

Whatcom County Council

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



Action Summary

AGENDA REVISED 2.6.2020 & 2.10.2020

Tuesday, February 11, 2020

7 PM

Council Chambers

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

Present: 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas, and Kathy Kershner

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

1. [MIN2020-021](#) Water Work Session for January 21, 2020

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

2. [MIN2020-025](#) Joint Meeting with Skagit and San Juan Counties on January 6, 2020

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

3. [MIN2020-027](#) Regular County Council for January 28, 2020

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

4. [MIN2020-028](#) Special Committee of the Whole for January 28, 2020

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

5. [MIN2020-029](#) Committee of the Whole Executive Session for January 28, 2020

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

OPEN SESSION (20 MINUTES)

CONSENT AGENDA

Browne read into the record a request by Councilmember Rud Browne for clarity as to whether a conflict of interest could exist under State Law and the County Code (on file).

(From Council Finance and Administrative Services Committee)

1. [AB2020-002](#) Request authorization for the County Executive to enter into a contract with Whatcom Dispute Resolution Center in the amount of \$96,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

2. [AB2020-024](#) Request authorization for the County Executive to enter into a residential lease agreement between Whatcom County and Sierra Beatson and Robert Hutton III to reside at the house located at 677 North Lake Samish Road, Bellingham, in the amount of \$1,550.00 per month

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

3. [AB2020-069](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and RE Sources to increase the number of educational outreach opportunities in the amount of \$15,000 for a total amended contract amount of \$65,000

AUTHORIZED BY CONSENT

Aye: 4 - Browne, Buchanan, Donovan, and Frazey

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

4. [AB2020-073](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Brown & Caldwell to conduct Phase I of the Lake Whatcom Total Maximum Daily Load (TMDL) Reassessment in the amount of \$193,013

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

5. [AB2020-075](#) Request authorization for the County Executive to enter into an interlocal amendment agreement between Whatcom County, City of Bellingham and Fire Protection District 7 for analytical and billing costs for the Ground Emergency Medical Transport program funding

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

6. [AB2020-067](#) Resolution to set public hearing to sell tax-title property by public auction

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2020-005

7. [AB2020-049](#) Resolution cancelling uncollectible personal property taxes

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2020-006

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2020-046](#) Ordinance amending the 2020 Whatcom County Budget, request no. 4, in the amount of \$193,202

ADOPTED

Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

Abstain: 1 - Browne

Enactment No: ORD 2020-004

2. [AB2020-052](#) Ordinance amending the project budget for the New Jail Project Fund 2013-2014, request no. 5

ADOPTED AS AMENDED

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-005

3. [AB2020-077](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and City of Blaine for the purposes of adjusting the EDI loan terms on the Gateway Regional Stormwater project

AUTHORIZED

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

Nay: 0

Absent: 0

4. [AB2020-047](#) Resolution to approve annual petition for refunds paid list consistent with RCW 84.69.020

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2020-007

(From Council Public Works and Health Committee)

5. [AB2020-056](#) Resolution to establish income eligibility designation for use of the Veterans Assistance Fund

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2020-008

(From Council Special Committee of the Whole)

6. [AB2020-055](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Hellmuth, Obata, and Kassabaum, Inc. (HOK) to develop a Whatcom County Public Health, Safety, and Justice Facility Needs Assessment, in the amount of \$629,694

AUTHORIZED

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

7. [AB2020-083](#) Resolution amending the membership of the Stakeholder Advisory Committee (SAC) for the Public Health, Safety, and Justice Facility Needs Assessment

SUBSTITUTE AMENDED AND APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2020-009

(No Committee Assignment)

8. [AB2020-084](#) Approval of request received from opioid litigation attorneys to send letter to sponsors of HB 2786

APPROVED REQUEST

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

Nay: 0

Absent: 0

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-059](#) Appointment to fill vacancy on the Lummi Island Ferry Advisory Committee (LIFAC) - applicant(s): Gregory Rice

APPOINTED

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

Nay: 0

Absent: 0

2. [AB2020-061](#) Appointment to fill vacancies on the Countywide Flood Control Zone District Advisory Committee - Applicant(s): Steve Seymour, Jeff DeJong, and John Perry (Council acting as the Flood Control Zone District Board of Supervisors)

APPOINTED

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

Nay: 0

Absent: 0

3. [AB2020-078](#) Appointments to fill vacancy on the Birch Bay Watershed and Aquatic Resources management Advisory (BBWARM) Committee - Applicant: Jackie Bourgault (Council Acting as the Flood Control Zone District Board of Supervisors)

HELD IN COUNCIL

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

Nay: 0

Absent: 0

4. [AB2020-025](#) Appointment to fill vacancies on Stakeholder Advisory Committee for Public Health, Safety, and Justice Facility Needs Assessment - applicants: Arlene Feld, Heather Flaherty, Harriet Markell, Jessica Waaga, Lynn Allen, Chad Butenschoen, Atul Deshmane, Joy Gilfilen, Cliff Langley, John Mutchler, Patrick Allen, Kendra Cook, Kristin Hanna, Kara Mitchell, Jeff Monks, David Goldman

NOMINATED AND APPOINTED

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

Nay: 0

Absent: 0

A motion was approved to accept all nominations in the relevant categories as they were received by acclamation.

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-079](#) Request confirmation of the Executive's appointment of Douglas Cornelsen to the Northwest Senior Services Board

CONFIRMED

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

Nay: 0

Absent: 0

2. [AB2020-080](#) Request confirmation of Executive’s appointment of Daniel Sulak to the Marine Resources Committee

CONFIRMED

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

Nay: 0

Absent: 0

INTRODUCTION ITEMS

1. [AB2020-076](#) Ordinance amending the 2020 Whatcom County Budget, request no. 5, in the amount of \$792,558

INTRODUCED

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

Nay: 0

Absent: 0

2. [AB2020-064](#) Ordinance finalizing a revised system of assessment for Drainage Improvement District No. 5

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

3. [AB2020-065](#) Appointment to fill vacancies on Business and Commerce Advisory Committee, Higher Education - applicant: Eva Schulte (applications from other applicants due in the Council Office at 10:00 a.m. on February 18)

INTRODUCED

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

Nay: 0

Absent: 0

4. [AB2020-068](#) Resolution to sell tax-title property by public auction

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

A motion was approved to wait for 60 days to hold the public hearing in order to give time for adjacent property owners to be notified.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

A motion was approved to reexamine the number of cans that are required to be collected in Point Roberts.

ADJOURN