

Whatcom County Council

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



Meeting Agenda

AGENDA REVISED 2/11/2019 AND 2/12/2019 - SEE REVISION NOTICES

Tuesday, February 12, 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.

COUNTY COUNCIL

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.

MINUTES CONSENT

1. [MIN2019-007](#) Committee of the Whole for January 15, 2019
2. [MIN2019-008](#) Special Committee of the Whole (3PM) for January 15, 2019
3. [MIN2019-009](#) Special Committee of the Whole (6:30PM) for January 15, 2019
4. [MIN2019-010](#) Regular County Council for January 15, 2019
5. [MIN2019-011](#) Regular County Council for January 29, 2019
6. [MIN2019-012](#) Surface Water Work Session for January 22, 2019
7. [MIN2019-013](#) Special Committee of the Whole for January 29, 2019
8. [MIN2019-014](#) Committee of the Whole for January 29, 2019
9. [MIN2019-015](#) Special Committee of the Whole for January 8, 2019
10. [MIN2019-016](#) Board of Health for February 5, 2019

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. [AB2019-018](#) 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. [AB2019-073](#) Ordinance Regarding Temporary Installation of Stop Signs on Certain County Roads

3. [AB2019-074](#) Ordinance Establishing a Temporary Speed Limit Change for Birch Bay Drive
4. [AB2019-075](#) Ordinance Establishing Temporary One-Way Traffic on Birch Bay Drive
5. [AB2019-076](#) Ordinance Authorizing the Temporary Re-Opening of Cottonwood Drive at Morgan Drive to Vehicular Traffic

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. [AB2019-026](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Birch Bay Chamber of Commerce to pay for the operations of the Birch Bay Visitor Center and to support the marketing of multi-day events, in the amount of \$100,000
2. [AB2019-104](#) Request authorization for the County Executive to enter into Amendment No. 3 to Whatcom County Contract No. 201802006 between Whatcom County and FCS Group for the amended amount of \$34,560
3. [AB2019-111](#) Request authorization for the County Executive to enter into an interlocal between Whatcom County and Lummi Nation to conduct natural resource monitoring and impact mitigation in the amount of \$120,000
4. [AB2019-112](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Herrera Environmental Consultants for Swift Creek Sediment Management Action Plan Implementation
5. [AB2019-116](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth & Families for support of Perinatal Mood and Anxiety Disorders, in the amount of \$10,000
6. [AB2019-117](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Sound Behavioral Health Organization to support substance abuse prevention and mental health promotion programs in Whatcom County, in the amount of \$83,438

7. [AB2019-119](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Conservation District to provide a robust Community Wildfire Risk Reduction Program that consists of outreach, education and technical assistance to the Whatcom County communities most at risk from wildfire in Whatcom County
8. [AB2019-125](#) Request authorization for the county Executive to enter into an interlocal between Whatcom County and Bellingham Technical College and the City of Bellingham for the administration of the EMT-Paramedic Training Program in the amount of \$56,000
9. [AB2019-123](#) Resolution in the Matter of the Sale of Surplus Personal Property and Setting a Date for Public Hearing Thereon Pursuant to WCC 1.10

ITEM REMOVED 2-12-2019

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2019-087](#) Request authorization for the County Executive to enter into an EDI Interlocal Loan and Grant Agreement between Whatcom County and Port of Bellingham in the amount of \$250,000
2. [AB2019-105](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County Flood Control Zone and the City of Bellingham for management and operation of the joint City-County aquatic invasive species (AIS) boat inspection program at Lakes Whatcom and Samish, in the amount of \$123,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
3. [AB2019-107](#) Request Authorization for the County Executive to enter in to a cooperative agreement between The United States of America Army Corps of Engineers and Whatcom County Flood Control Zone District for rehabilitation of a non-federal flood control work in the amount of \$453,100 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
4. [AB2019-115](#) Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Exact Scientific Services to provide water quality analytical testing services, in the amount of \$90,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

(No Committee Assignment)

ITEMS ADDED VIA AGENDA REVISIONS

5. [AB2019-136](#) Request approval to send letter requesting state funding to support the work of the Whatcom County Marine Resources Committee

ITEM ADDED 2-11-2019

6. [AB2019-133](#) Resolution requesting support for Washington State House and Senate bills related to: pollution prevention; increasing habitat and fish abundance; protection of southern resident orca whales from vessels; and improving the safety of oil transportation

ITEM ADDED 2-11-2019

7. [AB2019-137](#) Resolution respectfully requesting that the Whatcom County Prosecutor ask the Washington State Attorney General to review and update opinions previously provided related to the eligibility of county council members and commissioners to be appointed to vacant legislative positions

ITEM ADDED 2-12-2019

8. [AB2019-138](#) Resolution requesting that the County Executive provide staff resources and funding to coordinate with Whatcom County cities, social services agencies, and other providers to provide sufficient shelter capacity during cold weather periods and coordinate issuing hotel/motel accommodation vouchers

ITEM ADDED 2-12-2019

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. [AB2019-027](#) Ordinance amending Whatcom County Code 6.04 Animal Control, Chapter 6.04.020 Definitions and 6.04.031 Administration and Enforcement
2. [AB2019-103](#) Ordinance proposing modifications to Whatcom County Code 2.27A, Aquatic Invasive Species (AIS)
3. [AB2019-106](#) Ordinance amending the Unified Fee Schedule to accommodate changes to Whatcom County Code 2.27A, Aquatic Invasive Species
4. [AB2019-121](#) Ordinance Amending Whatcom County Code Section 1.14 Correcting Certain Precinct Boundary Lines and Precinct Maps
5. [AB2019-124](#) Ordinance amending the 2019 Whatcom County Budget, request no. 2, in the amount of \$4,901,742
6. [AB2019-128](#) Ordinance amending courthouse building envelope project budget (as established through Ordinance 2014-085) third request, in the amount of \$4,700,000 for a total project budget of \$7,377,809
7. [AB2019-127](#) Receipt of application for the Whatcom County Planning Commission, applicant: Bob Burr (committee assists the Planning and Development Services Department in carrying out its duties, which include helping to prepare and execute the Comprehensive Plan and making recommendations for adoption of official controls and/or amendments. (application deadline for any other applicants is 10:00 a.m. February 19, 2019)

8. [AB2019-129](#) Receipt of application for the Sumas/Everson/Nooksack Flood Control Sub-Zone Advisory Committee - Applicant: Larry Mades (the committee is an integral part of the program reviewing the comprehensive plan for flood control) (application for deadline for any other applicants is 10 a.m. February 19, 2019)
9. [AB2019-131](#) Resolution Authorizing the Sale of Surplus Personal Property Pursuant to WCC 1.10
- ITEM REMOVED 2-12-2019**
10. [AB2019-126](#) Resolution amending the 2019 Flood Control Zone District and Subzones Budget, request no. 2, in the amount of \$90,659 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN