



# Whatcom County

## Action Summary

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

*Rud Browne*  
*Barry Buchanan*  
*Tyler Byrd*  
*Todd Donovan*  
*Ben Elenbaas*  
*Carol Frazey*  
*Kathy Kershner*

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Tuesday, June 16, 2020

6 PM

Virtual Meeting

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### VIRTUAL MEETING - VIEW ONLINE

(TO PARTICIPATE, SEE INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR  
CONTACT THE COUNCIL OFFICE AT 360.778.5010)

## 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. [MIN2020-037](#) Special Health Board for March 3, 2020

#### APPROVED BY CONSENT

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

**Nay:** 0

**Absent:** 0

2. [MIN2020-039](#) Regular County Council for March 10, 2020

#### APPROVED BY CONSENT

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

**Nay:** 0

**Absent:** 0

3. [MIN2020-040](#) Committee of the Whole - Executive Session for March 10, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

4. [MIN2020-041](#) Special Health Board for March 10, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

5. [MIN2020-042](#) Special Health Board for March 12, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

6. [MIN2020-043](#) Special Council for March 17, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

7. [MIN2020-044](#) Special Health Board for March 17, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

8. [MIN2020-045](#) Special Health Board for March 19, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

9. [MIN2020-046](#) Special Council for March 19, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

10. [MIN2020-047](#) Regular County Council for March 24, 2020

**APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

**OPEN SESSION (20 MINUTES)**

**CONSENT AGENDA**

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

1. [AB2020-167](#) Request authorization for the County Executive to amend a contract between Whatcom County and U.S. Department of Agriculture, Forest Services Baker Lake overtime patrols modifying the Annual Operating Plan in the amount of \$21,900.00 for 2020 with estimated period beginning May 1, 2020 and ending September 30, 2020 and updates to the contact information for Whatcom County

**SUBSTITUTE AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

2. [AB2020-182](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections to provide commercial waste reduction, recycling, and food waste recovery initiatives, in the amount of \$95,000

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

3. [AB2020-183](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pioneer Human Services to lease the Whatcom County Behavioral Health Crisis Triage Center, in an annual amount of \$10,056

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

- 4. [AB2020-225](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Action Cleaning Services to provide custodial service for outside buildings

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

- 5. [AB2020-228](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Kulshan Supported Employment to provide services to adults with developmental disabilities in the estimated annual amount of \$1,066,912 for an estimated total amended contract amount of \$4,533,257

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

- 6. [AB2020-229](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington Vocational Services to provide services to adults with developmental disabilities in the estimated annual amount of \$258,093 for an estimated total amended contract amount of \$449,318

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

- 7. [AB2020-230](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Work Opportunities to provide services to adults with developmental disabilities in the estimated annual amount of \$672,138 for an estimated total amended contract amount of \$2,236,299

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

8. [AB2020-239](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Siemens Industry, Inc. for the Technical Support HVAC Controls Service Agreement, in the amount of \$171,837.96

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

9. [AB2020-241](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Dept. of Transportation to obligate additional federal construction funds for the Birch Bay Drive and Pedestrian Facility, in the amount of \$377,787

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

10. [AB2020-242](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Boys and Girls Club of Whatcom County to support operational costs attributed to the addition of 532 childcare slots, in the amount of \$100,000

**AUTHORIZED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Byrd

11. [AB2020-243](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department to receive FEMA Public Assistance funding for COVID-19 response, with the amount to be based on eligible scopes of work

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

12. [AB2020-245](#) Request authorization for the County Executive to enter into a contract between Whatcom County and RMC Architects PLLC to provide a feasibility study for the Northwest Annex site, in the amount of \$98,950

**AUTHORIZED BY CONSENT**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

**OTHER ITEMS**

**(From Council Natural Resources Committee)**

1. [AB2020-091](#) Ordinance amending Whatcom County Code 16.20, Whatcom County Shellfish Protection Districts

**SUBSTITUTE ADOPTED**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-031

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

2. [AB2020-093](#) Ordinance amending Whatcom County Code 1.32, Public Records, to delete provisions related to exhaustion of administrative remedies

**ADOPTED**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-032

3. [AB2020-164](#) Ordinance closing the Lighthouse Marine Park Improvement Fund 362

**ADOPTED**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-033

4. [AB2020-214](#) Ordinance suspending Whatcom County Code 1.28 to update the Correctional Facilities Operational Standards

**ADOPTED**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2020-034

5. [AB2020-224](#) Ordinance amending the 2020 Whatcom County Budget, request no. 13, in the amount of \$13,153,598

**ADOPTED**

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

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

**Absent:** 0

Enactment No: ORD 2020-035

6. [AB2020-226](#) Ordinance amending the project budget for the Northshore Drive/Edgewater Lane Stormwater Improvements Fund, request no. 1

**ADOPTED**

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

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

Enactment No: ORD 2020-036

7. [AB2020-208](#) Resolution requesting authorization to make an application and enter into a grant agreement with the Washington State Recreation and Conservation Office for South Fork Park trail development

**APPROVED**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

Enactment No: RES 2020-020

8. [AB2020-209](#) Resolution requesting authorization to make an application and enter into a grant agreement with the Washington State Recreation and Conservation Office for

development of Birch Bay Beach Park

**APPROVED**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2020-021

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

9. [AB2020-184](#) Consideration of citizen appeals of address change due to correction of address number sequence

**DENIED**

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

**Nay:** 0

**Absent:** 0

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

10. [AB2020-252](#) Resolution inviting other local jurisdictions to collaborate to improve efficiency for the benefit of our taxpayers

**APPROVED**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2020-022

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

1. [AB2020-129](#) Requests confirmation of the County Executive's appointment of Steven Groen to the Agricultural Advisory Committee

**CONFIRMED**

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

**Nay:** 0

**Absent:** 0

2. [AB2020-130](#) Requesting confirmation of the County Executive's appointment of Todd Tyrrell to the Whatcom County Appeals Board



**CONFIRMED**

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

**Nay:** 0

**Absent:** 0

3. [AB2020-135](#) Requesting confirmation of the County Executive's appointment of David Charleston to the Developmental Disabilities Advisory Board

**CONFIRMED**

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

**Nay:** 0

**Absent:** 0

4. [AB2020-136](#) Requesting confirmation of the County Executive's appointment of John Radwanski to the Americans With Disabilities Act (ADA) Compliance Committee

**CONFIRMED**

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

**Nay:** 0

**Absent:** 0

**INTRODUCTION ITEMS**

1. [AB2020-138](#) Receipt of application for the Homeless Strategies Workgroup, Homeless Children and Families position, applicant(s): Joel Kennedy (application deadline for any other applicants for this position is 10 a.m. on June 30, 2020)

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

2. [AB2020-248](#) Receipt of application for the Noxious Weed Board, District 3, applicant(s): George Kaas (application deadline for any other applicants for this position is 10 a.m. on June 30, 2020)

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

3. [AB2020-249](#) Receipt of application for the Drainage District 3, commissioner position 3,

applicant(s): Paul Sangha (application deadline for any other applicants for this position is 10 a.m. on June 30, 2020)

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

4. [AB2020-250](#) Receipt of application for the Homeless Strategies Workgroup, Schools position, applicant(s): Lisa Marx (application deadline for any other applicants for this position is 10 a.m. on June 30, 2020)

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

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

A motion was approved 7-0 to hold a special meeting on the afternoon of June 23, following the Water Work Session to discuss the following agenda item:

Resolution docketing Comprehensive Plan and development regulation amendments (AB2020-106)

**ADJOURN**