

Whatcom County Council

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



Action Summary

Tuesday, April 11, 2023

6 PM

Hybrid Meeting

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA REVISED 4.6.2023.

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kaylee Galloway
Kathy Kershner

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, Carol Frazey, Kaylee Galloway, and Kathy Kershner

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2023-027](#) Committee of the Whole for March 21, 2023

APPROVED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

2. [MIN2023-028](#) Regular County Council for March 21,2023

APPROVED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

PUBLIC HEARINGS

1. [AB2023-174](#) Ordinance adopting various minor amendments to Whatcom County Code Title 20, Zoning; Title 21, Land Division Regulations, and; Title 22, Land Use and Development

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

Enactment No: ORD 2023-018

2. [AB2023-200](#) Ordinance amending Whatcom County Code Section 1.14 Election Precinct Boundaries

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

Enactment No: ORD 2023-019

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2023-212](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Sound Behavioral Health Administrative Services Organization to acknowledge and fund Whatcom County's participation in the North Sound Integrated Care Network, in the amount of \$449,191.10

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

2. [AB2023-218](#) 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 \$75,000 for a total amended contract amount of \$452,157

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

3. [AB2023-220](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Administrative Office of the Courts in the increased amount of \$15,000 for a total amended contract amount of \$76,597.00

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

4. [AB2023-223](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Department of Commerce to provide funding to improve the Nooksack River gaging network, conduct a water storage study, and purchase and demolish up to four properties located in areas that are subject to inundation during flooding, in the amount of \$1,950,000.00

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

5. [AB2023-227](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and Taylor Made TDS Inc. to provide Class-A Commerical Driver's License training to Whatcom County Public Works employees, in the amount of \$100,000

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

6. [AB2023-230](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the Port of Bellingham to establish procedures that will support the cooperative efforts to plan for a countywide high speed broadband system

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

7. [AB2023-232](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pacific Security to provide Courthouse Security Services, in an amount not to exceed \$200,000

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

8. [AB2023-252](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Western Washington University to assess the impact of forest cover on peak flows in the Nooksack River Basin, in the amount of \$30,054.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

9. [AB2023-260](#) Request authorization for the County Executive to award bid #23-23 and enter into a contract between Whatcom County and Lake Union DryDock Company for the drydocking, repair, and maintenance of the Whatcom Chief in the amount of \$863,381

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

10. [AB2023-261](#) Request authorization for the County Executive to enter into a collective bargaining

agreement between Whatcom County and Teamsters Local 231 Corrections Deputies and Sergeants for the period of January 1, 2023 - December 31, 2025

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

11. [AB2023-262](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for FY2021 Operation Stonegarden (OPSG), in the amount of \$7,600.57

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

12. [AB2023-263](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Everson for FY2021 Operation Stonegarden (OPSG), in the amount of \$10,448.00

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

13. [AB2023-265](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Ferndale for FY2021 Operation Stonegarden (OPSG), in the amount of \$15,830.00

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

14. [AB2023-266](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for FY2021 Operation Stonegarden (OPSG), in the amount of \$15,600.00

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

15. [AB2023-267](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Sumas for FY2021 Operation Stonegarden (OPSG), in the amount of \$10,786.80

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

16. [AB2023-268](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Department of Fish and Wildlife for FY2021 Operation Stonegarden (OPSG), in the amount of \$6,527.13

AUTHORIZED BY CONSENT

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

1. [AB2023-233](#) Request for motion to support Northwest Straits Marine Conservation Initiative Reauthorization

APPROVED REQUEST

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

2. [AB2023-272](#) Request approval to send a letter regarding the North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement

APPROVED REQUEST

Aye: 6 - Buchanan, Byrd, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

Abstain: 1 - Donovan

3. [AB2023-273](#) Request approval to send a letter regarding the Brokedown Palace timber sale

HELD IN COMMITTEE

Aye: 4 - Byrd, Donovan, Elenbaas, and Kershner

Nay: 3 - Buchanan, Frazey, and Galloway

4. [AB2023-275](#) Request approval to send a letter regarding the Pacific Northwest National Trail Comprehensive Plan

APPROVED REQUEST

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

(From Council Finance and Administrative Services Committee)

5. [AB2023-204](#) Ordinance amending the Whatcom County Budget, request no. 5, in the amount of

\$631,850

ADOPTED

Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner

Nay: 1 - Elenbaas

Enactment No: ORD 2023-020

6. [AB2023-205](#) Ordinance amending the project based budget for the Lake Whatcom Park Trail Development Fund, request no. 2

ADOPTED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

Enactment No: ORD 2023-021

7. [AB2023-155](#) Ordinance amending Whatcom County Code 2.128, Business and Commerce Advisory Committee, to revise membership

WITHDRAWN

(From Council Public Works and Health Committee)

8. [AB2023-221](#) Discussion of the Whatcom County Food System Plan and request for Council approval

DISCUSSED AND MOTION(S) APPROVED

Motion approved 7-0 to Hold in Committee.

9. [AB2023-228](#) Request approval to send a letter regarding proposed legislation to increase truck size and weight

HELD IN COMMITTEE

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

(From Council Committee of the Whole)

10. [AB2023-239](#) Request confirmation of the County Executive's appointment of Elizabeth Kosa as Director of Public Works effective April 12, 2023 pursuant to Whatcom County Code Section 2.75.020

APPROVED REQUEST

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

Confirmation was back-dated to March 13, 2023.

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-217](#) Appointment to vacancies on the Drayton Harbor Shellfish Protection District Advisory Committee, Applicant(s): Melissa Bomben
APPOINTED
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
Nay: 0
2. [AB2023-256](#) Appointment to vacancies on the Sumas/Everson/Nooksack Flood Subzone Advisory Committee, Applicant(s): Joshua Clawson (Council acting as the Flood Control Zone District Board of Supervisors)
APPOINTED
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
Nay: 0

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

1. [AB2023-264](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 3
INTRODUCED
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
Nay: 0
2. [AB2023-269](#) Ordinance authorizing an interfund loan for the purchase of flood response equipment
INTRODUCED
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
Nay: 0
3. [AB2023-270](#) Ordinance amending the 2023 Whatcom County Budget, request no. 6, in the amount of \$6,245,264
INTRODUCED
Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
Nay: 0
4. [AB2023-231](#) Ordinance authorizing a revised system of assessment for Drainage Improvement District No. 7

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

5. [AB2023-237](#) Ordinance establishing a temporary speed limit for Birch Bay Lynden Road

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

6. [AB2023-240](#) Ordinance for temporary installation of stop signs on Birch Bay Lynden Road

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

7. [AB2023-246](#) Ordinance establishing a temporary speed limit for Hannegan Road

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

8. [AB2023-248](#) Ordinance establishing a temporary closure of Kelly Road and Van Wyck Road

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

9. [AB2023-258](#) Ordinance amending Whatcom County Code 10.34, Ferry Rates

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

10. [AB2023-259](#) Ordinance amending 2023 Whatcom County Unified Fee Schedule

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

11. [AB2023-216](#) Appointment to a vacancy on the Horticulture Pest and Disease Board, Applicant(s):
Isaiah Del Giorgio

INTRODUCED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

12. [AB2023-271](#) Resolution amending the 2023 Flood Control Zone District & Subzones Budget, request no. 1, in the amount of \$12,096,245 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

INTRODUCED

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN