

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

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
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(360) 778-5010



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

WHATCOM COUNTY COUNCIL

COUNCIL AGENDA

FOR OCTOBER 9, 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:

OCTOBER 16, 2018
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

OCTOBER 23, 2018
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE
11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
1 P.M. – COMMITTEE OF THE WHOLE (EXECUTIVE SESSION)
1:30 P.M. – PUBLIC WORKS AND HEALTH COMMITTEE
3 P.M. – CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE (CJPS)
IMMEDIATELY FOLLOWING CJPS (NO LATER THAN 3:30 P.M.) - SPECIAL COMMITTEE OF THE WHOLE

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. Tuesday, October 9, 2018

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding previously issued BP rail capacity expansion project permit (AB2018-277)
Pages 1 - 5

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Tyler Byrd, Satpal Sidhu

11 a.m. Tuesday, October 9, 2018

Council Chambers, 311 Grand Avenue

County Executive's Report

Special Presentation

1. Report from Human Resources Manager Karen Goens (AB2018-066)
Page 6

Committee Discussion and Recommendations to Council

1. Ordinance establishing the Financial System Software Fund and establishing a project based budget to replace the financial system software (AB2018-269)
Pages 7 - 10
2. Ordinance closing Telecommunications System Replacement Fund 351 (AB2018-270)
Pages 11 - 13
3. Ordinance amending Project Budget No. 2 (Jail Improvement Project, as established through Ordinance 2011-031), third request, in the amount of \$4,589,000, for a total project budget of \$8,367,000 (AB2018-271)
Pages 14 - 19
4. Ordinance amending the Whatcom County Budget, twelfth request, in the amount of \$136,027 (AB2018-272)
Pages 20 - 26

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to support the East Whatcom Regional Resource Center Phase II Expansion Project, in the amount of \$415,000 (AB2018-279)
Pages 27 - 40
2. Request authorization for the County Executive to accept a grant award from the U.S. Department of Homeland Security toward the purchase of a salt water patrol vessel, in the amount of \$280,125 (AB2018-280)
Pages 41 - 55

Other Business

COMMITTEE OF THE WHOLE
1 p.m. Tuesday, October 9, 2018
Council Office Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Deputy Prosecutor George Roche regarding pending litigation, Kayser vs. Whatcom County (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

PUBLIC WORKS AND HEALTH COMMITTEE
Members: Tim Ballew, Barbara Brenner, Barry Buchanan
1:30 p.m. Tuesday, October 9, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding proposed resolution approving the Whatcom County 2019 Annual Construction Program (AB2018-281) (resolution scheduled for introduction this evening)
Pages 56 - 104
2. Discussion regarding Point Roberts solid waste issues (AB2018-146C)
Page 105
3. Discussion regarding proposed ordinance adopting amendments to the Whatcom County Comprehensive Plan relating to Capital Facilities (ordinance scheduled for introduction this evening) (AB2018-282)
Pages 106 - 165

Other Business

CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE
Members: Barry Buchanan, Tyler Byrd, Satpal Sidhu
3 p.m. Tuesday, October 9, 2018
Council Chambers, 311 Grand Avenue

Special Presentation

1. Annual report from Prosecuting Attorney Dave McEachran (AB2018-066)
Page 6

Other Business

SPECIAL COMMITTEE OF THE WHOLE
Immediately Following Criminal Justice and Public Safety Committee (no later than 3:30 p.m.)
Tuesday, October 9, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding preliminary draft Comprehensive Plan and zoning amendments – Cherry Point (AB2018-076D)
Pages 166 - 180

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, October 9, 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.

MINUTES CONSENT

1. Surface Water Work Session for September 18, 2018
Pages 181 - 182
2. Special Committee of the Whole for September 25, 2018
Pages 183 - 184
3. Regular County Council for September 25, 2018
Pages 185 - 194

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 adopting the Six-Year Water Resources Improvement Program for the years 2019-2024 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-268)
Pages 195 - 237

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 between Whatcom County and Opportunity Council to support the East Whatcom Regional Resource Center Phase II Expansion Project, in the amount of \$415,000 (AB2018-279)
Pages 27 - 40

2. Request authorization for the County Executive to accept a grant award from the U.S. Department of Homeland Security toward the purchase of a salt water patrol vessel, in the amount of \$280,125 (AB2018-280)
Pages 41 - 55

OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Ordinance establishing the Financial System Software Fund and establishing a project based budget to replace the financial system software (AB2018-269)
Pages 7 - 10
2. Ordinance closing Telecommunications System Replacement Fund 351 (AB2018-270)
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3. Ordinance amending Project Budget No. 2 (Jail Improvement Project, as established through Ordinance 2011-031), third request, in the amount of \$4,589,000, for a total project budget of \$8,367,000 (AB2018-271)
Pages 14 - 19
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Pages 20 - 26

(No Committee Assignment)

5. Resolution establishing regular County Council meeting dates for 2019 (AB2018-276)
Pages 238 - 239

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 fill vacancy on Lake Whatcom Stormwater Utility Advisory Committee, (geographic representative), applicant: Nancy Alyanak (AB2018-258)
Pages 240 - 241

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 to the Whatcom County Commission on Salaries for Elected Officials (AB2018-283)
Pages 242 - 254

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 Whatcom County Comprehensive Plan relating to Capital Facilities (AB2018-282)
Pages 106 - 165
2. Resolution approving the Whatcom County 2019 Annual Construction Program (AB2018-281)
Pages 56 - 104
3. Ordinance closing County Parks Improvement Fund 330 (AB2018-284)
Pages 255 - 256

4. Ordinance amending the Whatcom County budget, thirteenth request, in the amount of \$182,722 (AB2018-285)
Pages 257 - 262
5. Ordinance changing the name of Creasy Road to Creasey Road (AB2018-286)
Pages 263 - 269

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. October 23, 2018, in the County Council Chambers, 311 Grand Avenue.