

**EXCERPT – SEPTEMBER 12, 2023, DRAFT PUBLIC WORKS AND HEALTH COMMITTEE MEETING MINUTES**

**(Committee Discussion)**

**2. AB2023-479 Discussion of an ordinance to amend WCC 2.145, Lummi Island Ferry Advisory Committee**

Donovan briefed the Councilmembers and stated he would like to discuss the proposed language in Exhibit A regarding non-island members. He would like to know whether the Council would like to have non-island members just from unincorporated areas or whether they should also include people who live in cities. He stated there is also language in the ordinance about a representative from Lummi Nation and we have not consulted with the Lummi Nation on whether they want to be represented or not. He is wondering if that could be defined differently.

Councilmembers discussed Donovan's question about the off-island membership.

Satpal Sidhu, County Executive, requested that the ordinance bring more clarity to the current members and on whether they will serve out their terms. He spoke about the mention about providing assistance from Public Works and stated he is OK with doing that for a period of time, but if we do it for this one, we have to keep in mind the rest of the boards and commissions and that could be a substantial cost.

Donovan spoke about the question of unincorporated versus incorporated and stated he would support the idea of broadening it to off-island residents and not just ones in the unincorporated areas.

Elizabeth Kosa, Public Works Department Director, spoke about getting input from the advisory committee on operations.

Kershner stated she would like to see language in the ordinance about reimbursement of ferry fares for attending meetings and Donovan and Kosa stated it already exists.

Kershner stated they could put an end date for support provided by Public Works and we may need to hire someone to do this.

Galloway spoke about changes she would like the Councilmembers to consider, including the name of the advisory committee and the location of the meetings, and Kosa spoke about the location.

**Galloway moved** to amend to add a line to read, "There will be good faith effort to host meetings both on and off-island."

The motion carried by the following vote:

**Aye:** 3 - Frazey, Galloway, and Kershner

**Nay:** 0

**Galloway moved** to change the name of the committee to Whatcom County Ferry Advisory Committee.

The motion carried by the following vote:

**Aye:** 3 - Frazey, Galloway, and Kershner

**Nay:** 0

Kosa answered whether there will be expense for the Committee documentation needed to change the name of the committee.

Galloway stated she would like to provide some security to the members who are currently on the advisory committee and would like to make sure those members get to roll over. She also would like to change the language that says, "A public comment session will be scheduled at all regular meetings at which final action is taken" so that public comment can be at every scheduled regular meeting.

**Galloway moved** to amend line 33 of page four of Exhibit A to strike "at which final action is taken."

Dana Brown-Davis, Clerk of the Council, answered a question about State law about public comment at special Council meetings, and stated Galloway was talking about regular meetings.

The motion carried by the following vote:

**Aye:** 3 - Kershner, Frazey, and Galloway

**Nay:** 0

*Clerk's note:* Kershner had to leave the meeting at 12:51 p.m.

Galloway stated they still need direction on the membership composition and the questions that Donovan proposed.

Frazey stated (regarding whether to allow current members to roll over) she would like to start over with membership and give everyone the chance to apply or reapply.

Councilmembers discussed Frazey's comment and how that would work with the ordinance, and also how current members might fit into Council's decision on whether or not to include off-island people from cities or just unincorporated areas.

**Galloway moved** to amend Whatcom County Code 2.145.040 (A) regarding Membership and Term of office and combine it with the proposed idea in Subsection B so that it reads, "A. The committee shall consist of nine voting members. Five members will be residents or property owners on Lummi Island. Four members will not reside or own property on Lummi Island. and Preference will be given to a Lummi Nation representative and unincorporated Whatcom County residents when possible. will reside in unincorporated Whatcom County.

Councilmembers discussed the motion and whether they should engage the Tribe first, and **Galloway withdrew** her motion.

**Galloway moved** to recommend continued discussion at the full Council meeting tonight.

The motion carried by the following vote:

**Aye:** 2 - Frazey and Galloway

**Nay:** 0

**Out of the Meeting:** 1 - Kershner

Dana Brown-Davis, Clerk of the Council, clarified that this item does not require a public hearing.

#### **EXCERPT – SEPTEMBER 12, 2023, DRAFT COUNCIL MEETING MINUTES** **(INTRODUCTION ITEMS)**

**2. AB2023-548 Ordinance amending WCC 2.145, Lummi Island Ferry Advisory Committee**  
**Donovan moved** and Kershner seconded that the Ordinance be INTRODUCED.

Galloway stated there were three amendments that were recommended during the Public Works and Health Committee.

Councilmembers and Council staff discussed whether they can introduce the ordinance with the proposed amendments, and putting the item back in committee.

**Donovan withdrew** his motion and stated there is a lot of work they did not get to, including how the Lummi representative would be designated and how the incorporated versus unincorporated off-island people would be designated.

Buchanan asked whether Donovan would like to remove it from Introduction and put it in committee and Donovan stated he would.

**Buchanan moved** and Byrd seconded to remove this from introduction and put it back in Committee of the Whole in two weeks.

Councilmembers discussed the motion.

Buchanan's motion that the Ordinance be WITHDRAWN from Introduction and the discussion REFERRED to Committee of the Whole carried by the following vote:

**Aye:** 5 - Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 2 - Elenbaas, and Galloway

Motion approved 5-2, with Byrd and Elenbaas opposed, to remove this from introduction and put the related discussion item (AB2023-479) back in committee (Committee of the Whole) in two weeks.