

Whatcom County Council

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



Meeting Agenda

Tuesday, September 26, 2023

6 PM

Hybrid Meeting

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA REVISED 9.25.2023 and 9.26.2023

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kaylee Galloway
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 meetings in hybrid format with options for in-person or remote viewing and participation. For instructions on how to watch or participate in the Council's meetings, visit 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.

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. [MIN2023-062](#) Committee of the Whole for September 12, 2023
2. [MIN2023-063](#) Regular County Council for September 12, 2023
3. [MIN2023-064](#) Water Work Session for September 19, 2023

PUBLIC HEARINGS

To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. 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 participating remotely.

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1. [AB2023-571](#) Ordinance establishing Paul Davis honorary signs on Lummi Island
2. [AB2023-574](#) Resolution approving the Whatcom County Six-year Transportation Improvement Plan for the years 2024-2029

OPEN SESSION

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 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 participating remotely.

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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. [AB2023-551](#) Request authorization for the County Executive to sign the “Government Entity Release of All Claims” related to the settlement agreement between Altria and the settling government entity plaintiffs in the JUUL e-cigarette multi-district litigation (MDL)
2. [AB2023-587](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Blaine School District to provide funding for a Behavioral Health Coach staff position, in the amount of \$315,000
3. [AB2023-594](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to deliver various public health services in the amount of \$1,893,352 for a total amended contract amount of \$14,071,769
4. [AB2023-595](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Sanitary Service Company to lease the Cedarville and Birch Bay Transfer Stations, in the amount of \$6,997

5. [AB2023-598](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County, the seven cities, and the Whatcom Council of Governments concerning cost sharing associated with the 2025 Comprehensive Plan update and Urban Growth Area review, in the amount of \$600,000
6. [AB2023-599](#) Request authorization for County Executive to enter into an interlocal agreement amendment with Whatcom County Fire District 7 to increase the compensation for Community Paramedic Services in the amount of \$37,664 for a total amended amount of \$941,716
7. [AB2023-600](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Family & Community Network to deliver youth prevention programs, in the amount of \$185,000
8. [AB2023-601](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide pass through funding for direct public services to low- and moderate-income persons in Whatcom, Island, and San Juan Counties in the amount of \$134,000
9. [AB2023-602](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Department of Commerce to help cover a portion of the Victim/Witness Coordinator position salary and benefits in an amount not to exceed \$60,461.00
10. [AB2023-603](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for the removal of solid and hazardous waste related to encampments and illegal dump sites, in the amount of \$150,000
11. [AB2023-604](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the United States Department of Interior, U.S. Geological Survey (USGS) to jointly fund stream gaging stations in the Nooksack River, in the amount of \$117,217 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
12. [AB2023-606](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth and Families for the Nurse Family Partnership Program, in the amount of \$378,495.59
13. [AB2023-607](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority for expansion of the LEAD Program, in the amount of \$1,175,834

14. [AB2023-608](#) Request approval for the County Executive to authorize the purchase of six (6) servers, using the Washington State Contract #05815, from CDW-G, in an amount not to exceed \$81,382.40
15. [AB2023-611](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Fire District No. 5 for fire protection services on park properties in the annual amount of \$283.18
16. [AB2023-614](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Mount Baker School District to provide funding for professional mental health services, in the amount of \$285,000
17. [AB2023-617](#) Request approval for the County Executive to award RFP #23-52, and authorization to enter into a 36-month lease with Global Lease Group for leasing four vehicles for the Sheriff's Office, in the amount of \$195,423.55
18. [AB2023-618](#) Request authorization for the County Executive to enter into a contract between Whatcom County and West Publishing - Thomson Reuters to provide a subscription agreement for an online database for legal research in the amount of \$212,244.10
19. [AB2023-619](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Long Term Recovery Group in the amount of \$527,888 to support the County's efforts following the November 2021 flood event
20. [AB2023-620](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Long Term Recovery Group in the amount of \$1,332,000 to support the County's efforts to aid those impacted by the November 2021 flood event
21. [AB2023-625](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Administrative Office of the Courts in the amount of \$191,377
22. [AB2023-626](#) Request authorization for County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Fire Department for additional Medic 75 implementation costs in the amount of \$262,806.22
23. [AB2023-627](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Bellingham Fire Department for expenses related to onboarding lateral paramedics in the amount of \$138,100.36
24. [AB2023-629](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Lynden Fire Department for Medic 75 implementation costs in the amount of \$12,720.36

25. [AB2023-631](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and Fire Protection District #5 to add the 2023 basic life support allocation in the amount of \$23,880.48 for a total compensation of \$85,635.87
26. [AB2023-633](#) Request authorization for the County Executive to enter into an interlocal amendment between the Fire Departments and Fire Agencies to extend the term and add the 2023 allocation for Basic Life Support Services in the amount of \$1,476,119.52 for a total compensation of \$7,427,409.07

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2023-555](#) Ordinance amending Whatcom County Code Sections 1.08.090 and 1.08.170 to reflect amended Charter language related to signature requirements for initiatives
2. [AB2023-585](#) Ordinance amending the 2023 Whatcom County Budget, request no. 13, in the amount of \$12,557,496 (supplemental amended to \$12,473,352)
3. [AB2023-591](#) Resolution amending the Flood Control Zone District & Subzones 2023 budget, request no. 2, in the amount of \$655,792

(From Council Criminal Justice and Public Safety Committee)

4. [AB2023-561](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to consolidate previous amendments and extend the term date for the WHAT-COMM Communications Center

(From Council Committee of the Whole)

5. [AB2023-636](#) Discussion and approval of a letter to Senator Cantwell, Senator Murray, and Rep. Larson regarding the FEMA Hazard Mitigation Grant Program (HMGP)

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-532](#) Appointment to a vacancy on Drainage District #3, Commissioner Position 1, Applicant: Dave Blok

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. [AB2023-616](#) Request confirmation of the County Executive's appointment of Tera Lorimer to the Lodging Tax Advisory Committee

ITEMS ADDED BY REVISION

1. [AB2023-644](#) Approval of letter related to the Conservation Reserve Enhancement Program (CREP)
ADDED 9.26.2023
2. [AB2023-645](#) Ordinance imposing an emergency interim moratorium on the acceptance and processing of applications and permits for new uses in areas zoned heavy impact industrial within a City's designated urban growth area

ADDED 9.26.2023

SEE ADDITIONAL ADDED ITEMS UNDER INTRODUCTION BELOW

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. [AB2023-548](#) Ordinance amending WCC 2.145, Lummi Island Ferry Advisory Committee
2. [AB2023-622](#) Resolution to sell tax title property by public auction (Sudden Valley Division No. 22)
3. [AB2023-623](#) Resolution to sell tax title property by public auction (Sudden Valley Division No. 3)
4. [AB2023-624](#) Resolution to sell tax title property by public auction (Sandy Point Garden Tracts)
5. [AB2023-605](#) Resolution adopting the 2024-2029 Six-Year Water Resources Improvement Program (WRIP) by the Whatcom County Council (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
6. [AB2023-640](#) Ordinance establishing a task force to develop a Whatcom County Forest Resilience Plan
ADDED 9.25.2023
7. [AB2023-646](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new uses in areas zoned heavy impact industrial within a city's designated urban growth area

ADDED 9.26.2023

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN