



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
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(360) 778-5010

## Agenda Bill Master Report

File Number: AB2020-091

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<b>File ID:</b>	AB2020-091	<b>Version:</b>	1	<b>Status:</b>	Substitute Adopted
<b>File Created:</b>	02/14/2020	<b>Entered by:</b>	RKlein@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council Natural Resources Committee			<b>Final Action:</b>	06/16/2020
<b>Agenda Date:</b>	06/16/2020			<b>Enactment #:</b>	ORD 2020-031

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### TITLE FOR AGENDA ITEM:

Ordinance amending Whatcom County Code 16.20, Whatcom County Shellfish Protection Districts

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Ordinance waives term limit requirement under Whatcom County Code 2.03.030 (B) for the Portage Bay and Drayton Harbor Shellfish Protection District Advisory Committees

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
03/10/2020	Council	INTRODUCED	Council Natural Resources Committee
		Aye: 6 Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas	
		Nay: 0	
		Absent: 1 Kershner	
06/16/2020	Council Natural Resources Committee	RECOMMENDED FOR ADOPTION WITH PROPOSED AMENDMENT	
		Aye: 3 Donovan, Elenbaas, and Frazey	
		Nay: 0	
		Absent: 0	
06/16/2020	Council	SUBSTITUTE ADOPTED	
		Aye: 7 Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner	
		Nay: 0	

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Absent: 0

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**Attachments:** Staff Memo, Proposed Ordinance

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ORDINANCE NO. 2020-031

AMENDMENT TO WHATCOM COUNTY CODE 16.20.065  
ADVISORY GROUPS FOR WHATCOM COUNTY SHELLFISH PROTECTION DISTRICTS

WHEREAS, the Portage Bay and Drayton Harbor Shellfish Protection District Advisory Committees are each comprised of 11 members appointed by the County Council ; and

WHEREAS, two positions on each of the advisory committees will be available for tribal representation; and

WHEREAS, appointments to boards, committees and commissions made by the council may be for a term up to four years; and

WHEREAS, no board, commission or committee member shall serve more than two consecutive full terms; and

WHEREAS, a citizen may become eligible for reappointment to a board, commission or committee after a one-year period of separation from that respective board, commission or committee on which he or she has previously served; and

WHEREAS, the Portage Bay Shellfish Protection District Advisory Committee currently has four vacancies after three members completed their second consecutive full term on January 31, 2020; and

WHEREAS, the Drayton Harbor Shellfish Protection District Advisory Committee currently has three vacancies after two positions completed their second consecutive full term on January 31, 2020; and

WHEREAS, it has been difficult to find advisory committee applicants to fill all of the advisory committee positions; and

WHEREAS, there are committee members who have completed two terms and are not presently eligible to reapply; and

WHEREAS, allowing interested committee members who have completed two terms to reapply and serve on the committees would provide the opportunity for a larger pool of potential applicants to fill positions.

35 WHEREAS, at their January 29, 2020 joint meeting, the Portage Bay and Drayton  
36 Harbor Shellfish Protection District Advisory Committees approved a recommendation to  
37 the Whatcom County Council to remove term limits from these advisory committees,

38 NOW THEREFORE, BE IT ORDAINED by the Whatcom County Council that  
39 Whatcom County Code Chapter 16.20 is hereby amended as shown in Exhibit A.

40 ADOPTED this 16th day of June, 2020.

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ATTEST:

Clerk of the Council

APPROVED AS TO FORM:

Christopher Quinn  
Senior Prosecuting Attorney- Civil Division

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

Barry Buchanan, Council Chair

Approved ( ) Denied

Satpal Singh Sidhu  
County Executive

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58 **Chapter 16.20**59 **WHATCOM COUNTY SHELLFISH PROTECTION DISTRICTS**60 16.20.065 Advisory groups.

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62 A. **16.20.065 Advisory groups.** The advisory committees shall comply with the  
63 requirements of Whatcom County Code (WCC) 2.03, Boards and Commissions  
64 unless otherwise specified for under WCC, Chapter 16.20.

65 B. The board of supervisors shall appoint advisory committees of not more than 11  
66 members to advise on the overall operations of the Drayton Harbor and Portage  
67 Bay Shellfish Protection Districts. Two positions on each of the advisory  
68 committees will be available for tribal representation. In establishing district  
69 advisory committees, all members shall have a direct interest in the district.  
70 (Ord. 2014-058, Ord. 2012-055, Ord. 2010-046; Ord. 2009-042 Att. C; Ord.  
71 2008-055 Exh. A; Ord. 2007-003 Exh. A; Ord. 2004-061; Ord. 2002-069; Ord.  
72 98-019 Att. C; Ord. 95-036).

73 C. The Birch Bay Shellfish Protection District Advisory Committee will be dissolved  
74 and shellfish protection advisory duties will be assigned to the Birch Bay Water  
75 and Aquatic Resource Management (BBWARM) District Advisory Committee, an  
76 existing advisory committee that provides recommendations on projects and  
77 programs to protect water quality in the Birch Bay watershed.

78 D. Member terms will be four years, unless otherwise required by the Revised Code  
79 of Washington (RCW). Council may waive the term limit requirements of WCC  
80 2.03 on a case-by-case basis as it applies to this Chapter.

81 E. Each advisory committee shall dissolve when its related district dissolves per  
82 WCC 16.20.050.