

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 APRIL 18, 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:

APRIL 25, 2017

10:30 A.M. - HEALTH BOARD MEETING
COUNCIL CHAMBERS, 311 GRAND AVENUE

MAY 2, 2017

REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

MAY 15, 2017

3 P.M. - LAKE WHATCOM POLICY GROUP
FIREPLACE ROOM, 625 HALLECK STREET

TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE
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, April 18, 2017

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendations to Council

1. Resolution approving the Birch Bay Community Park Master Plan (AB2016-185B)
Pages 1 - 97
2. Resolution requesting the State Legislature amend the Growth Management Act to clarify that counties can rely on Department of Ecology guidance for determining legal water availability (AB2017-129)
Pages 98 - 104

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Ken Mann, Satpal Sidhu

11 a.m. Tuesday, April 18, 2017 (meeting to adjourn no later than 12:30 p.m.)

Council Chambers, 311 Grand Avenue

County Executive's Report

Special Presentation

1. Presentation regarding the Sylvia Center for the Arts (AB2017-130)
Pages 105 - 106

Committee Discussion and Recommendations to Council

1. Ordinance amending Ordinance 2014-073 (establishment of the 2015 Courthouse Fire Alarm System and Juvenile Roof Improvement Fund and a project based budget for the Courthouse Fire Alarm System and Juvenile Roof Improvements) to add additional expenditure authority and change the title of the fund to "Courthouse Improvement Fund" (AB2017-125)
Pages 107 - 112
2. Ordinance amending the 2017 Whatcom County Budget, fourth request, in the amount of \$382,327 (AB2017-126)
Pages 113 - 131
3. Ordinance amending Ordinance 2014-083 (establishment of the Cedar Hills/Euclid Storm Water Improvements Fund and a project based budget for the Cedar Hills/Euclid Storm Water Improvements) for the fourth time to add \$36,909 of expenditure authority, for a total amended project budget in the amount of \$1,792,495 (AB2016-275B)
Pages 132 - 137
4. Ordinance amending Ordinance 2012-050 (establishment of the Birch Bay Drive and Pedestrian Facility Project Fund and a project based budget for the Birch Bay Drive and Pedestrian Facility) for the third time to add \$900,000 of expenditure authority, for a total amended project budget in the amount of \$3,600,000 (AB2017-079A)
Pages 138 - 144
5. Resolution setting a hearing to sell tax-title property by public auction, Req. #TR2017-02 (AB2017-131)
Pages 145 - 148
6. Resolution setting a hearing to sell tax-title property by public auction, Req. #TR2017-03 (AB2017-132)
Pages 149 - 152
7. Request confirmation of the County Executive's re-designation of the Port of Bellingham as the County's ADO (Associate Development Organization) to coordinate community and economic development services with the Washington State Department of Commerce (AB2017-069A)
Pages 153 - 156

8. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire District #4 to reimburse the district for lost revenue resulting from passage of the countywide EMS levy (AB2017-136)
Pages 157 - 165
9. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire District #11 to reimburse the district for lost revenue resulting from passage of the countywide EMS levy (AB2017-137)
Pages 166 - 174
10. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Fire District #16 to reimburse the district for lost revenue resulting from passage of the countywide EMS levy (AB2017-138)
Pages 175 - 184

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a one year residential lease agreement between Whatcom County and Michael Atkins and Maria Palileo for lease of 5305 Nielsen Road, located within Hovander Homestead Park, for the monthly amount of \$950 (AB2017-133)
Pages 185 - 196
2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Sumas to operate a senior activity center program at the Sumas Community Center (AB2017-134)
Pages 197 - 205
3. Request approval for the County Executive to authorize the purchase of radios and related accessories (as needed) using Washington State Contract #06913 from vendors Harris FRCD, JVC Kenwood, and Motorola Solutions, in an amount not to exceed \$100,000 (AB2017-135)
Pages 206 - 208

Other Business

**SPECIAL COMMITTEE OF THE WHOLE
1:30 p.m. Tuesday, April 18, 2017
Council Conference Room/Council Chambers
311 Grand Avenue**

Committee Discussion – Council Conference Room

1. Consideration of 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)
[discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(i)]
No Paper

Committee Discussion – Council Chambers

1. Continuation of Council's review of the 2016 Critical Areas Ordinance Update (AB2016-276K)
Pages 209 - 275

Review of certain questions, comments, and suggestions by staff and Councilmembers related to:
 - Article 3 - Geologically Hazardous Areas (tsunami hazard areas)
 - Global Issues
 - Article 2 - Administrative Provisions
 - Article 4 – Frequently Flooded Areas
 - Article 5 – Critical Aquifer Recharge Areas
 - Article 6 – Wetlands

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, April 18, 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.

1. Consideration of appeal of the Hearing Examiner's decision on File No. SHR2015-0003 by Kristine Williams and Thad Anderson, regarding Deming Speedway access road (AB2016-367)
No Paper

MINUTES CONSENT

1. Special Committee of the Whole (Executive Session) for March 7, 2017
Pages 276 - 277
2. Special Committee of the Whole (Open Meeting) for March 7, 2017
Pages 278 - 284
3. Regular County Council for March 7, 2017
Pages 285 - 297
4. Surface Water Work Session for March 14, 2017
Pages 298 - 300
5. Special Committee of the Whole (Executive Session) for March 14, 2017
Pages 301 - 302
6. Special Committee of the Whole (Open Meeting) for March 14, 2017
Pages 303 - 312
7. Special Committee of the Whole (Executive Session) for March 21, 2017
Pages 313 - 314

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. Ordinance repealing and replacing Whatcom County Code Chapter 2.44 and amending Whatcom County Code Chapter 3.37 to integrate the Behavioral Health Advisory Board and Chemical Dependency/Mental Health Program Fund Oversight Advisory Committee into a single Behavioral Health Advisory Committee (AB2017-124)
Pages 315 - 324
2. Ordinance adopting interim amendments to the Whatcom County Comprehensive Plan and the 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 (AB2016-309F)
Pages 325 - 350

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 Natural Resources Committee)

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(From Finance and Administrative Services Committee)

3. Ordinance amending Ordinance 2014-073 (establishment of the 2015 Courthouse Fire Alarm System and Juvenile Roof Improvement Fund and a project based budget for the Courthouse Fire Alarm System and Juvenile Roof Improvements) to add additional expenditure authority and change the title of the fund to "Courthouse Improvement Fund" (AB2017-125)
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Pages 166 - 174
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Pages 175 - 184

(No Committee Assignment)

13. Ordinance amending Whatcom County Code 20.92.645, Time Limits, related to appeals to County Council (AB2017-114)
Pages 351 - 354

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.060 and 100.02.080, applications for council-appointed and FCZD board of supervisor-appointed citizen boards, commissions, and committees may be accepted until 10:00 a.m. on Tuesday of the week prior to the regularly scheduled council meeting at which nominations and possible vote to appoint are scheduled to occur.

1. Appointment to the Wildlife Advisory Committee, applicant: Caanan Cowles (AB2017-113)
Pages 355 - 358
2. Appointment to the Noxious Weed Control Board, applicant: Patricia Lensen (AB2017-128)
Pages 359 - 361

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. Resolution to sell tax-title property by public auction, Req. #TR2017-02 (AB2017-131A)
Pages 362 - 365
2. Resolution to sell tax-title property by public auction, Req. #TR2017-03 (AB2017-132A)
Pages 366 - 369
3. Ordinance adopting Whatcom County Comprehensive Plan amendments relating to the Cherry Point Urban Growth Area (AB2017-063A)
Pages 370 - 398

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. May 2, 2017 in the Whatcom Council Chambers, 311 Grand Avenue.

From: Dana Brown-Davis Sent: Thu 4/13/2017 8:08 AM
To: Amory Peck (amorypeck@comcast.net); Anthony Paz; Arden Landry; Art Edge; Barbara Brenner; Barbara Plumbo; Barry Buchanan; Beth Bushaw; BIA; Bill Elfo; Bill Gorman (bill@bellingham.com); Bill Henshaw (bhenshaw@windermere.com); Bill McCallum (bill@whatcomwatch.org); Bob Carmichael; Brad Bennett; Brad Swanson; Bruce Ayers (bruce@ayersconsulting.com); Bruce Van Gludt; Bryan Jones (bryan@jonesengineers.us); Carl Weimer; Carol Henshaw (carol@henshaw60.us); Carolyn Anderson (wisdomhouseinblaine@comcast.net); Chalce Dew-Johnson; Chet Dow; Chris Hatch; Clayton Petree; Dana Brown-Davis; Dannon Traxler (dtraxler@langabeertrader.com); Darcy Jones (darcy@jonesengineers.us); Darla Smith; Dave Reynolds; David McCluskey; David McEachran; David Onkels; David Stalheim; Dawn Pierce; Debbie Adelstein; Debbie Hayes; Dee Ebergson; Dominique Zervas; Doralee Booth (doraleeb@comcast.net); Doug Chadwick;
Cc:
Subject: Agenda Revision

Hello, all:

Please note revised title for one agenda item scheduled for next week's Special Committee of the Whole meeting:

Committee Discussion – Council Chambers

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- Article 4 - Frequently Flooded Areas
- Article 5 - Critical Aquifer Recharge Areas
- Article 6 - Wetlands

Have a good day.

Dana

Dana Brown-Davis, CMC
Clerk of the Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225
360.778.5010
dbrown@co.whatcom.wa.us

REVISED AGENDA FOR FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE (ORDER OF ITEMS ALTERED, NO ITEMS ADDED OR DELETED)

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Ken Mann, Satpal Sidhu

11 a.m. Tuesday, April 18, 2017 (meeting to adjourn no later than 12:30 p.m.)

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