

PROPOSED BY: BUCHANAN, SCANLON, ELENBAAS  
INTRODUCTION DATE: NOVEMBER 19, 2024

**ORDINANCE NO. \_\_\_\_\_**

**ESTABLISHING WHATCOM COUNTY CODE CHAPTER 2.190  
BIRCH BAY COMMUNITY ADVISORY COMMITTEE (BBCAC)**

**WHEREAS**, according to the Washington Office of Financial Management, Small Areas Estimates Program, the population of the Birch Bay Urban Census Designated Place has seen a 20% increase in population since 2010, reaching 10,363 estimated residents in 2023; and

**WHEREAS**, the Whatcom County Buildable Lands Report (2022, Revised Feb. 2023) projects population growth to 12,822 residents by 2036; and

**WHEREAS**, if Birch Bay were incorporated as a city, it would rank as the fourth largest in the county by population; and

**WHEREAS**, the Whatcom County Council acknowledges the growth of the Birch Bay community and the subsequent need for improved communication with Whatcom County to ensure effective governance; and

**WHEREAS**, the update to the Whatcom County Comprehensive Plan (2025) is underway and feedback from the Birch Bay community is an important component to updating the plan; and

**WHEREAS**, a formalized structure such as a Birch Bay Community Advisory Committee (BBCAC) can provide improved communication and collaboration between the Birch Bay community and Whatcom County; and

**WHEREAS**, a BBCAC can provide meaningful and timely feedback to the County to influence decisions impacting the Birch Bay area; and

**WHEREAS**, Whatcom County Council recognizes the importance of establishing a BBCAC to better understand community needs and concerns.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that Whatcom County Code 2.190 is hereby established, creating the Birch Bay Community Advisory Committee, as shown in Exhibit A of this ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Cathy Halka, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

George Roche/by email 11/13/2024/ks  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, Executive

( ) Approved      ( ) Denied

Date Signed: \_\_\_\_\_

## **EXHIBIT A**

### **Chapter 2.190 BIRCH BAY COMMUNITY ADVISORY COMMITTEE (BBCAC)**

#### Sections:

- 2.190.010 Established.
- 2.190.020 Purpose.
- 2.190.030 Function.
- 2.190.040 Membership.
- 2.190.050 Organization – Meetings.
- 2.190.060 Committee Staffing.

#### **2.190.010 Established.**

There is hereby established the Birch Bay Community Advisory Committee (BBCAC), referred to herein as the committee.

#### **2.190.020 Purpose.**

The purpose of the committee is to review and make recommendations to the County Council and Executive on issues related to the Birch Bay community and the Birch Bay Urban Growth Area (UGA). Committee meetings provide a forum for public engagement and feedback from the Birch Bay community. The committee has an opportunity to provide meaningful and timely feedback to the County Council and Executive to influence decisions impacting the Birch Bay community and the Birch Bay Urban Growth Area (UGA). The committee's advice is intended to help the County maintain and enhance the Birch Bay Urban Growth Area as a safe, attractive, and sustainable environment in which to live, work and play.

#### **2.190.030 Function.**

The committee will

1. Hold regular meetings during which the public can learn about activities impacting the Birch Bay community.
2. Provide opportunities at each meeting for members of the public to provide feedback on activities affecting the Birch Bay community.
3. Advise the Executive and County Council on proposed Whatcom County projects and other activities impacting the Birch Bay community.

The County Executive's Office will

1. Identify designated liaisons responsible for providing timely and relevant information from administrative departments to the committee to ensure it is sufficiently informed to provide meaningful and deliberative advice to the Executive and Council.
2. Be responsive to the committee's requests for information and facilitate communication with administrative departments when requested, including staff participation in committee meetings when timely notice has been provided and staff schedules allow.

## **2.190.040 Membership**

- A. The committee shall consist of seven (7) voting members, including:
- i. One (1) member representative designated by each of the following civic organizations:
    - a) Birch Bay Chamber of Commerce
    - b) Blaine Birch Bay Park and Recreation District #2
    - c) North Whatcom Fire & Rescue
  - ii. Four (4) members appointed by the Whatcom County Executive and confirmed by the Whatcom County Council, among which
    - a) Three (3) live within the Birch Bay Urban Growth Area with priority given to one Birch Bay business owner, and
    - b) One (1) lives or works in the Birch Bay community.
- B. A quorum shall consist of four (4) members.
- C. Member terms will be 3 years. The terms of members first appointed will be staggered so that 3 members designated by civic organizations shall be appointed for 2 years for their first term.
- D. A member may serve up to two (2) consecutive three-year terms, regardless of whether that member has served a partial term of less than three years.
- E. After serving two consecutive full terms, a former committee member may become eligible for reappointment after a one (1) year period of separation.
- F. All members shall be trained on and comply with the Open Public Meetings Act, and training shall be done and updated per the state Open Government Training Act and [RCW 42.30.205](#).
- G. Members of the committee shall serve without compensation.

## **2.190.050 Organization – Meetings.**

- A. Meetings of the committee shall be open and accessible to the public and shall comply with RCW 42.30, the Open Public Meetings Act.
- B. A public comment session will be scheduled at all regular meetings. Public comment is not required at special meetings. Public comment can be provided orally at a regular meeting or in writing prior to or at a regular meeting.
- C. Written records of meetings, resolutions, research, findings, and recommendations shall be kept and such records shall be public, including posting on the Whatcom County website. Minutes must be sufficiently detailed to enable a reader to understand the topic discussed and the key points of any debate. Meeting recordings are to be provided to the executive office and retained per state requirements. All external communications made by the committee shall be in writing, approved by a majority vote, and with the names of the committee members and their votes attached.
- D. The committee shall adopt its own rules and procedures for the conduct of business.

E. The committee shall elect a chairperson from among its members who shall preside over its meetings.

F. The committee shall determine its meeting schedule, but shall meet at least quarterly, providing at least one week notice of all meetings and including the agenda. Any item intended for a vote must be clearly and unambiguously defined on the agenda. The date of any meeting along with the agenda shall be published on the county website a minimum of one week prior.

G. The Committee may form and appoint ad hoc committees to work on specific issues, so long as at least two BBCAC members are also members of each ad hoc committee.

I. The committee shall comply with Whatcom County Code 2.03 Advisory Boards.

### **2.190.070 Committee Staffing.**

A. The committee is encouraged to operate and hold its meetings as independent of county staffing and resources as possible. The county executive may provide staffing based on the committee's timely notification of staffing needs at its meetings.

### **2.190.080 Reporting**

The committee will report annually to the County Council and County Executive.