

Whatcom County Council

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



Action Summary

Tuesday, February 20, 2024

6 PM

Hybrid Meeting

HYBRID MEETING - PLEASE NOTE: COUNCIL IS CURRENTLY REVIEWING ITS PUBLIC COMMENT RULES AND HAS SUSPENDED REMOTE PUBLIC COMMENT VIA ZOOM UNTIL FURTHER NOTICE. PLEASE SEE AGENDA NOTES UNDER "OPEN SESSION" FOR MORE INFORMATION.

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

MINUTES CONSENT

1. [MIN2024-007](#) Committee of the Whole for February 6, 2024

APPROVED BY CONSENT

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

Nay: 0

Temp Absent: 1 - Scanlon

2. [MIN2024-008](#) Regular County Council for February 6, 2024

APPROVED BY CONSENT

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

Nay: 0

Temp Absent: 1 - Scanlon

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2024-123](#) Request authorization for the County Executive to enter into an interlocal cooperative agreement between Whatcom County and U.S. Department of Agriculture Forest Service for enhancement of state and local law enforcement on National Forest Service lands, in the amount of \$22,704.00

AUTHORIZED BY CONSENT

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

Nay: 0

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2. [AB2024-129](#) Resolution ordering the cancellation of an accounts receivable invoice from the Sheriff's Office
- APPROVED**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
- Enactment No: RES 2024-009
3. [AB2024-130](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and North Sound Behavioral Health Administrative Services Organization to acknowledge and fund Whatcom County's participation in the North Sound Integrated Care Network, in the amount of \$523,788.10 for a total amended contract amount of \$1,496,767.30
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
4. [AB2024-135](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Department of Ecology for the 2023-2025 Biennial Stormwater Capacity Grant, in the amount of \$130,000
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
5. [AB2024-136](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department and the U.S. Department of Homeland Security to assist in preparing for all hazards through sustainment and enhancement of current programs, in the amount of \$74,670.00
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
6. [AB2024-137](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Washington State Department of Commerce to change the scope of work and reduce the funding by \$29,391.00 for a total amended contract amount of \$1,850,608.00
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0

7. [AB2024-141](#) Request authorization for the County Executive to enter into a contract agreement between Whatcom County and ImageTrend, Inc. to increase the contract in the amount of \$14,460.00 for a total amended contract amount of \$201,876.32

AUTHORIZED BY CONSENT

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

Nay: 0

8. [AB2024-143](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Washington State Military Department for Operation Stonegarden FY20, in the amount of \$234,343.94 for a total amended amount of \$639,943.94

AUTHORIZED BY CONSENT

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

Nay: 0

9. [AB2024-148](#) Request authorization for the County Executive to enter into an easement agreement with Western Washington University and Sierra Pacific Land & Timber Company to allow public access to Canyon Lake Community Forest, in the amount of \$100,000

AUTHORIZED BY CONSENT

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

Nay: 0

AB2024-148 was discussed below under Other Items.

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

1. [AB2024-140](#) Resolution authorizing Whatcom County Conservation Easement Program Administrator and Whatcom County Executive to proceed with the acquisition of a conservation easement on the Jacoby application

Enactment No: RES 2024-010

Councilmembers started to discuss AB2024-140, then returned back to AB2024-148 on the Consent Agenda. See motion and vote on this item below.

9. [AB2024-148](#) Request authorization for the County Executive to enter into an easement agreement with Western Washington University and Sierra Pacific Land & Timber Company to allow public access to Canyon Lake Community Forest, in the amount of \$100,000

1. [AB2024-140](#) Resolution authorizing Whatcom County Conservation Easement Program Administrator and Whatcom County Executive to proceed with the acquisition of a

conservation easement on the Jacoby application

APPROVED

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

Nay: 0

Abstain: 1 - Elenbaas

Enactment No: RES 2024-010

(From Council Finance and Administrative Services Committee)

2. [AB2024-110](#) Ordinance establishing a project based budget for Eagleridge Stormwater Improvements Project Fund SWP #SWLW24-01

ADOPTED

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

Nay: 0

Enactment No: ORD 2024-009

3. [AB2024-111](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 1, in the amount of \$14,400 (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 2024-011

4. [AB2024-114](#) Ordinance establishing a 23-Hour Crisis Relief Center Fund and establishing an initial project based budget for the 23-Hour Crisis Relief Center Project

ADOPTED

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

Nay: 0

Enactment No: ORD 2024-010

5. [AB2024-116](#) Ordinance amending the 2024 Whatcom County Budget, request no. 4, in the amount of \$3,247,623

ADOPTED

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

Nay: 0

Enactment No: ORD 2024-011

6. [AB2024-118](#) Resolution to declare Whatcom County owned structure located in Hovander Park as worthless

HELD IN COMMITTEE

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

Nay: 0

The motion was to hold this item for up to two months.

7. [AB2024-122](#) Ordinance establishing Whatcom County Code Chapter 3.39 Public Health, Safety, and Justice Facilities and Services Sales and Use Tax

SUBSTITUTE ADOPTED

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

Nay: 0

Enactment No: ORD 2024-012

8. [AB2024-142](#) County Executive requests approval of the Economic Development Investment (EDI) Board's recommendation for funding to support the City of Blaine's Wellfield Reservoir Replacement Project and the City of Bellingham's Old Town Urban Village Infrastructure Improvement Project

SUBSTITUTE REQUEST APPROVED

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

Nay: 0

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

1. [AB2024-126](#) Ordinance granting the Port of Bellingham a non-exclusive franchise to locate, set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate, use and similar activities related to telecommunication facilities in, upon, over, under, along, across and through the franchise area to allow the provision of telecommunication services

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

2. [AB2024-127](#) Ordinance granting the Public Utility District No. 1 of Whatcom County, a non-exclusive franchise to locate, set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate, use and similar activities related to

telecommunication facilities in, upon, over, under, along, across and through the franchise area to allow the provision of telecommunications services

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

3. [AB2024-145](#) Ordinance amending Whatcom County Code 2.145 to clarify member requirements on the Whatcom County Ferry Advisory Committee

INTRODUCED

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

Nay: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Motion from Committee of the Whole Executive Session approved 7-0 to authorize Royce Buckingham, Civil Deputy Prosecutor, to vote on behalf of the Council for the reorganization plan Endo LLC is proposing in bankruptcy as discussed in Executive Session.

Motion from Committee of the Whole approved 6-1, with Elenbaas opposed, that they start the process to remove PLN2022-00006 from the docket.

ADJOURN