

Whatcom County Council

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



Meeting Agenda

AGENDA REVISED 5/6/2019 (SEE REVISION NOTICE)

Tuesday, May 7, 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.

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. [AB2019-167](#) Ordinance granting Glenhaven Lakes Club Inc. a franchise and the right, privilege, and authority thereunder to locate, set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use facilities in, upon, over, under, along, across and through the franchise area to allow for the provision of water services
2. [AB2019-223](#) Whatcom County Comprehensive Plan amendments concerning the Lummi Island Ferry; the proposal would modify a policy relating to ferry level of service and delete a policy relating to a ferry feasibility study

(Recommended motion: Forward for concurrent review. This ordinance cannot be adopted this evening. The Council must consider initiated comprehensive plan amendments concurrently so that the cumulative effect of the various proposals can be evaluated. All proposed amendments will be scheduled together for final adoption at a later date.)

3. [AB2019-248](#) Ordinance amending the Whatcom County Unified Fee Schedule to include language regarding reducing recidivism, job loss, and education disruption caused by low income County residents serving jail time in other jurisdictions by allowing them to continue to attend school or work if the offense allows for day release in Whatcom County

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.

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

1. [AB2019-267](#) Request authorization for the County Executive to enter into an agreement between Whatcom County, Whatcom Counseling and Psychiatric Clinic, Inc. and T-Mobile West LLC for Third Amendment to Site Easement with Options
2. [AB2019-250](#) Request authorization for the County Executive to enter in to a Cooperative Agreement with the US Army Corps of Engineers for repairs to the Twin View Levee along the left bank of the Nooksack River near the town of Everson in the amount of \$357,500 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
3. [AB2019-211](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and North Sound Behavioral Health Organization to provide match funds for continuing The Projects for Assistance in Transition from Homelessness (PATH) federal grant activities in Whatcom County, in the amount of \$75,469
4. [AB2019-254](#) Request authorization for the County Executive to award Bid #19-25 and enter into a contract between Whatcom County and Cowden, Inc., for the supply of crushed aggregate to be stockpiled at various Whatcom County pit sites including Point Roberts, Lummi Island and Whatcom County's Abel Pit and used by the Public Works-Maintenance and Operations Division for the annual chip sealing program; additionally, work shall include hauling of ditching waste material from Point Roberts to Whatcom County mainland, in the amount of \$843,248.00
5. [AB2019-273](#) Request approval of the Economic Development Investment (EDI) Board's recommendations for funding of the Port of Bellingham's request for a grant in the amount of \$750,000, and of the Whatcom County Sheriff's request for a grant in the amount of \$515,000

(From Council Public Works and Health Committee)

6. [AB2019-262](#) Resolution in the matter of considering vacation of Safsten Road
7. [AB2019-266](#) Consideration of citizen appeal of address change due to road naming requirement

(From Council Planning and Development Committee)

8. [AB2019-255](#) Request County Council review and approval of the Public Participation Plan for Whatcom County Comprehensive Plan and Development Regulations (this plan will guide public participation efforts relating to comprehensive plan and development regulation amendments)

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-200](#) Appointment to the Solid Waste Advisory Committee, Business/Industry representative, partial term ending 1/31/2020, applicant: Rodd Pemble (committee provides ongoing public input and advise to Whatcom County on solid waste management issues)
2. [AB2019-235](#) Appointment to the Wildlife Advisory Committee, applicant: Trevor Delgado (committee advises the Whatcom County Planning and Development Services Department staff and the Whatcom County Council on the value of wildlife and habitat management issues as they relate to the Whatcom County Comprehensive Plan)
3. [AB2019-240](#) Appointment to the Surface Mining Advisory Committee, representing Forestry, applicant: Aubrey Stargell (committee advises the Whatcom County Planning and Development services Department and the Whatcom County Council on implementing a surface mining regulatory program consistent with the comprehensive Plan)
4. [AB2019-242](#) Appointment to fill one vacancy on the Business and Commerce Advisory Committee, representing for-profit, applicants: Mr. Dana Weber, Ms. Valeri Wade, and Sarah Rothenbuhler (no two appointed members may represent or be employed by the same company or organization)

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. [AB2019-249](#) Ordinance amending Whatcom County Code to restructure the Public Health Advisory Board
2. [AB2019-263](#) Ordinance amending the 2019 Whatcom County Budget, request no. 7, in the amount of \$907,787
3. [AB2019-265](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 1

4. [AB2019-261](#) Receipt of application for the Business and Commerce Advisory Committee, representing Health Care Industry, applicant: Debbie Ahl (committee advises the Whatcom County Council on issues that could impact local businesses, industry, or economic development; application deadline for this vacancy is 10:00 a.m. May 14, 2019)
5. [AB2019-268](#) Receipt of applications for the Surface Mining Advisory Committee, applicants: Leslie Dempsey (representing citizen who lives in close proximity to active mining or mineral overlay area), Harvill Freeland and Scott Hulse (civil or geo-technical engineer with no direct or indirect financial business ties to the industry), Brad Davis (surface mining material user) (this committee advises the Whatcom County Planning and Development Services Department and the Whatcom County Council on implementing a surface mining regulatory program consistent with the comprehensive plan; application deadline for these vacancies is 10 a.m. May 14, 2019)
6. [AB2019-272](#) Receipt of application for the Forestry Advisory Committee, forest product manufacturer representative, term ending 1/31/2023, applicant: Eric Jacoby (committee provides review and recommendations to the Whatcom County Council on issues that affect the forestry industry; application deadline for this vacancy is 10 a.m. May 14, 2019)
7. [AB2019-285](#) Ordinance amending Whatcom County Code Title 3, requiring that public funds used for construction projects do double duty by also providing apprentices with job training hours to meet the requirements necessary to become the next generation of skilled trades persons

ADDED MAY 6

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN