

# **Whatcom County Council**

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



## **Meeting Agenda**

**Tuesday, May 7, 2024**

**6 PM**

**Hybrid Meeting**

**HYBRID MEETING (PARTICIPATE IN-PERSON, VIEW ONLINE, OR REGISTER TO SPEAK REMOTELY - PLEASE SEE AGENDA NOTES UNDER "ANNOUNCEMENTS", "OPEN SESSION", OR "PUBLIC HEARINGS" FOR MORE INFORMATION); AGENDA REVISED 5.6.2024**

### **COUNCILMEMBERS**

Barry Buchanan

Tyler Byrd

Todd Donovan

Ben Elenbaas

Kaylee Galloway

Jon Scanlon

Mark Stremler

### **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 remote participation, visit [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) and register by 4 p.m. the day of the meeting to receive a join link. 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.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

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. [MIN2024-019](#) Committee of the Whole Executive Session for April 23, 2024
2. [MIN2024-020](#) Committee of the Whole for April 23, 2024
3. [MIN2024-021](#) Regular County Council for April 23, 2024

#### PUBLIC HEARINGS

Participants requesting to speak during public hearings may attend in person. To speak remotely, please visit [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) and register by 4 p.m. the day of the meeting to receive a join link.

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 who have registered to speak remotely.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

1. [AB2024-259](#) Review final project performance on the CARES Act CDBG Coronavirus (CV) grant, funding activities that prevent, prepare for, and respond to the coronavirus in Whatcom County
2. [AB2024-263](#) Ordinance amending Whatcom County Code 2.85, Developmental Disabilities Department

### **OPEN SESSION**

Participants requesting to speak during open session may attend in person. To speak remotely, please visit [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) and register by 4 p.m. the day of the meeting to receive a join link.

During open session, audience members may speak to the council on issues not scheduled for public hearing. 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 who have registered to speak remotely.

Per RCW 42.36.060 Councilmembers are prohibited from engaging in ex parte communications in matters where the Council determines the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

### **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. [AB2024-274](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the City of Bellingham to extend the agreement which provides funding for staffing and implementation of the Alternative Response Team Program in the amount of \$0 for a total amended agreement amount of \$402,179

2. [AB2024-278](#) Request authorization for the County Executive to enter into a contract between Whatcom County and K&H Printers-Lithographers, Inc dba K&H Election Services, to procure election related materials in the amount of \$862,000.00
3. [AB2024-281](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County, the City of Bellingham, the City of Blaine, the City of Everson, the City of Ferndale, the City of Lynden, the City of Nooksack and the City of Sumas to jointly finance a new Whatcom County Justice Facility and Behavioral Health Treatment Center
4. [AB2024-285](#) Request permission for the County Executive to enter into a contract between Whatcom County and Western Refinery Services, in the amount of \$877,105.00
5. [AB2024-287](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the State of Washington Recreation and Conservation Office (RCO) for Black Slough comprehensive barrier removals design, in the amount of \$207,000 plus \$40,500 in match for a total project amount of \$247,500 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
6. [AB2024-293](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Remote Medical Training (RMT) to provide instruction of an Emergency Medical Technician (EMT) course to students in order for them to achieve a Washington State EMT certification, National Registry of EMTs (NREMT) and ECSI BLS Healthcare provider certification, in the amount of \$51,500.95
7. [AB2024-295](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Blaine School District for the provision of behavioral health services in the amount of \$144,540
8. [AB2024-296](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham School District #501 for the provision of behavioral health services in the amount of \$151,800
9. [AB2024-297](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District for the provision of behavioral health services in the amount of \$132,000
10. [AB2024-298](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Lynden School District for the provision of behavioral health services in the amount of \$122,100
11. [AB2024-299](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Mount Baker School District for the provision of behavioral health services in the amount of \$118,800

12. [AB2024-300](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District for the provision of behavioral health services in the amount of \$118,800
13. [AB2024-301](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Nooksack Valley School District for the provision of behavioral health services in the amount of \$132,000
14. [AB2024-305](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Organized Crime Drug Enforcement Task Force (OCDETF) for overtime reimbursement for case RL-23-0008, in the amount of \$5,000
15. [AB2024-306](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Organized Crime Drug Enforcement Task Force (OCDETF) for overtime reimbursement for case RL-23-0010, in the amount of \$5,000

## **OTHER ITEMS**

### **(From Council Climate Action and Natural Resources Committee)**

1. [AB2024-289](#) Resolution approving the Drayton Harbor Shellfish Recovery and Protection Plan 2024 update

### **(From Council Finance and Administrative Services Committee)**

2. [AB2024-268](#) Request authorization to amend Resolution 2023-048 for Unrepresented County employees
3. [AB2024-271](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Triangle Associates, Inc. to support the Forest Resilience Task Force for a total amount of \$74,927.50

### **(From Council Committee of the Whole)**

4. [AB2024-310](#) Selection of three Councilmembers to form an investigative committee to review recent employment law decisions pursuant to Council's April 30, 2024, vote during discussion of AB2024-294, and confirmation of Council's legal representation related to this matter

### **(No Committee Assignment)**

5. [AB2024-309](#) Discussion and request for motion related to appointment of Clerk of the Council successor

## **CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. [AB2024-290](#) Request confirmation of the County Executive's reappointment of Gina Bring to the Developmental Disabilities Board

## **ITEMS ADDED BY REVISION**

1. [AB2024-311](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Justice AV Solutions (JAVS) for equipment to replace the audio visual recording system in the Superior Court Department 4 courtroom in the amount not to exceed \$84,799.81

**ADDED 5.7.2024**

## **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. [AB2024-302](#) Ordinance amending the 2024 Whatcom County Budget, request no. 7, in the amount of 1,605,662
2. [AB2024-303](#) Ordinance amending the project budget for the Lake Whatcom Park Trail Development Fund, request no. 3

## **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

## **ADJOURN**