

**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**

Timothy Ballew II  
Barbara Brenner  
Rud Browne  
Barry Buchanan  
Todd Donovan  
Tyler Byrd  
Satpal Sidhu

**WHATCOM COUNTY COUNCIL**

**COUNCIL AGENDA  
FOR MAY 22, 2018**

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 CAN BE VIEWED LIVE AT  
<https://www.youtube.com/user/WhatcomCountyGov>  
AND ARE ALSO BROADCAST ON BTV10 (COMCAST CHANNEL 10)  
AT 7 P.M. ON THE TWO WEDNESDAYS FOLLOWING EACH  
TUESDAY EVENING COUNCIL MEETING

PLEASE VISIT US AT [WWW.CO.WHATCOM.WA.US](http://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 - 2018 ORDINANCES  
1979 - 2018 RESOLUTIONS  
1984 - 2018 COMMITTEE MINUTES  
1979 - 2018 COUNCIL MINUTES

**UPCOMING MEETINGS AND EVENTS:**

**MAY 29, 2018**

1:30 P.M. – COUNCIL BUDGET RETREAT  
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

7 P.M. – COUNCIL CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE LISTENING TOUR  
FERNDALE LIBRARY, 2125 MAIN STREET, FERNDALE

---

**TODAY'S SCHEDULE:**

9:30 A.M. – COMMITTEE OF THE WHOLE

9:45 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

12:15 P.M. – PUBLIC WORKS AND HEALTH COMMITTEE

1 P.M. - CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE

IMMEDIATELY FOLLOWING CRIMINAL JUSTICE AND PUBLIC SAFETY (**NO LATER THAN 2 P.M.**)  
PLANNING AND DEVELOPMENT COMMITTEE

IMMEDIATELY FOLLOWING PLANNING AND DEVELOPMENT (**NO LATER THAN 3 P.M.**)  
SPECIAL COMMITTEE OF THE WHOLE

---

# **COUNCIL COMMITTEE SCHEDULES**

## **COMMITTEE OF THE WHOLE**

**9:30 a.m. Tuesday, May 22, 2018**

**Council Conference Room, 311 Grand Avenue**

### **Committee Discussion**

1. Discussion with Senior Deputy Prosecutor Christopher Quinn regarding pending litigation involving claims against corrections deputies acting within their official duties (AB2018-018)  
**[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**

## **FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**

**Members: Rud Browne, Tyler Byrd, Satpal Sidhu**

**9:45 a.m. Tuesday, May 22, 2018**

**Council Chambers, 311 Grand Avenue**

### **County Executive's Report**

#### **Special Presentation**

1. Annual presentation from the Commission Against Domestic Violence (AB2018-143)  
**Pages 1 - 16**
2. Quarterly report from Finance Manager Brad Bennett (AB2018-066)  
**Page 17**

### **Committee Discussion and Recommendations to Council**

1. Ordinance amending the Whatcom County Budget, seventh request, in the amount of \$1,861,232 (AB2018-150)  
**Pages 18 - 60**
2. Ordinance establishing the Mental Health and Developmental Disabilities Special Revenue Fund (AB2018-151)  
**Pages 61 - 63**
3. Ordinance closing the Potter Road – South Fork Bridge No. 148 Replacement Project Fund 342 (AB2018-152)  
**Pages 64 - 66**
4. Ordinance closing the 2015 County Roadway Safety Program Fund 355 (AB2018-153)  
**Pages 67 - 69**
5. Ordinance closing the Cedar Hills/Euclid Storm Water Improvements Project Fund 367 (AB2018-154)  
**Pages 70 - 72**
6. Request approval for the County Executive to authorize the purchase, using Washington State Contract #00816, of a replacement lowboy trailer from vendor Pape Machinery, Inc., in the amount of \$89,526.76 (from May 8) (AB2018-144)  
**Pages 73 - 75**

## **Council "Consent Agenda" Items**

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to add additional funding for rental assistance to help support youth in the Transitional Living Program at Francis Place, in the amount of \$36,990, for a total amended contract amount of \$442,652 (AB2018-156)  
**Pages 76 – 85**
2. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington Department of Ecology to receive funding for operation of a fixed toxics facility used for the proper disposal and recycling of moderate risk wastes and rural waste oil and antifreeze collection stations, in the amount of \$196,714.64 (AB2018-157)  
**Pages 86 - 107**
3. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington Department of Ecology to receive funding for solid waste compliance management and littering and illegal dumping enforcement services, in the amount of \$134,811.14 (AB2018-158)  
**Pages 108 - 129**
4. Request authorization for the County Executive to enter into a 5 year lease agreement, with two 5-year lease renewal options, between Whatcom County and the Port of Bellingham for use of the property located at 3720 Williamson Way in the monthly amount in years 1 and 2 of \$1,288.98 and in years 3 through 5, the amount of \$1,353.43 (AB2018-159)  
**Pages 130 - 152**

## **Other Business**

### **PUBLIC WORKS AND HEALTH COMMITTEE**

**Members: Tim Ballew, Barbara Brenner, Barry Buchanan**

**12:15 p.m. Tuesday, May 22, 2018**

**Council Chambers, 311 Grand Avenue**

### **Committee Discussion**

1. Discussion regarding amendments to Whatcom County Code 8.11, Solid Waste Recycling and Collection District, and 8.10, Solid Waste Residential Recycling Collection, regarding Solid Waste Collection in Point Roberts (AB2018-146A)  
**Pages 153 - 168**

### **CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE**

**Members: Barry Buchanan, Tyler Byrd, Satpal Sidhu**

**1 p.m. Tuesday, May 22, 2018**

**Council Chambers, 311 Grand Avenue**

### **Committee Discussion**

1. Update on jail alternatives from City of Bellingham Court Administrator Darlene Peterson (AB2018-161)  
**Page 169**
2. Discussion of options for conducting a statistically significant community survey (AB2018-087)  
**Pages 170 - 171**

## **Other Business**

### **PLANNING AND DEVELOPMENT COMMITTEE**

**Members: Barbara Brenner, Tyler Byrd, Todd Donovan**

**Immediately Following Criminal Justice and Public Safety Committee (no later than 2 p.m.)**

**Tuesday, May 22, 2018**

**Council Chambers, 311 Grand Avenue**

**Committee Discussion and Recommendation to Council**

1. Discussion and direction from Council on potential Whatcom County Code amendments and projects to help people who are experiencing homelessness (AB2018-072B)  
**Pages 172 - 197**

**Other Business**

**SPECIAL COMMITTEE OF THE WHOLE**

**Immediately Following Planning and Development Committee (no later than 3 p.m.)**

**Tuesday, May 22, 2018**

**Council Chambers, 311 Grand Avenue**

**Committee Discussion**

1. Discussion of proposed ordinance adopting amendments to Whatcom County Code Title 2 Administration and Personnel; Title 9 Public Peace, Morals and Welfare; Title 15, Building and Construction; Title 16 Environment; Title 20 Zoning; Title 21 Land Division Regulations; Title 23 Shoreline Management Program; Title 24 Health; and creating a new Title 22 Land Use and Development Procedures; to relocate and revise procedures for land use and development related project permits and legislative actions (AB2018-056)  
**Pages 198 - 328**

**Committee Discussion and Recommendations to Council**

1. Ordinance establishing Whatcom County Code Chapter 2.126, creating the Whatcom County Business and Commerce Advisory Committee (AB2018-132A)  
**Pages 329 - 332**
2. Direction on Comprehensive Plan amendments requested by Council through Resolution 2018-015 relating to the Cherry Point Urban Growth Area (from May 8) (AB2018-076C)  
**Pages 333 - 338**

**Other Business**

# **COUNCIL AGENDA**

**REGULAR COUNCIL MEETING**  
7 p.m. Tuesday, May 22, 2018  
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.

## **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 establishing a 25 mph speed limit on certain Birch Bay area roads (AB2018-137)  
**Pages 339 - 346**
2. Ordinance creating a "Golf Cart Zone" on certain roads in the Birch Bay area (AB2018-125)  
**Pages 347 - 354**
3. Ordinance amending Whatcom County Code 15.04, Building Codes, regarding fee for appeals to County Council (AB2018-142)  
**Pages 355 - 359**

## **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)**

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to add additional funding for rental assistance to help support youth in the Transitional Living Program at Francis Place, in the amount of \$36,990, for a total amended contract amount of \$442,652 (AB2018-156)  
**Pages 76 - 85**
2. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington Department of Ecology to receive funding for operation of a fixed toxics facility used for the proper disposal and recycling of moderate risk wastes and rural waste oil and antifreeze collection stations, in the amount of \$196,714.64 (AB2018-157)  
**Pages 86 - 107**

3. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington Department of Ecology to receive funding for solid waste compliance management and littering and illegal dumping enforcement services, in the amount of \$134,811.14 (AB2018-158)  
**Pages 108 – 129**
4. Request authorization for the County Executive to enter into a 5 year lease agreement, with two 5-year lease renewal options, between Whatcom County and the Port of Bellingham for use of the property located at 3720 Williamson Way in the monthly amount in years 1 and 2 of \$1,288.98 and in years 3 through 5, the amount of \$1,353.43 (AB2018-159)  
**Pages 130 - 152**

#### **OTHER ITEMS**

##### **(From Finance and Administrative Services Committee)**

1. Ordinance amending the Whatcom County Budget, seventh request, in the amount of \$1,861,232 (AB2018-150)  
**Pages 18 - 60**
2. Ordinance establishing the Mental Health and Developmental Disabilities Special Revenue Fund (AB2018-151)  
**Pages 61 - 63**
3. Ordinance closing the Potter Road – South Fork Bridge No. 148 Replacement Project Fund 342 (AB2018-152)  
**Pages 64 - 66**
4. Ordinance closing the 2015 County Roadway Safety Program Fund 355 (AB2018-153)  
**Pages 67 - 69**
5. Ordinance closing the Cedar Hills/Euclid Storm Water Improvements Project Fund 367 (AB2018-154)  
**Pages 70 - 72**
6. Request approval for the County Executive to authorize the purchase, using Washington State Contract #00816, of a replacement lowboy trailer from vendor Pape Machinery, Inc., in the amount of \$89,526.76 (from May 8) (AB2018-144)  
**Pages 73 - 75**

##### **(From Planning and Development Committee)**

7. Discussion and direction from Council on potential Whatcom County Code amendments and projects to help people who are experiencing homelessness (AB2018-072B)  
**Pages 172 - 197**

##### **(From Special Committee of the Whole)**

8. Ordinance establishing Whatcom County Code Chapter 2.126, creating the Whatcom County Business and Commerce Advisory Committee (AB2018-132A)  
**Pages 329 - 332**
9. Direction on Comprehensive Plan amendments requested by Council through Resolution 2018-015 relating to the Cherry Point Urban Growth Area (from May 8) (AB2018-076C)  
**Pages 333 - 338**

**(No Committee Assignment)**

10. Appointment of one councilmember to serve on the Whatcom County Lake Whatcom Stormwater Utility Advisory Committee as a non-voting representative (AB2018-140A)

**Pages 360 - 361**

11. Resolution amending Resolution 2017-045 to revise County Council meeting date schedule for 2018 (AB2018-162)

**Pages 362 - 363**

**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 Whatcom County Planning Commission, partial term ending January 31, 2021, representing District 1, applicants: Tony Freeland, Kimberley Lund (from May 8) (AB2018-133)

**Pages 364 - 374**

**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 amending Whatcom County Code 3.08, Purchasing System (AB2018-160)

**Pages 375 – 380**

2. Ordinance establishing Whatcom County Code 1.32, adopting rules regarding compliance with Chapter 42.56 RCW, Public Records Act (AB2018-155)

**Pages 381 - 385**

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

**ADJOURN**

The next regular council meeting is scheduled for 7 p.m. June 5, 2018, in the County Council Chambers, 311 Grand Avenue.

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

COUNTY COURTHOUSE  
311 Grand Avenue, Suite #105  
Bellingham, WA 98225-4038  
(360) 676-6690



COUNCILMEMBERS  
Timothy Ballew II  
Barbara Brenner  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Satpal Sidhu

WHATCOM COUNTY COUNCIL

# AGENDA REVISION NOTICE FOR MAY 22, 2018

(DISTRIBUTED AT 3:45 P.M. ON MAY 17, 2018)

**THE FOLLOWING ITEM HAS BEEN ADDED TO FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE AND COUNCIL:**

Request authorization for the County Executive to enter into a contract amendment (amendment no. 2) between Whatcom County and the County Road Administration Board (CRAB) to allow the County to receive additional Rural Arterial Program (RAP) grant funding for the East Smith Road Pavement Rehabilitation Project (Everson-Goshen Road to SR-542) (AB2018-164)\*

\*Item will be scheduled under Committee Discussion and Recommendations to Council at Committee and Other Items at Council.



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

**COUNTY COURTHOUSE**  
311 Grand Avenue, Suite #105  
Bellingham, WA 98225-4038  
(360) 676-6690



**COUNCILMEMBERS**  
Timothy Ballew II  
Barbara Brenner  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Satpal Sidhu

**WHATCOM COUNTY COUNCIL**

**SECOND AGENDA REVISION NOTICE**  
**FOR MAY 22, 2018**  
(DISTRIBUTED ON MAY 22, 2018)

**THE FOLLOWING ITEMS HAVE BEEN ADDED TO COUNCIL INTRODUCTION FOR THIS EVENING:**

3. Ordinance amending Whatcom County Code 8.11, Solid Waste Recycling and Collection District, and Whatcom County Code 8.10, Solid Waste and Residential Recycling Collection regarding solid waste collection in Point Roberts (AB2018-146B)
4. Ordinance adopting amendments to Whatcom County Code Title 2 Administration and Personnel; Title 9 Public Peace, Morals and Welfare; Title 15, Building and Construction; Title 16 Environment; Title 20 Zoning; Title 21 Land Division Regulations; Title 23 Shoreline Management Program; Title 24 Health; and creating a new Title 22 Land Use and Development Procedures; to relocate and revise procedures for land use and development related project permits and legislative actions (AB2018-056)