

Whatcom County Council Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, January 13, 2026

1:40 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY/LATE - ADJOURNS BY 4:30 P.M.
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA
REVISED 1.12.2026**

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 1:43 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremmler

Announcements**Special Presentation**

1. [AB2026-039](#) Presentation on flood preparedness and response from Public Works, Division of Emergency Management, and Finance Division

The following people read from a presentation (on file):

- Elizabeth Kosa, Public Works Department Director
- Donnell Tanksley, Sheriff
- Matt Klein, Division of Emergency Management Deputy Director
- Randy Rydel, Administrative Services Department Finance Director

Kosa stated this report is not a formal after-action report or an exhaustive list of all the actions that have been taken, but more a summary of the County's key milestones and accomplishments since the 2021 flood, and initial information about their response for the most recent 2025 flood. The presentation included updates from Public Works, the Whatcom County Sheriff's Office and Department of Emergency Management, and the County's Finance Division.

Scanlon spoke about drafting budget provisos for the State and the deadline to do so (January 26th), and also taking advantage of Federal opportunities. He asked that the Executive accelerate these requests.

Jed Holmes, Executive's Office, stated that work is already a major focus of their office.

Councilmembers discussed organizing people in our county to advocate in Olympia and lobby for what we need, how the County can increase its outreach to people in affected communities to help them understand all the good work that is happening or is being forecast, personal experiences of flooding and the differences between 2021 and 2025, exploring all the options that they can for solutions (including doing things infrastructure-wise that they used to do), that the county can do better and

also do things differently from what they have been doing to manage the river, and keeping the public informed.

Kosa answered how they are going to manage this river and stated they are in agreement that all options are on the table. She stated, as far as communication goes, they are actively working on a master communication plan that will keep people updated in a way that resonates with them.

This agenda item was PRESENTED.

Committee Discussion

1. [AB2026-010](#) Discussion relating to preliminary Planning Commission recommendations on Whatcom County Comprehensive Plan Chapter 10, Environment, associated with the Comprehensive Plan Update

Mark Personius, Planning and Development Services Department Director, briefed the councilmembers on the overall Comprehensive Plan review process and the process for approving/setting urban growth area (UGA) boundaries in the cities, over which the County Council has the ultimate authority under the Growth Management Act (GMA). He answered a question about amending city boundaries because of potential ring dikes or berms.

Satpal Sidhu, County Executive, and councilmembers discussed that the Executive and his team will review the final Comprehensive Plan package after they hear what the Council's direction is, seeing costs for mitigation options along rivers and the coastline, finding unique wetland mitigation solutions that are fitting for this area and the overall importance of economic development, the references to net ecological gain in this chapter and being careful about holding ourselves to a standard that other areas are not holding themselves to or which hinders our ability to allow human environment or economic opportunity to thrive, that some of the proposed amendments regarding water adjudication for Chapter 7 could also be appropriate here, that any type of sediment removal is not mentioned in the language for hazard mitigation and that having all options on the table should be addressed in the Comprehensive Plan, that the use of the term net ecological gain is a good concept but is not giving the intended outcomes in practice as it is applied to small parcels instead of larger dedicated spaces, that there is a whole body of work happening to get us beyond the no net loss standard since it has not been an effective tool for achieving functioning ecosystems and that getting beyond where we are at was the original intention of net ecological gain, that applying a net ecological gain standard in the agricultural zone or areas of housing development is part of what is driving the cost of housing to something that is unsustainable for the

future, and being more strategic about where it should be applied while honoring treaty rights around fishing.

Personius stated the conversation about net ecological gain has shifted at the State level from requiring it of private property owners to whether they can require it for future public projects. They are also looking at trying to come up with off-ramps for people to do off-site mitigation or having a wetland bank for government-sponsored projects where the County can get more ecological lift than on a particular property. He also spoke about conversations with the City of Nooksack on their proposed UGA expansions and that he is much more comfortable with their proposal since they shrunk back an area on the west side of Highway 9 to be outside of the draft FEMA floodplain maps.

Galloway stated the riparian roundtable is still strongly urging for voluntary, incentive, compensatory-type programming so the County could facilitate net ecological gain on private property.

Personius stated there was a huge amount of public comment on this chapter and a lot of changes recommended by a lot of different groups and people from different perspectives.

Galloway requested getting information along the way about where there is concurrence between the Executive branch and the Planning Commission and where there might be discrepancies.

This agenda item was DISCUSSED.

2. [AB2026-037](#) Update on 2026 State Legislative Session

Jed Holmes, Executive's Office, stated the session just began yesterday and he briefed the councilmembers on:

- A \$2.3 billion budget deficit based on revenue forecast
- The three major asks of the last legislative agenda (approved by Council last year) including:
 - Flexibility on the 23-hour capital grant from the State to be able to use that for a broader array of behavioral health services
 - Language revision regarding the current statutes around ferry districts which would allow us to incorporate and consider vehicle ferries
 - Request to fund extraordinary costs in our courts related to the adjudication filed by the Department of Ecology.
- Determining asks regarding recent efforts around flood response and prevention

He answered if there are any priority bills which Council could be helpful with, and stated they would let Council know when they have a number for the ferry bill.

Galloway spoke about Washington State Association of Counties (WSAC) and its meetings, the document "WSAC Legislative Session Information" (on file), which summarizes the issues that WSAC is taking the lead on, on behalf of the counties, and the document "WSAC Legislative Steering Committee Information" (on file), which is a bill tracker.

Scanlon asked about House Bill (HB) 2201 which requires counties to align UGAs with the adjacent city.

Galloway stated WSAC probably needs to do more internal work to understand any implications that bill may have on counties, but she can follow up on it. She stated if this Council feels particularly passionate about a bill there are ways for them to engage it, including taking an individual County stance on it. She spoke about one bill that she has been working on (House Bill [HB] 2351 [on file]) and stated she would like the Council to support this bill and would like to get their blessing for her to engage on it in time for its public hearing this week.

Scanlon moved to have Whatcom County Council support HB 2351.

The motion was seconded by Boyle.

Galloway spoke about the bill and an incident (the Bear Gulch fire) in which emergency response was interrupted by the detention of two actively-responding emergency responders, taking them off the front lines of responding to the emergency.

The motion carried by the following vote:

Aye: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas and Stremmler

Elenbaas asked how they feel that this is something the Council needs to spend time and political will on and how it affects a first responder in Whatcom County.

Galloway stated, at the highest level, this ensures preserving the integrity of our emergency response system, and makes sure that when we as a County are standing up these emergency response incident command systems, we

retain the authority over those.

Scanlon spoke about the example incident and stated this would ensure that whoever was leading a wild fire response could have their team intact.

Elenbaas stated he echoes his concern with the amount of time and energy that they are putting into a problem that is probably not a large problem.

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved to have Whatcom County Council support HB 2351.

3. [AB2026-041](#) Discussion of an ordinance establishing Whatcom County Code Section 2.02.195 Performance Audits

Kirsten Smith, Council Office Legislative Analyst, briefed the councilmembers and stated the performance audits were put forward by the Charter Review Commission and they thought it would be cheapest if the County did not have an office of performance auditing, so they assigned the function to the Council and stipulated that the audits would come through contracted auditors. It is up to the Council to decide what the program looks like in code, except for the requirements that came from the Charter Review amendment and are outlined in the staff memo (on file). They purposely left the ordinance basic to give Council opportunity to determine what they want the process to look like. Council has a year to adopt an ordinance as it is required to go into effect in January of 2027. She answered how often audits would happen and if they would just wait until there is a problem, and stated that is up to the Council.

Councilmembers discussed the intention of having audits prior to there being a problem, and alternately not being something that is specifically punitive but being used to determine if something a department is doing is something that would be beneficial to share with a broader group for better outcomes all around. They discussed that funding was something that was left by the Charter Review Commission for the Council to decide on, and whether there would be any limits on where they could pull funding from.

Cathy Halka, Clerk of the Council, stated there are currently not funds in the budget for this particular task so they would need to be requested via a supplemental budget request when the Council decides they want to perform an audit.

Satpal Sidhu, County Executive, asked if audits would be of a whole department or on a program level and how often they would be. He asked that the Council keep in mind how big this exercise could be, to think about

the expectations and what the benefits will be, and to seek more clarity on it.

Councilmembers discussed hearing from the Charter Review Commissioners on their intent for the frequency of audits and thoughts on financing, whether the ordinance should have a public hearing, having this back in Committee of the Whole for discussion at the next Council meeting on January 27th, and that they can listen to video of the Charter Review to hear their discussion on this topic.

Kayla Schott-Bresler, Executive's Office, requested that a couple councilmembers meet with the Administration and the Finance Director to discuss what budgeting for the audits might look like and to provide input on workload for staff.

Councilmembers and the speakers discussed that the voters approved this so they have to implement it unless it is found to be legally invalid, that they might want to include this in the biennial budget process because it has the potential of being fairly significant and means the County would not do other things, where resources currently live in the County budget for third party investigations or audits the County does now, determining what or who they are measuring against in terms of performance, and the purpose for the audits.

This agenda item was DISCUSSED.

Items Added by Revision

1. [AB2026-049](#) Resolution affirming the dignity and civil and human rights of all Whatcom County residents, regardless of immigration or citizenship status

Galloway and Scanlon briefed the councilmembers on what prompted the resolution and its different versions, that the substitute resolution (on file) shows proposed amendments from various sources, some of which already have legal sign-off, that some of the work that needs to be done is aligning with the City of Bellingham and some is outlined in the Racial Equity Commission's Action Guide, and that this resolution would be the start and not the end of what they can do.

Councilmembers and Satpal Sidhu, County Executive, discussed the question of what this resolution would change from what is done today in Whatcom County, and their perspectives on the resolution.

This agenda item was FORWARDED TO COUNCIL WITHOUT A RECOMMENDATION.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:30 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger