

Whatcom County Council

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



Meeting Agenda

Tuesday, February 8, 2022

6 PM

Virtual Meeting

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010); AGENDA
REVISED 2.7.2022 AND 2.8.2022**

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 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

MINUTES CONSENT

1. [MIN2022-008](#) REVISED MINUTES for Regular County Council on December 7, 2021
2. [MIN2022-009](#) Committee of the Whole for January 25, 2022
3. [MIN2022-010](#) Regular County Council for January 25, 2022
4. [MIN2022-011](#) Health Board for February 1, 2022

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. [AB2022-036](#) Ordinance repealing the Cherry Point Ferndale Subarea Plan and deleting a reference to the Subarea Plan in the Whatcom County Comprehensive Plan

(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.)

2. [AB2022-039](#) Ordinance to temporarily close Gulf Road to Motorized Vehicular Traffic
3. [AB2022-040](#) Ordinance for the legal establishment of a speed limit for a portion of Nulle Road
4. [AB2022-041](#) Ordinance to install a stop sign on Northwest Drive
5. [AB2022-042](#) Ordinance regarding the legal establishment of existing yield signs on county roads

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. [AB2022-065](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice, for Organized Crime Drug Enforcement Task Force (OCDETF), in the amount of \$2,500.00
2. [AB2022-075](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to provide winter shelters during severe weather emergencies
3. [AB2022-076](#) Resolution amending the 2022 CEDS project list to include an additional Port of Bellingham project and revise the name of a Whatcom County project already listed
4. [AB2022-078](#) Request authorization for a Letter of Understanding between Whatcom County and The International Organization of Masters, Mates and Pilots (MMP) and the Inlandboatmen's Union of the Pacific (IBU) to amend the current Collective Bargaining Agreement for the period of January 1, 2020 - December 31, 2022
5. [AB2022-091](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Health Care Authority to provide funding to accomplish activities under the Law Enforcement Assisted Diversion (LEAD) program during the grant period 10/01/21 - 06/30/23 in the amount of \$1,175,834.00

6. [AB2022-092](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sea Mar Community Health Centers to furnish goods and services necessary to accomplish activities under the Law Enforcement Assisted Diversion (LEAD) program during the contract term 10/1/21 - 03/31/22 and not to exceed the amount of \$371,583.00
7. [AB2022-093](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Gallagher Benefit Services, Inc. to provide a compensation study for unrepresented employees, in an amount not to exceed \$50,000

OTHER ITEMS

(From Council Natural Resources Committee)

1. [AB2022-071](#) Resolution affirming the Conservation Easement Program Oversight Committee ranking and authorizing Whatcom County Conservation Easement Program Administrator and Whatcom County Executive to proceed with the acquisition of conservation easements on the Vander Veen, Rethlefsen, Savage, and Moors applications

(From Council Finance and Administrative Services Committee)

2. [AB2022-072](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Aristo Healthcare Services to provide immediate staffing at COVID Isolation and Quarantine Facility overflow sites, in the amount of \$705,200

(From Council Criminal Justice and Public Safety Committee)

3. [AB2022-048](#) Ordinance authorizing Superior Court to appoint a statutory commissioner

(From Council Committee of the Whole)

4. [AB2022-079](#) Ordinance amending Whatcom County Code 2.02.085, Council Standing Committees - Committee Action
5. [AB2021-594](#) Ordinance amending Whatcom County Code Chapter 2.02 (County Council) to define absence and temporary disability

(No Committee Assignment)

6. [AB2021-648](#) Ordinance adopting amendments to WCC Title 20 (Zoning) regulating the production, processing, and retail sales of recreational marijuana in Whatcom County and repealing Ordinance No. 2021-066
7. [AB2022-080](#) Resolution supporting state legislative action resetting the deadline for participation in the voluntary stewardship program and supporting the consideration of an ordinance consistent with RCW 36.70A.710(b)(i-iii) in the event such legislation is passed

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2022-095](#) Appointment to fill a vacancy on the Flood Control Zone District Advisory Committee, Geographic Area Representative position - alternates: Theresa Sygitowicz, Daniel Dahlquist, Joni Hensley, Keith Hoekema, Loren Hoekema (Council acting as the Flood Control Zone District Board of Supervisors)

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. [AB2022-094](#) Request confirmation of Executive Sidhu's reappointment of Kara Allen to the North Sound Behavioral Health Administrative Services Organization's board

ITEMS ADDED BY REVISION

1. [AB2022-108](#) Appointment to fill a vacancy on the Forestry Advisory Committee, Forest Product Manufacturer position - Applicant(s): Aubrey Stargell

ITEM ADDED 2.7.2022 (FOR ACTION)

2. [AB2021-606](#) Ordinance adopting amendments to the Whatcom County Code Title 20, Zoning, to provide additional affordable housing options, including allowing and regulating tiny homes and allowing duplexes in planned unit developments

ITEM ADDED 2.8.2022 (FOR INTRODUCTION)**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. [AB2021-420](#) Ordinance amending the Whatcom County Comprehensive Plan Map and zoning code for the Nooksack Falls Exclave within the Mount Baker-Snoqualmie National Forest

This proposal was forwarded by Council on August 10, 2021, to be considered with other proposed 2021 Comprehensive Plan and zoning amendments. Per Whatcom County Code 2.02.115, because the ordinance was not adopted within 120 days of its original introduction date, it must be reintroduced, notice of introduction republished, and at least 13 days elapsed before the ordinance can come up for final consideration by the Council

2. [AB2022-083](#) Ordinance amending Ordinance No. 2021-064 (Review of Response to COVID-19 Pandemic) to change project timeline
3. [AB2022-086](#) Ordinance amending the 2022 Whatcom County Budget, request no. 5, in the amount of \$7,750,231

4. [AB2022-088](#) Ordinance closing the State Street Building Acquisition and Improvement Fund 348
5. [AB2022-089](#) Ordinance establishing the Way Station Project Fund and establishing a project based budget for the Way Station Project
6. [AB2022-082](#) Ordinance adopting various minor amendments to Whatcom County Code Titles 20 (Zoning), 21 (Land Division Regulations) and 22 (Land Use and Development)
7. [AB2022-073](#) Receipt of applications for the Stakeholder Advisory Committee for the Justice Project, applicants: Debra David, Peter Frazier (application deadline for any other applicants to this vacancy is 10 a.m. on February 15, 2022)

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN