

Whatcom County Council

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



Meeting Agenda

Tuesday, July 9, 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

ROLL CALL

FLAG SALUTE

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. [MIN2019-045](#) Draft Special Committee of the Whole AM for June 18, 2019
2. [MIN2019-046](#) Draft Special Committee of the Whole PM for June 18, 2019
3. [MIN2019-047](#) Draft County Council for June 18, 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. [AB2019-316](#) Ordinance amending WCC Chapters 20.51 and 20.71 pertaining to tree removal permit procedures, and Chapter 23.10 updating the referenced Critical Areas Ordinance in the Shoreline Management Program
2. [AB2019-339](#) Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded facilities in the Cherry Point UGA, the primary purpose of which would be the shipment of unrefined fossil fuels not to be processed at Cherry Point
3. [AB2019-340](#) Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities

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. [AB2019-369](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Social and Health Services for a long-term working capital advance in an amount of up to \$300,000
2. [AB2019-372](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Social and Health Services, Developmental Disabilities Administration for a coordinated and comprehensive program of services for persons with developmental disabilities, in the amount of \$3,678,521
3. [AB2019-381](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and Skagit County for participation in the Youth Marijuana Prevention and Education Program, in the amount of \$28,000
4. [AB2019-382](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth and Families to outline general terms and conditions of agreements between the agencies
5. [AB2019-313](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Lummi Nation for repair of the Lummi (Red) River Levee (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
6. [AB2019-385](#) Resolution authorizing an application to the Brian Abbott Fish Barrier Removal Board for North Fork Road/Kenney Creek fish passage project, CRP No. 919007
7. [AB2019-370](#) Request authorization for the County Executive to award Bid #19-39 and enter into a subsequent 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 \$555,219

(No Committee Assignment)

8. [AB2019-021](#) Ordinance granting Deer Creek Water Association 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

9. [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

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. [AB2019-374](#) Request confirmation of County Executive's appointment of Josh Peterson to the Behavioral Health Advisory Committee
2. [AB2019-375](#) Request confirmation of the County Executive's appointment of Marshall Gartenlaub to the Northwest Senior Services Board

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. [AB2019-366](#) Ordinance granting Comcast Cable Communications Management, LLC, a non-exclusive franchise for the provision of cable services
2. [AB2019-368](#) Ordinance granting WaveDivision I, LLC, a non-exclusive franchise for the provision of cable services
3. [AB2019-376](#) Ordinance amending the project budget for the Agate Heights/Estate Bay Lane Storm Water Improvements Fund, request no. 3
4. [AB2019-377](#) Ordinance amending Whatcom County Code Chapter 16.30 entitled "Lake Whatcom Stormwater Utility Funding Mechanism"
5. [AB2019-378](#) Ordinance amending the 2019 Whatcom County Budget, request no. 9, in the amount of \$282,122
6. [AB2019-383](#) Ordinance amending Whatcom County Code 11.32 to protect Lake Samish water quality
7. [AB2019-389](#) Ordinance amending Whatcom County Code 2.46.020 and 2.46.030 to revise the Whatcom County Incarceration Prevention and Reduction Task Force purpose and function
8. [AB2019-380](#) Resolution amending the 2019 Flood Control Zone District and Subzones Budget, request no. 4, in the amount of \$218,000

9. [AB2019-379](#) Resolution vacating Safsten Road

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN