

Whatcom County Council

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



Minutes - Final

VIRTUAL MEETING - VIEW ONLINE

Wednesday, August 5, 2020

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

Council Chair Barry Buchanan called the meeting to order at 6 p.m. in a virtual meeting.

ROLL CALL

Present: 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas, and Kathy Kershner

Absent: None

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, reported on the following items:

- Work on the next biennium budget
- CARES Act dollars pooled with the Cities to help local small businesses
- A plan for a mobile low-barrier testing program for COVID-19
- The recent recommendation for schools to be operating remotely in the fall

MINUTES CONSENT

Donovan moved to accept the minutes consent items. The motion was seconded by Frazey (see votes on individual items below).

1. [MIN2020-077](#) Committee of the Whole - Executive Session for July 7, 2020

Donovan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

2. [MIN2020-078](#) Committee of the Whole for July 7, 2020

Donovan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

3. [MIN2020-079](#) Regular County Council for July 7, 2020

Donovan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

4. [MIN2020-081](#) Water Work Session for July 14, 2020

Donovan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

5. [MIN2020-082](#) Regular County Council for July 21, 2020

Donovan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

6. [MIN2020-083](#) Committee of the Whole for July 21, 2020

Donovan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

PUBLIC HEARINGS

Clerk's note: Council staff gave instructions on how to join a public hearing.

1. [AB2020-291](#) Ordinance regarding installation of stop signs on certain County Roads

The following staff spoke:

- Mike Donahue, Public Works Department

- Jason Ardt, Public Works Department

They answered questions about what county roads are involved, when and why the round-about was removed and replaced with an all-way stop, and whether the reasons for removal apply to just this round-about.

Buchanan opened the public hearing and hearing no one, closed the public hearing.

Donovan moved that the Ordinance be adopted. The motion was seconded by Byrd.

Councilmembers and staff continued to discuss the item and how the County can see what was unique about this situation and learn from it for the future.

Donovan's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-041

2. [AB2020-330](#) Public hearing to review potential uses of, and application for, a Community Development Block grant CV1 consortium grant for addressing COVID-19 impacts in Whatcom County

Tyler Schroeder, Executive's Office, briefed the Councilmembers.

Buchanan opened the public hearing and the following people spoke:

- Paul Schissler

Hearing no one else, Buchanan closed the public hearing.

Byrd moved that the request be approved. The motion was seconded by Donovan.

Tyler Schroeder, Executive's Office, and Dana Brown-Davis, Clerk of the Council, answered questions about how they are defining temporary housing facilities in the public notice and the document in which it was referenced.

Councilmembers, Schroeder, and Satpal Sidhu, County Executive, continued

to discuss the item, what specifically they would be approving, the time frame for using the money, and how the money will and should be used.

Byrd's motion that the request be APPROVED carried by the following vote:

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

Nay: 0

Absent: 0

OPEN SESSION (20 MINUTES)

Clerk's note: Council staff played a short video on how to join the Open Session.

No one spoke.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Byrd reported for the Finance and Administrative Services Committee and ***moved*** that item numbers 2-6, 8-9, and 11-12 be authorized by consent. Councilmembers voted on those items and the motion carried 7-0 (see votes on individual items below).

Byrd reported for the Finance and Administrative Services Committee and ***moved*** that item numbers 1, 7, and 10 be considered individually (see votes on individual items below).

1. [AB2020-191](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$239,047 for a total amended contract amount of \$2,238,323.90

Clerk's note: Action was taken on this item later. See motion and vote on this item below after Consent Agenda Item #12.

2. [AB2020-295](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Sun Community Services to lease the property known as Sun House, located at 515 E Chestnut Street in Bellingham

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

3. [AB2020-302](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for actions to support the Aquatic Invasive Species Program, in the amount of \$28,800

Byrd reported for the Finance and Administrative Services Committee and moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

4. [AB2020-303](#) Request authorization for the County Executive to enter into a contract between Whatcom County and San Juan Cruises to provide temporary passenger ferry service to Lummi Island, in the amount of \$83,328

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

5. [AB2020-305](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the State of Washington Office of Crime Victims Advocacy to continue to fund the VGAL Program Coordinator to grow the VGAL program, in the amount of \$74,998.00

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

6. [AB2020-306](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice for Organized Crime Drug Enforcement Task Forces (OCDETF), in the amount of \$2,500.00

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion

carried by the following vote:

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

Nay: 0

Absent: 0

7. [AB2020-307](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to administer the Washington State Department of Commerce Housing and Essential Needs Program in the amount of \$608,211 for a total amended contract amount of \$2,037,324

Clerk's note: Action was taken on this item later. See motion and vote on this item below.

8. [AB2020-311](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department to support the ongoing COVID-19 response, in the amount of \$25,397

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

9. [AB2020-323](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide reimbursement for COVID-19 related operations and prevention expenditures, in the amount of \$273,500

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

10. [AB2020-324](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide reimbursement for COVID-19 related operations and prevention expenditures, in the amount of \$53,791

Clerk's note: Action was taken on this item later. See motion and vote on this item below.

11. [AB2020-325](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Catholic Community Services to provide reimbursement for COVID-19 related operations and prevention expenditures, in the amount of \$51,510

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

12. [AB2020-326](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and James P. Richmond, attorney, for legal services related to the Assessor's appeal in the amount of \$80,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

1. [AB2020-191](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$239,047 for a total amended contract amount of \$2,238,323.90

Byrd reported for the Finance and Administrative Services Committee and ***moved*** that the Memorandum of Agreement be authorized by consent.

Councilmembers, Satpal Sidhu, County Executive, and Tyler Schroeder, Executive's Office, discussed who is facilitating the Water Resources Coordinator Program, the need for more information and details about the request, and whether the item should be held until they can get an annual report.

Byrd's motion that the Memorandum of Agreement be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

7. [AB2020-307](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to administer the Washington State Department of Commerce Housing and Essential Needs Program in the amount of \$608,211 for a total amended contract amount of \$2,037,324

Byrd reported for the Finance and Administrative Services Committee and *moved* that the Contract be authorized by consent.

Councilmembers discussed the motion.

Byrd's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

10. [AB2020-324](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide reimbursement for COVID-19 related operations and prevention expenditures, in the amount of \$53,791

Byrd reported for the Finance and Administrative Services Committee and *moved* that the Contract be authorized by consent.

Tyler Schroeder, Executive's Office, and Satpal Sidhu, County Executive, answered questions about whether this is funneling CARES Act dollars through the County to youth housing and support services, whether it is coming out of the general fund, whether other groups have the opportunity for reimbursement too, and the requested reimbursement for work on the HVAC system.

Byrd's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Abstain: 1 - Byrd

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2020-211](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Nooksack Valley School District to provide behavioral health services, in the amount of \$120,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

2. [AB2020-220](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Lynden School District to provide behavioral health services, in the amount of \$111,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

3. [AB2020-231](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Blaine School District to provide behavioral health services, in the amount of \$131,400

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

4. [AB2020-235](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District to provide behavioral health services, in the amount of \$108,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

5. [AB2020-236](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District to provide behavioral health services, in the amount of \$120,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

6. [AB2020-237](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham School District #501 to provide behavioral health services, in the amount of \$138,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

7. [AB2020-244](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Mount Baker School District to provide behavioral health services, in the amount of \$108,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

8. [AB2020-309](#) Request authorization for the County Executive to enter into a contract between the Whatcom County Flood Control Zone District and Reichardt & Ebe Engineering, Inc., for engineering design services for the Ferndale Levee Improvement Project (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

9. [AB2020-297](#) Ordinance amending the 2020 Whatcom County Budget, request no. 15, in the amount of \$716,503

Byrd reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-042

10. [AB2020-301](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Association of Sheriffs and Police Chiefs for the Registered Sex Offender Address Verification Program, in the amount of \$139,263.00

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

11. [AB2020-313](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to provide funding for the delivery of various public health programs and services in the amount of \$408,842 for a total amended contract amount of \$4,928,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

12. [AB2020-315](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Point Roberts Park & Recreation District Number 1 for use of Lighthouse Marine Park to establish a kayak program

Byrd reported for the Finance and Administrative Services Committee and **moved** that the Interlocal be authorized.

Councilmembers discussed the item.

Mike McFarlane, Parks and Recreation Department Director, answered whether the funding for this is money that the park district voted in themselves and whether the kayaks are a separate budget item.

Byrd's motion that the Interlocal be AUTHORIZED carried by the following vote:

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

Nay: 0

Absent: 0

13. [AB2020-317](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Commerce to provide resources to prevent, prepare for, and respond to the COVID-19 pandemic among individuals and families who are homeless or receiving homeless assistance, in the amount of \$494,112

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

14. [AB2020-318](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire Protection District #7 to cover the costs for students to attend the paramedic training program in the amount of \$218,640

Byrd reported for the Finance and Administrative Services Committee and **moved** that the Interlocal be authorized.

Councilmembers and Satpal Sidhu, County Executive, discussed the motion

and how students in the program are paid.

Byrd's motion that the Interlocal be AUTHORIZED carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

15. [AB2020-319](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Whatcom Fire Authority to cover the costs for students to attend the paramedic training program in the amount of \$206,000

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

16. [AB2020-320](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and Bellingham Fire Department to cover the costs for students to attend the paramedic training program including class administration costs and supplies in the amount of \$642,503.07

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

17. [AB2020-321](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the City of Bellingham to extend the current What-Comm Agreement through 12/31/23

Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

(From Council Committee of the Whole)

Donovan moved to approve defense and indemnification of employee defendants named in Anderson as Personal Rep. of Estate of Kirk Powless, et al. v. Whatcom County, et al., US District Court for the Western District of Washington No. 2:20-cv-01125.

The motion was seconded by Byrd.

The motion carried by the following vote:

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

Nay: 0

Donovan moved to approve defense and indemnification of employee defendants named in Martin Vargas v. Whatcom County Sheriff's Office, et al., US District Court for the Western District of Washington No. 2:20-cv-00921JCC.

The motion was seconded by Buchanan.

The motion carried by the following vote:

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

Nay: 0

Donovan moved to approve defense and indemnification of employee and contractor defendants named in Donald Calvin v. Bill Elfo, Wendy Jones, Dr. Andrews, Deputy Otten, Deputy Lloyd, Deputy Keeley, Deputy Charroin, et al., US District Court for the Western District of Washington No. 2:20-cv-00866RSMBAT.

The motion was seconded by Byrd.

The motion carried by the following vote:

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

Nay: 0

18. [AB2020-334](#) Resolution establishing County Council budget goals and guidelines

Clerk's note: This item was skipped and they returned to it after AB2020-253 (see below).

Enactment No: RES 2020-032

(No Committee Assignment)

19. [AB2020-253](#) Resolution authorizing Whatcom County to enter into a twenty-year communication tower lease agreement with Verizon Wireless for an existing tower site located at the Lookout Mountain Forest Reserve

Clerk's note: The video time stamp for this item is off and starts on AB2020-334 above.

Byrd moved that the Resolution Requiring a Public Hearing be approved. The motion was seconded by Browne.

Councilmembers discussed the item and whether questions about it had been addressed.

Byrd's motion that the Resolution Requiring a Public Hearing be APPROVED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2020-031

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-300](#) Appointment to the Homeless Strategies Workgroup, Special Populations position, applicant(s): Michael Berres

Clerk's note: The Council started to discuss this item and then stopped and came back to it after AB2020-334 (see below).

(From Council Committee of the Whole)

18. [AB2020-334](#) Resolution establishing County Council budget goals and guidelines

Browne moved that the substitute Resolution be approved. The motion was seconded by Byrd.

Browne moved that the substitute be amended according to the changes made in the email he sent to Council today at 3:48 p.m. He read the amendments to Attachment A into the record (on file). The motion was seconded by Donovan.

Councilmembers discussed the proposed amendments to the substitute

Resolution.

Donovan suggested a friendly amendment to add the same language to the main body of the resolution.

Browne accepted the friendly amendment.

Councilmembers and Satpal Sidhu, County Executive, discussed the Resolution and the proposed amendments.

Elenbaas moved to call the question. The motion was seconded by Donovan.

The motion to call the question carried by the following vote:

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

Nay: 0

The motion to amend the substitute Resolution carried by the following vote:

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

Nay: 2 - Elenbaas and Byrd

Browne's motion that the SUBSTITUTE Resolution be APPROVED AS AMENDED carried by the following vote:

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

Nay: 2 - Byrd, and Kershner

Absent: 0

Enactment No: RES 2020-032

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-300](#) Appointment to the Homeless Strategies Workgroup, Special Populations position, applicant(s): Michael Berres

Donovan moved and Browne seconded that Michael Berres be APPOINTED.

The motion carried by the following vote:

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

Nay: 0

Absent: 0

INTRODUCTION ITEMS

Browne moved to introduce items one through three. The motion was seconded by Donovan (see votes on individual items below).

1. [AB2020-316](#) Ordinance amending the 2020 Whatcom County Budget, request no. 16, in the amount of \$987,509

Browne moved and Donovan seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 1 - Kershner

Absent: 0

Enactment No: ORD 2020-044

2. [AB2020-310](#) Ordinance granting Gordon Montgomery and John Milobar, a non-exclusive franchise for the provision of sewer services

Browne moved and Donovan seconded that the Ordinance Requiring a Public Hearing be INTRODUCED. The motion carried by the following vote:

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

Nay: 1 - Kershner

Absent: 0

3. [AB2020-308](#) Resolution vacating a portion of Horton Road

Browne moved and Donovan seconded that the Resolution Requiring a Public Hearing be INTRODUCED. The motion carried by the following vote:

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

Nay: 1 - Kershner

Absent: 0

SPECIAL NOTIFICATION

1. [AB2020-332](#) Special notice: County Council sent a time-sensitive letter to the Governor on July 29, 2020, encouraging development of a plan to allow close family members to visit their loved ones in congregate care facilities

This agenda item was REPORTED.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports.

The following people discussed with Councilmembers the budget process

and when to meet about it again:

- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

Kershner moved to adjourn the meeting. The motion was seconded by Elenbaas.

The motion failed by the following vote:

Aye: 2 - Byrd and Kershner

Nay: 5 - Buchanan, Donovan, Elenbaas, Frazey, and Browne

Buchanan moved to take up discussion of the budget on September 15 as suggested by the Administration. The motion was seconded by Frazey.

The motion carried by the following vote:

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

Nay: 0

Councilmembers continued to give reports and updates.

ADJOURN

The meeting adjourned at 9:28 p.m.

The County Council approved these minutes on September 15, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE