

Whatcom County Council

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



Action Summary

Tuesday, May 26, 2026

6 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN
INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL
360.778.5010); AGENDA REVISED 5.22.2026**

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremler

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2026-043](#) Special Council for May 5, 2026

APPROVED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [MIN2026-044](#) Special Committee of the Whole for May 5, 2026

APPROVED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [MIN2026-045](#) Committee of Whole for May 12, 2026

APPROVED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

4. [MIN2026-046](#) Regular County Council for May 12, 2026

APPROVED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2026-368](#) Request authorization for the County Executive to enter into a contract between Whatcom County and EKS Evaluation Consulting to develop a comprehensive evaluation plan for the five key Response Systems Division programs within Whatcom County Health and Community Services, in the amount of \$83,150

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [AB2026-381](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Police Department for a commitment of funding from the Bellingham Police Department to maintain operations of the Alternative Response Team Program, in the amount of \$688,760

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [AB2026-382](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce to increase funding for the Consolidated Homeless Grant, which supports the priorities outlined in the Whatcom County Plan to End Homelessness, in the amount of \$1,546,981 for a total amended agreement amount of \$20,366,072

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

4. [AB2026-385](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Health to provide funding for various public health programs, in the amount of \$57,008 for a total amended contract amount of \$11,286,805

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

5. [AB2026-386](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Kulshan Community Land Trust to provide eighteen units of permanently affordable homeownership units for households earning less than 80% Area Median Income, in the amount of \$394,012.06

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

6. [AB2026-387](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Shea, Carr & Jewell, Inc. dba SCJ Alliance to provide flood mitigation planning for the City of Sumas, in the amount of \$274,981.33 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

7. [AB2026-391](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Military Department for the elevation of sixteen structures in flood-prone areas, in the amount of \$4,156,725 (Council acting as the Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

A SECOND MOTION WAS MADE ON THIS ITEM UNDER OTHER BUSINESS.

8. [AB2026-392](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Herrera Environmental Consultants to support the next phase of Lower Nooksack River Floodplain Integrated Planning, in the amount of \$1,250,229 for a total contract amount of \$4,248,598 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

9. [AB2026-393](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lake Whatcom Residential Treatment Center to support the development of 37 units of affordable rentals for adults with behavioral health needs, including 11 units dedicated to Trueblood Class Members, in the amount of \$3,087,940

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

10. [AB2026-394](#) Request authorization for the County Executive to enter into an amended agreement between Whatcom County and the Administrative Office of the Courts for reimbursement of costs related to water adjudication, in the amended amount of

\$2,538,200

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

11. [AB2026-397](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Military Department to enhance security and preparedness for the 2026 International Federation of Association Football (FIFA) World Cup events, in the amount of \$62,963

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

12. [AB2026-398](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the SeattleFWC26 to enhance security and preparedness for the 2026 International Federation of Association Football (FIFA) World Cup events, in the amount of \$97,556

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

13. [AB2026-401](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the City of Bellingham to clarify eligible construction reimbursement methods for the Bear Creek Corridor Mitigation Bank Project in the amount of \$0, for a total amended contract amount of \$1,000,000

AUTHORIZED BY CONSENT

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2026-333](#) Ordinance increasing the Petty Cash Revolving Fund for the Parks and Recreation Department, in the amount of \$500

ADOPTED

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-025

2. [AB2026-351](#) Ordinance amending the project budget for the Austin Court Stormwater Improvement Project Fund, request no. 1
- ADOPTED**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: ORD 2026-026
3. [AB2026-353](#) Ordinance amending the project budget for the North Commercial Street Acquisition, request no. 1
- ADOPTED**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: ORD 2026-027
4. [AB2026-355](#) Ordinance amending the project budget for the New Public Health, Safety and Justice Facility, request no. 11
- ADOPTED**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: ORD 2026-028
5. [AB2026-369](#) Ordinance amending the 2026 Whatcom County Budget, request no. 8, in the amount of \$8,914,924
- ADOPTED**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: ORD 2026-029
6. [AB2026-373](#) Resolution amending the 2026 Flood Control Zone District and Subzones Budget, request no. 3, in the amount of \$34,964 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
- APPROVED**
- Aye:** 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler
- Nay:** 0
- Enactment No: RES 2026-019
7. [AB2026-374](#) Ordinance amending the project based budget for the Lummi Nation Ferry Lease

Fund-3901, request no. 1

ADOPTED

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-030

8. [AB2026-379](#) Ordinance amending the project budget for the Central Shop National Pollutant Discharge Elimination System (NPDES) Stormwater Improvements Project Fund, request no. 2

ADOPTED

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-031

9. [AB2026-402](#) Resolution appointing the County Treasurer and Finance Director as the county representatives authorized to designate certain expenditures for reimbursement from future tax-exempt obligations

APPROVED

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-020

(From Council Public Works and Health Committee)

10. [AB2026-389](#) Resolution establishing the existing Whatcom County Ferry Advisory Committee as the Ferry Advisory Committee for the Ferry District [Council acting as the Whatcom County Ferry District Board of Supervisors]

APPROVED

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-021

(From Council Committee of the Whole)

11. [AB2026-390](#) Resolution regarding greenhouse gas reduction sub-element voluntary review as part of the Whatcom County Comprehensive Plan periodic update under the Washington State Growth Management Act (RCW 36.70A.096)

SUBSTITUTE APPROVED

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-022

ITEMS ADDED BY REVISION

1. [AB2026-418](#) Request for motion to support modifying the Flood District Fund reserve policy to allow for levee repairs

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to support modifying the Flood District Fund reserve policy to allow for the River Road and Bylsma levee repairs.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

(From Committee of the Whole Executive Session)

- [AB2026-383](#) Discussion of a potential property acquisition with Chief Civil Deputy Prosecutor Tom Seguire and Public Works staff [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(b)]

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to authorize the county executive acting on behalf of the Whatcom County Flood Control Zone district, to move forward with and complete the acquisition of the easement, as long as the purchase price of the easement does not exceed the amount discussed in executive session.

- [AB2026-406](#) Discussion of pending litigation with Civil Deputy Prosecutor Jesse Corkern regarding Hailey Bergquist vs. Whatcom County et al., Skagit County Superior Court, Case No. 26-2-00115-29. Defense and indemnification of Ryan Rathbun, former Whatcom County Sheriff's Deputy, named as defendant [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110(1)(i)]

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to approve defense and indemnification of Ryan Rathbun, named as defendants in Hailey Bergquist v. Whatcom County et al., Skagit County Superior Court, Cause No. 26-2-00115-29. Based on the following findings:

- A. Ryan Rathbun was acting in a matter in which the county had an interest;
- B. Ryan Rathbun was acting in the discharge of a duty imposed or authorized by law;
- C. Ryan Rathbun acted in good faith.

- [AB2026-407](#) Discussion of potential litigation with Civil Deputy Prosecutor Jesse Corkern regarding the Public Works Ferry Division's participation in Discover Card Merchant Class Action [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110(1)(i)]

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to authorize Jesse Corkern, Civil Deputy to submit a claim form on behalf of Whatcom County Public Works, to participate in a class action settlement, as discussed in Executive Session.

(From Finance and Administrative Services Committee)

[AB2026-391](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Military Department for the elevation of sixteen structures in flood-prone areas, in the amount of \$4,156,725 (Council acting as the Flood Control Zone District Board of Supervisors)

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to authorize the Executive to execute agreements with the property owners that outline the terms of reimbursement for the elevation of their structures.

[AB2026-400](#) Presentation by the Executive Office on the Economic Development Investment Fund and Program

DISCUSSED AND MOTION(S) APPROVED

Motion approved 6-1 with Stremmer opposed that the council preliminarily establish a target range for the economic development investment program of between \$2.3 million and \$3 million set aside for infrastructure projects and between \$1 million and \$1.7 million for housing projects as an initial starting place.

ADJOURN