

# Whatcom County Council

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



## Action Summary

Tuesday, May 23, 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)

### 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. [MIN2023-035](#) Health Board for May 2, 2023

#### **APPROVED BY CONSENT**

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

**Nay:** 0

### OPEN SESSION

### CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2023-330](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the City of Everson to participate in the Floodplain Integrated Planning (FLIP) process, in the amount of \$24,000.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

#### **AUTHORIZED BY CONSENT**

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

**Nay:** 0

2. [AB2023-336](#) Request authorization for the County Executive to award bid #23-22 and enter into a subsequent contract between Whatcom County and Herron Valley, Inc. DBA Bayside Services, for the annual street sweeping and cleaning services of the Lake Whatcom and Lake Samish watershed areas, in the amount of \$85,000

#### **AUTHORIZED BY CONSENT**

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

**Nay:** 0

3. [AB2023-339](#) Request authorization for the County Executive to enter into a Project Agreement between Whatcom County and the County Road Administration Board (CRAB), for the Everson-Goshen Road Pavement Rehabilitation Project, for Rural Arterial Program (RAP) funding, in the amount of \$108,000
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
- Nay:** 0
4. [AB2023-340](#) Request authorization for the County Executive to enter into a Project Agreement Amendment No. 2 with the County Road Administration Board (CRAB), for the Hampton Road Pavement Rehabilitation Project, for Rural Arterial Program (RAP) funding, in the amount of \$1,092,000
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
- Nay:** 0
5. [AB2023-342](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Catholic Community Services to operate the permanent supportive housing facility known as Francis Place, in the amount of \$170,041
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
- Nay:** 0
6. [AB2023-344](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Family & Community Network to provide youth prevention programs in the amount of \$85,452 for a total amended contract amount of \$230,452
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
- Nay:** 0
7. [AB2023-347](#) Request authorization for the County Executive to enter into an interagency reimbursement agreement between Whatcom County and State of Washington Administrative Office of the Courts for funding to enhance an audio visual system in a Superior Court courtroom not to exceed \$100,000.00
- AUTHORIZED BY CONSENT**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner
- Nay:** 0
8. [AB2023-348](#) Request authorization for the County Executive to enter into an agreement between

Whatcom County and Justice AV Solutions (JAVS) for equipment to upgrade the audio visual recording system in Superior Court Courtroom 4C not to exceed \$69,318.59

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**OTHER ITEMS**

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

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

**ADOPTED**

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

**Nay:** 1 - Elenbaas

Enactment No: ORD 2023-032

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

**ADOPTED**

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

**Nay:** 1 - Elenbaas

Enactment No: ORD 2023-033

3. [AB2023-337](#) Request authorization for the County Executive to enter into a Local Agency Agreement between Whatcom County and Washington State Department of Transportation (WSDOT) to receive state funding for the Lummi Island Ferry Replacement & System Modernization Project in the amount of \$5.3 million

**AUTHORIZED**

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

**Nay:** 0

**ITEMS ADDED BY REVISION**

**INTRODUCTION ITEMS**

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

**SUBSTITUTE INTRODUCED FOR PUBLIC HEARING**

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

**Nay:** 0

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

### ACTION SUMMARY:

Motion approved 5-1-1, with Frazey opposed and Galloway abstaining, to rescind the motion approved May 9 to not allocate \$750,000 to the Lighthouse Mission.

Motion approved 4-1-2 with Frazey opposed and Donovan and Galloway abstaining, to request that the Administration bring forward a contract with the Lighthouse Mission to fund kitchen equipment and specialty shelter furnishings, funded from ARPA, in the amount of \$750,000.

Motion approved 5-0-2, with Frazey and Donovan abstaining, that they ask staff to reach back out to the board (North Cascades Interagency Grizzly Bear Committee) and specifically request a seat for a Whatcom County councilmember on the basis that the habitat impacts Whatcom County the most.

## **ADJOURN**