

# Whatcom County Council

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



## Action Summary

**Tuesday, September 24, 2024**

**6 PM**

**Council Chambers - Hybrid Meeting**

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://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

**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. [MIN2024-056](#) Special Council for August 27, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

2. [MIN2024-057](#) Committee of the Whole Executive Session for September 10, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

3. [MIN2024-058](#) Special Committee of the Whole for September 10, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

4. [MIN2024-059](#) Committee of the Whole for September 10, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

5. [MIN2024-060](#) Regular County Council for September 10, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

6. [MIN2024-061](#) Water Work Session for April 16, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

7. [MIN2024-062](#) Water Work Session for May 14, 2024

**APPROVED BY CONSENT**

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

**Nay:** 0

**PUBLIC HEARINGS**

1. [AB2024-545](#) Ordinance adopting various amendments to Whatcom County Code Title 20, Zoning

**ADOPTED**

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

**Nay:** 0

Enactment No: ORD 2024-046

2. [AB2024-559](#) Ordinance adopting the 2020 Shoreline Management Program Periodic Update

**ADOPTED**

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

**Nay:** 1 - Elenbaas

Enactment No: ORD 2024-047

3. [AB2024-564](#) Resolution adopting the 2025-2030 Six-Year Water Resources Improvement Program (WRIP) by the Whatcom County Council (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 2024-038

4. [AB2024-579](#) Resolution approving the 2025-2030 Six-year Transportation Improvement Program (STIP)

**DISCUSSED AND MOTION(S) APPROVED**

Enactment No: RES 2024-040

Motion approved 6-1, with Stremmer opposed, to hold this item until Other Items at the end of the meeting (see this file again under Committee Reports, Other Items, And Councilmember Updates below).

## **OPEN SESSION**

### **CONSENT AGENDA**

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

1. [AB2024-605](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Northwest Resource Group for development of a forest management plan in the Lake Whatcom Watershed, in the amount of \$133,060

This item was considered separately below.

2. [AB2024-606](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for a partnership in the development and implementation of the forest management plan in the Lake Whatcom Watershed, where the City will reimburse the County for contract costs in the amount of \$41,295

This item was considered separately below.

3. [AB2024-607](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to fund various public health services in the amount of \$2,733,126, for a total amended agreement amount of \$18,991,359

This item was considered separately below.

4. [AB2024-609](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden to support Lynden's Wastewater Treatment Plant construction project in the amount of \$2,000,000

#### **AUTHORIZED BY CONSENT**

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

**Nay:** 0

5. [AB2024-610](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Ferndale for the City's Water Treatment Plant upgrades in the amount of \$3,000,000

#### **AUTHORIZED BY CONSENT**

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

**Nay:** 0

6. [AB2024-611](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lifeline Connections to provide substance use disorder assessments and post-treatment coordination services to eligible people in the amount of \$100,000, for a total amended contract amount of \$281,977

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

7. [AB2024-612](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Center for Early Learning to expand mental health support services to low-income children, in the amount of \$398,709

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

8. [AB2024-613](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Health to purchase an oversample of a statewide survey to assess the health and well-being of children and families, in the amount of \$67,796

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

9. [AB2024-614](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Washington State Department of Ecology for a Washington Conservation Corps Crew and supervisor to assist with salmon habitat, flood, and stormwater projects, water quality monitoring, and emergency response, in the amount of \$227,140 (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

10. [AB2024-615](#) Request authorization for the County Executive to enter into a contract between Whatcom County and USDA Natural Resources Conservation Service (NRCS) to secure matching funds for the acquisition of a conservation easement on the Taylor property through the Conservation Easement Program, in the amount of \$50,000

**AUTHORIZED BY CONSENT**

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

Nay: 0

11. [AB2024-621](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Department of Commerce to help cover a portion of the Victim/Witness Coordinator position salary and benefits in an amount not to exceed \$60,461

**AUTHORIZED BY CONSENT**

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

Nay: 0

12. [AB2024-622](#) Request authorization for the County Executive to award Bid #24-70 and enter into a contract between Whatcom County and JT Muenscher General Contractor, Inc. for the demolition of the Hostel Building at Bay Horizon Park, in the amount of \$249,152

**AUTHORIZED BY CONSENT**

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

Nay: 0

13. [AB2024-623](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the Edward Byrne Memorial Justice Assistance Grant, in the amount of \$11,509

**AUTHORIZED BY CONSENT**

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

Nay: 0

14. [AB2024-624](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the US Department of Justice for a Rapid DNA Testing Machine, in the amount of \$440,000

**AUTHORIZED BY CONSENT**

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

Nay: 0

15. [AB2024-627](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mark Palmer General Contractor LLC for 513 Courtroom Remodel Tenant Improvements, in the amount of \$65,917.75

**AUTHORIZED BY CONSENT**

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

Nay: 0

**CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

1. [AB2024-605](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Northwest Resource Group for development of a forest management plan in the Lake Whatcom Watershed, in the amount of \$133,060  
**AUTHORIZED**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
2. [AB2024-606](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for a partnership in the development and implementation of the forest management plan in the Lake Whatcom Watershed, where the City will reimburse the County for contract costs in the amount of \$41,295  
**AUTHORIZED**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
3. [AB2024-607](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to fund various public health services in the amount of \$2,733,126, for a total amended agreement amount of \$18,991,359  
**AUTHORIZED**  
**Aye:** 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon  
**Nay:** 2 - Elenbaas, and Stremler

## **OTHER ITEMS**

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

1. [AB2024-565](#) Ordinance relating to the annual submission of taxing district levy amounts to the Whatcom County Council  
**ADOPTED**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0  
Enactment No: ORD 2024-048
2. [AB2024-594](#) Ordinance amending the 2024 Whatcom County Budget, request no. 12, in the amount of \$9,347,192  
**SUBSTITUTE ADOPTED**  
**Aye:** 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

**Nay:** 2 - Elenbaas, and Stremler

Enactment No: ORD 2024-049

3. [AB2024-596](#) Ordinance establishing a project-based budget for the Lookout Mountain Road Repair Project Fund

**SUBSTITUTE ADOPTED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

**Nay:** 1 - Stremler

Enactment No: ORD 2024-050

4. [AB2024-597](#) Ordinance establishing a project-based budget for the Governor's Point Project Fund

**SUBSTITUTE ADOPTED**

**Aye:** 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

**Nay:** 2 - Elenbaas, and Stremler

Enactment No: ORD 2024-051

5. [AB2024-602](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 5, in the amount of \$257,550 (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 2024-039

**(No Committee Assignment)**

6. [AB2024-314](#) Ordinance establishing Whatcom County Code Chapter 2.180 Naming County-Owned Public Buildings, Properties, Parks, and Facilities

**ADOPTED**

**Aye:** 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

**Nay:** 2 - Elenbaas, and Stremler

Enactment No: ORD 2024-052

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2024-598](#) Appointment to a vacancy on the Justice Project Oversight & Planning (JPOP) Committee, behavioral health provider position, Applicant(s): Trevor Aerts

**APPOINTED**



**Aye:** 6 - Buchanan, Byrd, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

**Temp Absent:** 1 - Donovan

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

- 1. [AB2024-619](#) Request confirmation of the County Executive’s appointment of Dan Kostozewski and Gervasio Tirigall to the Bicycle / Pedestrian Advisory Committee

**CONFIRMED**

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

**Nay:** 0

**ITEMS ADDED BY REVISION**

**INTRODUCTION ITEMS**

- 1. [AB2024-616](#) Receipt of application to a vacancy on the Justice Project Oversight and Planning (JPOP) Committee, supportive housing subject matter expert, Applicant(s): Pamela Kahn (deadline for additional applications to this position is 10:00 a.m. on Tuesday, October 1, 2024)

**INTRODUCED**

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

**Nay:** 0

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

- [AB2024-579](#) Resolution approving the 2025-2030 Six-year Transportation Improvement Program (STIP)

**APPROVED**

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

**Nay:** 0

Enactment No: RES 2024-040

**ADJOURN**