

**CLERK OF THE COUNCIL**

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**COUNTY COURTHOUSE**

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**WHATCOM COUNTY COUNCIL**

January 23, 2024

TO: County Council

FROM: Jill Nixon, Legislative Coordinator II

A handwritten signature in blue ink, appearing to be "JN", is written over the name "Jill Nixon" in the "FROM:" line.

SUBJ: Whatcom County Ferry Advisory Committee Member Fabian Mendoza

County Council appointed Fabian Mendoza to the Whatcom County Ferry Advisory Committee on November 8, 2023. The Advisory Committee held its first meeting on December 4, 2023. Mr. Mendoza did not attend. Since his appointment, Mr. Mendoza has not responded to any one of the several outreach efforts by County staff and the Council Chair to engage him in the Advisory Committee. If Mr. Mendoza does not respond by or at the Jan. 23 Council meeting, County staff asks that the Council remove Mr. Mendoza from the committee, declare the position vacant, and appoint someone else.

Whatcom County Code 2.03, Advisory Groups, provides the following guidance in removing members from advisory groups:

**2.03.025 Removal.**

In circumstances where the council has the authority to remove from office a member of an advisory group prior to the expiration of the advisory group member's term of office, the council shall make such removal only upon the proper grounds specified in law. In the absence of such guidance in law, the council shall not remove a member from office without having given the member an opportunity to be heard by the council, if so requested.

Whatcom County Council has the authority to remove Mr. Mendoza from his position on the Advisory Committee. There is no specific guidance in law for removing a member of the Whatcom County Ferry Advisory Committee other than WCC 2.03.025. Attachments to this agenda item document the attempts staff has made to give Mr. Mendoza an opportunity to participate on the Advisory Committee. In addition, I have attempted to notify Mr. Mendoza by phone and email that his appointment is scheduled on the January 23 Council meeting for reconsideration and possible removal. An email sent to Mr. Mendoza's email addresses invited him to either respond to the Council Office to let us know if he prefers to participate or to resign, or to attend the January 23 Council meeting for an opportunity to be heard.

**Council Action Requested**

If Mr. Mendoza does not respond to the Council Office by or attend the Council meeting on January 23, 2024, Council is asked to:

1. Pass a motion to revoke Mr. Mendoza's membership on the Whatcom County Ferry Advisory Committee, and
2. Direct Council staff to advertise the vacancy and collect qualified applications for Council consideration.