balance, whether any of the money in this account can be moved to another fund, whether the funds can be used to help quantify our aquifer, whether they can be used to purchase land in the Lake Whatcom watershed for preservation of water quality, whether the funds could be used to facilitate a reservoir that could augment stream flows at low times of the season, the ending balance of the fund, how much is collected, and using the funds for salmon preservation which would tie into instream flows.

Donovan's motion that the Ordinance Requiring a Public Hearing be

ADOPTED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-066

10. [AB2020-513](#) Ordinance authorizing the Levy of Taxes for road purposes for 2021

Jon Hutchings, Public Works Department Director, stated he did not have a report but was available to answer questions.

Buchanan opened the Public Hearing and the following person spoke:

- Joshua Levinson

Hearing no one else, Buchanan closed the public hearing.

Frazey moved and Kershner seconded that the Ordinance Requiring a Public Hearing be adopted.

Hutchings answered whether the transfer from the Road Fund into the General Fund is a new transfer or if it is carried over from previous years.

Frazey's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-067

11. [AB2020-514](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2021 (Whatcom County Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

Donovan moved and Kershner seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2020-051

12. [AB2020-504](#) Ordinance in the matter of the adoption of the final budget of Whatcom County for the Biennium 2021-2022

Buchanan opened the Public Hearing and the following people spoke:

- Kendra Cook
- Sally Mickley
- Tom O'Breien
- Josh (last name not given)
- Roberta Hochreiter
- Kaianui Rapaport
- Markis Dee Stidham
- Melissa Wisener
- Heather Katahdin
- Eve Smason-Marcus
- Katelyn Holmes
- Margie Martin
- Will (last name not given)
- Krista Rome
- Paul Myers

Hearing no one else, Buchanan closed the Public Hearing.

Browne moved and Frazey seconded that the substitute Ordinance Requiring a Public Hearing be adopted.

Councilmembers discussed the item with the following people:

- Bill Elfo, Sheriff
- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

They discussed the motion, the status of the corrections deputies' positions and whether there are still any that are unfunded and why, how the head count of employees for the Sheriff's Office is changing as listed in the document showing position control changes (Exhibit C), whether there is projected to be more funding at the end of this biennium than the beginning of the last biennium and the same number of Full-Time Equivalent (FTE) positions in the Sheriff's Office, whether they are maintaining the number

of FTEs and not de-funding them, whether there will be County staff lay-offs associated with the budget, whether the 199 funded Sheriff's positions (with the three that they added back) is the same number of actual positions they had at the end of last year, whether funding for additional shelter capacity is included in this budget or whether that is something they can pursue going forward without CARES Act dollars, and budgeted versus actual spending.

Browne's motion that the SUBSTITUTE Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Enactment No: ORD 2020-068

13. [AB2020-520](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded facilities in the Cherry Point urban growth area, the primary purpose of which would be the shipment of unrefined fossil fuels not to be processed at Cherry Point

Buchanan opened the Public Hearing and the following people spoke:

- Lane McIlvoy
- Pam Brady
- Barney Smith
- Trevor Smith
- Miguel Perry
- Brel Froebe
- Will Marks
- Josh Levinson
- Andrew Gamble
- Todd Taylor
- Dirk Vermeeren
- Eddy Ury
- Tyler Occhiogrosso
- Patrick Alesse
- Markis Dee Stidham

Hearing no one else, Buchanan closed the Public Hearing.

Frazey moved and Donovan seconded that the Ordinance Requiring a Public

Hearing be adopted.

Councilmembers discussed the motion and the difference between an emergency moratorium and an interim Ordinance.

Frazeys motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

Aye: 4 - Browne, Buchanan, Donovan, and Frazey

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

Enactment No: ORD 2020-069

OPEN SESSION (20 MINUTES)

Buchanan opened the Open Session and the following people spoke:

- Frank James spoke about the levy of taxes for the Chuckanut Community Forest Park District. He stated that the district passed a levy and sent it to the Council and that is not moving forward. He asked about the current status of this issue since there will not be a hearing on it and he asked about the process.

Buchanan paused the Open Session and Councilmembers discussed the process for addressing comments during Open Session and answering Mr. James' question about a request to amend the amount of the levy.

Buchanan opened the Open Session again and the following people spoke:

- Markis Dee Stidham spoke about the tent encampment on the City of Bellingham lawn and funding shelter.
- Josh Levinson spoke about making space for tiny homes and affordable housing options.
- Tom O'Breien spoke about AB2020-546 Ordinance amending Whatcom County Code 2.98, Point Roberts Community Advisory Committee, to revise membership and meeting procedures to broaden representation and improve transparency and Council collaboration with Point Roberts.
- Bill Geyer spoke about AB2020-472 Resolution certifying amounts to be levied by Whatcom County taxing districts to the County Assessor and specifically the Chuckanut Community Parks District.
- Brel Froebe spoke about using CARES Act dollars to buy shelter options.

- Will Marks spoke about getting as many pallet shelters as possible.
- Health Katahdin spoke about safe locations and operators to give adequate winter shelters.
- Wendy Harris spoke about funding the wildlife risk reduction program and a prioritized system for alternatives to burning.
- Larry Horowitz spoke about the tax levy for the Chuckanut Community Forest Park District.
- Bob Carmichael spoke about the tax levy for the Chuckanut Community Forest Park District.
- Eddy Ury spoke about a resolution passed by the Planning Commission to create a citizen advisory body to address the issue of public participation in local government affairs.

Hearing no one else, Buchanan closed the Open Session.

OTHER ITEMS (part one)

Donovan moved to consider Other Items number 4 (AB2020-472) out of order. The motion was seconded by Frazey.

The motion carried by the following vote:

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

Nay: 0

4. [AB2020-472](#) Resolution certifying amounts to be levied by Whatcom County taxing districts to the County Assessor

Donovan moved to approve the proposal as stated. The motion was seconded by Browne.

Councilmembers discussed the motion to approve the substitute Resolution, the Council's authority to interfere with the affairs of an elected district and whether they should wait until November 30, 2020 to make a decision.

Donovan's motion that the SUBSTITUTE Resolution be APPROVED carried by the following vote:

Aye: 6 - Browne, Buchanan, Donovan, Frazey, Elenbaas, and Kershner

Nay: 1 - Byrd

Absent: 0

Enactment No: RES 2020-052

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Byrd reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items 1 through 14.

Frazey suggested that when the Administration gives out money they make sure to include the following change of the language in the contract with bold font:

Upon receipt of the contract please be sure to read through all of the contractual obligations including the non-discrimination clause.

She also suggested the groups who are getting money should know that the non-discrimination clause is there and that if the agency is known to go against that or does not comply they need to give the money back.

Satpal Sidhu, County Executive, answered whether that language is already included in the contracts and Councilmembers discussed the suggestion.

Councilmembers voted on the Consent Agenda items (see votes on individual items below).

1. [AB2020-528](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Traffic Safety Commission for overtime funding to conduct high visibility enforcement (HVE) traffic safety emphasis patrols to address impaired driving, distracted driving, and motorcycle safety, in the amount of \$7,800.00

Byrd moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

2. [AB2020-529](#) Resolution ordering the cancellation of unredeemed checks (warrants) more than one year old

Byrd moved that the Resolution be APPROVED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: RES 2020-053

3. [AB2020-530](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Compass Health to provide reimbursement for COVID-19 related operations and prevention expenditures, in the amount of \$157,721

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

4. [AB2020-531](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lighthouse Mission Ministries to extend the contract for two months in the amount of \$51,543 for a total amended contract amount of \$347,443

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

5. [AB2020-532](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Health Care Authority to support Medicaid related outreach and linkage activities to Whatcom County residents

Byrd moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

6. [AB2020-533](#) Request authorization for the County Executive to enter into a contract between Whatcom County and SeaMar Community Health Services to provide operational support of the Whatcom County COVID-19 Temporary Housing Facility, in the amount of \$238,650

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

7. [AB2020-534](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections to support a marketing campaign aimed at stimulating and supporting economic health and recovery of small businesses in Whatcom County, in response to COVID-19, in the amount of \$160,000

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

8. [AB2020-537](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide reimbursement for COVID-19 related operations and prevention expenditures, in the amount of \$35,000 for a total amended contract amount of \$308,500

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

9. [AB2020-539](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sargent Engineers, Inc. to increase the original contract amount of \$45,000 by \$30,000 for a new amount not to exceed \$75,000

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

10. [AB2020-540](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Trantech Engineering, LLC to increase the original contract amount of \$45,000 by \$45,000 for a new amount not to exceed \$90,000

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

11. [AB2020-541](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department to update the Whatcom County Natural Hazard Mitigation Plan, in the amount of \$75,000

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

12. [AB2020-547](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham School District for reimbursement of eligible COVID-related technology expenses, in the amount of \$449,185

Byrd moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

13. [AB2020-548](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District for reimbursement of eligible COVID-related PPE and technology expenses, in the amount of \$186,000

Byrd moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

14. [AB2020-550](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and SeaMar Community Health Services in the amount of \$506,546.46 for a total amended contract amount of \$1,619,708

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

OTHER ITEMS (part two)

(From Council Finance and Administrative Services Committee)

1. [AB2020-494](#) Ordinance amending the 2020 Whatcom County Budget, request no. 21, in the amount of \$316,676

Byrd reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-070

2. [AB2020-495](#) Ordinance establishing the Shallow Shore Culvert Relocation Fund and establishing a project based budget for the Shallow Shore Culvert Relocation Fund

Byrd reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-071

3. [AB2020-496](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 2

Byrd reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-072

5. [AB2020-545](#) Request authorization for the County Executive to enter into a Transfer Option Agreement between Whatcom County and Opportunity Council for the transfer of property located at 1000 North Forest Street for the purposes of developing 60 permanently affordable homes for seniors

Byrd reported for the Finance and Administrative Services Committee and ***moved*** that the substitute Contract be authorized.

Tyler Schroeder, Executive's Office, answered whether by approving this the Council is approving the negotiations to begin for the project and whether they will hear back on whatever Exhibit A is before moving forward.

Dana Brown-Davis, Clerk of the Council, clarified that she did not send a new version to them that reflected the amendment made in Committee so Byrd read the amendment into the record.

Councilmembers continued to discuss the item with Schroeder and Satpal Sidhu, County Executive.

Byrd's motion that the substitute Contract be AUTHORIZED carried by the following vote:

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

Nay: 0

Absent: 0

(From Council Public Works and Health Committee)

6. [AB2020-431](#) Resolution affirming racism as a Public Health Crisis

Frazey reported for the Public Works and Health Committee and ***moved*** that the substitute Resolution be approved.

Councilmembers discussed the substitute Resolution and the motion.

Frazey's motion that the SUBSTITUTE Resolution be APPROVED carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: RES 2020-054

ITEMS ADDED BY REVISION

Buchanan asked Donovan if he would be willing to put AB2020-566 off until December 8, 2020.

Donovan moved to postpone AB2020-566 until December 8 and move AB2020-556 into the introduction section of this agenda. The motion was seconded by Byrd.

The motion carried by the following vote:

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

Nay: 0

1. [AB2020-556](#) Ordinance amending the 2020 Whatcom County Budget, request no. 22, in the amount of \$3,524,769
See action on AB2020-556 below.
2. [AB2020-566](#) Resolution affirming confidence in election results

Donovan moved and Byrd seconded that the Resolution be HELD. The motion carried by the following vote:

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

Nay: 0

Absent: 0

INTRODUCTION ITEMS

Donovan moved to introduce items 1 through 7 and AB2020-556. The motion was seconded by Byrd (see votes on individual items below).

1. [AB2020-524](#) Ordinance creating a Child and Family Well-Being Task Force

Donovan moved and Byrd seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

2. [AB2020-535](#) Ordinance amending the project budget for the E. Smith/Hannegan Road Intersection Improvements Fund, request no. 1

Donovan moved and Byrd seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

3. [AB2020-536](#) Ordinance amending the project budget for the Marine Drive, Locust Ave to Alderwood Ave, Reconstruction Fund, request no. 1

**Donovan moved and Byrd seconded that the Ordinance be INTRODUCED.
The motion carried by the following vote:**

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

Nay: 0

Absent: 0

4. [AB2020-542](#) Ordinance amending Silver Lake Park Improvement Fund, request no. 2

**Donovan moved and Byrd seconded that the Ordinance be INTRODUCED.
The motion carried by the following vote:**

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

Nay: 0

Absent: 0

5. [AB2020-543](#) Ordinance amending the 2021 Whatcom County Budget, request no. 1, in the amount of \$14,781,015

**Donovan moved and Byrd seconded that the Ordinance be INTRODUCED.
The motion carried by the following vote:**

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

Nay: 0

Absent: 0

6. [AB2020-546](#) Ordinance amending Whatcom County Code 2.98, Point Roberts Community Advisory Committee, to revise membership and meeting procedures to broaden representation and improve transparency

**Donovan moved and Byrd seconded that the Ordinance be INTRODUCED.
The motion carried by the following vote:**

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

Nay: 0

Absent: 0

- 7. [AB2020-552](#) Appointment to Drainage Improvement District #7, Supervisor Position 3 - Applicant(s): Rod Stump

Donovan moved and Byrd seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

- 1. [AB2020-556](#) Ordinance amending the 2020 Whatcom County Budget, request no. 22, in the amount of \$3,524,769

Donovan moved and Byrd seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and updates on recent activities and upcoming events.

Satpal Sidhu, County Executive thanked the Council for approving the budget.

ADJOURN

The meeting adjourned at 12:23 a.m. on Wednesday, November 25, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription