

# **Whatcom County Council**

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



## **Meeting Agenda**

**Tuesday, April 9, 2024**

**6 PM**

**Hybrid Meeting**

**HYBRID MEETING (PARTICIPATE IN-PERSON, VIEW ONLINE, OR REGISTER TO SPEAK REMOTELY - PLEASE SEE AGENDA NOTES UNDER "ANNOUNCEMENTS", "OPEN SESSION", OR "PUBLIC HEARINGS" FOR MORE INFORMATION)**

### **COUNCILMEMBERS**

Barry Buchanan

Tyler Byrd

Todd Donovan

Ben Elenbaas

Kaylee Galloway

Jon Scanlon

Mark Stremler

### **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 meetings in hybrid format with options for in-person or remote viewing and participation. For instructions on remote participation, visit [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) and register by 4 p.m. the day of the meeting to receive a join link. 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.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

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 or call the Council Office or County Executive's Office.

### COUNTY EXECUTIVE'S REPORT

#### MINUTES CONSENT

1. [MIN2024-015](#) Committee of the Whole for March 19, 2024
2. [MIN2024-016](#) Regular County Council for March 19, 2024

#### PUBLIC HEARINGS

Participants requesting to speak during public hearings may attend in person. To speak remotely, please visit [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) and register by 4 p.m. the day of the meeting to receive a join link.

All speakers are asked to state their name for the record and optionally include city of residence. 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. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

1. [AB2024-155](#) Resolution vacating a portion of County Road and an unnamed alley within the Amended Plat of South Wickersham
2. [AB2024-173](#) Ordinance adopting amendments to Whatcom County Code Title 15, Buildings & Construction, to adopt by reference the 2021 Editions of the International Building, Residential, Mechanical, Fuel gas, existing building, fire codes, and the national fuel gas, Washington State Energy, uniform plumbing, & liquified petroleum gas codes, and the 1997 uniform code for the abatement of dangerous buildings, as amended as set forth herein, as required by RCW Chapter 19.27
3. [AB2024-201](#) Ordinance adopting amendments to Whatcom County Code Section 1.14, Electoral Precincts, with newly established voting precinct boundaries for Whatcom County
4. [AB2024-208](#) Ordinance adopting Whatcom County Code Title 20, zoning code amendments relating to allowing propane reload, storage, and distribution facilities in the agriculture zone as a conditional use

### **OPEN SESSION**

**Participants requesting to speak during open session may attend in person. To speak remotely, please visit [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) and register by 4 p.m. the day of the meeting to receive a join link.**

**During open session, audience members may speak to the council on issues not scheduled for public hearing or related to the proposed ABC Recycling project. All speakers are asked to state their name for the record and optionally include city of residence. 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. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.**

**Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.**

### **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. [AB2024-200](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Library System in support of the Birch Bay Library construction project in the amount of \$315,000

2. [AB2024-204](#) Request authorization for the County Executive to enter into a contract between Whatcom County and PNW Plateful to distribute weekly meals to low-income households, in the amount of \$115,000
3. [AB2024-221](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and WA State Department of Commerce to provide funding for Justice Project management and Justice Project data work in the amount of \$245,903.00
4. [AB2024-222](#) Request authorization for the County Executive to enter into a no cost interlocal agreement between Whatcom County and Bellingham School District to provide community immunization clinics
5. [AB2024-223](#) Request authorization for the County Executive to enter into Project Agreement Amendment No. 3 with the County Road Administration Board (CRAB), for the Hampton Road Pavement Rehabilitation Project, for Rural Arterial Program (RAP) funding in the amount of \$198,000
6. [AB2024-230](#) Request permission for the County Executive to enter into a contract between Whatcom County and Geo Test Services to provide on-call construction materials testing and inspection services for 2024 in the amount not to exceed \$200,000
7. [AB2024-232](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Aspect Consulting to provide water rights adjudication technical assistance, in the amount of \$170,000.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
8. [AB2024-242](#) Request authorization for the County Executive to award bid # 24-23 and enter into a contract between Whatcom County and Lake Union Drydock Company for the annual drydocking, repair and maintenance of the Whatcom Chief Ferry, in the amount of \$1,180,380.00
9. [AB2024-243](#) Request authorization for the County Executive to enter into a contract between Whatcom County and MacWhinney Environmental Consulting LLC for third-party critical areas review, in the amount of \$60,000.00
10. [AB2024-244](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$256,842 for a total amended contract amount of \$1,488,823
11. [AB2024-248](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Puget Sound Energy for the Sheriff's Office to perform reimbursed overtime patrols, in the amount of \$18,216.00

12. [AB2024-257](#) Request authorization for the County Executive to enter into an Economic Development Investment Program Interlocal Loan and Grant agreement between Whatcom County and the City of Bellingham to provide EDI loan and grant funding support for the Old Town Urban Village Improvement Project in the amount of \$1,500,000 in grant funding and \$1,500,000 in loan funding for a total agreement amount of \$3,000,000

## **OTHER ITEMS**

### **(From Council Public Works and Health Committee)**

1. [AB2024-166](#) Ordinance amending Whatcom County Code 8.10, Solid Waste and Residential Recycling Collection

**WITHDRAWN (REVISED ORDINANCE WILL BE CONSIDERED AT A LATER DATE)**

### **(From Council Planning and Development Committee)**

2. [AB2024-245](#) Resolution docketing Comprehensive Plan and Development Regulation amendments

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

3. [AB2024-090](#) Resolution identifying Whatcom County approaches to the fentanyl emergency
4. [AB2024-252](#) Resolution supporting modernization of the Economic Development Investment (EDI) Board
5. [AB2024-254](#) Resolution repealing Resolution 2023-054 (a resolution establishing an independent review of countywide fire and emergency medical services structures)
6. [AB2024-236](#) Request confirmation of the County Executive's appointment of Kayla Schott-Bresler as Deputy Executive effective April 10, 2024

### **(No Committee Assignment)**

7. [AB2024-210](#) Ordinance calling for the election of Charter Review Commissioners at the November 2024 General Election
8. [AB2024-253](#) Resolution in support of expanding access to affordable and reliable internet for all residents of Whatcom County

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

1. [AB2024-191](#) Appointment to a vacancy on the Surface Mining Advisory Committee, potable domestic groundwater supply representative, Applicant(s): Carl Isom-McDaniel

2. [AB2024-211](#) Clarification of Council appointment and appointment to vacancies on the Justice Project Oversight and Planning Committee, Applicant(s): Scott Ryckman, Richard Gleason, and Tawsha Thompson
3. [AB2024-212](#) Clarification of Council motion to change representation on the Surface Mining Advisory Committee from Committee Member Kathleen Greenbaum
4. [AB2024-224](#) Appointment to vacancies on the Wildlife Advisory Committee, Applicant(s): Jay Brueggeman
5. [AB2024-234](#) Approval of request to change representation on the Board of Equalization from At-Large Alternate to District 2, from Board Member Tom Follis

### **CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

**Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.**

1. [AB2024-215](#) Request confirmation of the County Executive's appointment of David Finet to the Housing Authority of Whatcom County
2. [AB2024-225](#) Request confirmation of the County Executive's appointment of Alex Jeffers to the Conservation Easement Program Oversight Committee
3. [AB2024-227](#) Request confirmation of the County Executive's appointment of Roger Hawley to the Agricultural Advisory Committee
4. [AB2024-246](#) Request confirmation of the County Executive's appointment of Andrew Shelton to the Marine Resources Committee
5. [AB2024-250](#) Request confirmation of the County Executive's and Mayor of Bellingham's appointments to the Whatcom Racial Equity Commission; confirmation at a future City of Bellingham Council Meeting will occur after County Council confirmation

### **ITEMS ADDED BY REVISION**

#### **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. [AB2024-217](#) Ordinance establishing the project budget for the Austin Court Stormwater Improvements Fund, request no. 1
2. [AB2024-220](#) Ordinance amending WCC 2.106 to change reporting due date for the Child & Family Well-Being Task Force

3. [AB2024-229](#) Ordinance closing the Birch Bay Drive and Pedestrian Facility Fund and Project Based Budget
4. [AB2024-235](#) Ordinance amending the project budget for the new Public Health, Safety and Justice Facility, request no. 6
5. [AB2024-237](#) Ordinance amending the project budget for the Way Station Project Fund, request no. 3
6. [AB2024-239](#) Ordinance amending the 2024 Whatcom County Budget, request No. 6 in the amount of \$8,600,501
7. [AB2024-157](#) Ordinance amending Whatcom County Code 12.24, Franchise Requirements, to update procedures for processing applications
8. [AB2024-238](#) Ordinance Amending WCC 10.34 Ferry Rates
9. [AB2024-256](#) Receipt of application for a vacancy on the Board of Equalization, at-large alternate - Applicant(s): John Young (Deadline for additional applications to this position is 10 a.m. on Tuesday, April 16, 2024)

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

### **ADJOURN**