

Whatcom County Council

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



Minutes - Final

VIRTUAL MEETING - VIEW ONLINE (AGENDA REVISED 12.8.2020)

Tuesday, December 8, 2020

6 PM

Virtual Meeting

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

Councilmember Buchanan and his son Randy played and sang an original song.

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6:05 p.m. in a virtual meeting.

ROLL CALL

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

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

Dana Brown-Davis, Clerk of the Council, read the following announcement:

The County Council is accepting applications from county residents to fill vacancies on several citizen advisory boards, commissions, and committees that span a wide range of important local issues. Advisory committees work on a variety of topics such as agriculture, natural resources, land use planning, parks, economic development, and social services.

For more information, visit the Boards and Commissions vacancy webpage on the County website at www.co.whatcom.wa.us, or call the County Council office or County Executive's Office.

Applications can be submitted online or by mail, and are due 10 am, January 5, 2021.

COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, read a report into the record.

MINUTES CONSENT

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

1. [MIN2020-113](#) Committee of the Whole for November 10, 2020

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

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

Nay: 0

Absent: 0

2. [MIN2020-114](#) Regular County Council for November 10, 2020

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

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

Nay: 0

Absent: 0

3. [MIN2020-115](#) Special Council for November 16, 2020

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

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

Nay: 0

Absent: 0

4. [MIN2020-116](#) Water Work Session for November 17, 2020

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

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

Nay: 0

Absent: 0

5. [MIN2020-117](#) Special Council Cherry Point Work Session for November 17, 2020

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

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

Nay: 0

Absent: 0

OPEN SESSION (20 MINUTES)

Council staff played a short video about how to speak at the meeting.

Buchanan opened the open session and the following people spoke:

Jerry DeBruin spoke about the acquisition of capital equipment including gurneys, powerlifts, LifePaks and more to outfit EMS Advanced Life Support Units.

Marvin Wayne spoke about the acquisition of capital equipment including gurneys, powerlifts, LifePaks and more to outfit EMS Advanced Life Support Units.

Scott Ryckman spoke about the acquisition of capital equipment including gurneys, powerlifts, LifePaks and more to outfit EMS Advanced Life Support Units.

Markis Dee Stidham spoke about having enough homeless shelters.

Aida Cardona spoke about having more emergency shelter and transitional housing.

Heather Katahdin spoke about the need for individual pallet shelters or tiny homes and access to nourishment.

Eve Smason-Marcus spoke about the need for more shelter.

Louise Cassidy spoke about (AB2020-546) Ordinance amending Whatcom County Code 2.98, Point Roberts Community Advisory Committee, to revise membership and meeting procedures to broaden representation and improve transparency.

Melissa Wisener spoke about the need for clean green space and pallet shelters.

Tom O'Breien spoke about (AB2020-546) Ordinance amending Whatcom County Code 2.98, Point Roberts Community Advisory Committee, to revise membership and meeting procedures to broaden representation and improve transparency and the need for economic development.

Marquan Pugsley spoke about the need for counselors and advocates for people in homeless communities.

Hearing no one else, Buchanan closed the open session.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Byrd reported for the Finance and Administrative Services Committee and *moved* to approve item numbers 12 and 13.

Councilmembers and Dana Brown-Davis, Clerk of the Council, discussed how to group and move through the Consent Agenda items.

Bird withdrew his motion *and moved* to approve a list of items and Councilmembers discussed how to word the motion. Byrd's microphone

cut out.

Kershner moved to approve all of the Consent Agenda items except for item numbers 12, 13, 21, 22, 23, and 24. Councilmembers voted on those items (see motion and votes on each individual item below).

1. [AB2020-551](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Action Cleaning for providing custodial services to Whatcom County's satellite buildings, also to include Sheriff Laurel Street station, WUECC, and extra Covid-19 sanitization, in the amount of \$50,667.80

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

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

Nay: 0

Absent: 0

2. [AB2020-554](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pioneer Human Services to operate the City Gate Permanent Supportive Housing Program, in the amount of \$490,948

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

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

Nay: 0

Absent: 0

- [AB2020-557](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to continue security services at the COVID-19 Temporary Housing Facility, in the amount of \$41,000 for a total amended contract amount of \$156,000

Councilmembers voted to approve AB2020-557 by consent but then reconsidered the vote later. See item number 3 under Consent Agenda below for the final action on this item.

4. [AB2020-558](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lydia Place to provide emergency housing for families experiencing unsheltered homelessness, in the amount of \$114,172

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

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

Nay: 0

Absent: 0

5. [AB2020-559](#) Request authorization for the County Executive to enter into a contract between Whatcom County and YWCA Bellingham to provide additional shelter beds for women aged 55 or older, in the amount of \$122,020

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

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

Nay: 0

Absent: 0

6. [AB2020-560](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District for reimbursement of eligible COVID-related technology expenses, in the amount of \$79,560

Kershner moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

7. [AB2020-568](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Jet Oldsters Association of Ferndale to provide custodial services and supervision when the Ferndale Senior Activity Center is reserved after program hours

Kershner moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

8. [AB2020-570](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Jet Oldsters Association of Ferndale for staffing and operation of the Ferndale Senior Activity Center, in the amount of \$123,748

Kershner moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

9. [AB2020-571](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for staffing and operation of the Lynden Senior Activity Center, in the amount of \$123,748

Kershner moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

10. [AB2020-572](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for staffing and operation of the Blaine Senior Activity Center, in the amount of \$123,748

Kershner moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

11. [AB2020-573](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Whatcom Council on Aging for staffing and operation of the Bellingham Senior Activity Center, in the amount of \$123,748

Kershner moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

14. [AB2020-576](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to operate the Whatcom Homeless Service Center, in the amount of \$796,701

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

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

Nay: 0

Absent: 0

15. [AB2020-577](#) Request approval for the County Executive to authorize the purchase of body worn cameras, and enter into a contract for associated services with Axon Enterprise, Inc., using the Washington State Contract #06316, in an amount not to exceed \$381,437.85

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

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

Nay: 0

Absent: 0

16. [AB2020-578](#) Request authorization for the County Executive to renew a Collective Bargaining Agreement between Whatcom County and General Teamsters' Local Union 231 Master Collective Bargaining Unit for the period January 1, 2021 through December 31, 2021

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

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

Nay: 0

Absent: 0

17. [AB2020-579](#) Request authorization for the County Executive to accept Midwest Employer Casualty renewal option 1 for insurance protection for the self-insured workers' compensation program in 2021

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

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

Nay: 0

Absent: 0

18. [AB2020-581](#) Request authorization for the County Executive to enter into a residential lease agreement between Whatcom County and Wayne and Michelle Moses and Barbara Jackson to reside at 7981 Blaine Road, Blaine, for monthly rent of \$1,639.00

Kershner moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

19. [AB2020-582](#) Request authorization for the County Executive to renew a Collective Bargaining Agreement between Whatcom County and PROTEC17 for the period January 1, 2021 through December 31, 2021

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

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

Nay: 0

Absent: 0

20. [AB2020-583](#) Request authorization for the County Executive to enter into a two year agreement between Whatcom County and Whatcom Humane Society to provide animal control and shelter services, in an amount not to exceed \$796,260

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

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

Nay: 0

Absent: 0

3. [AB2020-557](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to continue security services at the COVID-19 Temporary Housing Facility, in the amount of \$41,000 for a total amended contract amount of \$156,000

Byrd reported for the Finance and Administrative Services Committee and stated that **AB2020-557** failed in Committee.

Browne moved that the Contract be authorized by consent. The motion was seconded by Frazey. Councilmembers discussed that the item was already approved with Kershner's motion above, making Browne's motion moot.

Donovan moved to reconsider item number 3 (AB2020-557). The motion was seconded by Buchanan.

The motion carried by the following vote:

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

Nay: 0

Byrd reported again on AB2020-557 and stated that it failed in Committee.

Browne moved that the Contract be authorized by consent. The motion was seconded by Donovan.

Councilmembers discussed the motion.

Browne's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

Byrd reported on Consent Agenda item numbers 12 and 13 (AB2020-574 and AB2020-575) and stated that scrivener's errors were fixed in both items as stated in Committee. He moved that both files be authorized by consent and Councilmembers voted (see motion and votes on each individual item below).

12. [AB2020-574](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Pioneer Human Services to lease a portion of the Crisis Stabilization Center, in the amount of \$24,500

Byrd moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

13. [AB2020-575](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Compass Health to lease a portion of the Crisis Stabilization Center, in the amount of \$24,000 annually

Byrd moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Byrd reported on Consent Agenda Items 21 (AB2020-585), 22 (AB2020-586), 24 (AB2020-589), and AB2020-594 which was added by revision, and stated they were forwarded to Council without a recommendation from the Committee. He also reported that Item 23 (AB2020-587) was recommended to be held in Committee. Councilmembers decided to consider each item individually. See motions and votes on each item below.

21. [AB2020-585](#) Request authorization for the County to Executive to enter into a 10 year lease agreement between Whatcom County and Stryker for the acquisition of capital equipment including gurneys, powerlifts, LifePaks and more to outfit EMS Advanced Life Support Units in an amount of 10 equal payments of \$468,316.48 over 10 years totaling \$4,683,164.80

Byrd reported for the Finance and Administrative Services Committee.

Donovan moved and Browne seconded that the Contract be authorized be consent.

Councilmembers discussed the motion.

Donovan's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 0

Absent: 0

Abstain: 1 - Byrd

22. [AB2020-586](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Service Master Cleaning to continue providing cleaning services at the COVID-19 Temporary Housing Facility, in the amount of \$40,000 for a total amended contract amount of \$150,000

Byrd reported for the Finance and Administrative Services Committee ***and moved*** that the Contract be authorized by consent.

Councilmembers discussed the motion.

Byrd's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

23. [AB2020-587](#) Request authorization for the County Executive to enter into a three-year agreement, using the National Association of State Procurement Officials ValuePoint Master Agreement #AR2474 and State of Washington Participating Addendum #05116, between Whatcom County and CenturyLink Communications, LLC for telecommunications trunk line services, in the amount of \$106,127.17

Byrd reported for the Finance and Administrative Services Committee and

stated that the Committee recommended that the item be held until January and until more information is provided.

Byrd went on to the next item and ***moved*** that it be authorized by consent but Councilmembers discussed that a motion was needed first on *this* item so *Byrd withdrew* his motion.

Donovan moved and Browne seconded that the Contract (AB2020-587) be held in committee.

Councilmembers and Dana Brown-Davis, Clerk of the Council, discussed the motion to hold and talked about the process for recommending items to the Council from Committee.

Donovan's motion that the Contract be HELD IN COMMITTEE carried by the following vote:

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

Nay: 0

Absent: 0

24. [AB2020-589](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Bellingham Fire Department to increase the reimbursement for costs associated with the support of two Community Paramedics in the amount of \$383,494 for a total amended amount of \$704,549

Byrd reported for the Finance and Administrative Services Committee ***and moved*** that the Contract be authorized by consent. The motion was seconded by Kershner.

Mike Hilley, Emergency Medical Services (EMS) Manager, discussed with Councilmembers the reason for the increase in costs, rules from the State about reimbursable allowances for EMS, whether they are committing to funding these positions going forward through a different funding source than they were before, whether this contract is for two people or one, the need for more detail in requests that come to the Council, what the original \$383,494 amount was for, how many calls this individual goes on and whether it is a field position, how much money has been transferred from fire departments into the EMS levy since it was established, and why this position is not already funded by the levy.

Byrd's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

ITEMS ADDED BY REVISION

1. [AB2020-594](#) Request authorization to award Bid #20-55, and enter into a contract for the supply and installation of interior carpet and paint at the Whatcom County Central Plaza Building, with CCI, Inc, (CCI, Inc. is located in Sultan, WA) in the amount of \$113,945

Byrd reported for the Finance and Administrative Services Committee ***and moved*** that the Bid Award be authorized. The motion was seconded by Browne.

Dana Brown-Davis, Clerk of the Council, read the item into the record.

Browne moved that this be delayed and held in Council. The motion was seconded by Byrd.

Rob Ney, Administrative Services Department, stated it is a good time to do this work since there are not a lot of people in the building right now and he answered questions about what was budgeted, where they are at today with the bids, and what time of day the work would be done.

Councilmembers discussed the motion to hold.

Browne withdrew his motion to hold.

Byrd's motion that the Bid Award be AUTHORIZED carried by the following vote:

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

Nay: 0

Absent: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2020-535](#) Ordinance amending the project budget for the E. Smith/Hannegan Road Intersection Improvements Fund, request no. 1

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

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-073

2. [AB2020-536](#) Ordinance amending the project budget for the Marine Drive, Locust Ave to Alderwood Ave, Reconstruction Fund, request no. 1

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

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-074

3. [AB2020-542](#) Ordinance amending Silver Lake Park Improvement Fund, request no. 2

Byrd reported for the Finance and Administrative Services Committee and stated that the Committee voted to hold the Ordinance.

Dana Brown-Davis, Clerk of the Council, clarified that it was forwarded to Council without a recommendation to get more information and not held in Committee.

Donovan moved to hold the item ***then withdrew*** his motion since the Committee had requested and staff was present to give more information on the item tonight.

Mike McFarlane, Parks and Recreation Department Director, provided the Councilmembers with more information about the item.

Browne moved and Frazey seconded that the Ordinance be adopted.

McFarlane and Rod Lamb, Parks and Recreation Department, answered questions and Councilmembers discussed the motion.

Browne's motion that the Ordinance be ADOPTED carried by the following vote:

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Enactment No: ORD 2020-075

4. [AB2020-543](#) Ordinance amending the 2021 Whatcom County Budget, request no. 1, in the amount of \$14,781,015

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

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-076

5. [AB2020-556](#) Ordinance amending the 2020 Whatcom County Budget, request no. 22, in the amount of \$3,524,769

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

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-077

6. [AB2020-561](#) Request authorization for the County Executive to enter into an interlocal agreement amendment 1 of Whatcom County contract 201909004 between Whatcom County and the City of Bellingham for the Lake Whatcom Homeowner Incentive Program, in the amount of \$200,000

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

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

Nay: 0

Absent: 0

7. [AB2020-562](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for the Lake Whatcom Homeowner Incentive Program assistance, in the amount of \$92,095

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

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

Nay: 0

Absent: 0

8. [AB2020-563](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for Pollution Identification and Correction Program Non-Dairy Agricultural Best Management Practices Outreach and Cost Share, in the amount of \$57,000 (Council acting as the Whatcom County Flood Control District Board of Supervisors)

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

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

Nay: 0

Absent: 0

9. [AB2020-564](#) Request authorization for the County Executive to enter into a contract between Whatcom County and GSI Water Solutions, Inc. to conduct a peer review of the Lynden-Everson-Nooksack-Sumas numerical groundwater model, provide recommendations for improvements and additional work, in the amount of \$103,700 (Council acting as the Whatcom Flood Control District Board of Supervisors)

Byrd reported for the Finance and Administrative Services Committee ***and moved*** that the Contract (FCZDBS) be authorized.

Councilmembers discussed the motion and a desired to get the best science with Jon Hutchings, Public Works Department Director.

Byrd's motion that the Contract (FCZDBS) be AUTHORIZED carried by the following vote:

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

Nay: 0

Absent: 0

10. [AB2020-584](#) Resolution approving the 2021 recommended Convention Center allocations for tourism-related facilities and activities as defined through RCW 67.28.1816

Byrd reported for the Finance and Administrative Services Committee and

moved that the Resolution be APPROVED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2020-055

(From Council Committee of the Whole)

11. [AB2020-565](#) Consideration of Hearing Examiners recommendation on preliminary long subdivision application filed by Governors Point Land LP (Governors Point subdivision)

Buchanan reported for the Committee of the Whole ***and moved*** that the Hearing Examiner Recommended Decision be affirmed. The motion was seconded by Donovan.

Councilmembers discussed the proposal and acknowledged staff and others who worked on it.

Buchanan's motion that the Hearing Examiner Recommended Decision be AFFIRMED carried by the following vote:

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

Nay: 0

Absent: 0

12. [AB2020-566](#) Resolution affirming confidence in election results

Buchanan reported for the Committee of the Whole and stated that this item was withdrawn.

Councilmembers and Dana Brown-Davis, Clerk of the Council, discussed whether this item could be withdrawn without being voted on by the Council since it was withdrawn by the proposer.

This agenda item was WITHDRAWN by the proposer in Committee.

13. [AB2020-546](#) Ordinance amending Whatcom County Code 2.98, Point Roberts Community Advisory Committee, to revise membership and meeting procedures to broaden representation and improve transparency

Buchanan reported for the Committee of the Whole ***and moved*** that the substitute Ordinance be adopted. The motion was seconded by Browne.

Councilmembers discussed a request from Point Roberts to wait on this

item.

Satpal Sidhu, County Executive, updated the Councilmembers on the advisory committee, appointing members, and a need for reform. He asked for more time.

Councilmembers discussed how the committee can best represent the community.

Buchanan's motion that the SUBSTITUTE Ordinance be ADOPTED carried by the following vote:

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Enactment No: ORD 2020-078

(No Committee Assignment)

14. [AB2020-524](#) Ordinance creating a Child and Family Well-Being Task Force

Kershner moved and Browne seconded that the Ordinance be adopted.

Browne brought up and Councilmembers discussed a concern about compensation for time as mentioned in the following "Be it Further Ordained" paragraph, Item C, subsection b below:

b. Recommend ways to fully integrate parents, caregivers, and stakeholders from underrepresented communities in county committees and workgroups, including compensation for time

Dana Brown-Davis, Clerk of the Council, answered whether members of other boards and commissions are compensated for time.

Councilmembers discussed the concern and whether it applies to the members of the task force or members of the public that come to testify to the task force, and whether there should be fewer boards and commissions.

Browne suggested a friendly amendment to change the words "including compensation for time" to "including accommodation for childcare."

Kershner said she would accept adding "and childcare" to the end of the sentence so that it reads:

“including compensation for time and childcare”

Browne accepted Kershner’s amendment to his friendly amendment.

Browne moved to amend the Ordinance to add the words “and childcare” to the end of the "Be it Further Ordained” paragraph, Item C, subsection b as follows:

b. Recommend ways to fully integrate parents, caregivers, and stakeholders from underrepresented communities in county committees and workgroups, including compensation for time and childcare

The motion was seconded by Byrd.

The motion to amend carried by the following vote:

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

Nay: 1 - Elenbaas

Kershner's motion that the Ordinance be ADOPTED AS AMENDED carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-079

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Councilmember Buchanan went to AB2020-598 and briefly discussed the order of agenda items then went back to AB2020-552.

1. [AB2020-552](#) Appointment to Drainage Improvement District #7, Supervisor Position 3 - Applicant(s): Rod Stump
Elenbaas stated he has worked with the applicant and thinks he will be great.

Donovan moved and Byrd seconded that the applicant be APPOINTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

INTRODUCTION ITEMS

Browne moved to introduce AB2020-553 under Introduction and AB2020-598 which was added by revision. The motion was seconded by Byrd (see votes and discussion on individual items below).

1. [AB2020-553](#) Ordinance granting City of Lynden a non-exclusive franchise for an industrial condensate pipeline

Browne moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2021-001

ITEMS ADDED BY REVISION

2. [AB2020-598](#) Resolution reflecting the diversity of the County's population by improving written accessibility

Councilmembers discussed why AB2020-598 was being introduced since it is a Resolution and Tyler Schroeder, Executive's Office, addressed a request to get an estimate of the cost for changing the signs. Councilmembers then discussed how many signs there are.

Browne's motion that the Resolution be INTRODUCED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2021-001

SPECIAL COUNCIL ONLY ITEM

1. [AB2020-588](#) Approval of letter/request to provide additional public spaces for assigned family visitations during the COVID-19 Pandemic

Elenbaas briefed the Councilmembers and Councilmembers discussed the item.

Kershner moved and Donovan seconded that the REQUEST be APPROVED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Buchanan thanked the Council videographer for his work and announced that it is his last meeting.

Satpal Sidhu, County Executive, spoke about a plan for helping to develop more cooperative functioning of the PRCAC and read the following statement into the record:

Ask the County Executive to have conversations with Point Roberts community members to seek ideas to develop more cooperative functioning of the PRCAC by:

- a. Working with tax payers, Chamber of Commerce, and workers organizations to learn their current status, membership and community followings
- b. Working with any other groups or organizations to learn their status, membership and community followings
- c. Presenting a set of recommendations to the Council by July 1, 2021

Byrd moved to approve the statement as read into the record by Sidhu. The motion was seconded by Donovan.

Browne suggested a friendly amendment to add “or interested individuals” after “organizations” as follows:

Ask the County Executive to have conversations with Point Roberts community members to seek ideas to develop more cooperative functioning of the PRCAC by:

- a. Working with tax payers, Chamber of Commerce, and workers organizations to learn their current status, membership and community followings
- b. Working with any other groups, ~~or~~ organizations, or interested individuals to learn their status, membership and community followings
- c. Presenting a set of recommendations to the Council by July 1, 2021

Sidhu accepted the friendly amendment.

Councilmembers discussed the motion and Sidhu answered questions about how this statement relates to AB2020-546.

The motion carried by the following vote:

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

Nay: 0

Donovan spoke about schedules for Zoom Council and Committee meetings compared to in-person meetings. He requested that the Councilmembers adhere to schedules with stop times agreed to by the chair of the Council and Clerk of the Council and stated that they should address this in January.

Councilmembers discussed Donovan's comments.

Browne spoke about protecting the Health Department, Mission, and hospital staff from burnout.

ADJOURN

The meeting adjourned at 10:07 p.m.

The County Council approved these minutes on January 12, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Barry Buchanan-via email 1/29/2021

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE