

# **Whatcom County Council**

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



## **Action Summary**

**Tuesday, October 22, 2024**

**6 PM**

**Hybrid Meeting - Council Chambers**

**HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN  
INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL  
360.778.5010) REVISED 10.21.22**

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Kaylee Galloway  
Jon Scanlon  
Mark Stremler

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## COUNTY COUNCIL

### CALL TO ORDER

### ROLL CALL

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

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

### MINUTES CONSENT

1. [MIN2024-067](#) Joint Health Board and Public Health Advisory Board for October 1, 2024

**APPROVED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

2. [MIN2024-068](#) Committee of the Whole Executive Session for October 8, 2024

**APPROVED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

3. [MIN2024-070](#) Committee of the Whole for October 8, 2024

**APPROVED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

4. [MIN2024-071](#) Regular County Council for October 8, 2024

**APPROVED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

### PUBLIC HEARINGS

1. [AB2024-644](#) Resolution approving the Whatcom County 2025 - 2030 Six-year Transportation Improvement Program

**APPROVED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

Enactment No: RES 2024-042

Motion approved 7-0 to rescind (the motion that approved) Res 2024-040 (AB2024-579).

2. [AB2024-639](#) Resolution approving the Whatcom County 2025 Annual Construction Program

**APPROVED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

Enactment No: RES 2024-043

**OPEN SESSION**

**CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

1. [AB2024-636](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts where the states will reimburse the County for eligible interpreter expenses up to \$90,326

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

2. [AB2024-665](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and PeaceHealth to lease Suite 103 at the Way Station located at 1500 N State Street, in the amount of \$10

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

3. [AB2024-668](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Birch Bay Water and Sewer District for renewal of a 5-year interlocal agreement, in the amount of \$0 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

4. [AB2024-674](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Marysville Fire District to reimburse the EMS Levy for the paramedic training program, in the amount of \$66,750

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

5. [AB2024-675](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Camano Fire and Rescue to reimburse the EMS Levy for the paramedic training program, in the amount of \$29,356

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

6. [AB2024-677](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Administrative Office of the Courts for Pretrial Services Reform, in the amount of \$99,500

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

7. [AB2024-678](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Fire Protection District 7 for the paramedic training costs associated with program administration, student wages and benefits, preceptor training, and class supplies, in the amount of \$167,225

This item was considered separately below.

8. [AB2024-679](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham Fire Department for costs associated with the 2024-2026 Paramedic Training Program, in the amount of \$1,144,274

This item was considered separately below.

9. [AB2024-681](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Brigid Collins Family Support Center to expand mental health services to children ages 0-5, in the amount of \$452,907

This item was considered separately below.

10. [AB2024-683](#) Request authorization for the County Executive to enter into an interlocal agreement

between Whatcom County and Ferndale School District to expand mental health services to children ages 3 - 5, in the amount of \$271,817

This item was considered separately below.

11.     [AB2024-684](#)     Request authorization for the County Executive to enter into a contract between Whatcom County and Generations Early Learning to expand licensed infant childcare capacity, in the amount of \$67,000

This item was considered separately below.

12.     [AB2024-685](#)     Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Bellingham Towers LLC to lease Suite 110 at Bellingham Towers located at 119 N Commercial Street, in the amount of \$10

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

13.     [AB2024-686](#)     Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale Community Services to operate an overnight severe weather shelter, in the amount of \$120,000

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

14.     [AB2024-687](#)     Request authorization for the County Executive to enter into an interlocal joint funding agreement between Whatcom County and United States Geological Survey (USGS) for the ongoing operation and maintenance of the County's 11 stream gages within the Nooksack River early flood warning system, Jones Creek, and the Sumas River, in the amount of \$167,292 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

15.     [AB2024-688](#)     Request authorization for the County Executive to enter into a contract between Whatcom County and Insight Public Sector, using the State of WA contract, to provide Neogov Insight recruitment software in the amount of \$50,204.89 through December 31, 2026

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

16. [AB2024-690](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Military Department to receive pass through funding from the Washington State Military Department for What-Comm equipment

**AUTHORIZED BY CONSENT**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

17. [AB2024-701](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Best Chopsticks c/o of Yan Hua Chen Cheng for lease of space at 121 Unity Street, Bellingham, in the amount of \$42,099.72

**AUTHORIZED BY CONSENT**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

**CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

7. [AB2024-678](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Fire Protection District 7 for the paramedic training costs associated with program administration, student wages and benefits, preceptor training, and class supplies, in the amount of \$167,225

**AUTHORIZED**

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 1 - Byrd

8. [AB2024-679](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham Fire Department for costs associated with the 2024-2026 Paramedic Training Program, in the amount of \$1,144,274

**AUTHORIZED**

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 1 - Byrd

9. [AB2024-681](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Brigid Collins Family Support Center to expand mental health services to children ages 0-5, in the amount of \$452,907

**AUTHORIZED**

Aye: 6 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

**Nay:** 1 - Stremler

10. [AB2024-683](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District to expand mental health services to children ages 3 - 5, in the amount of \$271,817

**AUTHORIZED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

**Nay:** 1 - Stremler

11. [AB2024-684](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Generations Early Learning to expand licensed infant childcare capacity, in the amount of \$67,000

**AUTHORIZED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

**Nay:** 1 - Stremler

**OTHER ITEMS**

**(From Council Finance and Administrative Services Committee)**

1. [AB2024-642](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 6, in the amount of \$11,350 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**APPROVED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

Enactment No: RES 2024-044

2. [AB2024-654](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale School District to purchase and install an ADA-compliant playground, in the amount of \$700,000

**HELD IN COMMITTEE**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

3. [AB2024-657](#) Ordinance amending the project budget for the Plantation Rifle Range Lead Reclamation & Capital Improvement Fund, request no. 2

**ADOPTED**

**Aye:** 6 - Buchanan, Byrd, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 1 - Donovan

Enactment No: ORD 2024-053

4. [AB2024-658](#) Ordinance amending the project budget for the Hovander Park Building Improvements Fund, request no. 2

**ADOPTED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremmer

**Nay:** 1 - Elenbaas

Enactment No: ORD 2024-054

5. [AB2024-660](#) Ordinance amending the 2024 Whatcom County Budget, request no. 13, in the amount of \$2,122,735

**ADOPTED**

**Aye:** 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 1 - Byrd

Enactment No: ORD 2024-055

6. [AB2024-704](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacifica Law Group, LLP for legal services for the Whatcom County Council for the appeals process regarding Initiative 2024-01 for an amended amount not to exceed \$100,000

**AUTHORIZED**

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

**Nay:** 3 - Byrd, Elenbaas, and Stremmer

**(From Council Public Works and Health Committee)**

7. [AB2024-656](#) Resolution approving the revised Samish Water District Comprehensive Sewer Plan

**APPROVED**

**Aye:** 6 - Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 0

**Temp Absent:** 1 - Buchanan

Enactment No: RES 2024-045

8. [AB2024-703](#) Letter of support for Washington State Parks' Recreation and Conservation Office grant application

**APPROVED REQUEST**



**Aye:** 6 - Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

**Temp Absent:** 1 - Buchanan

**(From Council Committee of the Whole)**

9. [AB2024-571](#) Resolution affirming food security as a public health priority

**APPROVED AS AMENDED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

Enactment No: RES 2024-046

Motion approved 7-0 to amend item number six under BE IT FURTHER RESOLVED so that it reads:

6. Work with the Food System Committee AND/OR FOOD PRODUCERS to identify and address policy barriers that hinder the ability of local agriculture producers AND FOOD PROVIDERS to provide affordable and sustainable FOOD to local partners.

Motion approved 7-0 to amend item number one under BE IT FURTHER RESOLVED so that it reads:

1. Work with state and federal elected officials and the County's lobbyists to identify and advocate for POLICY SOLUTIONS AND additional food bank funding...

Motion approved 7-0 to amend item number seven under BE IT FURTHER RESOLVED so that it reads:

7. Leverage county resources to build capacity and assist with Food System Plan implementation efforts, planning, grant solicitation, coordination across county food systems and partners, AND UPDATING THE COMPREHENSIVE PLAN AND ASSOCIATED LAND USE POLICIES

10. [AB2024-662](#) Resolution revising the membership of the Northwest Clean Air Agency by adding San Juan County to the Agency

**APPROVED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

**Nay:** 0

**Abstain:** 1 - Elenbaas

Enactment No: RES 2024-047

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2024-638](#) Appointment to a vacancy on the Forest Resilience Task Force, trust land beneficiary representative, Applicant(s): Tom Smith

**APPOINTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

### **ITEMS ADDED BY REVISION**

See AB2024-712 under Introduction Items below

### **INTRODUCTION ITEMS**

1. [AB2024-680](#) Receipt of application to a vacancy on the Child and Family Well-Being Task Force, Applicant(s): Jessica Goette (deadline for additional applications to this position is 10:00 a.m. on Tuesday, October 29, 2024)

#### **INTRODUCED**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

2. [AB2024-691](#) Ordinance amending Whatcom County Code Section 5.04.085 EMS technical advisory board

#### **INTRODUCED**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

3. [AB2024-695](#) Ordinance adopting amendments to WCC Titles 20 and 22 to enact SSB 5290 regarding local project review

#### **INTRODUCED FOR PUBLIC HEARING**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

4. [AB2024-712](#) Receipt of applications to a vacancy on the Justice Project Oversight and Planning Committee, substance use disorder provider position, Applicant(s): Suzanne Scala, Alexis Hahs (Deadline for applications to this position is 10:00 a.m. on Tuesday, October 29, 2024)

#### **INTRODUCED**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

### **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

From Committee of the Whole Executive Session (AB2024-666):

Motion approved 5-2, with Elenbaas and Stremmer opposed, 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 property as long as the purchase price of the property does not exceed the amount discussed in Executive Session.

**ADJOURN**