

Whatcom County Council

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



Meeting Agenda

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010); AGENDA**

REVISED 7.26.2021

Tuesday, July 27, 2021

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

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

The Council is currently holding all meetings remotely. View meeting schedules, agendas, minutes, videos, and archives at www.whatcom.legistar.com. For instructions on how to watch or participate in the Council's meetings, please visit www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010.

Individuals who require special assistance to participate in the Council's meetings are asked to contact the Council Office at 360.778-5010 at least 96 hours in advance.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website at www.co.whatcom.wa.us, or call the County Council office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

SPECIAL PRESENTATION

1. [AB2021-440](#) Presentation on police reform in Washington State

MINUTES CONSENT

1. [MIN2021-055](#) Committee of the Whole Executive Session for July 13, 2021
2. [MIN2021-056](#) Committee of the Whole for July 13, 2021
3. [MIN2021-057](#) Regular County Council for July 13, 2021
4. [MIN2021-059](#) Water Work Session for July 20, 2021

PUBLIC HEARINGS

To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. All speakers should state their 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 and inform speakers when they have reached their three minute limit.

1. [AB2021-403](#) Ordinance adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code relating to the Cherry Point UGA fossil fuel facilities, renewable fuel facilities, piers, SEPA, greenhouse gas emissions, and other matters

Recommended motion: Forward for concurrent review with other Comprehensive Plan amendment proposals scheduled later this evening

APPROVAL OF COMPREHENSIVE PLAN AMENDMENTS

These items have been reviewed by Council and are ready to be considered concurrently so the cumulative effect of the proposals can be evaluated. Each ordinance will be voted on separately, followed by a vote to approve the ordinances as a group.

1. [AB2021-403](#) Ordinance adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code relating to the Cherry Point UGA fossil fuel facilities, renewable fuel facilities, piers, SEPA, greenhouse gas emissions, and other matters
2. [AB2021-380](#) Ordinance adopting amendments to the Whatcom County Comprehensive Plan relating to density credits, PDRs, and TDRs
3. [AB2021-381](#) Ordinance adopting Whatcom County Comprehensive Plan amendments concerning the Lummi Island Ferry, modifying Policy 6A-1 relating to ferry level of service and deleting Policy 6C-9 relating to a ferry feasibility study
4. [AB2021-363](#) Ordinance amending the Whatcom County Code and Comprehensive Plan, requiring a site-specific geotechnical analysis when mineral extraction is proposed within 500 feet of a gas or petroleum transmission pipeline

This ordinance was adopted on July 13, 2021, but requires review with the other Comprehensive Plan amendments scheduled this evening so the cumulative effect of the various proposals can be evaluated

OPEN SESSION (20 MINUTES)

During open session, audience members may speak to the council on issues not scheduled for public hearing. To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. All speakers should state their 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 and inform speakers when they have reached their three minute limit.

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. [AB2021-407](#) Request authorization for the County Executive to enter into a contract between Whatcom County and GeoEngineers, Inc. to provide on-call geotechnical engineering services for 2021-2022 in the amount not to exceed \$200,000
2. [AB2021-429](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lifeline Connections to support the Whatcom Recovery House, in the amount of \$51,447

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2021-405](#) Ordinance requesting that the Whatcom County Auditor include the question of establishing a Birch Bay Library Capital Facility Area to finance a new library facility in Birch Bay on the ballot at the November general election
2. [AB2021-431](#) Resolution to set hearing and notice of hearing to declare Whatcom County real property as surplus
3. [AB2021-432](#) Resolution to set hearing and notice of hearing to authorize the sale of Whatcom County surplus property
4. [AB2021-396](#) Request approval for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and the Washington Department of Ecology in the amount of \$153,520 (Council acting as the Flood Control Zone District Board of Supervisors)
5. [AB2021-409](#) Request approval for the County Executive to enter into an interlocal agreement on behalf of the Flood Control Zone District between Whatcom County and the City of Lynden in the amount of \$20,000 for the construction of the Lynden Levee Channel Realignment Project (Council acting as the Flood Control Zone District Board of Supervisors)

(From Council Committee of the Whole)

6. [AB2021-438](#) Resolution approving the Whatcom County Water District No. 7 Water System Plan

ITEMS ADDED BY REVISION

1. [AB2021-457](#) Letter of support for opioid treatment program in Bellingham
ITEM ADDED 7.26.2021
2. [AB2021-456](#) Request authorization for the County Executive to enter into a contract to purchase 2000 Division Street property
ITEM ADDED 7.26.2021

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. [AB2021-412](#) Ordinance amending the 2021 Whatcom County Budget, request no. 12, in the amount of \$1,506,763
2. [AB2021-420](#) Ordinance amending the Whatcom County Comprehensive Plan Map and zoning code for the Nooksack Falls Exclave within the Mount Baker-Snoqualmie National Forest

3. [AB2021-422](#) Ordinance for reestablishing a speed limit for a portion of Bay Road
4. [AB2021-424](#) Ordinance adopting amendments to the Whatcom County Code Title 20, Zoning to allow and regulate Battery Energy Storage Systems
5. [AB2021-433](#) Resolution declaring Whatcom County real property as surplus
6. [AB2021-434](#) Resolution authorizing the sale of Whatcom County surplus property
7. [AB2021-413](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for FY2021 Byrne Justice Assistance Grant (JAG) Program Award, in the amount of \$14,001
8. [AB2021-417](#) Resolution transferring a Whatcom County Flood Control Zone District property to the Lummi Nation (Council acting as the Flood Control Zone District Board of Supervisors)
9. [AB2021-185](#) Ordinance amending Whatcom County Code 9.32, Unlawful Discharge of Firearms, to establish a no shooting zone in the Drayton Harbor area of Whatcom County

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

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