

Whatcom County Council

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



Action Summary

Tuesday, June 18, 2024

6 PM

Hybrid Meeting

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

AGENDA REVISED 6.18.2024 (SEE AGENDA REVISION NOTICE)

COUNCILMEMBERS

Barry Buchanan

Tyler Byrd

Todd Donovan

Ben Elenbaas

Kaylee Galloway

Jon Scanlon

Mark Stremmler

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, Kaylee Galloway, Jon Scanlon, and Mark Stremler

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

PUBLIC HEARINGS

1. [AB2024-344](#) Ordinance adopting amendments to the Six-Year Capital Improvement Program for Whatcom County Facilities 2023-2028

SUBSTITUTE ADOPTED

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

Nay: 0

Enactment No: ORD 2024-037

2. [AB2024-350](#) Resolution adopting changes to WCC 100.07 Birch Bay Watershed and Aquatic Resources Management district funding mechanism, by revising the rate structure, service charge adjustments and exemptions (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

APPROVED

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

Nay: 1 - Elenbaas

Enactment No: RES 2024-030

3. [AB2024-367](#) Ordinance amending Ordinance 2023-039 regarding the membership and formation of the Justice Project Finance Advisory Board

WITHDRAWN

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2024-375](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections to provide commercial waste reduction and recycling technical assistance and education, in the amount of \$95,000
AUTHORIZED BY CONSENT
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0
2. [AB2024-377](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and US Department of Justice Organized Crime Drug Enforcement Task Force (OCDETF) for reimbursement of overtime, in the amount of \$5,000
AUTHORIZED BY CONSENT
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0
3. [AB2024-381](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to temporarily relocate Dorothy Place tenants during facility renovations, in the amount of \$80,000
AUTHORIZED BY CONSENT
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0
4. [AB2024-382](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to expand, administer and manage the Whatcom Resource Information Collaborative website, in the amount of \$65,000

This item was considered separately below.

5. [AB2024-384](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce to fund homelessness crisis response systems in the amount of \$5,016,231 for a total amended agreement amount of \$17,361,346

This item was considered separately below.

6. [AB2024-385](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to administer rental assistance for people with co-occurring disorders in the amount of \$74,457.60 for a total amended contract amount of \$173,715.20

This item was considered separately below.

7. [AB2024-386](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and North Whatcom Fire and Rescue for the transfer of property related to the purchase of the Power Load gurney lift and restraint system for the Agency, in the amount of \$49,092.00

AUTHORIZED BY CONSENT

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

Nay: 0

8. [AB2024-387](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and Whatcom County Fire District No. 14 to transfer property related to the purchase of the Power Load gurney lift and restraint system for the Agency, in the amount of \$73,638.00

AUTHORIZED BY CONSENT

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

Nay: 0

9. [AB2024-388](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lifeline Connections to provide funding for jail substance use disorder assessments and post-assessment treatment coordination in the amount of \$181,977 for a total amended contract amount of \$320,619

AUTHORIZED BY CONSENT

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

Nay: 0

10. [AB2024-389](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and Whatcom County Fire District No.5 to transfer property related to the purchase of the Power Load gurney lift and restraint system for the Agency, in the amount of \$24,546.00

AUTHORIZED BY CONSENT

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

Nay: 0

11. [AB2024-390](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and Whatcom County Fire District No.16 to transfer property related to the purchase of the Power Load gurney lift and restraint system for the Agency, in the amount of \$24,546.00

AUTHORIZED BY CONSENT

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

Nay: 0

12. [AB2024-391](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and City of Lynden Fire Department to transfer property related to the purchase of the Power Load gurney lift and restraint system for the Agency, in the amount of \$24,546.00
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
13. [AB2024-392](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and South Whatcom Fire Authority to transfer property related to the purchase of the Power Load gurney lift and restraint system for the Agency, in the amount of \$24,546.00
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
14. [AB2024-393](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide motel rooms for families with children who would otherwise experience unsheltered homelessness in the amount of \$330,000 for a total amended contract amount of \$2,376,275
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
15. [AB2024-394](#) Request authorization for the County Executive to award bid #24-48 and enter into a contract between Whatcom County and Western Refinery Services for the 2024 and 2025 Swift Creek Channel Excavation in the amount of \$509,836.80
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
16. [AB2024-395](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Catholic Community Services to operate the permanent supportive housing facility known as Francis Place in the amount of \$396,917 for a total amended contract amount of \$901,487
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
17. [AB2024-396](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and Glyph Language Services, Inc. to provide language interpretation and translation services, in the amount of \$65,000

AUTHORIZED BY CONSENT

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

Nay: 0

18. [AB2024-397](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Equinox Research and Consulting International Inc to provide on-call professional cultural and historical resource services, in the amount not to exceed \$100,000

AUTHORIZED BY CONSENT

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

Nay: 0

19. [AB2024-398](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mobile Mama Strategies, Inc. to administer a perinatal mental health internship pilot project, in the amount of \$164,235

AUTHORIZED BY CONSENT

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

Nay: 0

20. [AB2024-399](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to administer the Single Entry Access to Services (SEAS) Program, in the amount of \$450,000

This item was considered separately below.

21. [AB2024-404](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Department of Commerce for grant funding through the 2024 Local Community Projects Program in the amount of \$486,940 for renovation of the Van Zandt Community Hall located at Josh VanderYacht Memorial Park

AUTHORIZED BY CONSENT

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

Nay: 0

22. [AB2024-409](#) Request approval for the County Executive to authorize the purchase of three (3) replacement mower heads, using the Washington State Contract #05218, in an amount of \$266,926.83

AUTHORIZED BY CONSENT

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

Nay: 0

23. [AB2024-412](#) Request authorization for the County Executive to enter into a lease between Whatcom County and Unity Care Northwest to lease space in the Way Station, in the amount of \$1.00 annually

AUTHORIZED BY CONSENT

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

Nay: 0

24. [AB2024-413](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center in the amount of \$2,023,518 for a total amended contract amount of \$15,504,103

This item was considered separately below.

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

4. [AB2024-382](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to expand, administer and manage the Whatcom Resource Information Collaborative website, in the amount of \$65,000

AUTHORIZED

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

Nay: 3 - Byrd, Elenbaas, and Stremler

5. [AB2024-384](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce to fund homelessness crisis response systems in the amount of \$5,016,231 for a total amended agreement amount of \$17,361,346

AUTHORIZED

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

Nay: 1 - Stremler

6. [AB2024-385](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to administer rental assistance for people with co-occurring disorders in the amount of \$74,457.60 for a total amended contract amount of \$173,715.20

AUTHORIZED

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

Nay: 1 - Byrd

20. [AB2024-399](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to administer the Single Entry Access to Services (SEAS) Program, in the amount of \$450,000

AUTHORIZED

Aye: 5 - Buchanan, Donovan, Elenbaas, Galloway, and Scanlon

Nay: 2 - Byrd, and Stremler

24. [AB2024-413](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center in the amount of \$2,023,518 for a total amended contract amount of \$15,504,103

AUTHORIZED

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

Nay: 3 - Byrd, Elenbaas, and Stremler

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2024-351](#) Ordinance amending the project budget for the Silver Beach Creek Stormwater Improvements Project Fund, request no. 2

ADOPTED

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

Nay: 0

Enactment No: ORD 2024-038

2. [AB2024-352](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 4, in the amount of \$207,000 (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 2024-031

3. [AB2024-372](#) Ordinance amending the 2024 Whatcom County Budget, request no. 8, in the amount of \$4,642,972.

ADOPTED

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

Nay: 3 - Byrd, Elenbaas, and Stremler

Enactment No: ORD 2024-039

4. [AB2024-411](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mission Critical Partners, LLC to complete a countywide fire and EMS study in the amount of \$223,056

AUTHORIZED

Aye: 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

Nay: 2 - Elenbaas, and Stremler

(From Council Committee of the Whole)

5. [AB2024-401](#) Resolution supporting affordable energy choices (and discussion of any impact AB2024-329 may have upon initiative I-2066, an act relating to promoting energy choice by protecting access to gas for Washington homes and businesses)

FAILED

Aye: 3 - Byrd, Elenbaas, and Stremler

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

6. [AB2024-402](#) Request confirmation of the County Executive's appointment of Aly Pennucci as Deputy Executive effective August 5, 2024

CONFIRMED

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

Nay: 1 - Byrd

7. [AB2024-403](#) Resolution approving Whatcom County Superior Court to preside over and hold certain water adjudication hearings outside of Bellingham, WA pursuant to Civil Rule (CR) 77

APPROVED

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

Nay: 0

Enactment No: RES 2024-032

(No Committee Assignment)

8. [AB2024-400](#) Appointment of members to serve on pro and con statement writing committees for a proposed ballot measure amending the Whatcom County Charter to expand the standards for conflict of interest

HELD IN COUNCIL

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

Nay: 1 - Donovan

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-325](#) Appointment to a vacancy on the Solid Waste Advisory Committee, citizen representative with no financial ties to the other sectors, Applicant(s): Jerry Burns

APPOINTED

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

Nay: 0

2. [AB2024-346](#) Appointment to a vacancy on the Planning Commission, District 2 or 4, Applicant(s): Suneeta Eisenberg

APPOINTED

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

Nay: 1 - Elenbaas

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-414](#) Request confirmation of the County Executive's appointment of Michael Bratt to the Development Standards Technical Advisory Committee

CONFIRMED

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

Nay: 0

Recused: 1 - Elenbaas

2. [AB2024-415](#) Request confirmation of the County Executive's appointment of Susan Johnson as the PeaceHealth designated representative to the Behavioral Health Advisory Committee, in response to the resignation of the former representative

CONFIRMED

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

Nay: 0

ITEMS ADDED BY REVISION**INTRODUCTION ITEMS**

Items one and two were considered separately and in reverse order.

2. [AB2024-420](#) Ordinance amending Whatcom County Code 2.02.080, Standing Committees - Membership, to change the membership of all standing council committees from three members to seven

INTRODUCED

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

Nay: 1 - Byrd

1. [AB2024-419](#) Ordinance submitting to the qualified voters of Whatcom County a proposal to repeal Proposition 5

HELD (until July 9)

Aye: 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

Nay: 2 - Elenbaas, and Stremler

This item was not introduced and held until July 9.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN