

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

WHATCOM COUNTY COUNCIL
Public Works and Health Committee

March 12, 2019

CALL TO ORDER

Committee Chair Barbara Brenner called the meeting to order at 1:31 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner and Carol Frazey
Absent: Barry Buchanan
Also Present: Todd Donovan and Satpal Sidhu

SPECIAL PRESENTATION

1. AB2019-151 QUARTERLY REPORT FROM WHATCOM COUNTY PUBLIC WORKS

Jon Hutchings, Public Works Department Director, gave a staff report and answered questions on how Public Works Department staff can better and more efficiently deliver services to the community and identifying long-term barriers to providing the best public service.

Councilmembers and Dr. Hutchings discussed the expectations of staff in helping applicants through the permit process; employee satisfaction surveys; the department's core services; the purchasing policy; the notice of additional requirements; and the public's distrust of government.

COMMITTEE DISCUSSION

1. AB2019-134 DISCUSSION REGARDING AN ORDINANCE GRANTING DEER CREEK WATER ASSOCIATION 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 (PUBLIC HEARING ON RELATED ORDINANCE SCHEDULED FOR THIS EVENING UNDER AB2019-021)

Christopher Quinn, Prosecutor's Office, gave a staff report on the ability to require a specific service level in the agreement and explained his legal opinion that it would not be appropriate to seek a procedural limit or service regulation on the association as a term of the franchise agreement.

Councilmembers and staff discussed existing law that may prohibit a service regulation in the franchise agreement, whether the County can require compliance with the Comprehensive Plan in the franchise agreement, whether the County can review an

1 association's bylaws and service area plan prior to approval, and making service conditions
2 and requirements transparent to customers via the franchise agreement.

3
4 **Brenner moved** to hold in committee until the Public Works Department staff can
5 answer questions from Wynne Lee.

6
7 The motion carried by the following vote:

8 **Ayes:** Brenner and Frazey (2)

9 **Nays:** None (0)

10 **Absent:** Buchanan (1)

11
12 Tyler Schroeder, Executive's Office, answered questions.

13
14 Councilmembers and staff discussed whether there is a deadline for completing the
15 franchise agreement, allowing the association to attend the meeting and make a
16 presentation, a list of their letters of denial and how far away those denial were from the
17 main water line, and getting more information, including: a detailed service area plan with
18 the current service area, the association's plans for the next five years and longer, whether
19 the association is complying with the Coordinated Water Service Plan (CWSP) and the
20 County's Comprehensive Plan, and the association's bylaws.

21
22
23 **OTHER BUSINESS**

24
25 There was no other business.

26
27
28 **ADJOURN**


29
30 The meeting adjourned at 2:30 p.m.

31
32
33 ATTEST:

34
35
36
37
38
39 Dana Brown-Davis, Council Clerk

40
41
42
43
44
45 Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Barbara Brenner, Committee Chair