

# **Whatcom County Council**

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



## **Meeting Agenda**

**AGENDA REVISED 1/11 & 1/15 - SEE REVISION NOTICES**

**Tuesday, January 15, 2019**

**7 PM**

**Council Chambers**

### **COUNCILMEMBERS**

Barbara Brenner  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Carol Frazey  
Satpal Sidhu

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

IN ACCORDANCE WITH WHATCOM COUNTY CODE SECTIONS 2.02.040 AND 2.02.060, THE FOLLOWING RULES SHALL APPLY DURING ALL COUNCIL AND COUNCIL COMMITTEE MEETINGS:

Section 2.02.040 Meetings – General rules.

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E. All council and council committee meetings shall be conducted pursuant to The American Institute of Parliamentarians Standard Code of Parliamentary Procedure, latest edition, except when in conflict with the standing rules of the council.

L. During an open session or public hearing, audience members will be given three minutes to address the council.

M. Cell phones shall be silenced and cell phone conversations shall be prohibited within the confines of the council chambers during meetings.

N. Placards, signs, applause, or other distractions shall not be allowed in the council chambers without the consent of the council chair.

O. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, while attending a council or council committee meeting may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the council during that meeting.

2.02.060 Meetings – Decorum of debate.

A. Any councilmember desiring to speak shall first be recognized by the chair, and shall confine his or her remarks to the specific subject under consideration or to be considered. The councilmember who has proposed a motion or the committee member who has presented a report shall be allowed the first opportunity to explain the motion or report, and usually is allowed to speak last on it. No member or small group of members shall be permitted to monopolize the discussion on a question. If a member has already spoken and other members wish to speak, they should be recognized in preference to the member who has already spoken on a question.

B. Councilmembers shall address each other as “councilmember” and the council chair shall be addressed as “chair.”

C. Staff members, presenters, and the general public shall be addressed as Mr., Mrs., Ms., or by their official or honorary title.

D. When two or more councilmembers desire to speak at the same time, the chair shall name the member who shall have the floor.

E. When a councilmember is speaking, no other member shall hold discourse which may interrupt the speaker except to raise a point of order. The chair should insist that every member be attentive to the business before the assembly.

F. Councilmembers shall have time to explain any motion they intend to make. All motions will begin with the words, "I move" and must receive a second prior to being put to a vote.

G. When it appears that all councilmembers who wish to speak have done so, the chair shall inquire, "Is there any further discussion?" If there is not, the question is put to a vote.

H. To bring a question to immediate vote, a councilmember may move to close debate. If more than one motion is pending, the motion to close debate should specify the pending motions to which it applies (main motion, motion to amend, etc.). The motion to close debate cannot interrupt a speaker, is not debatable, and requires an affirmative vote by two-thirds of the councilmembers in attendance. The motion to close debate should be used in moderation, as members cannot be expected to maintain interest in an organization if they are frequently denied the right to participate in its deliberations.

**CALL TO ORDER****FLAG SALUTE****ROLL CALL****ANNOUNCEMENTS**

If you will be handing out paperwork to councilmembers, please give one copy to the clerk for our office files. Thank you.

**SPECIAL ORDER OF BUSINESS**

1. [AB2019-054](#) Approval of special standing meeting dates for 2019

**MINUTES CONSENT**

1. [MIN2019-001](#) Special Committee of the Whole (AM) for December 4, 2018
2. [MIN2019-002](#) Committee of the Whole for December 4, 2018
3. [MIN2019-003](#) Special Committee of the Whole (PM) for December 4, 2018
4. [MIN2019-004](#) County Council for December 4, 2018

**PUBLIC HEARINGS**

Audience members who wish to address the council during a public hearing are asked to sign up at the back of the room before the meeting begins. The council chair will ask those who have signed up to form a line at the podium. Each speaker should state his or her name for the record and optionally include city of residence. Speakers will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. [AB2019-039](#) Ordinance adopting amendments to Whatcom County Code Title 17, Flood Damage Prevention
2. [AB2019-042](#) Ordinance amending Whatcom County Code 16.20, Whatcom County Shellfish Protection Districts

**SEE REVISION NOTICE IN MEETING DETAILS**

**OPEN SESSION (20 MINUTES)**

During open session, audience members can speak to the council on any issue not scheduled for public hearing. Each speaker should state his or her name for the record and optionally include city of residence. Speakers will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

**CONSENT AGENDA**

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

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

1. [AB2019-001](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pioneer Human Services to increase funding by \$85,527 for the operation of City Gate, a permanent, supportive housing program for homeless individuals for a total contract amount of \$456,939
2. [AB2019-004](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Michael Bobbink for hearing examiner services
3. [AB2019-007](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Whatcom Council on Aging to staff and operate the Bellingham Senior Activity Center in the amount of \$123,748
4. [AB2019-010](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to fund operating costs and Leasing Specialist services to support the Federal Sponsor Based Rental Assistance Program, in the amount of \$69,490
5. [AB2019-014](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine to staff and operate the Blaine Senior Activity Center in the amount of \$123,748
6. [AB2019-015](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden to staff and operate the Lynden Senior Activity Center in the amount of \$123,748
7. [AB2019-016](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Jet Oldsters of Ferndale to staff and operate the Ferndale Senior Activity Center in the amount of \$123,748
8. [AB2019-017](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Daniel A. Swedlow, Summit Law Group, to provide legal services for matters related to collective bargaining, in the amount of \$300/hour to a maximum of \$35,000 annually through December 31, 2020.
9. [AB2019-019](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Jet Oldsters Association of Ferndale to provide custodial services and supervision for public rentals at the Ferndale Senior Center in exchange for reimbursement of 75% of Ferndale Senior Activity Center rental fees.

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

1. [AB2019-008](#) Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Washington State Department of Health to outline a joint plan of responsibility which delineates the responsibilities for the regulation of public water systems
2. [AB2019-009](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority to support Medicaid related outreach and linkage activities performed by the Health Department to Washington State residents who live within Whatcom County
3. [AB2019-011](#) Request authorization for the County Executive to enter into a restated interlocal agreement between Whatcom County and North Sound Behavioral Health Administrative Services Organization and four other Counties within our region to operate as a regional Behavioral Health Administrative Services Organization under the requirements established by the Washington State Health Care Authority
4. [AB2019-030](#) Resolution to set public hearing to sell tax-title property by public auction
5. [AB2019-046](#) Ordinance amending Whatcom County Code (WCC) Chapter 2.78, Solid Waste Advisory Committee
6. [AB2019-067](#) Ordinance amending Whatcom County Code 2.03, Boards and Commissions

**(From Council Criminal Justice and Public Safety Committee)**

7. [AB2019-041](#) Ordinance amending Whatcom County Code 2.46, Incarceration Prevention and Reduction Task Force, and repealing Whatcom County Code 2.19, Law and Justice Council
8. [AB2019-043](#) Ordinance repealing and replacing Whatcom County Code 1.28, Standards for Correctional Facilities

**SEE REVISION NOTICE IN MEETING DETAILS****(From Council Planning and Development Committee)**

9. [AB2019-002](#) Resolution amending the 2018 docket of proposed comprehensive plan and development regulation amendments by adding proposed changes relating to drinking water

**(No Committee Assignment)**

10. [AB2019-003](#) Request approval of the Economic Development Investment (EDI) Board's recommendation for funding of the Port of Bellingham's fund request for a loan of \$166,666.67 and grant of \$83,333.33 for the Walsh Marine Building project

### **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2019-047](#) Appointment to fill vacancy on the North Lynden Watershed Improvement District Board of Directors, partial term through December 2019. Applicant: Kevin Engelsma
2. [AB2019-050](#) Appointment to fill vacancies on the Birch Bay Watershed Aquatic Resources Management Advisory Committee - 2 Vacancies, 4 year terms - Applicants: Patrick Alesse, Jonathan Hall, Sandra Lahn, Steven Roy; Appointments made by the Whatcom County Council acting as the Whatcom County Flood Control Zone Board of Supervisors
3. [AB2019-053](#) Appointment to fill vacancies on Sumas/Everson/Nooksack Flood Control Sub-Zone Advisory Committee - Applicant: Kyle Christensen- Whatcom County Council acting as Whatcom County Flood Control Zone Board of Supervisors
4. [AB2019-055](#) Appointments to fill vacancies on the Whatcom County Board of Equalization - Applicants: Wes VanDeMark, David Simpson, Sonja Merk, Tammy Valenti
5. [AB2019-056](#) Appointments to the Horticulture Pest and Disease Board - Applicants: Melissa Bedlington-Kleindel, Allen Brown
6. [AB2019-057](#) Appointment to fill vacancies on the Incarceration Prevention and Reduction Task Force - 2 vacancies representing Concerned Citizens - partial terms ending 1/31/2020, and one ending 1/31/2022: Applicants: Arlene Feld, Heather Flaherty, Erin Fortenberry, Evan Freedman, David Goldman, Jeff Hindman, Hollie Huthman, Barry MacHale
7. [AB2019-058](#) Appointment to fill vacancies on the Lummi Island Ferry Advisory Committee - Applicants: Charles Bailey, Rhayme Blake, Judy Olsen
8. [AB2019-060](#) Appointment to fill vacancies on the Noxious Weed Control Board - Applicants: Patricia Lenssen and L. Alan Yoder
9. [AB2019-061](#) Appointments to fill vacancy on Whatcom County Planning Commission - Applicants: William Dominic Mocerri, James Markarian
10. [AB2019-063](#) Appointment to fill vacancies on the Whatcom County Solid Waste Advisory Committee - Applicant - Lisa Friend
11. [AB2019-065](#) Appointments to fill vacancies on the Surface Mining Advisory Committee - Applicants: Brent Cowden, Ryan Devries, Dustin Gleaves

**INTRODUCTION ITEMS**

**Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.**

1. [AB2019-018](#) Ordinance adopting various minor amendments to Whatcom County Code Titles 20 (Zoning), 21 (Land Division Regulations), and 22 (Land Use and Development Procedures), making corrections, updates, and clarifications
2. [AB2019-021](#) Ordinance granting Deer Creek Water Association a franchise and the right, privilege, and authority thereunder to locate, set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use facilities in, upon, over, under, along, across and through the franchise area to allow for the provision of water services
3. [AB2019-033](#) Ordinance amending the 2019-2020 Whatcom County Budget, request no. 1, in the amount of \$778,500
4. [AB2019-036](#) Ordinance amending Whatcom County Code 2.108, Bellingham-Whatcom County Commission Against Domestic Violence, expanding the scope of the Commission and referring to interlocal agreement with the City of Bellingham
5. [AB2019-040](#) Ordinance amending Whatcom County Code Chapter 2.128, Business and Commerce Advisory Committee, to add one additional member
6. [AB2019-064](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded facilities in the Cherry Point UGA, the primary purpose of which would be the shipment of unrefined fossil fuels not to be processed at Cherry Point
7. [AB2019-034](#) Resolution amending the 2019 Flood Control Zone District and Subzones Budget, request no. 1, in the amount of \$35,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
8. [AB2019-032](#) Resolution to sell tax-title property by public auction

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES****ADJOURN**