

Whatcom County Council

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



Action Summary

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010); AGENDA**

REVISED 3.9.2021

Tuesday, March 9, 2021

6 PM

Virtual Meeting

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 6 - Rud Browne, Barry Buchanan, Todd Donovan, Ben Elenbaas, Carol Frazey, and Kathy Kershner

Absent: 1 - Tyler Byrd

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2021-014](#) Water Work Session for February 16, 2021

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

2. [MIN2021-018](#) Special Council - Joint meeting with the City of Bellingham for January 11, 2021

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

3. [MIN2021-019](#) Special Council for February 16, 2021

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

4. [MIN2021-020](#) Committee of the Whole Executive Session for February 23, 2021

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

5. [MIN2021-021](#) Committee of the Whole for February 23, 2021

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

6. [MIN2021-022](#) Regular County Council for February 23, 2021

APPROVED BY CONSENT

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

PUBLIC HEARINGS

1. [AB2021-115](#) Ordinance regarding temporary installation of stop signs on Marshall Hill Road

ADOPTED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

Enactment No: ORD 2021-009

OPEN SESSION (20 MINUTES)

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2021-131](#) Request authorization for the County Executive to enter into a memorandum of understanding between Whatcom County and the Port of Bellingham for use of the Fairhaven All Hazards Alert Broadcast warning siren in the amount of \$0.00

AUTHORIZED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

2. [AB2021-136](#) Resolution supporting the formation of a Tourism Promotion Area (TPA) by agreement between Whatcom County and the City of Bellingham

APPROVED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

Enactment No: RES 2021-008

3. [AB2021-137](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the joint establishment of a Tourism Promotion Area

AUTHORIZED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

4. [AB2021-138](#) Request authorization for the County Executive to enter into a contract for laboratory services between Whatcom County Flood Control Zone District and Exact Scientific Services in an amount not to exceed \$90,000 (Council Acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

5. [AB2021-139](#) Request authorization for the County Executive to enter into Cooperation Agreement between US Army Corps of Engineers and Flood Control Zone District for the Lynden Levee Rehabilitation (NSK-03-18) under an 80/20 cost share with FCZDBS providing \$210,600 (Council Acting as the Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

6. [AB2021-142](#) Request authorization for the County Executive to enter into a Local Agency Agreement & Project Prospectus between Whatcom County and Washington State Department of Transportation for South Pass Road 2020 Flood Damage Repairs, in the amount of \$72,000.00

AUTHORIZED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

(From Council Public Works and Health Committee)

7. [AB2021-141](#) Resolution granting a quit claim deed/partial release of easement rights to the City of Bellingham

APPROVED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

Enactment No: RES 2021-009

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2021-140](#) Request confirmation of the County Executive's appointments of Ashley Thomasson, Deanna Wildermuth and Dean Fearing to the Housing Advisory Committee

CONFIRMED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

2. [AB2021-143](#) Request confirmation of the County Executive's appointment of Alan Friedlob to the North Sound Behavioral Health Administrative Services Organization

CONFIRMED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

3. [AB2021-144](#) Request confirmation of the County Executive's appointment of Jennifer Lautenbach to the Northwest Senior Services Board

CONFIRMED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

ITEMS ADDED BY REVISION

1. [AB2021-164](#) Ordinance imposing an additional sales and use tax of one-tenth of one percent for housing and related services as authorized by RCW 82.14.530 adding a new chapter 3.47 to the Whatcom County Code

INTRODUCED FOR PUBLIC HEARING

Aye: 4 - Browne, Buchanan, Donovan, and Frazey

Nay: 1 - Elenbaas

Absent: 1 - Byrd

Abstain: 1 - Kershner

INTRODUCTION ITEMS

1. [AB2021-145](#) Ordinance amending the project budget for Academy Road Stormwater Improvements Fund, request no. 2

INTRODUCED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

2. [AB2021-148](#) Ordinance amending Whatcom County Code 3.08 Purchasing System to include nondiscrimination by county contractors

This item was voted on separately. See motion and vote below.

3. [AB2021-134](#) Ordinance amending Whatcom County Code Section 1.14, Electoral Precincts, for changes in certain voting precinct boundaries in Whatcom County

INTRODUCED FOR PUBLIC HEARING

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

4. [AB2021-135](#) Ordinance regarding temporary installation of stop signs on Noon Road at Ten Mile Road and East Hemmi Road at Noon Road

INTRODUCED FOR PUBLIC HEARING

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

5. [AB2021-146](#) Ordinance amending the 2021 Whatcom County Budget, request no. 4, in the amount of \$3,397,903

INTRODUCED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

6. [AB2021-147](#) Ordinance establishing a fare capital surcharge for the Lummi Island Ferry System

INTRODUCED FOR PUBLIC HEARING

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 1 - Elenbaas

Absent: 1 - Byrd

2. [AB2021-148](#) Ordinance amending Whatcom County Code 3.08 Purchasing System to include nondiscrimination by county contractors

SUBSTITUTE INTRODUCED AS AMENDED

Aye: 6 - Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner

Nay: 0

Absent: 1 - Byrd

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN