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WHATCOM COUNTY COUNCIL
Regular County Council Meeting

April 23, 2019

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Carol Frazey, and Satpal Sidhu.
Absent: Todd Donovan

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

1. MIN2019-032 BOARD OF HEALTH FOR APRIL 2, 2019

Brenner moved to approve the Minutes Consent item.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)
Nays: None (0)
Absent: Donovan (1)

SPECIAL PRESENTATION

1. AB2019-252 COUNTY EXECUTIVE JACK LOUWS WILL PRESENT HIS STATE OF THE COUNTY ADDRESS

Jack Louws, County Executive, reported on the state of Whatcom County, his accomplishments as County Executive, and future challenges that need to be solved.

PUBLIC HEARINGS

1. AB2019-190 ORDINANCE ESTABLISHING TEMPORARY INSTALLATION OF STOP SIGNS DURING CONSTRUCTION OF THE WEST BADGER ROAD/BERTRAND CREEK BRIDGE NO 50 REPLACEMENT PROJECT

Browne opened the public hearing, and hearing no one, closed the public hearing.

1
2 **Brenner moved** to adopt the ordinance.
3

4 The motion was seconded.
5

6 The motion carried by the following vote:

7 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

8 **Nays:** None (0)

9 **Absent:** Donovan (1)
10

11
12 **2. AB2019-207 ORDINANCE ADOPTING AMENDMENTS TO WCC TITLE 20**
13 **ZONING, AMENDING THE LOT COVERAGE LIMITS FOR PUBLIC COMMUNITY**
14 **FACILITIES IN THE RESIDENTIAL RURAL (RR), RURAL (R), AND POINT**
15 **ROBERS TRANSITIONAL ZONE (TZ) DISTRICTS**
16

17 Browne opened the public hearing, and the following person spoke:

18
19 Mary Sewright, Mt. Baker School District Superintendent, spoke in support of the
20 ordinance.
21

22 Hearing no one else, Browne closed the public hearing.
23

24 **Byrd moved** to adopt the ordinance.
25

26 The motion was seconded.
27

28 The motion carried by the following vote:

29 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

30 **Nays:** None (0)

31 **Absent:** Donovan (1)
32

33
34 **OPEN SESSION**
35

36 The following people spoke:

- 37 • Bob Burr spoke about climate change and declaring a climate emergency.
- 38 • Yoshi Ravelle spoke about the climate crisis.
- 39 • Rachel Wall spoke about her experience at the winter haven homeless camp.
- 40 • Doug (*No last name given*), Homes Now, spoke about homeless issues in the
41 community.
- 42 • Jim Peterson, Homes Now, spoke about his request for assistance for his tiny
43 home project.
- 44 • Rob Bartell submitted a handout (*on file*) and spoke about the proposed
45 ordinance creating a local employee and apprenticeship program (AB2019-
46 210) and answered questions about his training as an electrician.
- 47 • Rhayma Blake, Lummi Island Ferry Advisory Committee, spoke about the
48 Lummi Island ferry replacement project and AB2019-223, Whatcom County
49 Comprehensive Plan amendments concerning the Lummi Island Ferry.
- 50 • Bob Gay spoke about the proposed ordinance creating a local employee and
51 apprenticeship program (AB2019-210) and answered questions about state
52 requirements for apprenticeship.

- Patrick Alesse spoke about public disclosure and the need for people to listen to each other.
- James Demerest spoke about the proposed ordinance creating a local employee and apprenticeship program (AB2019-210).
- Greg Markle and Todd Epps, Custer Sportsman’s Club, spoke about the possibility of running the Plantation Rifle Range.

Councilmembers and the Custer Sportsman’s Club representatives spoke about collaborating on the potential operations of the Plantation Rifle Range to make it run more efficiently.

CONSENT AGENDA

Sidhu reported for the Council Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda items one through seven.

The motion carried by the following vote:

- Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)
- Nays:** None (0)
- Absent:** Donovan (1)

- AB2019-219 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND PACIFIC SURVEYING AND ENGINEERING, INC. TO PROVIDE ON-CALL PROFESSIONAL LAND SURVEYING SERVICES FOR 2019-2020 IN THE AMOUNT NOT-TO-EXCEED \$100,000**
- AB2019-225 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO AWARD BID #19-24 AND ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND LAKESIDE INDUSTRIES, INC., FOR ANNUAL HOT MIX ASPHALT PRELEVEL WORK IN AN AMOUNT NOT TO EXCEED \$1,137,999.00**
- AB2019-237 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO THE 2019-2020 COLLECTIVE BARGAINING AGREEMENT BETWEEN WHATCOM COUNTY AND TEAMSTERS LOCAL 231 REPRESENTING MASTER EMPLOYEES**
- AB2019-238 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO THE 2019-2020 COLLECTIVE BARGAINING AGREEMENT BETWEEN WHATCOM COUNTY AND WASHINGTON STATE NURSES ASSOCIATION**
- AB2019-241 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND THE WHATCOM HUMANE SOCIETY TO PROVIDE ANIMAL CONTROL AND SHELTER SERVICES, IN THE AMOUNT OF \$398,130**
- AB2019-230 REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #19-15 RENTAL RATES FOR MAINTENANCE AND CONSTRUCTION EQUIPMENT WITHOUT OPERATOR TO ALL BIDDERS**

- 1 7. AB2019-236 REQUEST APPROVAL TO USE PIERCE COUNTY'S RFP #2007,
2 AND AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A 3-
3 YEAR CONTRACT WITH K&H INTEGRATED PRINTING SOLUTIONS FOR THE
4 PRINTING AND PROCESSING SERVICES FOR ELECTIONS, IN AN AMOUNT
5 NOT TO EXCEED \$750,000.00 ANNUALLY
6
7

8 **OTHER ITEMS**
9

- 10 1. AB2019-179 ORDINANCE AMENDING WCC 2.120.040 MEMBERSHIP- TERM
11 OF OFFICE FOR SURFACE MINING ADVISORY COMMITTEE
12

13 *Buchanan* reported for the Council Natural Resources Committee and *moved* to
14 adopt the ordinance.
15

16 The motion carried by the following vote:

17 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

18 **Nays:** None (0)

19 **Absent:** Donovan (1)
20

- 21 2. AB2019-227 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO
22 ENTER IN TO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY
23 FLOOD CONTROL ZONE DISTRICT AND DIKING DISTRICT #2 TO PROVIDE
24 COST-SHARE FUNDING FOR THE SANDE-WILLIAMS LEVEE REHABILITATION
25 IN THE NET AMOUNT OF \$68,000 (COUNCIL ACTING AS THE WHATCOM
26 COUNTY FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS)
27

28 *Sidhu* reported for the Council Finance and Administrative Services Committee and
29 *moved* to approve the request.
30

31 The motion carried by the following vote:

32 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

33 **Nays:** None (0)

34 **Absent:** Donovan (1)
35

- 36 3. AB2019-201 ORDINANCE AMENDING THE 2019 WHATCOM COUNTY
37 BUDGET, REQUEST NO. 5, IN THE AMOUNT OF \$1,613,991
38

39 *Sidhu* reported for the Council Finance and Administrative Services Committee and
40 *moved* to adopt the ordinance.
41

42 The motion carried by the following vote:

43 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

44 **Nays:** None (0)

45 **Absent:** Donovan (1)
46

- 47 4. AB2019-202 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE
48 JAIL IMPROVEMENT FUND, REQUEST NO. 4
49

50 *Sidhu* reported for the Council Finance and Administrative Services Committee and
51 *moved* to adopt the ordinance.
52
53

1 The motion carried by the following vote:

2 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

3 **Nays:** None (0)

4 **Absent:** Donovan (1)

5
6 **5. AB2019-203 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE**
7 **NEW JAIL FUND 2013-2014, REQUEST NO. 4**

8
9 *Sidhu* reported for the Council Finance and Administrative Services Committee and
10 *moved* to adopt the ordinance.

11
12 The motion carried by the following vote:

13 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

14 **Nays:** None (0)

15 **Absent:** Donovan (1)

16
17 **6. AB2019-220 ORDINANCE AMENDING THE 2019 WHATCOM COUNTY**
18 **BUDGET, SIXTH REQUEST, IN THE AMOUNT OF \$836,000**

19
20 *Sidhu* reported for the Council Finance and Administrative Services Committee and
21 *moved* to adopt the ordinance.

22
23 The motion carried by the following vote:

24 **Ayes:** Brenner, Browne, Buchanan, Byrd, and Sidhu (5)

25 **Nays:** Frazey (1)

26 **Absent:** Donovan (1)

27
28 **7. AB2019-211 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE**
29 **TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY**
30 **AND NORTH SOUND BEHAVIORAL HEALTH ORGANIZATION TO PROVIDE**
31 **MATCH FUNDS FOR CONTINUING THE PROJECTS FOR ASSISTANCE IN**
32 **TRANSITION FROM HOMELESSNESS (PATH) FEDERAL GRANT ACTIVITIES IN**
33 **WHATCOM COUNTY, IN THE AMOUNT OF \$75,469**

34
35 *Sidhu* reported for the Council Finance and Administrative Services Committee and
36 stated this item is held in committee.

37
38 **8. AB2019-218 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
39 **ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY**
40 **AND NORTH SOUND BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES**
41 **ORGANIZATION FOR PARTICIPATION IN THE INTEGRATED CARE NETWORK**
42 **TO PROVIDE BEHAVIORAL HEALTH SERVICES IN THE NORTH SOUND**
43 **REGIONAL SERVICE AREA**

44
45 *Sidhu* reported for the Council Finance and Administrative Services Committee and
46 *moved* to approve the request.

47
48 The motion carried by the following vote:

49 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

50 **Nays:** None (0)

51 **Absent:** Donovan (1)

1 **9. AB2019-221 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
2 **ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY**
3 **AND SKAGIT COUNTY FOR SKAGIT COUNTY'S ADMINISTRATION OF THE**
4 **HOUSING COMMUNITY DEVELOPMENT BLOCK GRANT, IN THE AMOUNT OF**
5 **\$2,000**
6

7 *Sidhu* reported for the Council Finance and Administrative Services Committee and
8 **moved** to approve the request.
9

10 The motion carried by the following vote:

11 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

12 **Nays:** None (0)

13 **Absent:** Donovan (1)
14

15 **10. AB2019-239 RESOLUTION OF THE WHATCOM COUNTY COUNCIL UPDATING**
16 **THE APPENDIX OF THE 2015 COMPREHENSIVE ECONOMIC DEVELOPMENT**
17 **STRATEGY (CEDS)**
18

19 *Sidhu* reported for the Council Finance and Administrative Services Committee and
20 **moved** to approve the resolution.
21

22 Brenner referenced the approved motion in Committee to amend the language on
23 the Northwest Annex, "repair/replace"
24

25 *Sidhu accepted the Committee amendment as a friendly amendment,* to
26 approve the amended version.
27

28 The motion to approve with an amendment carried by the following vote:

29 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

30 **Nays:** None (0)

31 **Absent:** Donovan (1)
32

33 **11. AB2019-253 RESOLUTION SUPPORTING FARE SHARE FUNDING BILLS**
34 **BEFORE THE LEGISLATURE**
35

36 *Buchanan moved* to approve the resolution.
37

38 The motion was seconded.
39

40 The motion carried by the following vote:

41 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

42 **Nays:** None (0)

43 **Absent:** Donovan (1)
44
45

46 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
47

48 **1. AB2019-222 DISCUSSION REGARDING A POTENTIAL PROPERTY**
49 **ACQUISITION FOR THE FLOOD CONTROL ZONE DISTRICT**
50

51 *Frazey* reported for the Committee of the Whole meeting and **moved** to authorize
52 the County Executive, acting on behalf of the Whatcom County Flood Control Zone District
53 Board of Supervisors to move forward with and complete acquisition of three properties, as

1 long as the purchase price of the three properties does not exceed the amount discussed in
2 executive session.

3
4 The motion was seconded.

5
6 The motion carried by the following vote:

7 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

8 **Nays:** None (0)

9 **Absent:** Donovan (1)

10
11
12 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

13
14 **1. AB2019-224 REQUEST CONFIRMATION OF EXECUTIVE LOUWS**
15 **REAPPOINTMENT OF ARLENE FELD TO THE NORTH SOUND BEHAVIORAL**
16 **HEALTH ORGANIZATION ADVISORY BOARD**

17
18 *Brenner moved* to confirm the request.

19
20 The motion was seconded.

21
22 The motion carried by the following vote:

23 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

24 **Nays:** None (0)

25 **Absent:** Donovan (1)

26
27 **2. AB2019-234 REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S**
28 **APPOINTMENT OF MICHAEL PARKER TO THE WHATCOM COUNTY HOUSING**
29 **ADVISORY COMMITTEE**

30
31 *Buchanan moved* to confirm the request.

32
33 The motion was seconded.

34
35 The motion carried by the following vote:

36 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

37 **Nays:** None (0)

38 **Absent:** Donovan (1)

39
40
41 **INTRODUCTION ITEMS**

42
43 *Brenner moved* to accept Introduction Items one through six.

44
45 The motion was seconded.

46
47 The motion carried by the following vote:

48 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

49 **Nays:** None (0)

50 **Absent:** Donovan (1)

51
52 **1. AB2019-223 WHATCOM COUNTY COMPREHENSIVE PLAN AMENDMENTS**
53 **CONCERNING THE LUMMI ISLAND FERRY; THE PROPOSAL WOULD MODIFY A**

1 POLICY RELATING TO FERRY LEVEL OF SERVICE AND DELETE A POLICY
2 RELATING TO A FERRY FEASIBILITY STUDY
3

- 4 2. AB2019-248 ORDINANCE AMENDING THE WHATCOM COUNTY
5 UNIFIED FEE SCHEDULE TO INCLUDE LANGUAGE REGARDING REDUCING
6 RECIDIVISM, JOB LOSS, AND EDUCATION DISRUPTION CAUSED BY LOW
7 INCOME COUNTY RESIDENTS SERVING JAIL TIME IN OTHER
8 JURISDICTIONS BY ALLOWING THEM TO CONTINUE TO ATTEND SCHOOL OR
9 WORK IF THE OFFENSE ALLOWS FOR DAY RELEASE IN WHATCOM COUNTY
10
- 11 3. AB2019-200 RECEIPT OF APPLICATION FOR THE SOLID WASTE ADVISORY
12 COMMITTEE, BUSINESS/INDUSTRY REPRESENTATIVE, PARTIAL TERM
13 ENDING 1/31/2020, APPLICANT: RODD PEMBLE (COMMITTEE PROVIDES
14 ONGOING PUBLIC INPUT AND ADVISE TO WHATCOM COUNTY ON SOLID
15 WASTE MANAGEMENT ISSUES) (APPLICATION DEADLINE FOR THIS
16 VACANCY IS 10 A.M. APRIL 30, 2019)
17
- 18 4. AB2019-235 RECEIPT OF APPLICATION FOR THE WILDLIFE ADVISORY
19 COMMITTEE, APPLICANT: TREVOR DELGADO (COMMITTEE ADVISES THE
20 WHATCOM COUNTY PLANNING AND DEVELOPMENT SERVICES
21 DEPARTMENT STAFF AND THE WHATCOM COUNTY COUNCIL ON THE VALUE
22 OF WILDLIFE AND HABITAT MANAGEMENT ISSUES AS THEY RELATE TO THE
23 WHATCOM COUNTY COMPREHENSIVE PLAN) (APPLICATION DEADLINE FOR
24 THIS VACANCY IS 10 A.M. APRIL 30, 2019)
25
- 26 5. AB2019-240 RECEIPT OF APPLICATION FOR THE SURFACE MINING
27 ADVISORY COMMITTEE, REPRESENTING FORESTRY, APPLICANT: AUBREY
28 STARGELL (COMMITTEE ADVISES THE WHATCOM COUNTY PLANNING AND
29 DEVELOPMENT SERVICES DEPARTMENT AND THE WHATCOM COUNTY
30 COUNCIL ON IMPLEMENTING A SURFACE MINING REGULATORY PROGRAM
31 CONSISTENT WITH THE COMPREHENSIVE PLAN) (APPLICATION DEADLINE
32 FOR THIS VACANCY IS 10:00 A.M. APRIL 30, 2019)
33
- 34 6. AB2019-242 RECEIPT OF APPLICATION FOR THE BUSINESS AND COMMERCE
35 ADVISORY COMMITTEE, REPRESENTING FOR-PROFIT, RETAIL, APPLICANT:
36 MR. DANA WEBER (COMMITTEE ADVISES THE WHATCOM COUNTY COUNCIL
37 ON ISSUES, INCLUDING REGULATIONS AND POLICIES THAT COULD IMPACT
38 LOCAL BUSINESSES, INDUSTRY, OR ECONOMIC DEVELOPMENT)
39 (APPLICATION DEADLINE FOR THIS VACANCY IS 10:00 A.M. APRIL 30,
40 2019)
41
42

43 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
44

45 Committee Chairs gave reports on committee discussions.
46

- 47 1. AB2019-043 DISCUSSION/UPDATE ON PROPOSED ORDINANCE REPEALING
48 AND REPLACING WHATCOM COUNTY CODE 1.28, STANDARDS FOR
49 CORRECTIONAL FACILITIES
50

51 *Buchanan* reported for the Criminal Justice and Public Safety Committee and
52 *moved* to approve the request of the Prosecutor's Office to bring forward an ordinance in
53 two weeks that would temporarily suspend the current requirements and adopt the current

1 operation manuals for the next twelve months or until the committee can update the
2 guidelines.

3
4 The motion was seconded.

5
6 The motion carried by the following vote:

7 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

8 **Nays:** None (0)

9 **Absent:** Donovan (1)

10
11 Councilmembers discussed the proposed ordinance creating a local employee and
12 apprenticeship program (AB2019-210) and the best way to move forward with suggested
13 changes and funding for mental health services through the Health Care Authority and
14 Behavioral Health Organization.

15
16 Councilmembers gave updates on recent activities and upcoming events.

17
18
19 **ADJOURN**

20
21 The meeting adjourned at 9:20 p.m.


22
23 The County Council approved these minutes on May 21, 2019.

24
25
26 ATTEST:

27
28
29
30
31
32 Dana Brown-Davis, Council Clerk

33
34
35
36
37 Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Rud Browne, Council Chair