

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 MARCH 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 29, 2017

WEDNESDAY

6:30 P.M. – ANNUAL LAKE WHATCOM JOINT COUNCILS
AND COMMISSION MEETING
CITY HALL, 210 LOTTIE STREET

APRIL 4, 2017

REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE

10:30 A.M. – SPECIAL COMMITTEE OF THE WHOLE

11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1:30 P.M. SPECIAL COMMITTEE OF THE WHOLE

COUNCIL COMMITTEE SCHEDULES

NATURAL RESOURCES COMMITTEE

**Members: Todd Donovan, Satpal Sidhu, Carl Weimer
9:30 a.m. Tuesday, March 21, 2017
Council Chambers, 311 Grand Avenue**

Special Presentations

1. Washington State University Extension report on the Natural Resources Forestry Program (AB2017-068)
Page 1
2. Washington State Department of Fish and Wildlife briefing on proposed new Hydraulic Project Approval (HPA) legislation (AB2017-112)
Page 2

Other Business

SPECIAL COMMITTEE OF THE WHOLE

**10:30 a.m. Tuesday, March 21, 2017
Council Office Conference Room, 311 Grand Avenue**

Committee Discussion

1. Update on negotiations and discussion of strategy planning regarding collective bargaining (AB2017-018H) **[discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.140 (4)(a)]**
Page 3
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FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

**Members: Rud Browne, Ken Mann, Satpal Sidhu
11 a.m. Tuesday, March 21, 2017 (meeting to end no later than 12:30 p.m.)
Council Chambers, 311 Grand Avenue**

County Executive's Report

Special Presentations

1. Presentation by Small Business Development Center (SBDC) President CJ Seitz of the SBDC results for 2016 (AB2017-017)
Page 4
2. Report from Administrative Services IT Department (AB2017-068)
Page 5

Committee Discussion and Recommendations to Council

1. Ordinance amending Ordinance 2014-075 (establishment of the courthouse building envelope fund and budget) to include additional funding of \$2,427,809 to cover the cost of scheduled maintenance and repairs (AB2017-095)
Pages 6 - 11
2. Ordinance amending the 2017 Whatcom County Budget, third request, in the amount of \$2,104,121 (AB2017-096)
Pages 12 - 40
3. Ordinance authorizing interfund loans to finance cash flow for stormwater capital project budgets (AB2017-098)
Pages 41 - 42

4. Request authorization for the County Executive to enter into a contract between the Whatcom County Flood Control Zone District and the Nature Conservancy to support Deming Levee setback construction and the lower Nooksack River geomorphic assessment, in the amount of \$250,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-104)
Pages 43 - 77
5. Request authorization for the County Executive to enter into a grant agreement between the Whatcom County Flood Control Zone District and the Washington State Military Department for state and federal funding for voluntary acquisition of five flood-prone properties in Marietta and the removal of all associated structures, in the amount of \$342,737 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-105)
Pages 78 - 114

Council "Consent Agenda" Items

1. Request authorization for the County Executive to approve the collective bargaining agreement between Whatcom County and Washington State Nurses Association for the period January 1, 2017, through December 31, 2018 (AB2017-106)
Pages 115 - 156
2. Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and North Sound Behavioral Health Organization to provide funding for opioid and intravenous outreach services in Whatcom County (AB2017-100)
Pages 157 - 220

Other Business

SPECIAL COMMITTEE OF THE WHOLE
1:30 p.m. Tuesday, March 21, 2017 (meeting to adjourn no later than 5 p.m.)
Council Chambers, 311 Grand Avenue

Special Presentation

1. County Executive to provide an update on new jail planning (AB2017-107)
Page 221

Committee Discussion and Recommendations to Council

1. Resolution initiating proposed Comprehensive Plan and zoning amendments (from March 7) (AB2017-083)
Pages 222 - 241

Committee Discussion

1. Continued discussion of proposed Comprehensive Plan amendments relating to the Cherry Point Urban Growth Area (discussion limited to council proposed new Policy 2CC-17) (ordinance scheduled for introduction this evening) (AB2017-063)
Pages 242 - 404
2. Continuation of Council's review of the 2016 Critical Areas Ordinance Update (AB2016-276K)
Pages 405 - 424

Review of additional staff proposed amendments (post-Planning Commission recommendation) related to:

- Article 6 - Wetlands
- Article 7 - Habitat Conservation Areas
- Article 3 - Geologically Hazardous Areas (tsunami hazard areas)
- Article 9 - Definitions

Review of certain questions, comments, and suggestions by Councilmembers related to:

- Overall (shall v. may)

- Article 1 - Purpose
- Article 2 - Administrative Provisions
- Article 7 - Habitat Conservation Areas

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, March 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 for October 25, 2016
Pages 425 - 427
2. Board of Health for January 31, 2017
Pages 428 - 430
3. Special Committee of the Whole (AM) for February 7, 2017
Pages 431 - 433
4. Special Committee of the Whole (PM) for February 7, 2017
Pages 434 - 435
5. Regular County Council for February 7, 2017
Pages 436 - 441
6. Special Committee of the Whole (AM) for February 21, 2017
Pages 442 - 444
7. Special Committee of the Whole (PM) for February 21, 2017
Pages 445 - 446
8. Regular County Council for February 21, 2017
Pages 447 - 453

SPECIAL PRESENTATION

1. County Executive to review the successful completion of the Sun House renovation and present recognition plaques to contributors (AB2017-017A)
Page 454

PUBLIC HEARINGS

Audience members who wish to address the council during a public hearing are asked to sign up at the back of the room before the meeting begins. The council chair will ask those who have signed up to form a line at the podium. 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. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. Resolution and request for a public hearing regarding Community Development Block Grant funding applications (AB2017-097)
Pages 455 - 465
2. Ordinance amending Whatcom County Code 24.05, On-site Sewage System Regulations (AB2017-053A)
Pages 466 - 478
3. Ordinance imposing an interim moratorium on the acceptance and processing of applications and permits for new or expanded facilities in the Cherry Point Urban Growth Area, the primary

purpose of which would be the shipment of unrefined fossil fuels not to be processed at Cherry Point (AB2016-256B)

Pages 479 - 483

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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OTHER ITEMS

(From Finance and Administrative Services Committee)

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Pages 78 - 114

(From Special Committee of the Whole)

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EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. Request confirmation of the County Executive's appointments of Arlene Feld and Natasha Raming to the North Sound Behavioral Health Organization's Advisory Board (AB2017-108)
Pages 484 - 491

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. Receipt of an appeal of the Hearing Examiner's decision on File No. SHR2015-0003, filed by Kristine Williams and Thad Anderson, regarding Deming Speedway access road (AB2016-367)
No Paper
2. Ordinance regarding temporary installation of stop signs on Unick Road at Elder Road during construction of the Slater Road/Jordan Creek Fish Passage Project (AB2017-109)
Pages 492 - 495
3. Ordinance regarding temporary installation of stop signs at the Oat Coles/Swift Creek temporary bridge crossing (AB2017-110)
Pages 496 - 499
4. Ordinance amending Whatcom County Code Chapter 12.60, Road Naming System (AB2017-111)
Pages 500 - 511

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. April 4, 2017 in the Whatcom Council Chambers, 311 Grand Avenue.

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**AGENDA REVISION NOTICE
FOR MARCH 7, 2017**

(DISTRIBUTED AT 2:20 P.M. ON MARCH 20, 2017)

THE FOLLOWING ITEM HAS BEEN REMOVED FROM THE COUNCIL'S NATURAL RESOURCES COMMITTEE AGENDA:

SPECIAL PRESENTATIONS

- ~~2. Washington State Department of Fish and Wildlife briefing on proposed new Hydraulic Project Approval (HPA) legislation (AB2017-112)~~

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