

Whatcom County Council

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



Action Summary

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

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. [MIN2024-019](#) Committee of the Whole Executive Session for April 23, 2024

APPROVED BY CONSENT

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

Nay: 0

2. [MIN2024-020](#) Committee of the Whole for April 23, 2024

APPROVED BY CONSENT

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

Nay: 0

3. [MIN2024-021](#) Regular County Council for April 23, 2024

APPROVED BY CONSENT

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

Nay: 0

PUBLIC HEARINGS

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

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to accept the report

2. [AB2024-263](#) Ordinance amending Whatcom County Code 2.85, Developmental Disabilities Department

ADOPTED

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

Nay: 0

Enactment No: ORD 2024-031

OPEN SESSION**CONSENT AGENDA****(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

AUTHORIZED BY CONSENT

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

Nay: 0

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

This item was considered separately below.

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

AUTHORIZED BY CONSENT

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

Nay: 0

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

AUTHORIZED BY CONSENT

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

Nay: 0

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)
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
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
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
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
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
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
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
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
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
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

AUTHORIZED BY CONSENT

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

Nay: 0

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

AUTHORIZED BY CONSENT

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

Nay: 0

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

AUTHORIZED BY CONSENT

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

Nay: 0

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

AUTHORIZED BY CONSENT

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

Nay: 0

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

AUTHORIZED BY CONSENT

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

Nay: 0

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 (OCDEFT) for overtime reimbursement for case RL-23-0010, in the amount of \$5,000

AUTHORIZED BY CONSENT

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

Nay: 0

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

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

AUTHORIZED

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

Nay: 0

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

APPROVED

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

Nay: 0

Enactment No: RES 2024-023

(From Council Finance and Administrative Services Committee)

2. [AB2024-268](#) Request authorization to amend Resolution 2023-048 for Unrepresented County employees

FAILED

Aye: 3 - Donovan, Galloway, and Scanlon

Nay: 4 - Buchanan, Byrd, Elenbaas, and Stremler

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

AUTHORIZED

Aye: 4 - Buchanan, Donovan, Galloway, and Scanlon

Nay: 3 - Byrd, Elenbaas, and Stremler

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

AUTHORIZED

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

Nay: 0

(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

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to appoint Buchanan, Elenbaas, and Donovan

(No Committee Assignment)

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

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to enter into executive session

Motion approved 7-0 to authorize that the Council extend an offer of appointment to the Clerk of the Council position to the most qualified candidate, as indicated in the results of our recent interviews and pending negotiations of terms and conditions. The name of the candidate will be announced upon acceptance of appointment.

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

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

CONFIRMED

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

Nay: 0

INTRODUCTION ITEMS

1. [AB2024-302](#) Ordinance amending the 2024 Whatcom County Budget, request no. 7, in the amount of 1,605,662

SUBSTITUTE INTRODUCED

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

Nay: 0

2. [AB2024-303](#) Ordinance amending the project budget for the Lake Whatcom Park Trail Development Fund, request no. 3

INTRODUCED

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

Nay: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Motion approved 7-0 to authorize the County Executive, acting on behalf of the Whatcom County Flood Control Zone District, to move forward with and complete the acquisition of the property as long as the purchase price of the property does not exceed the amount discussed in Executive Session.

ADJOURN