

Whatcom County Council

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



Meeting Agenda

Wednesday, November 6, 2024

6 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN
INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL
360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

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 and register by 4 p.m. the day of the meeting to speak remotely. 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. [MIN2024-072](#) Water Work Session for October 15, 2024
2. [MIN2024-073](#) Committee of the Whole Executive Session for October 22, 2024
3. [MIN2024-074](#) Committee of the Whole for October 22, 2024
4. [MIN2024-075](#) Regular County Council for October 22, 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. [AB2024-697](#) Ordinance adopting the Seven-Year Capital Improvement Program for Whatcom County Facilities 2025-2031
2. [AB2024-714](#) Receipt of applications to two vacancies on the Climate Impact Advisory Committee, Applicant(s): Marc Hoeschele, Ted Scott, Joshua Williams (Deadline for additional applications to these positions is 10:00 a.m. on Tuesday, November 12, 2024)

3. [AB2024-719](#) Ordinance amending the project budget for the Central Shop NPDES Stormwater Improvements Project Fund, request no. 1
4. [AB2024-723](#) Ordinance amending the project based budget for the Goshen Road/Anderson Creek Bridge No. 248 Replacement Fund and Project Based Budget, request no. 1, in the amount of \$200,000, for a total amended amount of \$700,000
5. [AB2024-728](#) Ordinance authorizing the levy of taxes for Countywide Emergency Medical purposes for 2025
6. [AB2024-729](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2025
7. [AB2024-730](#) Ordinance authorizing the levy of taxes for County Road purposes for 2025
8. [AB2024-731](#) Ordinance authorizing the levy of taxes for County and State Purposes in Whatcom County, Washington for the year of 2025
9. [AB2024-732](#) Resolution amending the levy of taxes for the Whatcom County Flood Control Zone District for 2025 (Council acting as the Flood Control Zone District Board of Supervisors)
10. [AB2024-739](#) Ordinance amending Whatcom County Code Chapter 2.130, Economic Development Investment Board
11. [AB2024-742](#) Resolution adopting the 2025 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)
12. [AB2024-743](#) Ordinance authorizing the 2025 Whatcom County Unified Fee Schedule
13. [AB2024-744](#) Ordinance amending the 2024 Whatcom County Budget, request no. 14, in the amount of \$4,564,923
14. [AB2024-745](#) Ordinance in the matter of the adoption of the final budget of Whatcom County for the Biennium 2025-2026
15. [AB2024-748](#) Ordinance amending the project budget for the 23-Hour Crisis Relief Center Project Fund, request no. 1
16. [AB2024-749](#) Ordinance amending the project budget for the Hovander Park Building Improvement Project, request no. 3
17. [AB2024-750](#) Ordinance amending the project budget for the Courthouse Building Envelope Fund, request no. 6
18. [AB2024-752](#) Ordinance amending the project budget for the Integrated Land Records and Permit Management System Fund, request no. 3

19. [AB2024-753](#) Ordinance establishing the project based budget and an initial budget for the courtroom audio visual systems upgrade
20. [AB2024-747](#) Ordinance amending Whatcom County Code Chapter 2.06, Medical Examiner, to establish a Medical Examiner Department

ITEM ADDED 11.4.2024

PUBLIC HEARINGS

Participants requesting to speak during public hearings may attend in person. To speak remotely, please visit 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.

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1. [AB2024-695](#) Ordinance adopting amendments to WCC Titles 20 and 22 to enact SSB 5290 regarding local project review

OPEN SESSION

Participants requesting to speak during open session may attend in person. To speak remotely, please visit 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 42.17A.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.

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. Council serves in a quasi-judicial role as a decision-maker on major project permits, which cannot be discussed by members of the public at Council meetings. Examples of major project permits that cannot be discussed at Council meetings include MPP2024-00001 City of Bellingham Mitigation Bank, LSS2024-00001 R and R Acres Long Subdivision and Development Agreement, LSS2022-00001 Red Mountain Long Subdivision and Development Agreement, PUD2022-00001 Royal Emerald Motors Planned Unit Development, MPP2024-00002 ALA Energy, Ferndale Terminal Existing and Planned Improvements, and CUP2023-00003/DEV2024-00001 Ponderosa Estates Mobile Home Park.

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. [AB2024-682](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bellingham and Whatcom County Housing Authorities to develop a licensed child care facility in the Samish Commons affordable housing complex, in the amount of \$1,093,637
2. [AB2024-709](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lake Whatcom Water and Sewer District to provide emergency management services to Lake Whatcom Water and Sewer District in the amount of \$50,000

3. [AB2024-711](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Elizabeth Boyle Consulting to provide meeting facilitation services in the amount of \$23,000, for a total amended contract amount of \$46,000
4. [AB2024-715](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the purchase of brine at a cost of \$.63 per gallon
5. [AB2024-716](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sanitary Service Company, Inc. to collect waste along Birch Bay Drive in the amount of \$15,000, for a total contract amount of \$43,000
6. [AB2024-717](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Elliot Bay Design Group, LLC, to provide engineering services for the annual dry dock of the MV Whatcom Chief ferry along with other on-call services as needed for the Lummi Island Ferry System, in the amount of \$75,000
7. [AB2024-720](#) Request authorization for the County Executive to enter into a three year subscription agreement with West Publishing for legal research databases in the amount of \$151,672.68
8. [AB2024-721](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the What-Comm Communications Center in support of reimbursement for E911 capital equipment expenses in the amount of \$43,747
9. [AB2024-726](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire Protection District 5 (Point Roberts) for Basic Life Support Services in Whatcom County, in the amount of \$21,869.16
10. [AB2024-727](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Department of Commerce to examine the potential for an Office of Healthy Housing in the amount of \$190,000
11. [AB2024-734](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation # PA-WAW-0376, in the amount of \$5,000
12. [AB2024-735](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation # PA-WAW-0385, in the amount of \$5,000

13. [AB2024-736](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation PA-WAW-0386, in the amount of \$5,000
14. [AB2024-737](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice Drug Enforcement Agency (DEA) for Organized Crime Drug Enforcement Task Force (OCDETF) investigation # PA-WAW-0387, in the amount of \$5,000
15. [AB2024-738](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington Traffic Safety Commission for High Visibility Emphasis (HVE) patrols, in the amount of \$28,000
16. [AB2024-740](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lutheran Community Services Northwest to lease a facility intended for use as the 2024-2025 winter shelter, in the amount of \$66,625

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2024-654](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale School District to purchase and install an ADA-compliant playground, in the amount of \$700,000

(From Council Criminal Justice and Public Safety Committee)

2. [AB2024-691](#) Ordinance amending Whatcom County Code Section 5.04.085 EMS technical advisory board

(From Council Committee of the Whole)

3. [AB2024-725](#) Resolution establishing ferry level of service-decision on a replacement

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-680](#) Appointment to a vacancy on the Child and Family Well-Being Task Force, Applicant(s): Jessica Goette
2. [AB2024-712](#) Appointment to a vacancy on the Justice Project Oversight and Planning Committee, substance use disorder provider position, Applicant(s): Suzanne Scala, Alexis Hahs, Amber Rucker

**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. [AB2024-722](#) Request confirmation of the County Executive's appointment of Dr. Aldo Fusaro as Medical Examiner effective December 9, 2024

ITEMS ADDED BY REVISION

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN