

Whatcom County Council

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



Minutes - Final

Tuesday, September 10, 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

Council Vice Chair Todd Donovan called the meeting to order at 7 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: 6 - Barbara Brenner, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu

Absent: 1 - Rud Browne

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

Brenner moved to accept the minutes consent items. The motion was seconded (see votes on individual items below).

1. [MIN2019-057](#) Health Board for July 30, 2019

Brenner moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

2. [MIN2019-058](#) Special Committee of the Whole for July 30, 2019

Brenner moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

3. [MIN2019-059](#) Special Committee of the Whole for July 23, 2019

Brenner moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

4. [MIN2019-060](#) Regular County Council for July 23, 2019

Brenner moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

5. [MIN2019-061](#) Special Committee of the Whole for August 7, 2019

Brenner moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

6. [MIN2019-062](#) Regular County Council for August 7, 2019

Brenner moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

OPEN SESSION (20 MINUTES)

The following people spoke:

Dave Grant, District Court, thanked the Council for assistance and funding to increase out-of-custody jail alternatives and pretrial supervision options.

Jim Peterson, Homes Now, spoke about property for the 22 tiny home they have built to date and the need for two 1/4-acre pieces of land for a time period of one to two years.

Doug "Yoshi" Revelle spoke about Earth Overshoot Day.

Chris Orr, Council on Aging Executive Director, spoke about Aging Well Whatcom Coalition's coordinated approach to making Whatcom County an ideal place to age well and the unveiling of this plan on September 27.

Eileen Kreps spoke about the Aging Well Whatcom initiative.

The following people spoke about HomesNow! Not Later and homeless issues in Whatcom County:

Heather Dahlberg

Rachel Duval, Vice President of HomesNOW! Not Later

Misty (no last name given)

Dawn (no last name given)

Dana Briggs, HomesNOW! Not Later

Lynette Allen

Patrick Alesse

The following people spoke about the Resolution in the matter of Whatcom County Six-Year Transportation Improvement Program (STIP) for the years 2020-2025 (AB2019-445):

Eileen Kadesh (on behalf of the Bicycle / Pedestrian Advisory Committee)

Sheli Moore

Kitty King

Tyler Schroeder, Executive's Office, answered questions from Councilmembers about County owned properties in the City of Bellingham and a map of properties that was developed in 2018.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Byrd requested to consider items two and four separately.

Sidhu reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items one, three and five. Councilmembers discussed and voted on those items (see votes on individual items below).

Sidhu reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items two and four. Councilmembers discussed and voted on those items (see votes on individual items below).

1. [AB2019-441](#) Request authorization for the County Executive to enter into a contract between Whatcom County and US Imaging, Inc. in the amount of \$128,000

**Sidhu moved that the substitute Contract be AUTHORIZED BY CONSENT.
The motion carried by the following vote:**

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

Nay: 0

Absent: 1 - Browne

2. [AB2019-447](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Cascadia Consulting Group, Inc. to provide Climate Action Plan update support, in the amount of \$50,000

Councilmembers discussed whether updating the plan and contracting for support is needed.

Brenner moved to hold the item in Council then *withdrew* her motion.

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Browne

3. [AB2019-453](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the City of Bellingham to provide intergovernmental services relating to the Review and Evaluation (Buildable Lands) program requirements of the Growth Management Act in the amount of \$85,113.56

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

4. [AB2019-459](#) Request authorization for the County Executive to enter into a contract between Whatcom County and RE Sources to provide a countywide waste reduction and recycling education program in local school districts and youth organizations, in the amount of \$50,000

Councilmembers discussed support for the program and whether that would be supporting special interests.

Sidhu moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

Aye: 5 - Brenner, Buchanan, Donovan, Frazey, and Sidhu

Nay: 1 - Byrd

Absent: 1 - Browne

5. [AB2019-449](#) Request approval for the County Executive to authorize the purchase of replacement semi-rugged laptops from Datec, Inc., an authorized reseller for Panasonic, using the Washington State Contract #05815-11, in an amount not to exceed \$104,060.69

Sidhu moved that the Bid Award be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

OTHER ITEMS

(From Council Natural Resources Committee)

1. [AB2019-424](#) Review and approve scoping document for the 2020 Shoreline Management Plan Periodic Update 2020

Brenner moved to amend the scoping document for the 2020 Shoreline Management Plan Periodic Update 2020 by authorizing staff to add the following to Table 1 and renumber as necessary:

Issue No. 22: Prepare a No Net Loss technical memo:

- Explaining how NNL is being achieved in this update,
- Outlining a strategy for monitoring key indicators,
- Reporting regularly to Council the results of PDS's Permit Implementation and Effectiveness monitoring program,
- Reporting progress on our Restoration Plan, and
- Reviewing the 2006 Parametrix shoreline environmental designation recommendations for consistency with the current SMP designations.

The motion to amend carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Donovan reported for the Natural Resources Committee and moved that the request be APPROVED AS AMENDED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

(From Council Finance and Administrative Services Committee)

2. [AB2019-439](#) Request authorization for the County Executive to enter into an interagency agreement between Whatcom County Flood Control Zone District and State of Washington Department of Health, in the amount of \$600,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu reported for the Finance and Administrative Services Committee and moved that the Contract (WCFCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

3. [AB2019-440](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for support of US Geological Survey's development of the Coastal Storm Modeling System (COSMOS) across the Whatcom County Shoreline, in the amount of \$125,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu reported for the Finance and Administrative Services Committee and moved that the Contract (WCFCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

4. [AB2019-454](#) Request authorization for the County Executive to enter into a subrecipient agreement between Whatcom County and Whatcom Conservation District for Pollution Identification and Correction Program (PIC) Non-Dairy Agricultural Technical Assistance and Data Coordination in the amount of \$306,250 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu reported for the Finance and Administrative Services Committee and moved that the Contract (WCFCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

5. [AB2019-455](#) Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Washington Department of Ecology to provide Washington Conservation Corps members funding to complete environmental or

disaster service projects in the amount of \$148,600 (County acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Sidhu reported for the Finance and Administrative Services Committee and moved that the Contract (WCFCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

6. [AB2019-419](#) Ordinance amending the 2019 Whatcom County Budget, request no. 11, in the amount of \$986,542

Sidhu reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-062

7. [AB2019-435](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham to provide dispatch services

Sidhu reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

8. [AB2019-436](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Port of Bellingham for EDI Program funding to support the rural broadband construction project, in the amount of \$750,000

Sidhu reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

9. [AB2019-437](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Children, Youth and Families for home visiting services to vulnerable families, in the amount of \$350,008.38

Sidhu reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

10. [AB2019-443](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for the Lake Whatcom Homeowner Incentive Program, in the amount of \$350,000

Sidhu reported for the Finance and Administrative Services Committee and ***moved*** that the interlocal agreement be authorized.

Councilmembers discussed the use of incentives as opposed to a loan program to have the biggest impact on the health of the lake, a current incentive offered to replace old wood stoves, and using the Homeowner Incentive Program instead of increasing regulations.

Sidhu's motion that the Interlocal be AUTHORIZED carried by the following vote:

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

Nay: 2 - Brenner, and Byrd

Absent: 1 - Browne

11. [AB2019-462](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Housing Authority of the City of Bellingham for EDI funding in the amount of \$600,275 to support the Samish Way Development Project

Sidhu reported for the Finance and Administrative Services Committee and ***moved*** that the Interlocal Agreement be authorized.

Councilmembers discussed how the money will be spent and building childcare into the project.

Sidhu's motion that the Interlocal be AUTHORIZED carried by the following

vote:**Aye:** 5 - Brenner, Buchanan, Donovan, Frazey, and Sidhu**Nay:** 0**Absent:** 1 - Browne**Abstain:** 1 - Byrd

12. [AB2019-442](#) Request authorization for the County Executive to amend the contract between Whatcom County and Cascadia Law Group, PLLC to increase the maximum compensation by \$25,000 and add three additional tasks

Sidhu reported for the Finance and Administrative Services Committee and stated that this agenda item was HELD IN COMMITTEE.

(From Council Public Works and Health Committee)

13. [AB2019-467](#) Resolution of Intent for Substitute House Bill (SHB) 1406 Affordable Housing Dollars

Brenner reported for the Natural Resources Committee and moved that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 6 - Brenner, Buchanan, Byrd, Donovan, Frazey, and Sidhu**Nay:** 0**Absent:** 1 - Browne

Enactment No: RES 2019-038

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-433](#) Appointment to fill vacancy on the Board of Commissioners for Deming Diking District #2, applicants must be registered voters and own land in the district, appointee will serve a partial term until the next election in February 2020

Brenner moved and Byrd seconded that James Williams be APPOINTED. The motion carried by the following vote:

Aye: 6 - Brenner, Buchanan, Byrd, Donovan, Frazey, and Sidhu**Nay:** 0**Absent:** 1 - Browne

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2019-463](#) Request confirmation of the County Executive's appointment of William Dominic Mocerri to the Whatcom County Appeals Board

Sidhu moved and Buchanan seconded that the Executive Appointment of William Dominic Mocerri be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

- 2. [AB2019-468](#) Request confirmation of the County Executive’s appointment of Mr. George Edward to the Northwest Senior Services Board

Sidhu moved and Byrd seconded that the appointment of George Edward be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

INTRODUCTION ITEMS

Buchanan moved to introduce items one through eight. The motion was seconded (see votes on individual items below).

- 1. [AB2019-450](#) Ordinance establishing a speed limit for portions of East Smith Road and Everson Goshen Road

Buchanan moved and Frazey seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-065

- 2. [AB2019-458](#) Ordinance amending WCC 8.13, Solid Waste Disposal District, regarding the Solid Waste Excise Privilege Tax

Buchanan moved and Frazey seconded that the substitute Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-066

- 3. [AB2019-460](#) Ordinance amending the project budget for the East Whatcom Regional Resource Center Expansion project, in the amount of \$172,000

Buchanan moved and Frazey seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-068

- 4. [AB2019-464](#) Ordinance amending the project budget for the Triage Center Expansion Fund, request no. 3

Buchanan moved and Frazey seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-069

- 5. [AB2019-465](#) Ordinance amending the 2019 Whatcom County budget, request no. 12, in the amount of \$2,759,531

Buchanan moved and Frazey seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-070

- 6. [AB2019-445](#) Resolution in the matter of the Whatcom County Six-Year Transportation Improvement Program (STIP) for the years 2020 through 2025

Buchanan moved and Frazey seconded that the Resolution be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: RES 2019-040

- 7. [AB2019-456](#) Resolution adopting the Six-Year Water Resources Improvement Program (WRIP), 2020-2025

Buchanan moved and Frazey seconded that the Resolution be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: RES 2019-041

- 8. [AB2019-451](#) Ordinance amending the project budget for the Birch Bay Drive and Pedestrian Facility Project Fund, Request No. 5

Buchanan moved and Frazey seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Browne

Enactment No: ORD 2019-067

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and updates on recent activities and upcoming events.

ADJOURN

The meeting adjourned at 8:47 p.m.

The County Council approved these minutes on September 24, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Todd Donovan, Council Vice Chair

Kristi Felbinger, Minutes Transcription

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