

Whatcom County Council

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



Action Summary

**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

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

APPROVED BY CONSENT

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

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

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

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

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

APPROVED BY CONSENT

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

APPROVED BY CONSENT

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

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

PUBLIC HEARINGS

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

ADOPTED

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)

ADOPTED

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

SUBSTITUTE ADOPTED

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)

APPROVED

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Enactment No: RES 2020-049

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)

APPROVED

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

ADOPTED

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

ADOPTED

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

ADOPTED

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

ADOPTED

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

ADOPTED

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)

APPROVED

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

SUBSTITUTE ADOPTED

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

ADOPTED

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

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

Enactment No: ORD 2020-069

OPEN SESSION (20 MINUTES)

OTHER ITEMS (part one)

AB2020-472 was considered out of order.

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

SUBSTITUTE APPROVED

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)

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

AUTHORIZED BY CONSENT

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

APPROVED

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

AUTHORIZED BY CONSENT

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

ADOPTED

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

ADOPTED

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

ADOPTED

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

SUBSTITUTE AUTHORIZED

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

SUBSTITUTE APPROVED

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: RES 2020-054

ITEMS ADDED BY REVISION

A motion was approved to hold AB2020-566 and to move AB2020-556 to the Introduction items (see action on AB2020-556 below).

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

REFERRED TO COMMITTEE

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

Nay: 0

Absent: 0

INTRODUCTION ITEMS

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

INTRODUCED

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

INTRODUCED

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

INTRODUCED

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

INTRODUCED

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

INTRODUCED

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

INTRODUCED

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

Nay: 0

Absent: 0

7. [AB2020-552](#) Receipt of application to Drainage Improvement District #7, Supervisor Position 3 - Applicant(s): Rod Stump (deadline for additional applications for this position is 10 a.m. on December 1, 2020)

INTRODUCED

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

INTRODUCED

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

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN