

Whatcom County Council

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



Council Action Summary - Draft

AGENDA REVISED 5/6/2019 (SEE REVISION NOTICE)

Tuesday, May 7, 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.

COUNTY COUNCIL

CALL TO ORDER

FLAG SALUTE

ROLL CALL

Present: 7 - Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu

Absent: None

ANNOUNCEMENTS

PUBLIC HEARINGS

1. [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

HELD IN COUNCIL

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [AB2019-223](#) Whatcom County Comprehensive Plan amendments concerning the Lummi Island Ferry; the proposal would modify a policy relating to ferry level of service and delete a policy relating to a ferry feasibility study

(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.)

FORWARDED FOR CONCURRENT REVIEW

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-248](#) Ordinance amending the Whatcom County Unified Fee Schedule to include language regarding reducing recidivism, job loss, and education disruption caused by low

income County residents serving jail time in other jurisdictions by allowing them to continue to attend school or work if the offense allows for day release in Whatcom County

Ordinance 2019-039

ADOPTED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: ORD 2019-039

OPEN SESSION (20 MINUTES)

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2019-267](#) Request authorization for the County Executive to enter into an agreement between Whatcom County, Whatcom Counseling and Psychiatric Clinic, Inc. and T-Mobile West LLC for Third Amendment to Site Easement with Options

AUTHORIZED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [AB2019-250](#) Request authorization for the County Executive to enter in to a Cooperative Agreement with the US Army Corps of Engineers for repairs to the Twin View Levee along the left bank of the Nooksack River near the town of Everson in the amount of \$357,500 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-211](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and North Sound Behavioral Health Organization to provide match funds for continuing The Projects for Assistance in Transition from Homelessness (PATH) federal grant activities in Whatcom County, in the amount of \$75,469

AUTHORIZED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

- 4. [AB2019-254](#) Request authorization for the County Executive to award Bid #19-25 and enter into a contract between Whatcom County and Cowden, Inc., for the supply of crushed aggregate to be stockpiled at various Whatcom County pit sites including Point Roberts, Lummi Island and Whatcom County’s Abel Pit and used by the Public Works-Maintenance and Operations Division for the annual chip sealing program; additionally, work shall include hauling of ditching waste material from Point Roberts to Whatcom County mainland, in the amount of \$843,248.00

AUTHORIZED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

- 5. [AB2019-273](#) Request approval of the Economic Development Investment (EDI) Board’s recommendations for funding of the Port of Bellingham’s request for a grant in the amount of \$750,000, and of the Whatcom County Sheriff’s request for a grant in the amount of \$515,000

Two motions taken on the item. One for the Port of Bellingham and one for the Sheriff’s radios:

Port of Bellingham Project

APPROVED REQUEST

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Sheriff’s Office project

APPROVED REQUEST

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 0

(From Council Public Works and Health Committee)

- 6. [AB2019-262](#) Resolution in the matter of considering vacation of Safsten Road

Resolution 2019-025**APPROVED**

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Enactment No: RES 2019-025

7. [AB2019-266](#) Consideration of citizen appeal of address change due to road naming requirement

APPROVED REQUEST

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

(From Council Planning and Development Committee)

8. [AB2019-255](#) Request County Council review and approval of the Public Participation Plan for Whatcom County Comprehensive Plan and Development Regulations (this plan will guide public participation efforts relating to comprehensive plan and development regulation amendments)

SUBSTITUTE REQUEST AMENDED AND APPROVED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-200](#) Appointment to the Solid Waste Advisory Committee, Business/Industry representative, partial term ending 1/31/2020, applicant: Rodd Pemble (committee provides ongoing public input and advise to Whatcom County on solid waste management issues)

Appointed Rod Pemble

APPOINTED

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Temp Absent: 1 - Byrd

2. [AB2019-235](#) Appointment to the Wildlife Advisory Committee, applicant: Trevor Delgado

(committee advises the Whatcom County Planning and Development Services Department staff and the Whatcom County Council on the value of wildlife and habitat management issues as they relate to the Whatcom County Comprehensive Plan)

Appointed Trevor Delgado

APPOINTED

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Temp Absent: 1 - Byrd

3. [AB2019-240](#) Appointment to the Surface Mining Advisory Committee, representing Forestry, applicant: Aubrey Stargell (committee advises the Whatcom County Planning and Development services Department and the Whatcom County Council on implementing a surface mining regulatory program consistent with the comprehensive Plan)

Appointed Aubrey Stargell

APPOINTED

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

Temp Absent: 1 - Byrd

4. [AB2019-242](#) Appointment to fill one vacancy on the Business and Commerce Advisory Committee, representing for-profit, applicants: Mr. Dana Weber, Ms. Valeri Wade, and Sarah Rothenbuhler (no two appointed members may represent or be employed by the same company or organization)

Appointed Sarah Rothenbuhler

APPOINTED

INTRODUCTION ITEMS

1. [AB2019-249](#) Ordinance amending Whatcom County Code to restructure the Public Health Advisory Board

INTRODUCED FOR PUBLIC HEARING

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [AB2019-263](#) Ordinance amending the 2019 Whatcom County Budget, request no. 7, in the amount of \$907,787

INTRODUCED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-265](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 1

INTRODUCED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

4. [AB2019-261](#) Receipt of application for the Business and Commerce Advisory Committee, representing Health Care Industry, applicant: Debbie Ahl (committee advises the Whatcom County Council on issues that could impact local businesses, industry, or economic development; application deadline for this vacancy is 10:00 a.m. May 14, 2019)

INTRODUCED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

5. [AB2019-268](#) Receipt of applications for the Surface Mining Advisory Committee, applicants: Leslie Dempsey (representing citizen who lives in close proximity to active mining or mineral overlay area), Harvill Freeland and Scott Hulse (civil or geo-technical engineer with no direct or indirect financial business ties to the industry), Brad Davis (surface mining material user) (this committee advises the Whatcom County Planning and Development Services Department and the Whatcom County Council on implementing a surface mining regulatory program consistent with the comprehensive plan; application deadline for these vacancies is 10 a.m. May 14, 2019)

INTRODUCED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

6. [AB2019-272](#) Receipt of application for the Forestry Advisory Committee, forest product manufacturer representative, term ending 1/31/2023, applicant: Eric Jacoby

(committee provides review and recommendations to the Whatcom County Council on issues that affect the forestry industry; application deadline for this vacancy is 10 a.m. May 14, 2019)

INTRODUCED

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

7. [AB2019-285](#) Ordinance amending Whatcom County Code Title 3, requiring that public funds used for construction projects do double duty by also providing apprentices with job training hours to meet the requirements necessary to become the next generation of skilled trades persons

INTRODUCED

Aye: 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN