

Whatcom County Council

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



Action Summary

VIRTUAL MEETING - VIEW ONLINE

Tuesday, July 7, 2020

6 PM

Virtual Meeting

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 6 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Ben Elenbaas

Absent: 1 - Kathy Kershner

FLAG SALUTE

ANNOUNCEMENTS

1. [AB2020-279](#) Reading (as required) of Public Employment Relations Commission (PERC) notice

ACCEPTED

MINUTES CONSENT

1. [MIN2020-048](#) Special Council for March 26, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

2. [MIN2020-049](#) Special Council for March 31, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

3. [MIN2020-050](#) Special Council for April 3, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

4. [MIN2020-051](#) Regular County Council for April 7, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

5. [MIN2020-052](#) Special Council for April 9, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

6. [MIN2020-053](#) Committee of the Whole - Executive Session for April 21, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

7. [MIN2020-054](#) Regular County Council for April 21, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

8. [MIN2020-055](#) Regular County Council for May 5, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

9. [MIN2020-056](#) Committee of the Whole - Executive Session for May 5, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

10. [MIN2020-059](#) Committee of the Whole - Executive Session for May 19, 2020

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

PUBLIC HEARINGS

1. [AB2020-064](#) Ordinance finalizing a revised system of assessment for Drainage Improvement District No. 5

ADOPTED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Enactment No: ORD 2020-037

2. [AB2020-213](#) Ordinance authorizing installation of stop signs on Truck Road

ADOPTED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Enactment No: ORD 2020-038

OPEN SESSION (20 MINUTES)

OTHER ITEMS

(From Council Natural Resources Committee)

1. [AB2020-256](#) Resolution adopting the Lake Whatcom Management Program 2020-2024 Work Plan

APPROVED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Enactment No: RES 2020-023

(From Council Finance and Administrative Services Committee)

2. [AB2020-255](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Skagit County for participation in the Youth Marijuana Prevention and Education Program, in the amount of \$26,000

AUTHORIZED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Elenbaas

Nay: 1 - Byrd

Absent: 1 - Kershner

3. [AB2020-258](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and San Juan County for participation in the Youth Marijuana Prevention and Education Program, in the amount of \$26,000

AUTHORIZED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Elenbaas

Nay: 1 - Byrd

Absent: 1 - Kershner

4. [AB2020-260](#) Resolution requesting authorization to make an application and enter into a grant agreement with the Washington State Recreation and Conservation Office to develop an outdoor sports court at the East Whatcom Regional Resource Center

APPROVED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Enactment No: RES 2020-024

5. [AB2020-267](#) Request permission for the County Executive and the County Council to enter into an agreement for funding support and implementation of the Duffner Ditch Culvert and Flood Gate Replacement Project (Council acting as the Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

6. [AB2020-268](#) Request permission for the County Executive and the County Council to enter into an agreement between the Ag Water Board of Whatcom County and the Whatcom County Flood Control Zone District relating to Funding Support for Participation in the Flood Integrated Planning Process (FLIP) (Council acting as the Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

7. [AB2020-269](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department, in the amount of \$400,725.

AUTHORIZED

Aye: 5 - Browne, Buchanan, Byrd, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Abstain: 1 - Donovan

8. [AB2020-270](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the U.S. Department of Justice in the amount of \$10,000.

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

9. [AB2020-271](#) Request authorization for the County Executive to enter into an Interagency Agreement amendment between Whatcom County Flood Control Zone District and Washington State Department of Health for support of the Pollution Identification and Correction (PIC) program in the amount of \$447,732 for a total amended contract amount of \$1,047,732

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

10. [AB2020-273](#) Request authorization for the County Executive to award bid #20-33 and enter into a contract between Whatcom County and Boss Construction, Inc. for the Swift Creek Channel Excavation and Oat Coles North Repository Development project in the amount of \$644,554.61

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

11. [AB2020-275](#) Resolution amending Resolution 2019-061 (Amendment #1) relating to the salary schedule and policies for unrepresented Whatcom County employees

APPROVED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Enactment No: RES 2020-025

(From Council Committee of the Whole)

12. [AB2020-263](#) Request authorization for the County Executive to sign a proposed interlocal agreement between Whatcom County and the cities relating to interim procedures for amending the Countywide Planning Policies

AUTHORIZED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

(No Committee Assignment)

15. [AB2020-294](#) Resolution supporting the Executive's Budget Goals for 2021-2022

APPROVED AS AMENDED

Aye: 4 - Browne, Buchanan, Donovan, and Frazey

Nay: 2 - Byrd, and Elenbaas

Absent: 1 - Kershner

Enactment No: RES 2020-026

13. [AB2020-106](#) Resolution docketing comprehensive plan and development regulation amendments

APPROVED

Aye: 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

Nay: 1 - Elenbaas

Absent: 1 - Kershner

Enactment No: RES 2020-027

Approved a motion 5-1, Byrd opposed, to deny the request for the fee waiver on PLN2020-00003 and PLN2020-00004

14. [AB2020-259](#) Resolution amending the Homeless Strategies Workgroup to establish two-year terms for Council-appointed members

APPROVED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Enactment No: RES 2020-028

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-138](#) Appointment to the Homeless Strategies Workgroup, Homeless Children and Families position, applicant(s): Joel Kennedy and Emily O'Connor

NOMINATED AND APPOINTED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

Approved a motion 5-1, Elenbaas opposed, to expand the position to two seats

Appointed both applicants 6-0

2. [AB2020-248](#) Appointment to the Noxious Weed Board, District 3, applicant(s): George Kaas

APPOINTED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

3. [AB2020-249](#) Appointment to Drainage District 3, commissioner position 3, applicant(s): Paul Sangha

APPOINTED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

4. [AB2020-250](#) Appointment to the Homeless Strategies Workgroup, Schools position, applicant(s): Lisa Marx

APPOINTED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-264](#) Request confirmation of the County Executive's reappointments of Jodi Sipes and Jana Finkbonner to the Northwest Senior Services Board

CONFIRMED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

2. [AB2020-265](#) Request confirmation of County Executive's appointment of Nicholas Evans and Mullane Harrington to the Behavioral Health Advisory Committee

CONFIRMED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

3. [AB2020-266](#) Request confirmation of County Executive's appointment of Peter Coy to the Parks and Recreation Commission

CONFIRMED

Aye: 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

Nay: 1 - Elenbaas

Absent: 1 - Kershner

4. [AB2020-272](#) Request confirmation of County Executive's appointment of Emily O'Connor and Krista Touros to the Commission on Sexual and Domestic Violence

CONFIRMED

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

INTRODUCTION ITEMS

1. [AB2020-276](#) Ordinance amending the 2020 Whatcom County Budget, request no. 14, in the amount of \$1,810,500
INTRODUCED
Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas
Nay: 0
Absent: 1 - Kershner
2. [AB2020-277](#) Ordinance establishing the Silver Beach Creek Fund and establishing a project based budget for the Silver Beach Creek Stormwater Improvements Fund
INTRODUCED
Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas
Nay: 0
Absent: 1 - Kershner
3. [AB2020-281](#) Appointment to the Wildlife Advisory Committee, member with technical expertise, applicant(s): Barry Wenger
INTRODUCED
Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas
Nay: 0
Absent: 1 - Kershner
4. [AB2020-282](#) Appointment to the Homeless Strategies Workgroup, Homeless Advocate position, applicant(s): Markis (Dee) Stidham
INTRODUCED
Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas
Nay: 0
Absent: 1 - Kershner
5. [AB2020-283](#) Appointment to Consolidated Drainage Improvement District 1, supervisor position 3, applicant(s): James Bouma
INTRODUCED
Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas
Nay: 0
Absent: 1 - Kershner
6. [AB2020-253](#) Resolution authorizing Whatcom County to enter into a twenty-year communication tower lease agreement with Verizon Wireless for an existing tower site located at the

Lookout Mountain Forest Reserve

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

7. [AB2020-254](#) Resolution authorizing Whatcom County to enter into a twenty-year communication lease agreement with PI Tower Development LLC for an existing tower site located at the Lookout Mountain Forest Reserve

INTRODUCED FOR PUBLIC HEARING

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Elenbaas

Nay: 0

Absent: 1 - Kershner

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN