CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

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

COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Todd Donovan
Ken Mann
Satpal Sidhu
Carl Weimer

WHATCOM COUNTY COUNCIL

COUNCIL AGENDA
FOR FEBRUARY 21, 2017

MEMBERS OF OUR COMMUNITY WHO REQUIRE SPECIAL ASSISTANCE TO PARTICIPATE IN OUR MEETINGS ARE ASKED TO CONTACT OUR OFFICE AT LEAST 96 HOURS IN ADVANCE

AS A COURTESY TO ALL MEETING ATTENDEES, CELLULAR PHONE USE IS PROHIBITED IN THE COUNCIL CHAMBERS

ACCESSIBLE PARKING IS AVAILABLE NEAR THE COURTHOUSE SOUTH ENTRANCE

OUR REGULAR COUNCIL MEETINGS ARE BROADCAST ON BTV10, COMCAST CHANNEL 10, AT 7 P.M. ON THE TWO WEDNESDAYS FOLLOWING EACH TUESDAY EVENING COUNTY COUNCIL MEETING

PLEASE VISIT US AT WWW.CO.WHATCOM.WA.US **FOR THE FOLLOWING:**

COUNCIL MEETING AUDIO AND VIDEO
COUNCIL OFFICE EMAIL POLICY
CURRENT COUNCIL AGENDA
CURRENT COUNCIL PACKET
PUBLIC NOTICES
1979 - 2017 ORDINANCES
1979 - 2017 RESOLUTIONS
1984 - 2017 COMMITTEE MINUTES
1979 - 2017 COUNCIL MINUTES

UPCOMING MEETINGS AND EVENTS:

MARCH 7, 2017
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

MARCH 14, 2017
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

TODAY'S SCHEDULE:

9:15 A.M. - SPECIAL COMMITTEE OF THE WHOLE (CRITICAL AREAS ORDINANCE)

12:45 P.M. - FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

2 P.M. - PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE

IMMEDIATELY FOLLOWING PUBLIC WORKS HEALTH AND SAFETY COMMITTEE (MEETING SCHEDULED TO BEGIN NO LATER THAN 4 P.M.) – SPECIAL COMMITTEE OF THE WHOLE

COUNCIL COMMITTEE SCHEDULES

SPECIAL COMMITTEE OF THE WHOLE
9:15 a.m. Tuesday, February 21, 2017
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Continuation of Council's review of the 2016 Critical Areas Ordinance Update – topic scheduled for discussion:

   Article 3 – Geohazards (AB2016-276C)
   Pages 1 - 63

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Ken Mann, Satpal Sidhu
12:45 p.m. Tuesday, February 21, 2017
Council Chambers, 311 Grand Avenue

County Executive's Report

Committee Discussion and Recommendations to Council

1. Resolution amending the 2017 Flood Control Zone District and Subzone Budgets, first request, in the amount of $143,676 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-065)
   Pages 64 - 69

2. Ordinance amending the 2017 Whatcom County Budget, second request, in the amount of $888,464 (AB2017-066)
   Pages 70 - 92

3. Ordinance amending Whatcom County Code 2.03, 2.22, and 2.104 to prohibit the appointment of declared political candidates to boards, committees, and commissions and requiring resignation from the Ethics Commission and Salary Commission for members seeking an elected position within the County (AB2017-057)
   Pages 93 - 98

4. Resolution to set hearing to sell tax-title property by public auction Req. #TR2017-01 (AB2017-087)
   Pages 99 - 102

Council "Consent Agenda" Items

1. Resolution canceling uncollectible personal property taxes (AB2017-073)
   Pages 103 - 107

2. Request authorization for the County Executive to enter into a contract between Whatcom County and the Council on Aging for staffing and operations of the Bellingham Senior Activity Center, in the amount of $120,144 (AB2017-074)
   Pages 108 - 124

3. Request authorization for the County Executive to enter into a contract between Whatcom County and Jet Oldsters Association of Ferndale to provide scheduling and oversight of public rentals at the Ferndale Senior Activity Center, for a reimbursement amount of 75% of all receipts, minus County expenses (AB2017-075)
   Pages 125 - 131

4. Request authorization for the County Executive to enter into a contract between Whatcom County and Jet Oldsters Association of Ferndale for staffing and operations of the Ferndale Senior Activity Center, in the amount of $120,144 (AB2017-076)
Pages 132 - 146

5. Request authorization for the County Executive to enter into a contract between Whatcom County and the City of Lynden to provide staffing and operational support at the Lynden Senior Activity Center, in the amount of $120,144 (AB2017-077)
Pages 147 - 154

6. Request authorization for the County Executive to enter into a contract between Whatcom County and the City of Blaine to provide staffing and operational support at the Blaine Senior Activity Center, in the amount of $120,144 (AB2017-078)
Pages 155 - 163

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
Members: Barbara Brenner, Todd Donovan, Ken Mann
2 p.m. Tuesday, February 21, 2017
Council Chambers, 311 Grand Avenue

Special Presentations

1. Public Works Director Hutchings' report to Council on public works activities (AB2017-068)
Page 164

2. Project update on the design and construction of the Birch Bay Drive and Pedestrian Facility (AB2017-079)
Page 165

Committee Discussion

1. Discussion of proposed ordinance amending Whatcom County Code 24.05, On-Site Sewage System Regulations (from 1/24 and 2/7) (AB2017-053)
Pages 166 - 180

2. Presentation and discussion regarding traffic patterns and posted speed limits in the Marine Drive/Marietta area (from 2/7) (AB2017-062)
Page 181

Committee Discussion and Recommendations to Council

1. Resolution authorizing the use of Parks property for road purposes (AB2017-080)
Pages 182 - 193

2. Discussion and recommendations for approval of funding priorities for the Criminal Justice Treatment Account established under RCW 71.24.580 (AB2017-082)
Pages 194 - 217

3. Resolution establishing a new level of service for the Lummi Island Ferry System (AB2017-081)
Pages 218 - 223

Other Business

SPECIAL COMMITTEE OF THE WHOLE
Immediately Following Public Works, Health, and Safety Committee
(meeting scheduled to begin no later than 4 p.m.)
Tuesday, February 21, 2017
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Public Works staff regarding potential property acquisition (AB2017-018)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (b) (i)]
   Page 224

2. Discussion with Senior Deputy Prosecutor Karen Frakes regarding pending litigation, Whatcom County Association of Realtors, et al v. Whatcom County, Growth Management Hearing Board Case No. 16-2-0007 (AB2017-018)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
   No Paper

3. Discussion with Senior Deputy Prosecutor Karen Frakes regarding pending and potential litigation, Hirst et al v. Whatcom County, GMHB Case No. 12-2-0013 (AB2017-018)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
   No Paper

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, February 21, 2017
Council Chambers, 311 Grand Avenue

CALL TO ORDER
ROLL CALL
FLAG SALUTE
ANNOUNCEMENTS

If you will be handing out paperwork to councilmembers, please give one copy to the clerk for our office files. Thank you.

MINUTES CONSENT

1. Special Committee of the Whole (9:30 a.m.) for January 10, 2017
   Pages 225 - 226
2. Special Committee of the Whole for January 24, 2017
   Pages 227 - 228
3. County Council Meeting for January 24, 2017
   Pages 229 - 239
4. Surface Water Work Session for February 14, 2017
   Pages 240 - 241

SPECIAL PRESENTATION

1. Portage Bay Partnership: A historic agreement to improve water quality in the Nooksack Basin (AB2017-089)
   No Paper

OPEN SESSION (20 MINUTES)
During open session, audience members can speak to the council on any issue not scheduled for public hearing. Each speaker should state his or her name for the record and will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

CONSENT AGENDA
Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff or council may ask that an item be considered separately.

(From Finance and Administrative Services Committee)

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   Pages 103 - 107

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Pages 155 - 163

OTHER ITEMS

(From Finance and Administrative Services Committee)

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Pages 99 - 102

(From Public Works, Health, and Safety Committee)

5. Resolution authorizing the use of Parks property for road purposes (AB2017-080)
Pages 182 - 193

6. Approval of funding priorities for the Criminal Justice Treatment Account established under RCW 71.24.580 (AB2017-082)
Pages 194 - 217

7. Resolution establishing a new level of service for the Lummi Island Ferry System (AB2017-081)
Pages 218 - 223

(No Committee Assignment)

8. Appointment to the Noxious Weed Control Board - applicant: Dale Yoder (per RCW17.10.050(2) the county legislative authority, within ten days of receiving name(s) of nominee(s), shall appoint nominee(s) to the county noxious weed control board) (AB2017-071)
Pages 242 - 244

INTRODUCTION ITEMS
Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. Ordinance establishing charges/fees for providing Advanced Life Support (ALS) Ambulance Transport Services in Whatcom County (AB2017-086)
Pages 245 - 249

2. Resolution to sell Tax-Title property by public auction Req. #TR2017-01 (AB2017-087A)
Pages 250 - 253

3. Receipt of application(s) for the Portage Bay Shellfish Protection District Advisory Committee, applicant: Michael Shepard (application deadline for any other applicants to this vacancy is 10 a.m. on February 28, 2017) (AB2017-072)
Pages 254 - 257

4. Ordinance adopting interim amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 (Buildings and Construction), Title 20 (Zoning), Title 21 (Land Division Regulations), and Title 24 (Health Code), relating to water resources (AB2016-309D)
Pages 258 - 283

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. March 7, 2017, in the Council Chambers, 311 Grand Avenue.