

Whatcom County Council

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



Minutes - Draft Minutes

**Tuesday, December 3, 2024
6 PM**

Hybrid Meeting - Council Chambers

**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 Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6:04 p.m. in a hybrid meeting.

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

There was no report.

MINUTES CONSENT

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

1. [MIN2024-080](#) Committee of the Whole Executive Session for November 6, 2024

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

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

Nay: 0

2. [MIN2024-081](#) Regular County Council for November 6, 2024

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

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

Nay: 0

3. [MIN2024-082](#) Committee of the Whole for November 6, 2024

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

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

Nay: 0

4. [MIN2024-083](#) Special Council for November 12, 2024

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

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

Nay: 0

PUBLIC HEARINGS

1. [AB2024-793](#) Ordinance adopting amendments to Whatcom County Code Titles 20 and 22 to enact SSB 5290 regarding local project review

Buchanan opened the Public Hearing and the following people spoke:

- Ken Calder
- Allison Calder
- Perry Eskridge

Hearing no one else, Buchanan closed the Public Hearing.

Galloway stated the intention is to take no action on this item tonight and close the public hearing on this agenda bill, with the understanding that they will work with Planning and Development Services Department to have a stakeholder round table, that they will get a revised ordinance back from Planning that is specifically just addressing compliance with SB5290, and that they would outline their plan into the next year for other topics that Planning is wanting to work through in this title.

Galloway moved and Elenbaas seconded that the Ordinance Requiring a Public Hearing be TABLED. The motion carried by the following vote:

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

Nay: 0

2. [AB2024-796](#) Ordinance amending Whatcom County Code Title 20 (Zoning) to define appropriate industrial uses and conditions for industrial uses in Heavy Impact Industrial (HII) districts within a city's designated Urban Growth Area

Buchanan opened the Public Hearing and the following people spoke:

- Dan Tucker
- Lisa Adam
- Brian Sarni
- Bill Craven
- Sarah Gardner
- Ryan Bowman

- Lyle Sorenson
- Coleman Hoyt
- Peter Condyles

Hearing no one else, Buchanan closed the Public Hearing.

Donovan moved and Galloway seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Councilmembers discussed the need for industry and the community to continue talking, that this could be viewed as a temporary fix to get through the Comprehensive Plan update, that limiting HII affects the entire county and not just one neighborhood, concerns about clarity of the language, and that the intent is that if something is not in the prohibited list it is an allowable heavy industry use in this zone.

Cliff Strong, Planning and Development Services Department, stated the code says (in a different area) that all the existing permitted uses in HII would still be allowed and all the permitted uses in LII would also be allowed.

Councilmembers spoke about how restricting HII property zoning impacts industry and Whatcom County as a whole, that this seems to be a compromise and has brought a lot of community engagement, that there are not proposed projects in the area right now that they are pulling the rug on, and that this code language does not identify other areas where this type of use will be done.

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

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

Nay: 1 - Stremmler

Enactment No: ORD 2024-071

3. [AB2024-802](#) Resolution adopting the 2025-2026 budget for the Point Roberts Transportation Benefit District (Council acting as the governing body of the Point Roberts Transportation Benefit District)

Buchanan opened the Public Hearing and the following person spoke:

- Allison Calder

Hearing no one else, Buchanan closed the Public Hearing.

Scanlon moved and Stremmler seconded that the Resolution Requiring a Public Hearing be APPROVED.

Scanlon stated this is the gas tax. It is the item where Council made some changes earlier this year after the community advocated for changes in State law. The Point Roberts Community Advisory Community can now pass a motion asking the Council to take action. So, this is a placeholder budget and would allow the community to propose some changes that could fund transportation programs or a whole host of new things that are allowed in our code and in State law.

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

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

Nay: 0

Enactment No: RES 2024-055

OPEN SESSION

The following people spoke:

John Westerfield
Ashley Thomasson
Ted Scott
David Foreman
Tony Pitsch
Austin (last name not stated)
Ryan Bowman
Parneet Kaur
Abigail Schenken
Caden Whitmore
Ken Gas
Ray Deck
Vesla Tonnessen (last name not stated)
Chao-ying Wu
Lance Jones
Meredith Hayes
Name not audible
Julie Mauermann
Natalie Chavez
Lyle Sorenson
Misty Flowers

Roseve Winchell
Hannah Ordos
Matt Berry
Lisa Guthrie

Hearing no one else, Buchanan closed the Open Session.

CONSENT AGENDA

Councilmembers took a short break

(From Council Finance and Administrative Services Committee)

Donovan reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda item numbers 1 through 44.

Elenbaas stated he would like to consider Consent Agenda item numbers 5, 7, And 25 separately.

Donovan amended his motion ***and moved*** to approve Consent Agenda item numbers 1-4, 6, 8-24, and 26-44, with item number 34 being a substitute.

Councilmembers voted on those items (see votes on individual items below).

1. [AB2024-788](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Health to provide funding for various public health programs in the amount of \$166,856, for a total amended contract amount of \$19,158,215

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

Nay: 1 - Elenbaas

2. [AB2024-797](#) Request authorization for the County Executive to enter into a contract to bind coverage with Midwest Employer Casualty for renewal of insurance protection for the self-insured workers compensation program in the amount of \$119,569 for calendar year 2025

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

Nay: 1 - Elenbaas

3. [AB2024-798](#) Request authorization for the County Executive to enter into a two year agreement between Whatcom County and Birch Bay Chamber for visitor center operations and tourism services in the amount of \$460,000

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

Nay: 1 - Elenbaas

4. [AB2024-799](#) Request authorization for the County Executive to enter into a two-year agreement between Whatcom County and Mount Baker Foothills Chamber for Visitor Center operations and tourism services in the amount of \$452,000

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

Nay: 1 - Elenbaas

5. [AB2024-804](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to conduct Phase I of an investigation into the impacts of agricultural tile drains on stream flows, in the amount of \$108,863 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

This item was considered separately below.

6. [AB2024-806](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whidbey Telephone Company to add additional equipment to a radio tower and increase the rent in the amount of \$667 per month for a total amended contract amount of \$15,148.08

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

Nay: 1 - Elenbaas

7. [AB2024-807](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for Pollution

Identification and Correction (PIC) Program technical assistance and cost share, in the amount of \$77,627.98 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

This item was considered separately below.

8. [AB2024-811](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom County Library System for inmate library services in the amount of \$12,000 per year

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

Nay: 1 - Elenbaas

9. [AB2024-812](#) Request authorization for the County Executive to enter into a six month contract amendment/reassignment between Whatcom County and Ideal Option/MXD PLLC for jail physician services in the amount of \$138,921

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

Nay: 1 - Elenbaas

10. [AB2024-814](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Shawna Bosman for jail nurse practitioner services in the amount of \$32,730

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

Nay: 1 - Elenbaas

11. [AB2024-815](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sun Community Services to operate an emergency shelter in the amount of \$640,070, for a total amended contract amount of \$1,631,861

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

Nay: 1 - Elenbaas

12. [AB2024-816](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and SpectraSite Communications LLC to add additional equipment to a radio tower and increase the rent in the amount of \$225.88 per month for a total amended contract amount of \$201,079.88

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

Nay: 1 - Elenbaas

13. [AB2024-817](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Recreation and Conservation Office (RCO) for reimbursement of property acquisition costs to the Whatcom County Conservation Futures Fund, in the amount of \$2,900,000

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

Nay: 1 - Elenbaas

14. [AB2024-818](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to provide administrative oversight of the City's Domestic Violence Perpetrator Opportunity for Treatment Services (DVPOTS) funds for a total amount of \$50,000

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

Nay: 1 - Elenbaas

15. [AB2024-820](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Black and Veatch Corporation to provide engineering and technical consulting services in the implementation and administration of current Hazard Mitigation Grant Program (HMGP) elevation and acquisition grants awarded under Federal Emergency Management Agency's (FEMA) Hazard Mitigation Assistance Grant Programs, in the amount of \$302,038 (Council acting as the

Whatcom County Flood Control Zone District Board of Supervisors)

Donovan reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED BY CONSENT.

The motion carried by the following vote:

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

Nay: 1 - Elenbaas

16. [AB2024-822](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Office of Public Defense for the purpose of improving the quality of the public defense services in the amount of \$213,104

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

Nay: 1 - Elenbaas

17. [AB2024-824](#) Request authorization for the County Executive to enter into a two-year agreement between Whatcom County and Bellingham Whatcom County Tourism for regional tourism promotion in the amount of \$500,000

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

Nay: 1 - Elenbaas

18. [AB2024-825](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bruce Harris & Associates, Inc. for professional services to assist with the upgrade of the enterprise geographic information systems (GIS) infrastructure in the amount of \$78,933.51

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

Nay: 1 - Elenbaas

19. [AB2024-826](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections for Agritourism promotion throughout Whatcom County in the amount of \$45,000

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

Nay: 1 - Elenbaas

20. [AB2024-827](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Whatcom Events for tourism promotion and marketing of the Ski to Sea and other events in the amount of \$40,000

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

Nay: 1 - Elenbaas

21. [AB2024-828](#) Request authorization for the County Executive to enter into a two year contract with Whatcom Humane Society for the provision of animal control and shelter services in the amount of \$932,318

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

Nay: 1 - Elenbaas

22. [AB2024-829](#) Request authorization for the County Executive to enter into an interlocal agreement with the City of Bellingham for cost sharing on the 5-year parking lot lease at the Bellingham Senior Activity Center in the amount of \$91,476

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

Nay: 1 - Elenbaas

23. [AB2024-830](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Phoenix Counseling Service, LLC, to provide domestic violence assessment and treatment services for defendants processed through Whatcom County District Court and Bellingham Municipal Court, in the amount of \$70,000

Donovan 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: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremmer

Nay: 1 - Elenbaas

24. [AB2024-831](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Meridian School District to construct a child care facility, in the amount of \$2,000,000

Donovan 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: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremmer

Nay: 1 - Elenbaas

25. [AB2024-832](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Chuckanut Health Foundation for facilitation of the Whatcom Racial Equity Commission in the amount of \$200,000

Donovan moved tghen wh

This item was considered separately below.

26. [AB2024-834](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Dr. Marvin Wayne, M.D. to provide services as an Emeritus (Delegate) Physician supporting the transition to the newly appointed Whatcom County Medical Program Director from January 1, 2025 to December 31, 2025, in the amount of \$5,000

Donovan 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: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremmer

Nay: 1 - Elenbaas

27. [AB2024-835](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Tetra Tech, Inc., to provide final surface water planning and design services, public outreach, and development of a drainage management plan related to stormwater problems in the Point Roberts area, in the amount of \$86,783, for a total amended contract amount of \$215,528

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

Nay: 1 - Elenbaas

28. [AB2024-837](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and FSi Engineers for professional design and engineering services for building improvements at the Parks Headquarters facility in the amount of \$28,634, for a total contract value of \$187,717

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

Nay: 1 - Elenbaas

29. [AB2024-838](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ralph Weiche, M.D. for Medical Program Director (MPD) services as the State Appointed Whatcom County Emergency Medical Services MPD, in the amount of \$265,000

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

Nay: 1 - Elenbaas

30. [AB2024-839](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Helmsman Management Services, LLC to provide administration of the County's self-insured Worker's Compensation program in the amount of \$67,500 annually in 2025, \$70,200 in 2026, and \$73,008 in 2027 for a total amount of \$210,708 through December 31, 2027

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

Nay: 1 - Elenbaas

31. [AB2024-840](#) Request approval for the County Executive to authorize the purchase one (1) new sport utility vehicle, using the Washington State Contract #05916, from Alan Webb Auto Group, located in Vancouver, Washington, in an amount not to exceed \$51,050.14

Donovan reported for the Finance and Administrative Services Committee

and moved that the Bid Award be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

32. [AB2024-841](#) Request authorization for a Letter of Understanding between Whatcom County and AFSCME to amend the collective bargaining agreement for the period January 1, 2025 - December 31, 2025

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

Nay: 1 - Elenbaas

33. [AB2024-842](#) Request authorization for the County Assessor to enter into a contract between Whatcom County and Just Appraised Inc to create an online portal for the Senior Citizen and People with Disabilities Exemption, in the amount of \$60,285

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

Nay: 1 - Elenbaas

34. [AB2024-846](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and The Society of Photo-Optical Instrumentation Engineers (SPIE) for SPIE to lease 104B Unity Street, Bellingham WA in the amount of \$143,352

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

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

Nay: 1 - Elenbaas

35. [AB2024-848](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Code Publishing LLC, a General Code Company, for legal code publishing services, in the amount of \$15,000, for a total amended contract amount of \$45,000

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

Nay: 1 - Elenbaas

36. [AB2024-851](#) Request authorization for the County Executive to enter into a six-month contract amendment between Whatcom County and Northwest Regional Council for jail and juvenile detention nursing services in the amount \$1,172,489.50 for a total amended contract amount of \$9,655,025.67

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

Nay: 1 - Elenbaas

37. [AB2024-855](#) Request authorization for the County Executive to enter into a contract between Whatcom County and YWCA Bellingham to provide housing case management services and shelter operational support, in the amount of \$425,012

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

Nay: 1 - Elenbaas

38. [AB2024-857](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to operate an emergency shelter program, in the amount of \$358,426

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

Nay: 1 - Elenbaas

39. [AB2024-859](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to provide funding for the Ground-Level Response and Coordinated Engagement (GRACE) Program, in the amount of \$819,056

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

Nay: 1 - Elenbaas

40. [AB2024-861](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pioneer Human Services to operate a permanent supportive housing facility known as City Gate, in the amount of \$670,010

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

Nay: 1 - Elenbaas

41. [AB2024-862](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Ferndale Community Services to provide housing engagement and stability services, in the amount of \$500,643

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

Nay: 1 - Elenbaas

42. [AB2024-863](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Mercy Housing Northwest to provide resident coordination services, in the amount of \$240,870

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

Nay: 1 - Elenbaas

43. [AB2024-864](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to operate a rapid rehousing program and provide housing stability services, in the amount of \$249,080

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

Nay: 1 - Elenbaas

44. [AB2024-865](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to operate a permanent supportive housing program, in the amount of \$129,487

Donovan 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: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremmer

Nay: 1 - Elenbaas

CONSENT AGENDA CONSIDERED SEPARATELY

5. [AB2024-804](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to conduct Phase I of an investigation into the impacts of agricultural tile drains on stream flows, in the amount of \$108,863 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Contract (FCZDBS) be AUTHORIZED.

Elenbaas spoke about the rates being charged for this item compared to those in item number 7 (**AB2024-807**) and that these seem high.

Donovan withdrew his motion and stated Elenbaas has a point to reconsider the contract.

Elenbaas moved and Galloway seconded that the Contract (FCZDBS) be AUTHORIZED.

Councilmembers discussed the item with the following people:

- Aly Pennucci, Executive's Office
- Gary Stoyka, Public Works Department

They discussed that this is fully funded by a grant, how many contractors put in for this request for proposal (RFP), that the County chose this contractor off the MRSC roster, that the rates may actually be reasonable, that the County is just acting as the fiscal manager for the tile drain study and that it is using Department of Ecology money, that this is follow-up work to verify information for the groundwater model, and this consultant cost does not necessarily stand out as being much higher than other consultants.

Clerk's note: After the vote on this item Councilmembers skipped to

Consent agenda item number 25 and but then went in order and considered item number 7 first.

Elenbaas's motion that the Contract (FCZDBS) be AUTHORIZED carried by the following vote:

Aye: 5 - Buchanan, Byrd, Galloway, Scanlon, and Stremler

Nay: 2 - Donovan, and Elenbaas

7. [AB2024-807](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for Pollution Identification and Correction (PIC) Program technical assistance and cost share, in the amount of \$77,627.98 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Elenbaas moved and Stremler seconded that the Contract (FCZDBS) be AUTHORIZED.

Elenbaas thanked the Conservation District and stated the money that they are spending on this program appears to be well spent.

Elenbaas's motion that the Contract (FCZDBS) be AUTHORIZED carried by the following vote:

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

Nay: 0

25. [AB2024-832](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Chuckanut Health Foundation for facilitation of the Whatcom Racial Equity Commission in the amount of \$200,000

Donovan reported for the Finance and Administrative Services Committee and ***moved*** that the Contract be AUTHORIZED.

Councilmembers discussed the item and the following person also spoke:

- Satpal Sidhu, County Executive

Elenbaas stated he opposed this since its inception. He stated they tried to amend it to just be the Equity Commission because he thinks there is more to diversity, equity, and inclusion than just the color of one's skin, and that Whatcom County and the community do an excellent job with racial equity and inclusion. He feels like this is an unnecessary expense.

Councilmembers and Sidhu discussed the contract and Elenbaas' comments.

Donovan's motion that the Contract be AUTHORIZED carried by the

following vote:

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

Nay: 3 - Byrd, Elenbaas, and Stremler

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

1. [AB2024-753](#) Ordinance establishing the project based budget and an initial budget for the courtroom audio visual systems upgrade

Donovan reported for the Finance and Administrative Services Committee and ***moved*** that the Ordinance be ADOPTED.

Councilmembers discussed that they were glad to learn more about this in committee.

Donovan's motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0

Enactment No: ORD 2024-072
2. [AB2024-766](#) Ordinance establishing a project based budget for the Central Shop Underground Storage Tank Removal project

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

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0

Enactment No: ORD 2024-073
3. [AB2024-768](#) Ordinance amending the project based budget for the North Fork Road/Kenney Creek Fish Passage Project Fund, request no. 1

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

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0

Enactment No: ORD 2024-074

4. [AB2024-770](#) Resolution amending the 2024 Flood Control Zone District and Subzones Budget, request no. 7, in the amount of \$20,695 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Donovan reported for the Finance and Administrative Services Committee and moved that the Resolution (FCZDBS) be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2024-056

5. [AB2024-772](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide housing case management services, in the amount of \$1,003,932

Donovan reported for the Finance and Administrative Services Committee and ***moved*** that the Contract be AUTHORIZED.

Councilmembers discussed the motion and the presentation from the Opportunity Council in the Finance and Administrative Services Committee today.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 2 - Elenbaas, and Stremmler

6. [AB2024-847](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center, in the amount of \$2,355,352

Donovan reported for the Finance and Administrative Services Committee and ***moved*** that the Contract be AUTHORIZED.

Byrd spoke to the motion.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 3 - Byrd, Elenbaas, and Stremmler

7. [AB2024-852](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide on-site supportive services to residents of the permanent supportive housing facility known as 22 North

in the amount of \$648,568, for a total amended contract amount of \$2,135,238

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Contract be AUTHORIZED.

Kayla Schott-Bresler, Executive's Office, answered how long the contract is, and stated it goes through the end of 2025.

Aly Pennucci, Executive's Office, answered whether this is all of the County's portion of funding for the 22 North project for 2025. She stated the staff memo attached to this item notes that there may be further refinement to this contract which is expected in mid-2025, but that would follow a comprehensive evaluation of the community's permanent supportive housing programs.

Councilmembers and the speakers discussed whether they could shorten the contract so the program would feel they were under more scrutiny.

George Roche, Prosecuting Attorney's Office, stated they cannot make an amendment to the contract unilaterally without the contractor being here.

Erika Lautenbach, Health and Community Services Director, spoke about quarterly reporting in Council (in addition to written reports) and stated they can arrange for the Opportunity Council to do that.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 3 - Byrd, Elenbaas, and Stremmer

8. [AB2024-775](#) Ordinance amending the 2024 Whatcom County Budget, request no. 15, in the amount of \$12,651,067

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

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

Nay: 3 - Byrd, Elenbaas, and Stremmer

Enactment No: ORD 2024-075

9. [AB2024-776](#) Ordinance amending Ordinance 2013-022, to allow the Road Fund to issue cash-flow loans to capital project budgets from \$1 million to \$2 million for a term not to exceed two years

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Ordinance be ADOPTED.

Randy Rydel, Administrative Services Department Finance, answered whether there is any interest rate involved in this, and stated there is no interest rate on the loan.

Donovan's motion that the Ordinance be ADOPTED carried by the following vote:

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

Nay: 0

Enactment No: ORD 2024-076

10. [AB2024-780](#) Ordinance amending the 2025 Whatcom County Budget, request no. 1, in the amount of \$16,292,701

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Ordinance be ADOPTED.

Aly Pennucci, Executive's Office, answered whether this is all Road Fund and stated it is.

Randy Rydel, Administrative Services Department Finance, answered how Homeland Security is giving the County \$4 million for the Road Fund, and stated it is FEMA money that comes in through the Department of Homeland Security.

Donovan's motion that the Ordinance be ADOPTED carried by the following vote:

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

Nay: 0

Enactment No: ORD 2024-077

11. [AB2024-791](#) Request authorization for the County Executive to enter into a three year interlocal agreement between Whatcom County, the Port of Bellingham and the City of Bellingham for a coordinated approach to funding and contracting with economic service providers through a Regional Economic Partnership in the amount of \$2,648,084

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Interlocal be AUTHORIZED.

Councilmembers discussed that this money is for initiatives for promoting

economic development (not the EDI funds) and that the contract designates the Port of Bellingham as the associate development organization (ADO).

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

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

Nay: 0

12. [AB2024-836](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Emily Welch, M.D. for supervising physician services as appointed by the Whatcom County Medical Program Director to support basic life support (BLS) operations, training, continuous quality improvement, and other BLS support activities, in the amount of \$110,000

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Contract be AUTHORIZED.

Kayla Schott-Bresler, Executive's Office, answered whether this is emergency medical services (EMS) funds, and stated it is.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 0

13. [AB2024-858](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide housing case management services, in the amount of \$252,000

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Contract be AUTHORIZED.

Elenbaas stated this is a six-month contract.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 1 - Stremmer

14. [AB2024-860](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to provide funding for an outreach and engagement program for vulnerable young people experiencing a housing crisis, in the amount of \$75,000

Donovan reported for the Finance and Administrative Services Committee

and ***moved*** that the Contract be AUTHORIZED.

Councilmembers discussed the motion and how they will vote.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 1 - Stremmler

(From Council Public Works and Health Committee)

15. [AB2024-853](#) Resolution supporting the development and implementation of a localized child care provider rate augmentation and family subsidy program

Scanlon reported for the Public Works and Health Committee and ***moved*** that the Resolution be APPROVED.

Kayla Schott-Bresler, Executive's Office, answered whether this just dovetails in with Proposition 5 funds and are not new funds, and stated this is a reaffirmation of some of the policy priorities in the Healthy Children's Fund implementation plan and specific direction from the Council around who subsidy programs will benefit, and the establishment of a rate augmentation program to help providers serve children under the State Working Connections program. It is directing Healthy Children's Fund money toward those policy priorities.

Scanlon spoke about committee discussions on this topic and how the resolution came to be. He stated it is a two-year program and then the Council will assess it.

Scanlon's motion that the Resolution be APPROVED carried by the following vote:

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

Nay: 0

Enactment No: RES 2024-057

(From Council Committee of the Whole)

16. [AB2024-739](#) Ordinance amending Whatcom County Code Chapter 2.130 Economic Development Investment Board

Buchanan reported for the Committee of the Whole, stated they are introducing an alternate ordinance tonight, and asked how to proceed.

Cathy Halka, Clerk of the Council, stated the motion from committee was that the alternate ordinance be introduced and that is under Introduction as **AB2024-870**.

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

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

Nay: 0

17. [AB2024-747](#) Ordinance amending Whatcom County Code Chapter 2.06 Medical Examiner to establish a Medical Examiner Department

Buchanan reported for the Committee of the Whole and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Enactment No: ORD 2024-078

18. [AB2024-767](#) Resolution to establish Council goals for full, timely awarding of Healthy Children's Fund contracts

Buchanan reported for the Committee of the Whole and ***moved*** that the Resolution be APPROVED (as amended in Committee). The motion was seconded by Donovan.

Cathy Halka, Clerk of the Council, stated the amended version is on file as "Proposed Resolution as Amended in Committee 12.3.24."

The following people discussed the item with Councilmembers:

- Kayla Schott-Bresler, Executive's Office
- Erika Lautenbach, Health and Community Services Director
- Satpal Sidhu, County Executive
- Aly Pennucci, Executive's Office

Byrd stated that the auditing requirement that has been defined in this resolution is not calling for an additional audit and is not a separate audit from what is built into the existing childcare initiative.

Kayla Schott-Bresler, Executive's Office, stated that in reading Ordinance 2022-045, it reads to the Administration and to Health and Community Services that the Council is looking for the performance audit to evaluate their success in meeting the goals of the Healthy Children's Fund in terms

of community impact, which is a different scope of work than an audit focusing on their own internal processes, so they need some clarity.

Councilmembers and the speakers discussed the audit requirements in the resolution, and Byrd stated the reporting and contracting process in section C as it is outlined is expected as an internal process and not an audit from an outside party. The auditing timing in sections D and F is not related to the reporting and contracting progress, but related to the auditing as it is set forth in the initiative and as it was outlined by the Health and Community Services director. Councilmembers continued to discuss those sections and the independent performance audit.

Byrd moved that they remove section D as outlined in the original copy of the resolution, as it is replaced with F.

There was no second.

Councilmembers and the speakers discussed how they might amend the resolution to either show that section D refers to an internal audit or to strike section D altogether.

Galloway moved to amend section C to add “and efforts to make improvements in fund administration” after “timelines set for this Resolution” as follows:

Whatcom County Health and Community Services is asked to provide the County Council and the Child and Family Wellbeing Task Force with a monthly progress report on the County’s compliance with the directions and timelines set for this Resolution and efforts to make improvements in fund administration, including the following information...

The motion was seconded by Buchanan.

Councilmembers and Sidhu discussed the motion but Councilmembers did not vote on it.

Buchanan moved to amend section C to strike “on the County’s compliance with the directions and timelines set for this Resolution,” so that it reads:

Whatcom County Health and Community Services is asked to provide the County Council and the Child and Family Wellbeing Task

Force with a monthly progress report ~~on the County's compliance with the directions and timelines set for this Resolution,~~ including the following information: the funding recipient, budgeted amount of HCF funding, RFP close date, award letter sent date, date first contract sent to lead staff, date when contract development was finished and sent for final approvals, and date contract was approved by the Council.

Councilmembers and Sidhu discussed the motion and whether it tracks progress on contract process improvements, and the motion was seconded by Scanlon.

Donovan moved to hold until their next meeting. The motion was seconded by Byrd, and then **Donovan withdrew** his motion so they could vote on the amendment first.

Buchanan's motion to amend carried by the following vote:

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

Nay: 0

Donovan moved and Galloway seconded that the Resolution be HELD IN COMMITTEE until the next meeting in January. The motion carried by the following vote:

Aye: 5 - Byrd, Donovan, Elenbaas, Galloway, and Stremmler

Nay: 2 - Buchanan, and Scanlon

Motion approved 7-0 to amend section C to strike "on the County's compliance with the directions and timelines set for this this Resolution," so it reads:

Whatcom County Health and Community Services is asked to provide the County Council and the Child and Family Wellbeing Task Force with a monthly progress report including the following information: the funding recipient, budgeted amount of HCF funding, RFP close date, award letter sent date, date first contract sent to lead staff, date when contract development was finished and sent for final approvals, and date contract was approved by the Council.

Motion approved 5-2, with Scanlon and Buchanan opposed, to hold until the next meeting, in January.

19. [AB2024-794](#) Ordinance establishing Whatcom County Code 2.190 Birch Bay Community Advisory Committee

Buchanan reported for the Committee of the Whole.

Elenbaas moved and Scanlon seconded that the Ordinance be ADOPTED.

Jed Holmes, Executive's Office, answered whether this advisory committee

would be mostly self-sufficient as far as staffing, and stated they will not be staffing the committee but will be responsive to specific requests that affect the community.

Elenbaas's motion that the Ordinance be ADOPTED carried by the following vote:

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

Nay: 0

Enactment No: ORD 2024-079

20. [AB2024-795](#) Ordinance amending Whatcom County Code 2.03 Advisory Groups

Scanlon moved and Donovan seconded that the Ordinance be ADOPTED.

Scanlon spoke about the history of this item and the following people discussed it with Councilmembers:

- Kayla Schott-Bresler, Executive's Office
- George Roche, Prosecuting Attorney's Office

They discussed section 2.03.025 - Removal, and whether they need to add a reference to absenteeism or keep that as an internal procedure, and section 2.03.090 - Qualifications, and what happens if a member of an advisory group declares candidacy.

Scanlon's motion that the Ordinance be ADOPTED carried by the following vote:

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

Nay: 1 - Elenbaas

Enactment No: ORD 2024-080

21. [AB2024-856](#) Request County Council to appoint a Council Health Board member to serve on final interview panel for the Health Officer candidate

Erika Lautenbach, Health and Community Services Director, answered what days the interviews will be on, and stated it is up to the availability of the different members.

Elenbaas stated he was interested in the position.

Buchanan moved to nominate Elenbaas. The motion was seconded by Galloway.

The motion carried by the following vote:

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

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Appointed Elenbaas 7-0

(No Committee Assignment)

22. [AB2024-850](#) Request for County Council to add the County Prosecutor as a voting member of the Justice Project Oversight and Planning (JPOP) Committee

Buchanan moved and Donovan seconded that the Request for Motion be APPROVED.

Councilmembers discussed whether it needs to be the elected prosecuting attorney or whether they can appoint someone from their office, and Buchanan stated they can appoint. They discussed whether the enabling ordinance would also need to be amended, and whether they could make further changes to the membership to add people with lived experience.

Buchanan's motion that the Request for Motion be APPROVED carried by the following vote:

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

Nay: 0

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-714](#) Appointment to two vacancies on the Climate Impact Advisory Committee, Applicant(s): Marc Hoeschele, Ted Scott, Joshua Williams, Robert Drake
- Donovan moved*** and Galloway seconded to nominate all the candidates and Councilmembers voted for two candidates as follows:

Buchanan: Joshua Williams and Ted Scott

Byrd: Joshua Williams and Marc Hoeschele

Donovan: Marc Hoeschele and Ted Scott

Elenbaas: Joshua Williams and Marc Hoeschele

Galloway: Robert Drake and Ted Scott

Scanlon: Marc Hoeschele and Ted Scott

Stremmler: Joshua Williams and Marc Hoeschele

Marc Hoeschele was appointed with five votes and there was a tie for the second position with Joshua Williams and Ted Scott each receiving four

votes, so Councilmembers voted for one of those candidates as follows:

Buchanan: Ted Scott
Byrd: Joshua Williams
Donovan: Ted Scott
Elenbaas: Joshua Williams
Galloway: Ted Scott
Scanlon: Ted Scott
Stremler: Joshua Williams

Ted Scott was appointed with four votes.

Galloway moved and Buchanan seconded to appoint the highest vote getter (Marc Hoeschele) to the longer term.

The motion carried by the following vote:

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0

Hoeschele and Scott APPOINTED, with Hoeschele to the longer term.

Appointed Marc Hoeschele with five votes and Ted Scott with four votes.

Motion approved 7-0 to appoint the highest vote getter (Marc Hoeschele) to the longer term.

2. [AB2024-761](#) Appointment to a vacancy on the Business and Commerce Advisory Committee, manufacturing industry representative position, Applicant(s): Gil Lund

Galloway moved and Scanlon seconded that the Council Appointment Requiring Introduction (applicant Gil Lund) be APPOINTED.

Councilmembers and Satpal Sidhu, County Executive, discussed whether it would be a conflict of interest for a mayor's spouse to be on a committee, and Gil Lund addressed the Councilmembers.

Galloway's motion that the Council Appointment Requiring Introduction (applicant Gil Lund) be APPOINTED carried by the following vote:

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0

ITEMS ADDED BY REVISION

AB2024-870 was added to Introduction below.

INTRODUCTION ITEMS

Donovan moved to introduce items one through four.

Councilmembers discussed **AB2024-810** and whether it could be elevated to an emergency ordinance and passed in a meeting in which it is being introduced, and the following people answered questions:

- George Roche, Prosecuting Attorney's Office
- Satpal Sidhu, County Executive
- Elizabeth Kosa, Public Works Department Director

They discussed that an emergency ordinance would be temporary but that the concept is something that might be feasible, and the possibility that they could schedule a special meeting to consider an emergency ordinance but still introduce this item tonight as it is (see further discussion on this item in Committee Reports below).

Galloway spoke about a scrivener's error in section 2.130.040(A)(3) of **AB2024-870** regarding the language about "one of two mayors" as discussed in Committee of the Whole. Councilmembers discussed that it should say, "One mayor from a small city designated by the small city caucus."

Cathy Halka, Clerk of the Council, stated they could introduce items one through three and then introduce item four separately with an amendment.

Donovan amended his motion *and moved* to introduce Introduction item numbers 1-3.

The motion was seconded by Galloway.

Councilmembers voted on those items (see votes on individual items below).

1. [AB2024-801](#) Resolution to declare Whatcom County real property as surplus and approve sale

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

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

Nay: 0

2. [AB2024-810](#) Ordinance for the installation of stop signs on South Pass Road at the intersection with Goodwin Road as Whatcom County Code 10.16.1720

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

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

Nay: 0

3. [AB2024-843](#) Ordinance amending Whatcom County Code 2.21 Board of Equalization to clarify Board of Equalization membership

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

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

Nay: 0

4. [AB2024-870](#) Ordinance amending Whatcom County Code Chapter 2.130 Economic Development Investment Board

This item was considered separately below.

INTRODUCTION ITEMS CONSIDERED SEPARATELY

4. [AB2024-870](#) Ordinance amending Whatcom County Code Chapter 2.130 Economic Development Investment Board

Donovan moved and Galloway seconded that the Ordinance be INTRODUCED.

Donovan moved to amend 2.130.040 Membership(A)(3) so that it reads:

3. One mayor from a small city, designated by the Small Cities Caucus;

The motion was seconded by Galloway.

The motion to amend carried by the following vote:

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

Nay: 0

Donovan's motion that the Ordinance be INTRODUCED AS AMENDED carried by the following vote:

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

Nay: 0

Motion approved 7-0 to amend 2.130.040 Membership A (3) so that it reads:

3. One mayor from a small city, designated by the Small Cities Caucus;

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and other updates.

Elenbaas spoke again about **AB2024-810** (See previous discussion under Introduction), collisions that have happened at this intersection, and that it might meet the threshold of an emergency ordinance, and the following people discussed it with Councilmembers:

- Satpal Sidhu, County Executive
- Aly Pennucci, Executive's Office
- George Roche, Prosecuting Attorney's Office
- Elizabeth Kosa, Public Works Department Director

Sidhu stated he would be happy to do a 60-day emergency declaration to put in the stop sign. He also made some suggestions that could help with long council meetings.

Councilmembers and the speakers discussed the executive doing an emergency declaration.

Donovan moved that the Council support the Executive doing an emergency proclamation to get this traffic issue (AB2024-810) sorted.

The motion was seconded by Buchanan.

Pennucci stated the Executive's Office could help craft an emergency ordinance if, for some reason, they do not have executive authority to do this via emergency executive order.

The motion carried by the following vote:

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

Nay: 0

Motion approved 7-0 that the Council support the Executive doing an emergency proclamation to get this traffic issue (AB2024-810) sorted.

ADJOURN

The meeting adjourned at 11:16 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Barry Buchanan, Council Chair

Meeting Minutes prepared by Kristi Felbinger