

Whatcom County Council

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



Action Summary

Wednesday, November 8, 2023

6 PM

Hybrid Meeting

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

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kaylee Galloway
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, and Kathy Kershner

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2023-070](#) Committee of the Whole for October 24, 2023

APPROVED BY CONSENT

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

Nay: 0

2. [MIN2023-071](#) Regular County Council for October 24, 2023

APPROVED BY CONSENT

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

Nay: 0

INTRODUCTION ITEMS

1. [AB2023-693](#) Ordinance amending the project based budget for the Swift Creek Capital Projects Fund, Request No. 2

INTRODUCED

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

Nay: 1 - Elenbaas

2. [AB2023-697](#) Ordinance amending the project-based budget for the Jackson Road / Terrell Creek Bridge No. 81 Replacement Fund, request no. 1

INTRODUCED

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

Nay: 1 - Elenbaas

3. [AB2023-708](#) Ordinance Authorizing an Interfund Loan for the Purchase of Real Property

INTRODUCED

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

Nay: 1 - Elenbaas

4. [AB2023-714](#) Ordinance Authorizing the Levy of Taxes for Conservation Futures Purposes for 2024

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

The "substitute version" of this file was introduced and added below as item 16 and with a new agenda bill number (AB2023-760).

5. [AB2023-715](#) Ordinance Authorizing the Levy of Taxes for County Road Purposes for 2024

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

6. [AB2023-716](#) Ordinance Authorizing the Levy of Taxes for Countywide Emergency Medical Purposes for 2024

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

7. [AB2023-717](#) Ordinance Authorizing the Levy of Taxes for County and State Purposes in Whatcom County, Washington, for the Year of 2024

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

8. [AB2023-718](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2024

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

9. [AB2023-721](#) Resolution adopting the 2024 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

10. [AB2023-723](#) Ordinance establishing a Whatcom County Climate Action Fund and establishing an initial budget for the Climate Action Fund

INTRODUCED

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

Nay: 1 - Elenbaas

11. [AB2023-724](#) Ordinance amending the 2024 Whatcom County Budget, request no. 2, in the amount of \$16,303,061

INTRODUCED

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

Nay: 1 - Elenbaas

12. [AB2023-725](#) Ordinance closing the Triage Center Expansion Fund 374

INTRODUCED

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

Nay: 1 - Elenbaas

13. [AB2023-726](#) Ordinance amending the project budget for the Integrated Land Records and Permit Management System Fund, request no. 2.

INTRODUCED

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

Nay: 1 - Elenbaas

14. [AB2023-728](#) Ordinance amending the 2023 Whatcom County Budget, request no. 15, in the amount of 1,295,786

INTRODUCED

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

Nay: 1 - Elenbaas

15. [AB2023-729](#) Ordinance amending the 2024 Whatcom County Budget, request no. 1, in the amount of \$54,123,315

SUBSTITUTE INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Substitute version of Ordinance AB2023-714 added as new agenda item (AB2023-760).

16. [AB2023-760](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2024 (5.6% increase from previous year)

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

PUBLIC HEARINGS

1. [AB2023-654](#) Resolution authorizing the sale of personal property, pursuant to Whatcom County Code (WCC) 1.10 (capital equipment surplus)

APPROVED

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

Nay: 0

Enactment No: RES 2023-045

OPEN SESSION**CONSENT AGENDA****(From Council Finance and Administrative Services Committee)**

1. [AB2023-678](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the City of Bellingham to increase the subscriber fees by \$1,260 for use of the City radio system, for a total amended annual contract amount of \$6,300

AUTHORIZED BY CONSENT

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

Nay: 0

2. [AB2023-695](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for funding to support ongoing maintenance and operations at the County's crisis stabilization center, in the amount of \$65,000

AUTHORIZED BY CONSENT

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

Nay: 0

3. [AB2023-698](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cando Recycling and Disposal to provide solid waste

collection services in Point Roberts in the amount of \$475,000 for a total amended contract amount of \$950,000

This item was considered separately (see below).

4. [AB2023-703](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Dr. Tyson Hawkins for Jail Administrative Physician Services in the amount of \$13,940.00 for a total amended amount of \$70,700.00

AUTHORIZED BY CONSENT

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

Nay: 0

5. [AB2023-706](#) Request authorization for the County Executive to enter into a contract with Shea, Carr & Jewell, Inc., dba SCJ Alliance, to perform certain tasks associated with the 2025 Comprehensive Plan, urban growth area, and development regulations update in the amount of \$1,143,010

AUTHORIZED BY CONSENT

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

Nay: 0

6. [AB2023-710](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to complete the final two years of a three-year investigation to quantify the timing and magnitude of groundwater pumping on streamflow depletion, in the amount of \$364,486 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

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

Nay: 0

7. [AB2023-712](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Health Care Authority to provide funding for the Alternative Response Team (ART) Program in the amount of \$1,174,000 for a total amended contract amount of \$3,387,000

AUTHORIZED BY CONSENT

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

Nay: 0

8. [AB2023-713](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Astound Business Solutions, LLC (formerly Wave Business Solutions, LLC) for a five year lease for fiber optic connectivity from the Courthouse to seven county buildings, in the amount of \$283,297.20

AUTHORIZED BY CONSENT

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

Nay: 0

9. [AB2023-730](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Security Solutions to provide for the 2023 annual testing of the fire and life safety systems at various Whatcom County buildings in the amount of \$37,688.45 for a total amended contract amount of \$79,033.25

AUTHORIZED BY CONSENT

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

Nay: 0

10. [AB2023-733](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to compensate for Paramedic training program costs, in the amount of \$782,304.00

This item was considered separately (see below).

11. [AB2023-734](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Fire Protection District #7 to compensate for Paramedic training program costs, in the amount of \$318,892.00

This item was considered separately (see below).

CONSENT AGENDA CONSIDERED SEPARATELY

3. [AB2023-698](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cando Recycling and Disposal to provide solid waste collection services in Point Roberts in the amount of \$475,000 for a total amended contract amount of \$950,000

AUTHORIZED

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

Nay: 2 - Byrd, and Elenbaas

10. [AB2023-733](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to compensate for Paramedic training program costs, in the amount of \$782,304.00

AUTHORIZED

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

Nay: 1 - Byrd

11. [AB2023-734](#) Request authorization for the County Executive to enter into an interlocal agreement

between Whatcom County and Whatcom Fire Protection District #7 to compensate for Paramedic training program costs, in the amount of \$318,892.00

AUTHORIZED

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

Nay: 1 - Byrd

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

1. [AB2023-690](#) Appointment of one councilmember to serve as liaison for the Climate Vulnerability Assessment (CVA) Project

APPOINTED

Appointed Elenbaas with five votes.

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-679](#) Appointments to fill vacancies on the Whatcom County Ferry Advisory Committee - Applicants: Janice Catrell, Pamela Gould, David Hamiter, Diane Harper, Janice Holmes, Carol Landt, Fabian Mendoza, Thomas Philpot, Catherine Shornick, Merritt Scott, and Tess Winds-Johnsons

APPOINTED

Motion approved 5-2, with Elenbaas and Frazey opposed, to fill James Dickenson's position beginning in February of 2024 (a fourth position).

Appointed the following Islanders plus a fourth position (James Dickenson's position): Pamela Gould, Thomas Philpot, Catherine Shornick (6 votes) and Diane Harper (5 votes)

Motion approved 7-0 to assign the appointees to terms alphabetically Pamela Gould (Position 1), Diane Harper (Position 2), Thomas Philpot (Position 3), Catherine Shornick (Position 4)

Appointed Catrell for Position 6 with a vote of 7-0

Motion approved 7-0 to appoint both applicants (Landt and Mendoza) for Positions 8 and 9

Motion approved 6-1, with Elenbaas opposed, to extend Position 3 (Philpot) for an additional full term.

2. [AB2023-686](#) Appointment to fill a vacancy on the Forest Advisory Committee, Applicant(s): Herbert Barker, Richard Donahue, Tracy Petroske, Tom Smith, Paul Stuart

APPOINTED

Appointed Petroske with six votes

**CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS,
COMMISSIONS, AND COMMITTEES**

1. [AB2023-707](#) Request confirmation of the County Executive’s appointment of Chantel Welch to the Agricultural Advisory Committee

CONFIRMED

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

Nay: 2 - Byrd, and Elenbaas

ITEMS ADDED BY REVISION

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN