

Whatcom County Council

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



Action Summary

Tuesday, January 9, 2024
6 PM
Hybrid Meeting

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

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. [MIN2023-077](#) Special Council for December 4, 2023

APPROVED BY CONSENT

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

Nay: 0

2. [MIN2023-078](#) Committee of the Whole for December 5, 2023

APPROVED BY CONSENT

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

Nay: 0

3. [MIN2023-079](#) Regular County Council for December 5, 2023

APPROVED BY CONSENT

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

Nay: 0

4. [MIN2023-080](#) Special Council for December 19, 2023

APPROVED BY CONSENT

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

Nay: 0

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2024-003](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Catholic Community Services to support case management and operations and maintenance at the Francis Place permanent supportive housing facility in the amount of \$314,529 for a total amended contract amount of \$484,570

AUTHORIZED BY CONSENT

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

Nay: 0

2. [AB2024-004](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and the City of Blaine to extend the term of the Jail Use Agreement until December 31, 2024

AUTHORIZED BY CONSENT

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

Nay: 0

3. [AB2024-005](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Jessica Dubek, DDS of DentAll, PLLC for Inmate Dental Services in the amount of \$80,000 for a total amended amount of \$116,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

4. [AB2024-007](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cordant Health Solutions for Jail Alternatives Drug Testing in the amount of \$11,035.00 for a total amended amount of \$68,140.00

AUTHORIZED BY CONSENT

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

Nay: 0

5. [AB2024-024](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Social & Health Services Developmental Disabilities Administration to provide services for people with developmental disabilities in the amount of \$609,873 for a total amended agreement amount of \$6,069,370

AUTHORIZED BY CONSENT

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

Nay: 0

6. [AB2024-025](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Parks and Recreation Commission for the Sheriff's Office boating safety program to continue to receive Vessel Registration Fees (VRF) and Recreational Boating Safety (RBS) grant funds
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
7. [AB2024-026](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Regional Council for Nursing Services in the Jail and Juvenile Detention in the amount of \$1,924,551.06 for a total amended amount of \$8,357,536.17
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
8. [AB2024-029](#) Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Washington State Department of Commerce to receive state funds to conduct climate planning activities in association with the 2025 Comprehensive Plan and development regulations update, in the amount of \$475,000
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
9. [AB2024-033](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide housing case management services in the amount of \$500,112 for a total amended contract amount of \$1,566,919
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
10. [AB2024-035](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Natural Resources for the collection, processing, and delivery of lidar topographic and bathymetric mapping of the Nooksack and Sumas rivers, in the amount of \$349,600 (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

11. [AB2024-036](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Marvin Wayne M.D., P.S. for the provision of Medical Program Director services in the amount of \$255,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

12. [AB2024-037](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Master's Touch LLC to provide printing and mailing of tax statements

AUTHORIZED BY CONSENT

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

Nay: 0

13. [AB2024-038](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and AXIOM Armored Transport to provide armored car services in the amended amount of \$21,600 plus fuel surcharge for a total amended amount of \$58,000 plus fuel surcharge

AUTHORIZED BY CONSENT

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

Nay: 0

14. [AB2024-051](#) Request authorization for the County Executive to enter into a three year contract between Whatcom County and PeaceHealth St. Joseph's Medical Center to provide emergency medical services for jail inmates in the amount of \$230,0000 per year

AUTHORIZED BY CONSENT

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

Nay: 0

15. [AB2023-811](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Everson for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

16. [AB2023-813](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Ferndale for Department of Homeland

Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

17. [AB2023-814](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Lynden for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

18. [AB2023-815](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Sumas for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

19. [AB2023-816](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Blaine for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

20. [AB2023-817](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Department of Fish & Wildlife for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$8,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

21. [AB2023-827](#) Request authorization for the County Executive to enter into contract amendments between Whatcom County and Washington State Military Department for Operation Stonegarden FY21 to extend the end date of the grant agreement, update the grant's personnel contact information and add \$73,125.00 for a total amended contract amount of \$229,417.50

AUTHORIZED BY CONSENT

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

Nay: 0

- 22. [AB2023-836](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to provide prevention services that reduce risk to LGBTQ+ youth in the amount of \$25,000 for a total amended contract amount of \$100,000

This item was considered separately below.

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

- 22. [AB2023-836](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to provide prevention services that reduce risk to LGBTQ+ youth in the amount of \$25,000 for a total amended contract amount of \$100,000

AUTHORIZED

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

Nay: 3 - Byrd, Elenbaas, and Stremler

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

- 1. [AB2024-001](#) Resolution updating the appendix of the 2022 Comprehensive Economic Development Strategy (CEDS)

APPROVED

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

Nay: 0

Enactment No: RES 2024-001

- 2. [AB2024-002](#) Request for motion to approve the updated Criminal Justice Treatment Account (CJTA) plan

APPROVED REQUEST

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

Nay: 0

- 3. [AB2023-822](#) Ordinance adopting two-tenths of one-percent sales and use tax for the purpose of funding public health, safety, and justice facilities and services, including a new county jail, behavioral health, supportive housing, public safety, and criminal justice facilities

and programs

ADOPTED

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

Nay: 0

Enactment No: ORD 2024-001

4. [AB2023-840](#) Ordinance amending the 2023 Whatcom County Budget, request no 17, in the amount of \$1,400,000

ADOPTED

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

Nay: 1 - Elenbaas

Enactment No: ORD 2024-002

(From Council Committee of the Whole)

5. [AB2024-063](#) Resolution requesting that the Governor of Washington declare a state of emergency in response to the opioid and fentanyl crisis

SUBSTITUTE APPROVED

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

Nay: 0

Enactment No: RES 2024-002

6. [AB2024-064](#) Resolution requesting that the President of the United States declare a federal emergency in response to the opioid and fentanyl crisis

SUBSTITUTE APPROVED

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

Nay: 0

Enactment No: RES 2024-003

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-039](#) Appointments to vacancies on the Birch Bay Watershed and Aquatic Resources Management (BBWARM) District Advisory Committee, Applicant(s): Sherrie Jerrett-Green and Rebecca Hardie (Council acting as the Flood Control Zone District Board of Supervisors)

APPOINTED

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

Nay: 0

2. [AB2024-040](#) Appointment to a vacancy on the Board of Equalization, Applicant(s): Sonja Merk

APPOINTED

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

Nay: 0

3. [AB2024-041](#) Appointment to vacancies on the Business and Commerce Advisory Committee, Applicant(s): Heather Steele, Matthew Green

APPOINTED

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

Nay: 0

Motion approved 7-0 to accept all late applications.

4. [AB2024-042](#) Appointment to vacancies on the Child and Family Well-Being Task Force, Applicant(s): Brande Ortiz, Lyn Salazar, Vesla Tonnessen, Megan Juenemann, Sallye Quinn

APPOINTED

Appointed Lyn Salazar (6 votes), Vesla Tonnessen (7 votes), Megan Juenemann (7 votes), and Sallye Quinn (6 votes) and appointed Sallye Quinn to the term ending January 31, 2027 7-0.

5. [AB2024-043](#) Appointment to vacancies on the Climate Impact Advisory Committee, Applicant(s): Charles Bailey, Robert Mitchell, Joyce Cooper, Jim Boyle, Jamie Hogue, David Frankel, Eddy Ury, Joshua Williams, Howard Sharfstein

APPOINTED

Appointed Jim Boyle (7 votes), Charles Bailey (6 votes), Eddy Ury (6 votes), Howard Sharfstein (6 votes), Robert Mitchell (6 votes), and David Frankel (5 votes).

6. [AB2024-044](#) Appointment to vacancies on the Drayton Harbor Shellfish Protection District Advisory Committee, Applicant(s): George Kaas

APPOINTED

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

Nay: 0

7. [AB2024-045](#) Appointment to vacancies on the Flood Control Zone District Advisory Committee, Applicant(s): Dale Buys, Holly O'Neil, Ron Bronsema, Jeff De Jong, John Perry, and Bruce Bosch (Council acting as the Flood Control Zone District Board of Supervisors)

APPOINTED

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

Nay: 0

8. [AB2024-046](#) Appointment to a vacancy on the Noxious Weed Control Board, Applicant(s): George Kaas

APPOINTED

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

Nay: 0

9. [AB2024-047](#) Appointment to vacancies on the Public Health Advisory Board, Applicant(s): Sterling Chick, Emily O'Connor, Kelli Carroll, Julie Terry, Joni Hensley

APPOINTED

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

Nay: 0

Motion approved 7-0 that no additional applicants be accepted (if they vote to hold the item), but the motion to hold the item failed 0-7 so Councilmembers voted on a motion to appoint all applicants.

10. [AB2024-048](#) Appointment to vacancies on the Planning Commission, Applicant(s): James Hansen and Frank James

APPOINTED

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

Nay: 0

11. [AB2024-049](#) Appointment to vacancies on the Solid Waste Advisory Committee, Applicant(s): William McCarter and Brandi Hutton

APPOINTED

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

Nay: 0

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

1. [AB2024-006](#) Ordinance amending Whatcom County Code Chapter 1.08 (Initiative, Referendum and Recall) to increase the length of the concise description of a ballot title from 30 to 75 words

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

2. [AB2024-027](#) Ordinance establishing a project budget for the Cedar Hills Culvert Replacement Project Fund; SWP #SWLW23-05

INTRODUCED

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

Nay: 0

3. [AB2024-028](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 4

INTRODUCED

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

Nay: 0

4. [AB2024-032](#) Resolution adopting the 2024 Comprehensive Parks, Recreation and Open Space (CPROS) Plan

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

5. [AB2024-034](#) Ordinance amending the 2024 Whatcom County Budget, request no. 3, in the amount of 1,693,840

INTRODUCED

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

Nay: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Motion approved 4-3, with Byrd, Elenbaas, and Stremmer opposed, to add the following to the legislative priorities: House Bill 2276 Real Estate Transfer, and House Bill 2114/Senate Bill 5961 Rent Stabilization.

Motion approved 7-0 to request authorization for the County Executive and Councilmember Elenbaas to sign the Memorandum of Understanding.

ADJOURN