

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

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

WHATCOM COUNTY COUNCIL

COUNCIL AGENDA FOR WEDNESDAY, AUGUST 8, 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 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:

SEPTEMBER 3, 2018
HOLIDAY – OFFICE CLOSED

SEPTEMBER 11, 2018
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

SEPTEMBER 18, 2018
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE
11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
1:30 P.M. – PUBLIC WORKS AND HEALTH COMMITTEE
2 P.M. – CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE
3 P.M. – PLANNING AND DEVELOPMENT COMMITTEE

IN ACCORDANCE WITH WHATCOM COUNTY CODE SECTIONS 2.02.040 AND 2.02.060, THE FOLLOWING RULES SHALL APPLY DURING ALL COUNCIL AND COUNCIL COMMITTEE MEETINGS:

Section 2.02.040 Meetings – General rules.

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E. All council and council committee meetings shall be conducted pursuant to the American Institute of Parliamentarians Standard Code of Parliamentary Procedure, latest edition, except when in conflict with the standing rules of the council.

L. During an open session or public hearing, audience members will be given three minutes to address the council.

M. Cell phones shall be silenced and cell phone conversations shall be prohibited within the confines of the council chambers during meetings.

N. Placards, signs, applause, or other distractions shall not be allowed in the council chambers without the consent of the council chair.

O. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, while attending a council or council committee meeting may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the council during that meeting.

2.02.060 Meetings – Decorum of debate.

A. Any councilmember desiring to speak shall first be recognized by the chair, and shall confine his or her remarks to the specific subject under consideration or to be considered. The councilmember who has proposed a motion or the committee member who has presented a report shall be allowed the first opportunity to explain the motion or report, and usually is allowed to speak last on it. No member or small group of members shall be permitted to monopolize the discussion on a question. If a member has already spoken and other members wish to speak, they should be recognized in preference to the member who has already spoken on a question.

B. Councilmembers shall address each other as "councilmember" and the council chair shall be addressed as "chair."

C. Staff members, presenters, and the general public shall be addressed as Mr., Mrs., Ms., or by their official or honorary title.

D. When two or more councilmembers desire to speak at the same time, the chair shall name the member who shall have the floor.

E. When a councilmember is speaking, no other member shall hold discourse which may interrupt the speaker except to raise a point of order. The chair should insist that every member be attentive to the business before the assembly.

F. Councilmembers shall have time to explain any motion they intend to make. All motions will begin with the words, "I move" and must receive a second prior to being put to a vote.

G. When it appears that all councilmembers who wish to speak have done so, the chair shall inquire, "Is there any further discussion?" If there is not, the question is put to a vote.

H. To bring a question to immediate vote, a councilmember may move to close debate. If more than one motion is pending, the motion to close debate should specify the pending motions to which it applies (main motion, motion to amend, etc.). The motion to close debate cannot interrupt a speaker, is not debatable, and requires an affirmative vote by two-thirds of the councilmembers in attendance. The motion to close debate should be used in moderation, as members cannot be expected to maintain interest in an organization if they are frequently denied the right to participate in its deliberations.

COUNCIL COMMITTEE SCHEDULES

NATURAL RESOURCES COMMITTEE

Members: Timothy Ballew, Todd Donovan, Satpal Sidhu

9:30 a.m. WEDNESDAY, August 8, 2018

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendations to Council

1. Resolution declaring County Council support for the 2018 Whatcom County Agricultural Strategic Plan (from July 24) (AB2018-217)
Pages 1 - 30
2. Resolution affirming the Purchase of Development Rights (PDR) Oversight Committee ranking and authorizing Whatcom County PDR Administrator and Whatcom County Executive to proceed with the acquisition of an agricultural conservation easement on the Sidhu application (AB2018-223)
Pages 31 - 37

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Tyler Byrd, Satpal Sidhu

11 a.m. WEDNESDAY, August 8, 2018

Council Chambers, 311 Grand Avenue

County Executive's Report

Special Presentation

1. Quarterly report from Whatcom County's Finance Department (AB2018-066)
Page 38

Committee Discussion and Recommendations to Council

1. Resolution updating the appendix of the 2015 Comprehensive Economic Development Strategy (CEDS) (AB2018-224)
Pages 39 - 60
2. Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and United States Geological Survey to fund the ongoing operation and maintenance of the County's six stream gages within the Nooksack River early flood warning system, plus stream gages at the Nooksack River Everson Overflow and Jones Creek in Acme, for early flood warning and flood response, in the amount of \$116,937 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-225)
Pages 61 - 67

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Ferndale School District to provide behavioral health services within the Ferndale School District, in the amount of \$120,000, for a total amended contract amount of \$420,000 (AB2018-226)
Pages 68 - 73
2. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Nooksack Valley School District to provide behavioral health services within the Nooksack Valley School District, in the amount of \$120,000, for a total amended contract amount of \$420,000 (AB2018-227)
Pages 74 - 79
3. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Blaine School District to provide behavioral health services within the Blaine School District, in the amount of \$131,400, for a total amended contract amount of \$424,800 (AB2018-228)
Pages 80 - 85

4. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lynden School District to provide behavioral health services within the Lynden School District, in the amount of \$111,000, for a total amended contract amount of \$388,500 (AB2018-229)
Pages 86 - 91
5. Request authorization for the County Executive to enter into a contract between Whatcom County and North Sound Behavioral Health Organization to provide funding to support evidence-based services in the schools and in the community that have been shown to reduce elevated risk factors for substance use disorders and behavioral health issues, in the amount of \$115,506 (AB2018-230)
Pages 92 - 104
6. Request authorization for the County Executive to enter into a contract between Whatcom County and Wave Business Solutions, LLC for a six year lease for fiber optic connectivity from the Courthouse to the Facilities Management building on Williamson Way, in the amount of \$66,520 (AB2018-231)
Pages 105 - 130

Other Business

PUBLIC WORKS AND HEALTH COMMITTEE

Members: Tim Ballew, Barbara Brenner, Barry Buchanan
1:30 p.m. WEDNESDAY, August 8, 2018
Council Chambers, 311 Grand Avenue

Special Presentation

1. Quarterly report from Whatcom County Public Works (AB2018-066)
Page 131

Other Business

CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE

Members: Barry Buchanan, Tyler Byrd, Satpal Sidhu
2 p.m. WEDNESDAY, August 8, 2018
Council Chambers, 311 Grand Avenue

Special Presentation

1. Report on the Whatcom County Criminal Justice & Public Safety Committee's Listening Tour (AB2018-087A)
Pages 132 - 133

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Tyler Byrd, Todd Donovan
3 p.m. WEDNESDAY, August 8, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Request direction on proposed amendments to Whatcom County Code Title 20, Zoning, and Title 23, Shoreline Management, regarding bed and breakfast and vacation rental units (AB2018-232)
Pages 134 - 163
2. Request direction on proposed amendments to the Whatcom County Comprehensive Plan, Chapter 8, designating Marine Resource Lands and providing goals and policies thereof (AB2018-233)
Pages 164 - 188

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. WEDNESDAY, August 8, 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 council staff for our records. 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 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 (AB2018-077B)
Pages 189 - 193

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)

1. Resolution declaring County Council support for the 2018 Whatcom County Agricultural Strategic Plan (from July 24) (AB2018-217)
Pages 1 - 30
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(From Finance and Administrative Services Committee)

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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 Wildlife Advisory Committee (technical expertise in wildlife and habitat management representative), term ending December 31, 2022 - applicant: Robert Waddell (AB2018-214)
Pages 194 - 197

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 adopting amendments to the purchase of development rights program (AB2018-235)
Pages 198 - 284
2. Ordinance amending the Whatcom County budget, tenth request, in the amount of \$485,339 (AB2018-236)
Pages 285 - 299
3. Ordinance amendment No. 2 to Ordinance No. 2014-078 establishing the 2015 Lighthouse Marine Park Improvement Fund and establishing a project based budget for Lighthouse Marine Park improvements (AB2018-237)
Pages 300 - 304
4. Receipt of application to fill vacancy on the Whatcom County Surface Mining Advisory Board, applicant: Dustin Gleaves (committee advises the Whatcom County Planning and Development Services Department and the Whatcom County Council on implementing a surface mining regulatory program consistent with the Comprehensive Plan) (application deadline for any other applicants is 10 a.m. September 4, 2018) (AB2018-222)
Pages 305 - 310

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. September 11, 2018, in the County Council Chambers, 311 Grand Avenue.