

# **Whatcom County Council**

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



## **Action Summary**

**VIRTUAL MEETING - VIEW ONLINE (AGENDA REVISED 12.8.2020)**

**Tuesday, December 8, 2020**

**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

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas, and Kathy Kershner

**Absent:** None

### FLAG SALUTE

### ANNOUNCEMENTS

The County Council is accepting applications from county residents to fill vacancies on several citizen advisory boards, commissions, and committees that span a wide range of important local issues. Advisory committees work on a variety of topics such as agriculture, natural resources, land use planning, parks, economic development, and social services.

For more information, visit the Boards and Commissions vacancy webpage on the County website at [www.co.whatcom.wa.us](http://www.co.whatcom.wa.us), or call the County Council office or County Executive's Office.

Applications can be submitted online or by mail, and are due 10 am, January 5, 2021.

### COUNTY EXECUTIVE'S REPORT

### MINUTES CONSENT

1. [MIN2020-113](#) Committee of the Whole for November 10, 2020

**APPROVED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

2. [MIN2020-114](#) Regular County Council for November 10, 2020

**APPROVED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

3. [MIN2020-115](#) Special Council for November 16, 2020

**APPROVED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

4. [MIN2020-116](#) Water Work Session for November 17, 2020

**APPROVED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

5. [MIN2020-117](#) Special Council Cherry Point Work Session for November 17, 2020

**APPROVED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

**OPEN SESSION (20 MINUTES)**

**CONSENT AGENDA**

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

1. [AB2020-551](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Action Cleaning for providing custodial services to Whatcom County’s satellite buildings, also to include Sheriff Laurel Street station, WUECC, and extra Covid-19 sanitization, in the amount of \$50,667.80

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

2. [AB2020-554](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pioneer Human Services to operate the City Gate Permanent Supportive Housing Program, in the amount of \$490,948

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

- [AB2020-557](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to continue security services at the COVID-19 Temporary Housing Facility, in the amount of \$41,000 for a total amended contract amount of \$156,000

Councilmembers voted to approve AB2020-557 by consent but then reconsidered the vote later. See item number 3 under Consent Agenda below for the final action on this item.

4. [AB2020-558](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to provide emergency housing for families experiencing unsheltered homelessness, in the amount of \$114,172

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

5. [AB2020-559](#) Request authorization for the County Executive to enter into a contract between Whatcom County and YWCA Bellingham to provide additional shelter beds for women aged 55 or older, in the amount of \$122,020

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

6. [AB2020-560](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District for reimbursement of eligible COVID-related technology expenses, in the amount of \$79,560

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

7. [AB2020-568](#) 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 when the Ferndale Senior Activity Center is reserved after program hours

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

8. [AB2020-570](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Jet Oldsters Association of Ferndale for staffing and operation of the Ferndale Senior Activity Center, in the amount of \$123,748

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

9. [AB2020-571](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for staffing and operation of the Lynden Senior Activity Center, in the amount of \$123,748

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

10. [AB2020-572](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for staffing and operation of the Blaine Senior Activity Center, in the amount of \$123,748

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

11. [AB2020-573](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Whatcom Council on Aging for staffing and operation of the Bellingham Senior Activity Center, in the amount of \$123,748

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

14. [AB2020-576](#) 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 \$796,701

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

15. [AB2020-577](#) Request approval for the County Executive to authorize the purchase of body worn cameras, and enter into a contract for associated services with Axon Enterprise, Inc., using the Washington State Contract #06316, in an amount not to exceed \$381,437.85

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

16. [AB2020-578](#) Request authorization for the County Executive to renew a Collective Bargaining Agreement between Whatcom County and General Teamsters' Local Union 231 Master Collective Bargaining Unit for the period January 1, 2021 through December 31, 2021

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

17. [AB2020-579](#) Request authorization for the County Executive to accept Midwest Employer Casualty renewal option 1 for insurance protection for the self-insured workers' compensation program in 2021

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

18. [AB2020-581](#) Request authorization for the County Executive to enter into a residential lease agreement between Whatcom County and Wayne and Michelle Moses and Barbara Jackson to reside at 7981 Blaine Road, Blaine, for monthly rent of \$1,639.00

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

19. [AB2020-582](#) Request authorization for the County Executive to renew a Collective Bargaining Agreement between Whatcom County and PROTEC17 for the period January 1, 2021 through December 31, 2021
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner
- Nay:** 0
- Absent:** 0
20. [AB2020-583](#) Request authorization for the County Executive to enter into a two year agreement between Whatcom County and Whatcom Humane Society to provide animal control and shelter services, in an amount not to exceed \$796,260
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner
- Nay:** 0
- Absent:** 0
3. [AB2020-557](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to continue security services at the COVID-19 Temporary Housing Facility, in the amount of \$41,000 for a total amended contract amount of \$156,000
- AUTHORIZED BY CONSENT**
- Aye:** 4 - Browne, Buchanan, Donovan, and Frazey
- Nay:** 3 - Byrd, Elenbaas, and Kershner
- Absent:** 0
12. [AB2020-574](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Pioneer Human Services to lease a portion of the Crisis Stabilization Center, in the amount of \$24,500
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner
- Nay:** 0
- Absent:** 0
13. [AB2020-575](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Compass Health to lease a portion of the Crisis Stabilization Center, in the amount of \$24,000 annually
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

21. [AB2020-585](#) Request authorization for the County Executive to enter into a 10 year lease agreement between Whatcom County and Stryker for the acquisition of capital equipment including gurneys, powerlifts, LifePaks and more to outfit EMS Advanced Life Support Units in an amount of 10 equal payments of \$468,316.48 over 10 years totaling \$4,683,164.80

**AUTHORIZED BY CONSENT**

**Aye:** 6 - Browne, Buchanan, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Byrd

22. [AB2020-586](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Service Master Cleaning to continue providing cleaning services at the COVID-19 Temporary Housing Facility, in the amount of \$40,000 for a total amended contract amount of \$150,000

**AUTHORIZED BY CONSENT**

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

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

**Absent:** 0

23. [AB2020-587](#) Request authorization for the County Executive to enter into a three-year agreement, using the National Association of State Procurement Officials ValuePoint Master Agreement #AR2474 and State of Washington Participating Addendum #05116, between Whatcom County and CenturyLink Communications, LLC for telecommunications trunk line services, in the amount of \$106,127.17

**HELD IN COMMITTEE**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

24. [AB2020-589](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Bellingham Fire Department to increase the reimbursement for costs associated with the support of two Community Paramedics in the amount of \$383,494 for a total amended amount of \$704,549

**AUTHORIZED BY CONSENT**



**Aye:** 6 - Browne, Buchanan, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 1 - Byrd

**Absent:** 0

### **ITEMS ADDED BY REVISION**

1. [AB2020-594](#) Request authorization to award Bid #20-55, and enter into a contract for the supply and installation of interior carpet and paint at the Whatcom County Central Plaza Building, with CCI, Inc. (CCI, Inc. is located in Sultan, WA) in the amount of \$113,945

#### **AUTHORIZED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

### **OTHER ITEMS**

(From Council Finance and Administrative Services Committee)

1. [AB2020-535](#) Ordinance amending the project budget for the E. Smith/Hannegan Road Intersection Improvements Fund, request no. 1

#### **ADOPTED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-073

2. [AB2020-536](#) Ordinance amending the project budget for the Marine Drive, Locust Ave to Alderwood Ave, Reconstruction Fund, request no. 1

#### **ADOPTED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-074

3. [AB2020-542](#) Ordinance amending Silver Lake Park Improvement Fund, request no. 2

#### **ADOPTED**

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

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

**Absent:** 0

Enactment No: ORD 2020-075

4. [AB2020-543](#) Ordinance amending the 2021 Whatcom County Budget, request no. 1, in the amount of \$14,781,015

**ADOPTED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

Enactment No: ORD 2020-076

5. [AB2020-556](#) Ordinance amending the 2020 Whatcom County Budget, request no. 22, in the amount of \$3,524,769

**ADOPTED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-077

6. [AB2020-561](#) Request authorization for the County Executive to enter into an interlocal agreement amendment 1 of Whatcom County contract 201909004 between Whatcom County and the City of Bellingham for the Lake Whatcom Homeowner Incentive Program, in the amount of \$200,000

**AUTHORIZED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

7. [AB2020-562](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for the Lake Whatcom Homeowner Incentive Program assistance, in the amount of \$92,095

**AUTHORIZED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

8. [AB2020-563](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for Pollution Identification and Correction Program Non-Dairy Agricultural Best Management Practices Outreach and Cost Share, in the amount of \$57,000 (Council acting as the Whatcom County Flood Control District Board of Supervisors)

**AUTHORIZED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

9. [AB2020-564](#) Request authorization for the County Executive to enter into a contract between Whatcom County and GSI Water Solutions, Inc. to conduct a peer review of the Lynden-Everson-Nooksack-Sumas numerical groundwater model, provide recommendations for improvements and additional work, in the amount of \$103,700 (Council acting as the Whatcom Flood Control District Board of Supervisors)

**AUTHORIZED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

10. [AB2020-584](#) Resolution approving the 2021 recommended Convention Center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816

**APPROVED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: RES 2020-055

**(From Council Committee of the Whole)**

11. [AB2020-565](#) Consideration of Hearing Examiners recommendation on preliminary long subdivision application filed by Governors Point Land LP (Governors Point subdivision)

**AFFIRMED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

12. [AB2020-566](#) Resolution affirming confidence in election results

**WITHDRAWN**

13. [AB2020-546](#) Ordinance amending Whatcom County Code 2.98, Point Roberts Community Advisory Committee, to revise membership and meeting procedures to broaden representation and improve transparency

**SUBSTITUTE ADOPTED**

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

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

**Absent:** 0

Enactment No: ORD 2020-078

**(No Committee Assignment)**

14. [AB2020-524](#) Ordinance creating a Child and Family Well-Being Task Force

**ADOPTED AS AMENDED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

Enactment No: ORD 2020-079

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

1. [AB2020-552](#) Appointment to Drainage Improvement District #7, Supervisor Position 3 - Applicant(s): Rod Stump

**APPOINTED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

**INTRODUCTION ITEMS**

1. [AB2020-553](#) Ordinance granting City of Lynden a non-exclusive franchise for an industrial condensate pipeline

**INTRODUCED FOR PUBLIC HEARING**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

ITEMS ADDED BY REVISION

2. [AB2020-598](#) Resolution reflecting the diversity of the County's population by improving written accessibility

**INTRODUCED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

**SPECIAL COUNCIL ONLY ITEM**

1. [AB2020-588](#) Approval of letter/request to provide additional public spaces for assigned family visitations during the COVID-19 Pandemic

**APPROVED REQUEST**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

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

Motion approved 7-0 to approve the language as read into the record by Satpal Sidhu, County Executive, with an amendment to add "or interested individuals" after the word "organizations."

**ADJOURN**