

Whatcom County Council

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



Meeting Agenda

Tuesday, July 25, 2023

6 PM

Hybrid Meeting

**HYBRID MEETING (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
Carol Frazey
Kaylee Galloway
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

The Council is currently holding meetings in hybrid format with options for in-person or remote viewing and participation. For instructions on how to watch or participate in the Council's meetings, visit whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010.

Individuals who require special assistance to participate in the Council's meetings are asked to contact the Council Office at 360.778-5010 at least 96 hours in advance.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website or call the Council Office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2023-045](#) Committee of the Whole Executive Session for June 20, 2023
2. [MIN2023-046](#) Regular County Council for June 20, 2023
3. [MIN2023-047](#) Committee of the Whole for June 20, 2023
4. [MIN2023-048](#) Committee of the Whole Executive Session for July 11, 2023
5. [MIN2023-049](#) Committee of the Whole for July 11, 2023
6. [MIN2023-050](#) Regular County Council for July 11, 2023

PUBLIC HEARINGS

To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those participating remotely.

1. [AB2023-387](#) Ordinance adopting amendments to Whatcom County Code Title 20 (Zoning) to regulate short-term/vacation rentals

2. [AB2023-397](#) Ordinance amending Whatcom County Code Chapter 20.14, Wind Energy Systems, and Chapter 20.97, Definitions

OPEN SESSION

During open session, audience members may speak to the council on issues not scheduled for public hearing. To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those participating remotely.

CONSENT AGENDA

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

(From Council Finance and Administrative Services Committee)

1. [AB2023-453](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology for technical assistance and education outreach to small businesses, in the amount of \$275,075
2. [AB2023-454](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and U.S. Department of Justice Organized Crime Drug Enforcement Task Force (OCDETF) for continuing an OCDETF investigation, in the amount of \$14,000, for a total amount of \$16,500
3. [AB2023-458](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for Aquatic Invasive Species (AIS) enforcement patrols on Lake Whatcom and Lake Samish, in the amount of \$20,000.00
4. [AB2023-459](#) Request approval for the County Executive to award Bid #23-50, Rental Rates for Maintenance and Construction Equipment Without Operator, to all bidders with the award for each vendor not to exceed \$100,000.00
5. [AB2023-460](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to deliver various public health services in the amount of \$3,197,322 for a total amended agreement amount of \$12,178,417

6. [AB2023-462](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth and Families for reimbursement for work performed related to the Juvenile Detention Alternative Initiative (JDAI) in the amount of \$28,000 per year for a total of \$56,000 over 2 years
7. [AB2023-463](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth and Families for reimbursement of services relating to programming for juvenile offenders under the supervision of Juvenile Court, with reimbursement to continue at the SFY2022-2023 rate in Whatcom County Contract No. 202106029 until the State has determined the SFY 2024-2025 rates
8. [AB2023-464](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and The Administrative Office of the Court for reimbursement for costs related to resentencing and vacating convictions for those individuals affected by the Blake Decision in the maximum reimbursement amount of \$837,967
9. [AB2023-467](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority for the coordination and implementation of prevention programs and strategies, in the amount of \$260,000 annually with a not to exceed amount of \$1,320,000
10. [AB2023-468](#) Request authorization for the County Executive to enter into a subrecipient agreement between Whatcom County and the Whatcom Conservation District to complete components of a National Estuary Program (NEP) funded grant scope of work including data coordination, technical assistance and outreach, in the amount of \$773,332 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
11. [AB2023-476](#) Request authorization for the County Executive to enter into a lease between Whatcom County and Lengosot LLC to provide temporary space to perform autopsies in the amount of a base rent of \$250 per autopsy and an additional \$50 transportation cost per trip

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

1. [AB2023-472](#) Resolution authorizing the County Executive to grant an easement to Puget Sound Energy across park property to service two private residences located off of Blue Canyon Road

(From Council Finance and Administrative Services Committee)

2. [AB2023-448](#) Ordinance Establishing the Central Shop NPDES Stormwater Improvements Project Based Budget
3. [AB2023-451](#) Ordinance amending the 2023 Whatcom County Budget, request no. 10, in the amount of 1,493,534

(From Council Public Works and Health Committee)

4. [AB2023-294](#) Resolution adopting the Food System Plan created by the Whatcom County Food System Committee
5. [AB2023-483](#) Discussion and request approval of motion to appoint one member of Council to the Multi-Agency Coordination (MAC) Group

(From Council Committee of the Whole)

6. [AB2023-434](#) Resolution for Whatcom County Code language revisions to address equity, diversity, and inclusion

(No Committee Assignment)

7. [AB2023-258](#) Ordinance amending Whatcom County Code 10.34, Ferry Rates

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-455](#) Appointment to fill a vacancy on the Surface Mining Advisory Committee, position for a representative of a potable domestic groundwater supply, preferably a public water system representative or private well owner - Applicant(s): Kathleen Greenbaum
2. [AB2023-469](#) Appointment of members to serve on pro and con statement writing committee for a proposed ballot measure regarding a sales and use tax for public health, safety, and justice facility purposes

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. [AB2023-470](#) Ordinance amending the 2023 Whatcom County Budget, request no. 11, in the amount of \$250,000
2. [AB2023-475](#) Ordinance establishing the Lummi Island Ferry Replacement and System Modernization Fund and establishing a project based budget for the Lummi Island ferry replacement and modernization project; CRP #919008

3. [AB2023-471](#) Ordinance establishing a temporary closure of West Smith Road from Northwest Drive to the Ferndale city limits
4. [AB2023-480](#) Receipt of application to a vacancy on the Business and Commerce Advisory Committee, construction industry representative, Applicant: Dan Dunne (deadline for additional applications to this position is 10:00 a.m. on Tuesday, August 1, 2023)

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN