

# **Whatcom County Council**

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



## **Action Summary**

**Tuesday, May 9, 2023**

**6 PM**

**Hybrid Meeting**

**HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360.778.5010); AGENDA REVISED 5.8.2023**

### **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

**Present:** 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, and Kathy Kershner

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

### MINUTES CONSENT

1. [MIN2023-033](#) Committee of the Whole for April 25, 2023

**APPROVED BY CONSENT**

**Aye:** 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner

**Nay:** 0

**Temp Absent:** 1 - Elenbaas

2. [MIN2023-034](#) Regular County Council for April 25, 2023

**APPROVED BY CONSENT**

**Aye:** 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner

**Nay:** 0

**Temp Absent:** 1 - Elenbaas

### PUBLIC HEARINGS

1. [AB2023-231](#) Ordinance authorizing a revised system of assessment for Drainage Improvement District No. 7

**ADOPTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: ORD 2023-027

2. [AB2023-246](#) Ordinance establishing a temporary speed limit for Hannegan Road

**ADOPTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: ORD 2023-028

3. [AB2023-248](#) Ordinance establishing a temporary closure of Kelly Road and Van Wyck Road

**ADOPTED**

**Aye:** 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner

**Nay:** 1 - Elenbaas

Enactment No: ORD 2023-029

**OPEN SESSION**

**CONSENT AGENDA**

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

1. [AB2023-301](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Communities In Schools of Whatcom-Skagit to support a range of student needs and increase access to critical school and community services, in the amount of \$136,000

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

2. [AB2023-308](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$474,072 for a total amended contract amount of \$1,079,307

This item was considered separately. See below.

3. [AB2023-320](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Road2Home to operate overnight severe weather shelters in the amount of \$16,000 for a total amended contract amount of \$95,729

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

4. [AB2023-327](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide funding for motel rooms for families experiencing unsheltered homelessness in the amount of \$108,650 for a total amended contract amount of \$681,779

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

5. [AB2023-295](#) Request authorization for the County Executive to enter into a Memorandum of Understanding with Unity Care Northwest for the Way Station in the amount of \$2,000,000

**SUBSTITUTE AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

6. [AB2023-311](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and United General District 304 to support youth cannabis and tobacco prevention strategies and activities in the amount of \$43,945 for a total amended contract amount of \$125,595

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

7. [AB2023-322](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham/Bellingham Fire Department for training and onboarding lateral hire paramedics in the amount of \$66,916

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

8. [AB2023-325](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the Washington State Department of Health for the delivery and funding of various public health services in the amount of \$381,005, for a total amended agreement amount of \$8,981,095

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

9. [AB2023-314](#) Resolution amending the 2022 Comprehensive Economic Development Strategic (CEDs) project list to include a Drainage Improvement District 7 project known as the Atwood Drainage Replacement Project

**APPROVED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: RES 2023-011

10. [AB2023-323](#) Resolution authorizing the County Executive to purchase Department of Commerce grant funded flood response equipment

**APPROVED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: RES 2023-012

### **CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

2. [AB2023-308](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$474,072 for a total amended contract amount of \$1,079,307

**AUTHORIZED**

**Aye:** 6 - Buchanan, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 1 - Byrd

### **OTHER ITEMS**

#### **(From Council Climate Action and Natural Resources Committee)**

1. [AB2023-273](#) Request approval to send a letter regarding the Brokedown Palace timber sale

**SUBSTITUTE REQUEST AMENDED AND APPROVED**

**Aye:** 4 - Buchanan, Donovan, Frazey, and Galloway

**Nay:** 3 - Byrd, Elenbaas, and Kershner

#### **(From Council Finance and Administrative Services Committee)**

2. [AB2023-298](#) Ordinance amending the 2023 Whatcom County Budget, request no. 7, in the amount of 2,880,144

**ADOPTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: ORD 2023-030

3. [AB2023-299](#) Ordinance amending the project budget for the Way Station Project Fund, request no. 2

**ADOPTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: ORD 2023-031

**(From Council Public Works and Health Committee)**

4. [AB2023-228](#) Request approval to send a letter regarding proposed legislation to increase truck size and weight

**APPROVED REQUEST**

**Aye:** 4 - Buchanan, Donovan, Frazey, and Galloway

**Nay:** 3 - Byrd, Elenbaas, and Kershner

**(From Council Planning and Development Committee)**

5. [AB2023-312](#) Resolution relating to a schedule for joint County and City review of Urban Growth Areas

**APPROVED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

Enactment No: RES 2023-013

**(From Council Committee of the Whole)**

6. [AB2023-313](#) Discussion and motion to approve the Public Participation Plan for Whatcom County Comprehensive Plan and Development Regulation Amendments

**APPROVED REQUEST**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

**(No Committee Assignment)**

7. [AB2023-318](#) County Executive requests approval of the Economic Development Investment (EDI) Board's recommendation for funding to support the Atwood Road Culvert Replacement project from Whatcom County Drainage Improvement District 7

**APPROVED REQUEST**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2023-289](#) Appointment to a vacancy on the Sumas/Everson/Nooksack Flood Control Subzone Advisory Committee, Applicant(s): Jerry Juergens (Council Acting as the Flood Control Zone District Board of Supervisors)

**APPOINTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

2. [AB2023-302](#) Appointment to a vacancy on the Business and Commerce Advisory Committee, higher education representative, Applicant(s): Barry Robinson

**APPOINTED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

**CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2023-319](#) Request confirmation of the County Executive's appointments to the Public Defense Advisory Committee

**CONFIRMED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

**ITEMS ADDED BY REVISION**

1. [AB2023-331](#) Request authorization for the County Executive to award bid #23-35 and enter into a contract between Whatcom County and Lynden Tribune & Print Co. for the design, production, and distribution of primary and general election voters' pamphlets in the amount of not to exceed \$60,000

**AUTHORIZED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

**INTRODUCTION ITEMS**

1. [AB2023-324](#) Ordinance amending the Whatcom County Budget, request no. 8, in the amount of \$2,557,297

**INTRODUCED**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

2. [AB2023-326](#) Ordinance authorizing an interfund loan for the purchase of floodplain land near Acme, Wa

**INTRODUCED**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

Nay: 0

3. [AB2023-309](#) Ordinance adopting amendments to Whatcom County Code Title 20, Zoning, to regulate short-term vacation rentals

This item was considered separately. See below.

**INTRODUCTION ITEMS CONSIDERED SEPARATELY**

3. [AB2023-309](#) Ordinance adopting amendments to Whatcom County Code Title 20, Zoning, to regulate short-term vacation rentals

**WITHDRAWN**

Aye: 4 - Byrd, Elenbaas, Galloway, and Kershner

Nay: 3 - Buchanan, Donovan, and Frazey

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

Motion approved 6-0-1 with Kershner abstaining to authorize the Whatcom County Executive to execute the proposed Agreed Order (No. DE 21650) between Whatcom County and the State of Washington, Department of Ecology.

**ADJOURN**