

**Whatcom County
Council Committee of the Whole**

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



Committee Minutes - Final

Tuesday, February 25, 2025

1 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - ADJOURNS BY 4:30 P.M.(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
Kaylee Galloway
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 1 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

Announcements

Special Presentation

1. AB2025-118 Update from County Executive's Office on 2025 state legislative session
Jed Holmes, Executive's Office, read from the "Report 2.22.2025" (on file).

Scanlon requested that the Administration use the Councilmembers, when it is timely, to advocate for these priorities.

Galloway stated if there are any policy issues that Council wants to consider taking a stance on it is important that they have some process for that, and she stated they are doing a really good job this year of coordination and being active in Olympia.

This agenda item was REPORTED.

2. AB2025-143 Presentation by the Forest Resilience Task Force on its ongoing work
Chris Elder, Public Works Department, introduced the discussion.

The following people read from a presentation (on file):

- Melanie del Rosario, Triangle Associates
- Steve Harrell, Forest Resilience Task Force member
- Kate Galambos, Triangle Associates

They spoke about the Forest Resilience Task Force's work in the development of a comprehensive Whatcom County forest resilience plan, the task force subcommittees and their work to meet the goal of forest resilience, a community survey that was recently completed, the key findings of that survey and of assessment interviews with stakeholders done in the fall of 2024, challenges to achieving a resilient forest, and next steps for development of the plan.

The speakers responded to a question of a task force member about whether

the task force is still trying to identify what the goals and objectives are for this effort, and answered whether the task force members have a take on proposed code and membership changes for the Forestry Advisory Committee (FAC).

del Rosario stated the goals have been approved by the task force and the objectives have been drafted and are the focus of their next task force meeting.

Harrell stated people are aware of the code proposals for the FAC but there is not consensus yet from the Forest Resilience Task Force as to whether the FAC should be expanded, or whether it should be changed from "Forestry" to "Forest" Advisory Committee, which might change the direction.

Brandy Reed, Whatcom Conservation District, stated the Conservation District submitted comments via email on the ordinance. It is in support of the changes and is prepared to serve in the capacity of an ex-officio member should the Council adopt that amendment.

Harrell answered whether the task force will come with a recommendation regarding the proposed changes to the FAC, and stated there has been no official discussion about it yet. His understanding is that this is something that is outside of the strict remit of the task force which is to produce this report on what should be policy changes.

del Rosario stated they have a specific scope related to the development of the forest resilience plan.

Galloway stated the intention of addressing the FAC code was to expand the scope of work of that committee, in anticipation that it would be the body that would provide implementation, oversight and accountability to the work product delivered by the task force. The proposed ex-officio members for the FAC would be new to that committee but are existing members of the resilience task force.

This agenda item was PRESENTED.

3. AB2025-184 Presentation and discussion on community benefits agreements by Daniel Villao, Intelligent Partnerships

Daniel Villao, Intelligent Partnerships, read from a presentation (on file) about understanding the different types of workforce agreement models, and he answered questions about them.

Councilmembers and Villao discussed that laws already exist regarding union or non-union employer wage theft but that live compliance on a project gives tools to utilize against employers that are not participating correctly, having open construction or non-union companies come to speak about why they do not want these types of agreements, what model might help the County build its projects with a local workforce and with local, small, disadvantaged businesses, and that the community workforce agreement is the most flexible and successful model they have seen used in that it allows for tying policy objectives directly to spending.

Galloway stated that Snohomish County's recent ordinance was the inspiration for doing something up here. She referred to the memo (on file) that outlines options for what might be desired goals and outcomes, lists possible policy options, and gives an overview of the agreements summarized in the presentation. She stated the intention today was to start a conversation.

Scanlon stated they are stepping back from drafting an ordinance so Councilmembers can discuss the topic first. He wants to continue learning best practices and how they can bring that into this county.

Buchanan spoke about having a deliberate process with an educational element.

Councilmembers discussed hearing more about how this could affect the cost of projects, how many local employers will not participate in projects because of the extra requirements or red tape this would put in place, that they do not want this to disadvantage local workers, how they measure "too many" Whatcom County residents that have to drive long distances for work (as stated in the memo), and the desire to help provide local jobs while conducting work on County projects.

Galloway stated she will work with the team to put together another discussion to bring in some additional stakeholders and to address questions that were asked today.

This agenda item was PRESENTED.

Committee Discussion

1. AB2025-181 Discussion of Jail & Behavioral Care Center 2025 Workplan & Timeline
Kayla Schott-Bresler, Executive's Office, introduced the discussion.

The following representatives from STV read from a presentation (on file)

regarding the timeline for proceeding with the jail and behavioral health care center construction project and answered questions:

- Ashley McClaran, Principal-In-Charge / Engagement Lead
- Adam Johnson, Project Manager / Main point of contact

The speakers and Councilmembers discussed that the preliminary estimated \$174 million budget is for the jail and behavioral care center and that with that, there was \$10 million of grant revenue assumed towards the behavioral care center, that the Medicaid feasibility study will kick off next week and will evaluate the program model to determine whether there is a way they could structure it to bill Medicaid for some of the operations (not for capital), what kind of work is going into the capacity study and what advisory boards will be involved in the work, looking at what policy mechanisms might be put in place to reduce incarceration and what the Incarceration Prevention and Reduction Task Force (IPRTF) is looking at in that regard, who will be leading the community engagement and that Council should maintain a role in that, how they will synchronize this timeline with other discussions they just had about workforce agreements, and hearing more about what workforce agreements would do to the cost of this facility.

Galloway stated she could meet with the Administration about whether there are aspects of a draft workforce agreement ordinance that are non-controversial and that could be done through an administrative process to affect some of the desired outcomes as discussed in the previous agenda item (**AB2025-184**).

Councilmembers and the speakers discussed whether limiting the number of employers that can bid on a job could add to the cost because it is not as competitive, whether an administrative process to look at the goals and values for projects could be a pilot project for how the County does business, understanding how the requirements that are already in place based on existing code or State or Federal laws might overlap with the expressed goals, and questions about the design.

This agenda item was DISCUSSED.

2. AB2025-081 Discussion relating to population and employment projections for the County as a whole, Urban Growth Areas, and the Rural & Resource Lands associated with the 2025 Comprehensive Plan Update

The following people spoke:

- Aly Pennucci, Executive's Office

- Matt Aamot, Planning and Development Services Department
- Paula Harris, Public Works Department
- Rollin Harper, Sehome Planning and Development Services
- Mark Personius, Planning and Development Services Department Director
- Alex Putnam, City of Everson
- Holly Hamilton, City of Nooksack

Pennucci stated they are wanting Council direction and to know if they are considering anything significantly different than the total of all the requests from the County Executive and from the cities. It will be helpful to know because it would change the steps moving forward.

Harris read from a presentation (on file) showing the current effective FEMA mapping of floodplains compared to the latest draft mapping (that they have a GIS layer for), and current urban growth areas for Everson, Nooksack, Sumas, and Ferndale. She stated these maps do not reflect the letters and proposals they have received from the cities about their urban growth areas (UGAs) and UGA reserves.

Pennucci stated one policy path that Council could choose would be to say that there should be less growth in Everson (for example) because they are concerned about development in flood-prone areas, and another option would be for them to support the numbers that the city wants to plan for but give policy direction that the UGAs should not be in flood-prone areas.

Harper stated the small cities have the new maps available which show the new FEMA mapping along with the cities' proposals.

Donovan stated he has a draft of a resolution (on file as "Donovan discussion draft 2.25.25") to workshop. He spoke about concerns that have been raised by the City of Bellingham and stated they have not had a conversation about whether they are following the growth management plan of concentrating new development in and around urban areas or whether they are going in a different direction. He does not see the urgency of having to settle on this today.

The speakers and Councilmembers responded to Donovan's statements, Harris continued her presentation and answered questions, and the cities of Everson and Nooksack presented new FEMA maps with their proposed study areas included, and answered questions. They discussed that for next steps, Donovan, Scanlon, and Elenbaas will work with the Executive to consider merging the Draft Non-Binding Resolution and Donovan's draft

resolution, and that they will schedule another Committee of the Whole discussion for March 11 and hopefully have something they can take action on.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. AB2025-120 Ordinance amending Whatcom County Code 2.123, Forestry Advisory Committee, to expand the committee's purpose and adjust member terms

Scanlon moved and Donovan seconded that the Ordinance be RECOMMENDED FOR ADOPTION.

Scanlon pointed out that, as it stands, the number of voting members is an even number (16), and that there is not someone with recreation background on the committee.

Galloway stated they were trying to balance what they perceived was necessary representation of landowners and managers with not being too big, and that they did reference Whatcom County Public Works and Parks and Recreation in the code to bring in their perspectives but opted to not have a dedicated member. She stated there was concern that adding a recreation representative would be steering away from trying to keep the direct nexus to forestry, forest landowners, and forest managers.

Tracy Petroske, Forestry Advisory Committee (FAC), stated they thought they could bring in recreation specialists for a particular area when that is needed, and the decision was also because of group size.

Scanlon stated that Whatcom County Code 2.123.040 (A) specifies that they want the two small forest landowners to have land in Whatcom County and asked if there was intention to require the same of commercial forest landowners because the code does not stipulate that the land owned or managed by commercial forest landowners should be in Whatcom County.

Galloway stated they can discuss whether clarifying that language would be substantive. She and Petroske answered what is broken in the membership that they are trying to fix. Galloway stated they are seeing a need for an expanded scope in response to what comes next after the Forest Resilience Task Force around implementation and oversight of the work. Petroske spoke about expanding representation for other types of land management beyond the Department of Natural Resources (DNR).

David Janicki, Forestry Advisory Committee, stated he thinks the majority

of the FAC members would disagree with this, but if it passes he thinks it has a lot of potential to be fruitful. Various members he has spoken to are disappointed in how it got to this point.

Scanlon stated it is helpful to hear from the various landowners on forestry issues.

Stremler stated that, in his opinion, the potential parties do not qualify for what this committee is about.

Scanlon's motion that the Ordinance be RECOMMENDED FOR ADOPTION carried by the following vote:

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:33 p.m.

The County Council approved these minutes on March 11, 2025.

ATTEST:



Cathy Halka, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA



Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger