

Whatcom County Council

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



Meeting Agenda

Tuesday, August 10, 2021

6 PM

Virtual Meeting

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010)**

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
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 all meetings remotely. View meeting schedules, agendas, minutes, videos, and archives at www.whatcom.legistar.com. For instructions on how to watch or participate in the Council's meetings, please visit www.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.

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 at www.co.whatcom.wa.us, or call the County Council office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

SPECIAL ORDER OF BUSINESS

1. [AB2021-485](#) Council appointment of interim District Court Judge

MINUTES CONSENT

1. [MIN2021-061](#) Committee of the Whole Executive Session for July 27, 2021
2. [MIN2021-062](#) Committee of the Whole for July 27, 2021
3. [MIN2021-063](#) Regular County Council for July 27, 2021
4. [MIN2021-064](#) Special Council for August 2, 2021

PUBLIC HEARINGS

To participate, please see instructions at www.whatcomcounty.us/joinvirtualcouncil or contact the Council Office at 360.778.5010. All speakers should state their 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 and inform speakers when they have reached their three minute limit.

1. [AB2021-413](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for FY2021 Byrne Justice Assistance Grant (JAG) Program Award, in the amount of \$14,001

2. [AB2021-417](#) Resolution transferring a Whatcom County Flood Control Zone District property to the Lummi Nation (Council acting as the Flood Control Zone District Board of Supervisors)
3. [AB2021-422](#) Ordinance for reestablishing a speed limit for a portion of Bay Road
4. [AB2021-424](#) Ordinance adopting amendments to the Whatcom County Code Title 20, Zoning to allow and regulate Battery Energy Storage Systems
5. [AB2021-433](#) Resolution declaring Whatcom County real property as surplus
6. [AB2021-420](#) Ordinance amending the Whatcom County Comprehensive Plan Map and zoning code for the Nooksack Falls Exclave within the Mount Baker-Snoqualmie National Forest

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

OPEN SESSION (20 MINUTES)

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 should state their 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 and inform speakers when they have reached their three minute limit.

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. [AB2021-427](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cascadia Youth Mental Health to assess and support regional school substance use discipline policies and practice needs, in the amount of \$22,760 for a total amended contract amount of \$40,000
2. [AB2021-428](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Northwest Educational Service District 189 for participation in the Regional Youth Marijuana Prevention and Education Program, in the amount of \$15,000

3. [AB2021-442](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Tacoma Pierce County Health Department for administration of the food handler permit program, in an estimated amount of \$80,732 per year
4. [AB2021-443](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Skagit Valley College for the use of the Plantation Rifle Range to train personnel, in the amount of \$17,486.40
5. [AB2021-444](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Sedro-Woolley Police Department for the use of the Plantation Rifle Range to train personnel, in the amount of \$6,289.30
6. [AB2021-445](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Bellingham Police Department for the use of the Plantation Rifle Range to train personnel, in the amount of \$26,381.85
7. [AB2021-446](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Mount Vernon Police Department for the use of the Plantation Rifle Range to train personnel, in the amount of \$6,764.05
8. [AB2021-448](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Marysville Police Department for the use of the Plantation Rifle Range to train personnel, in the amount of \$12,868.22
9. [AB2021-449](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Skagit County Sheriff's Office for the use of the Plantation Rifle Range to train personnel, in the amount of \$15,286.73
10. [AB2021-452](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology for solid waste management compliance and litter and/or illegal dumping enforcement activities, in the amount of \$236,340
11. [AB2021-468](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Trantech Engineering, LLC to provide engineering services to implement rehabilitation efforts on the existing Nulle Road/Friday Creek Bridge No. 106
12. [AB2021-472](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Helmsman Management Services, LLC to provide administration of the County's self-insured Worker's Compensation Program in the amount of \$173,090

13. [AB2021-478](#) Request approval for the County Executive to enter into a contract for a 3-year subscription to KnowBe4 for cyber security awareness training and simulated phishing software platform with SHI International Corporation, using the Washington State Contract #06016, in an amount not to exceed \$50,409.22

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2021-412](#) Ordinance amending the 2021 Whatcom County Budget, request no. 12, in the amount of \$1,506,763
2. [AB2021-390](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the Bellingham Housing Authority for the purposes of funding an EDI loan for phase 3 of the Samish Commons redevelopment project in the amount of \$750,000
3. [AB2021-410](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County Flood Control Zone District and the Lummi Nation for the transfer of real property (Council acting as the Flood Control Zone District Board of Supervisors)
4. [AB2021-430](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Housing Authority of the City of Bellingham to receive American Rescue Plan Act (ARPA) funds in the amount of \$525,000 to construct phase 3 of the Samish Commons Project
5. [AB2021-441](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology to administer and enforce sealing, tagging, and decommissioning of water wells, in an estimated annual amount of \$13,500
6. [AB2021-454](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Unity Care Northwest to provide reimbursement of professional and support services provided at Whatcom County's Community Vaccine Clinics, in the amount of \$55,950
7. [AB2021-458](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County, the City of Bellingham Fire Department and Fire Protection District No. 7 for costs associated with the implementation of the 5th medic unit in the amount of \$1,917,500

8. [AB2021-459](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Snohomish Health District to provide COVID-related isolation and quarantine to Snohomish County residents, in the amount of \$200 per resident, per day
9. [AB2021-476](#) Resolution to adopt the Whatcom County Employee's Personnel Handbook
10. [AB2021-477](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Social and Health Services to provide an advance in funding for DSHS-funded Developmental Disabilities Administration Programs, in an amount authorized of up to \$470,230
11. [AB2021-483](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide funding for additional motel rooms for families experiencing unsheltered homelessness in the amount of \$236,470 for a total amended contract amount of \$354,922

(From Council Public Works and Health Committee)

12. [AB2021-464](#) Resolution in the matter of considering vacating a portion of Wynn Road
13. [AB2021-465](#) Resolution in the matter of considering vacating a portion of Thomas Road
14. [AB2021-466](#) Resolution in the matter of considering vacating a portion of Horton Road
15. [AB2021-467](#) Resolution in the matter of considering vacating a portion of Boxwood Road

(No Committee Assignment)

16. [AB2021-469](#) Request to authorize Karen Frakes, Chief Civil Deputy Prosecuting Attorney, to vote on behalf of Whatcom County in favor of the Joint Plan of Reorganization of Mallinckrodt PLC and its debtor affiliates under Chapter 11 of the Bankruptcy Code in Case No. 20-12522 (JTD) in the US Bankruptcy Court for the District of Delaware

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. [AB2021-461](#) Request confirmation of the County Executive's appointment of Jagwinder Gill to the Agricultural Advisory Committee

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. [AB2021-451](#) Ordinance amending the 2021 Whatcom County Budget, request no. 13, in the amount of \$1,615,450
2. [AB2021-408](#) Ordinance adopting amendments to Whatcom County Code Title 17 Flood Damage Prevention
3. [AB2021-450](#) Resolution amending the Flood Control Zone District 2021 budget, request no. 2, in the amount of \$1,142,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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