

Whatcom County Council Special Committee of the Whole

**COUNTY COURTHOUSE
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Bellingham, WA 98225-4038
(360) 778-5010**



Committee Minutes - Final

AGENDA REVISED 6.22.2020

Tuesday, June 23, 2020

1 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.

Call To Order

Council Chair Barry Buchanan called the meeting to order at 1 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

Announcements**Committee Discussion and Recommendation to Council**

1. [AB2020-106](#) Resolution docketing comprehensive plan and development regulation amendments

The following staff spoke and presented:

- Mark Personius, Planning and Development Services Department Director
- Matt Aamot, Planning and Development Services Department gave a presentation

Aamot answered questions about whether a lot is prevented from being developed as a residence if the land is already zoned in neighborhood commercial and whether existing houses predated the neighborhood commercial zoning.

Aamot continued his presentation.

The following application representative spoke regarding PLN2020-00004:

- Ali Taysi, AVT Consulting LLC

Aamot and Taysi answered whether the potential uses listed in the application are currently things that can exist in rural forestry, whether they cannot upgrade the parking lot or have an educational center or café with the current mineral resource lands (MRL) designation, whether uses such as an educational center are an allowed use in the rural area around this property, what other things would regulate the construction of educational meeting facilities and cabins, how this proposal could be done since rural forestry only allows one dwelling per 20 acres, and whether this is just to docket the application.

Aamot continued his presentation and answered whether the County had already started the Shoreline Management Program (SMP) process, and whether the Council had already agreed to the interlocal agreement concerning the temporary procedures for adopting the Countywide Planning Policies.

The following application representative spoke regarding PLN2020-00001:

- Tom O'Brien, Point Roberts Independent Business Council (PRIBC)

O'Brien referred to and answered questions about Whatcom County Code (WCC) 20.72 (Point Roberts Special District) and whether he is requesting to repeal or review that section.

Personius answered a question about whether the docket item would remove the restrictions imposed by WCC 20.72, whether the effect of this would be to prevent the work of the Point Roberts Community Advisory Committee (PRCAC) and override their recommendations, how this application and the application for the Point Roberts Subarea Plan and Point Roberts Special District can both be on the docket, and whether there is a model for the hearing examiner process to assess economic impacts or whether a separate economic impact analysis can be done.

Satpal Sidhu, County Executive, stated they should consider Point Roberts as a totally separate entity instead of having code for the County and trying to conform Point Roberts into that. Create a new code for them instead of going through the Hearing Examiner. These proposals are competing with each other but they are not looking at long-term solutions.

Councilmembers and the other speakers discussed the item and how to allow an equal say for everyone, docketing both items or looking for another solution so that the Council can hear from both sides, getting budget authority to hire a consultant or the Port of Bellingham in order to do more economic development planning in Point Roberts as a part of the Comprehensive Growth Management Act (GMA) Plan, having a moderator work with the different groups in Point Roberts and looking at funding that in the budget, how people get on the PRCAC, how far along the PRCAC is in their work and how far the gap in policy is between the PRCAC and the PRIBC.

Donovan moved that the Resolution be recommended for approval with an amended Exhibit A to remove PLN2020-00001. The motion was seconded by Brown.

Donovan withdrew his motion *and moved* that the Resolution, including Exhibit A, be recommended for approval. The motion was seconded by Browne.

Donovan moved to amend Exhibit A of the Resolution to remove PLN2020-00001. The motion was seconded by Brown.

Councilmembers discussed the motion.

The motion to amend Exhibit A carried by the following vote:

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

Nay: 3 - Kershner, Byrd, and Elenbaas

Councilmembers and staff discussed the request to waive the application fees.

The motion that the Resolution be recommended for approval as amended carried by the following vote:

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

Nay: 0

Browne moved to not waive the fees on either request. The motion was seconded by Kershner.

Councilmembers discussed the motion.

The motion carried by the following vote:

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

Nay: 1 - Byrd

Donovan's motion that the Resolution be RECOMMENDED FOR APPROVAL WITH PROPOSED AMENDMENT carried by the following vote:

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

Nay: 0

Absent: 0

Committee Discussion

1. [AB2020-219](#) Discussion and update on strategies and other items related to COVID-19 (Council

and Health Board)

Clerk's note: Health Department staff was not available so Councilmembers went to the next agenda item. See discussion on this item after AB2020-234.

This item was discussed after AB2020-234, later in the meeting.

2. [AB2020-234](#) Discussion regarding goals, guidelines, and approach to updating current and future budgets

Dana Brown-Davis, Clerk of the Council, stated that one response came in from councilmembers on this item.

Buchanan spoke about a grant from the MacArthur Foundation and a conference he attended concerning the reduction of incarceration with regard to mental health and racial disparity. An idea for using the grant money is enhancing the Ground-Level Response and Coordinated Engagement (GRACE) and the Law Enforcement Assisted Diversion (LEAD) programs. He stated he would like to see that as a budget priority.

Tyler Schroeder, Executive's Office, answered a concern about giving specific and tangible information that the Administration can use to develop the budget and communicate to the department heads. The budget priority meeting has been re-scheduled for July 8, 2020 so they can incorporate councilmember goals into the document.

Councilmembers discussed whether the LEAD and GRACE programs have the ability to function in an advisory role to the Council and whether they should put together a committee that could function as an advisory role to the Council concerning race relations in Whatcom County.

They discussed the following possible budget priorities:

- Reducing redundancies in Whatcom County government by putting the Parks Department under the Public Works Department
- Focusing on values that the Council has influence over
- Investing in upstream prevention and interventions in lieu of costly remediation strategies
- Funding the homeless outreach team
- Consolidating County building work space by allowing family friendly work-from-home policies if employees choose and if they are able to complete their job responsibilities
- Keeping the current COVID-19 jail booking procedures

Byrd led a discussion about budget priorities and goals using the document, Frazey's Additions to Byrd's Priorities (on file).

Councilmembers discussed establishing two budgets reflecting a 10 percent and 20 percent decrease from 2019 revenue, whether they should request that the Administration produce two different budgets, waiting first to hear what the Executive's Office proposes, requesting that the Administration just prepare a budget with a 20 percent decrease from the 2019 revenue, whether the Council should direct the Executive's Office on a specific percentage and what that should be.

Tyler Schroeder, Executive's Office, answered questions about whether they are going to get new revenue forecasts or sales tax projections, what percentage of the budget the Administration is thinking of cutting, and what percentage of the County's revenue comes from sales tax. He stated the Administration will put together a 2021-2022 budget based on an amended 2020 budget which will be based on projections on sales and property tax revenues. They will present a balanced budget based on projections with a game plan for accomplishing reductions if the revenues don't turn out to be as forecasted.

Councilmembers continued to discuss the item.

Brad Bennett, Administrative Services Department, spoke about the percentage of the decrease and stated that sales and property tax reduction was less than they thought but they will need to look at why. Money that is discretionary is limited but they will come up with some realistic and conservative revenue estimates and then try and manage a budget within that. Then they will identify where they would have to cut, but reductions across the board do not always work.

Byrd suggested a motion to establish a single budget reflecting a 20 percent decrease from 2019 revenue.

Councilmembers discussed establishing a budget without a fixed amount of decrease but with a contingency if there is a 20 percent decrease in revenue, requesting the Executive to prepare a budget with a supplemental reflecting what would be done differently or what would have to change in the budget if revenues drop by 20 percent, not creating more work for the departments by asking them to work on a scenario that may not come into fruition, and leaving it up to the Executive's Office and Finance to propose a budget.

Schroeder stated in the past the Administration has prepared negative

additional service requests which would show where in the organization you can accomplish reductions. A valuable conversation in the next couple months with Council will be prioritizing where in the organization those program reductions would have to happen.

Browne moved to request the Executive to prepare a budget with a supplemental reflecting what would be done if revenue decreases by 20 percent. The motion was seconded by Byrd.

The motion carried by the following vote:

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

Nay: 1 - Donovan

Councilmembers discussed the following goal as presented on the screen by Byrd:

Achieve a balanced and affordable housing market, with Monthly Sales Inventory (MSI) between five and seven months and vacancy rate between five to seven percent by end of 2023.

Browne suggested alternative language for the goal: Focus on identifying and removing barriers to affordable housing.

Byrd stated they could change the year from 2023 to 2025.

Byrd moved to approve the goal: Achieve a balanced and affordable housing market, with MSI between five and seven months and vacancy rate between five to seven percent by the end of 2025. The motion was seconded by Frazey.

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Donovan out of the meeting

Councilmembers discussed the remaining proposed goals:

Kershner moved to approve the goal: Increase the number of students ready to enter kindergarten by 50 percent by the end of 2022 (increase from current rate of 47 percent for Whatcom County to 70 percent). The motion was seconded by Byrd.

The motion carried by the following vote:

Aye: 6 - Elenbaas, Frazey, Kershner, Buchanan, Byrd, and Browne
Nay: 1 - Donovan

Browne moved to approve the goal: Invest in upstream prevention and interventions in lieu of costly remediation strategies including incarceration and racial disparity. The motion was seconded by Kershner.

The motion carried by the following vote:

Aye: 7 - Elenbaas, Frazey, Kershner, Browne, Buchanan, Byrd, and Donovan
Nay: 0

Kershner moved to approve the goal: Achieve county-wide unemployment rate of five percent or less by end of 2022.

Byrd suggested a friendly amendment to make the year 2025. Kershner accepted the friendly amendment and the motion was seconded by Byrd.

Councilmembers discussed the motion.

Donovan suggested a friendly amendment to change the rate of unemployment to two percent. The friendly amendment was not accepted.

Councilmembers continued to discuss the goal.

The motion carried by the following vote:

Aye: 6 - Frazey, Kershner, Browne, Buchanan, Byrd, and Elenbaas
Nay: 1 - Donovan

This agenda item was DISCUSSED AND MOTIONS WERE APPROVED.

1. [AB2020-219](#) Discussion and update on strategies and other items related to COVID-19 (Council and Health Board)

Erika Lautenbach, Health Department Director, updated the councilmembers on the following:

- The Governor of Washington held a press conference earlier today and issued a statewide mandate for mask-wearing
- The COVID Employer Support Task Force will meet this week to approve the communications tool kit they have been working on with the Regional Economic Partnership
- A communications plan launched last week with TV and radio spots
- There have been at least 49 new cases of COVID-19 in last four days in Whatcom County.
- The Health Department is getting help from the State for contact

investigations as well as help from volunteers

- The demographic of cases has flipped to younger people under 30 (they make up two thirds of the cases in the county and most are in North County) and they are experiencing less severe illness

She discussed with councilmembers and answered questions about whether the Health Department is still doing COVID-19 testing at no charge, how to remove barriers for people without health insurance or a physician to get tested, how to expand the capacity within the Health Department to be able to test people without a long turnaround time like Skagit County, what resources the Health Department needs to provide a meaningful level of testing, whether they can use emergency funding to help with building Health Department capacity, whether there is a pool of people the Health Department could draw from to free up Health Department staff, how to expand testing capacity in the non-governmental side and particularly for those who cannot get a physician's referral, whether we have access to enough tests, and what the Council can do to help,

Browne moved to have the Health Department come back to the Council with the exact requirements they need in order to do 300 tests a day so tests can be provided to people in a timely fashion. The motion was seconded by Donovan.

Kershner suggested a friendly amendment that the Health Department immediately contact Mike Hilly of Emergency Medical Services (EMS) to see if his Medical Reserve Corps professionals are available. The friendly amendment was accepted.

Lautenbach requested that rather than setting metrics specifically for the Health Department, they give them a couple days to figure out a strategy and talk to other providers instead of putting the responsibility of all 300 tests on just the Health Department.

Councilmembers discussed the motion with Lautenbach and finding out what Skagit County is doing differently.

The motion carried by the following vote:

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

Nay: 0

Absent: 2 - Byrd and Elenbaas out of the room

Lautenbach stated the County is not currently in a position to apply for Phase 3 but the Health Department will let them know when that times

comes.

Councilmembers and Lautenbach discussed a report that an age care facility has been telling its staff they are not able to get personal protective equipment (PPE) but might be saying that to reduce costs, what the Council can do policy wise to address it, and whether Whatcom County has had any reports of age care facilities that have kicked out residents in order to take COVID-19 patients because they get reimbursed for those at a higher rate.

This agenda item was DISCUSSED AND A MOTION WAS APPROVED.

Other Business

Adjournment

The meeting adjourned at 5:24 p.m.

The County Council approved these minutes on July 21, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

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