

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
Tyler Byrd
Todd Donovan
Satpal Sidhu

WHATCOM COUNTY COUNCIL

COUNCIL AGENDA FOR OCTOBER 23, 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 30, 2018

9:30 A.M. – BUDGET WORK SESSION
COUNCIL CHAMBERS, 311 GRAND AVENUE

NOVEMBER 6, 2018

ELECTION DAY

9:30 A.M. – BUDGET WORK SESSION
COUNCIL CHAMBERS, 311 GRAND AVENUE

NOVEMBER 7, 2018

(WEDNESDAY)

REGULAR COUNCIL AND COMMITTEE MEETINGS

TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE

IMMEDIATELY FOLLOWING NATURAL RESOURCES COMMITTEE (NO LATER THAN 11 A.M.) –
FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1 P.M. – COMMITTEE OF THE WHOLE (EXECUTIVE SESSION)

IMMEDIATELY FOLLOWING COMMITTEE OF THE WHOLE (NO LATER THAN 1:45 P.M.) –
SPECIAL COMMITTEE OF THE WHOLE

3:30 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. Tuesday, October 23, 2018
Council Chambers, 311 Grand Avenue

Special Presentation

1. Presentation by Department of Fish and Wildlife Enforcement Program Chief Steve Bear (AB2018-304)
Pages 1 - 2

Committee Discussion

1. Update on Engrossed Substitute Senate Bill (ESSB) 6091 status in WRIA 1 (AB2018-290)
Page 3

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Tyler Byrd, Satpal Sidhu
Immediately Following Natural Resources Committee (no later than 11 a.m.)
Tuesday, October 23, 2018
Council Chambers, 311 Grand Avenue

County Executive's Report

Special Presentation

1. Short video presentation - Restoring Dignity and Hope by Providing Identification (AB2018-017)
Page 4

Committee Discussion and Recommendations to Council

1. Ordinance closing County Parks Improvement Fund 330 (AB2018-284)
Pages 5 - 6
2. Ordinance amending the Whatcom County Budget, thirteenth request, in the amount of \$182,722 (AB2018-285)
Pages 7 - 13
3. 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 (from 10/9) (AB2018-280)
Pages 14 - 30
4. Resolution ordering the cancellation of unclaimed checks more than two years old (AB2018-291)
Pages 31 - 57
5. Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Geneva Consulting Services for coordination of the Whatcom Local Integrating Organization, in the amount of \$68,743 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-292)
Pages 58 - 81

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Eberle Vivian for administration of the County's self-insured workers' compensation program for the years 2019 through 2021, in the amount of \$169,000, for a total amended contract amount of \$315,237 (AB2018-293)
Pages 82 - 86

2. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Meridian School District to provide behavioral health services within the Meridian School District, in the amount of \$108,000, for a total amended contract amount of \$378,000 (AB2018-294)
Pages 87 - 96
3. Request authorization for the County Executive to enter into a property use agreement between Whatcom County and Whatcom Transit Authority (WTA) to provide limited authority for WTA to install, operate and maintain a covered bus shelter at the existing bus stop location at Lookout Mountain Forest Preserve, 2537 Lake Louise Road (AB2018-295)
Pages 97 - 105
4. Request authorization for the County Executive to enter into a contract between Whatcom County and Wheeler Consulting Group, Inc. for Swift Creek environmental review, permitting and engineering design support, in the amount of \$355,490 (AB2018-296)
Pages 106 - 164
5. Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department to assist in preparing for all hazards through sustainment and enhancement of the Sheriff's Office Division of Emergency Management Program, with funding from the US Department of Homeland Security Emergency Management Performance Grant Program, CFDA#97.042, in the amount of \$72,713 (AB2018-297)
Pages 165 - 215

Other Business

COMMITTEE OF THE WHOLE
1 p.m. Tuesday, October 23, 2018
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion regarding a potential easement acquisition for the Flood Control Zone District with Public Works staff (AB2018-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(b)]
Page 216
2. Discussion regarding a potential property acquisition for the Flood Control Zone District with Public Works staff (AB2018-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(b)]
Page 217

Other Business

SPECIAL COMMITTEE OF THE WHOLE
Immediately Following Committee of the Whole (no later than 1:45 p.m.)
Tuesday, October 23, 2018
Council Chambers, 311 Grand Avenue

Special Presentation

1. Introduction of the proposed 2019-2020 Whatcom County Budget, including an overview by County Executive Jack Louws and discussion of councilmember questions regarding the following budget submissions: Executive's Office, Administrative Services, and non-departmental (budget documents can be at www.whatcomcounty.us/2895/2019-2020-Biennial-Budget) (AB2018-305)
Pages 218 - 219

Committee Discussion

1. Discussion regarding preliminary draft Comprehensive Plan and zoning amendments – Cherry Point (AB2018-076D)
Pages 220 - 234

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Tyler Byrd, Todd Donovan

3:30 p.m. Tuesday, October 23, 2018

Council Chambers, 311 Grand Avenue

Special Presentation

1. Semi-annual report from Planning and Development Services (AB2018-066)
Page 235

Committee Discussion

1. Discussion of proposed ordinance amending the Whatcom County Comprehensive Plan relating to Density Credits, PDRs, and TDRs (ordinance scheduled for introduction this evening) (AB2018-298)
Pages 236 - 266
2. Discussion of a proposed ordinance amending Whatcom County Code 24.11, Drinking Water (ordinance scheduled for introduction this evening) (AB2018-303)
Pages 267 - 271

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, October 23, 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. Board of Health for October 2, 2018
Pages 272 - 274
2. Committee of the Whole for October 9, 2018
Pages 275 - 276
3. Special Committee of the Whole for October 9, 2018
Pages 277 - 279
4. Regular County Council for October 9, 2018
Pages 280 - 286
5. Surface Water Work Session for October 16, 2018
Pages 287 - 288

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 prior to the meeting. The council chair will ask those who have signed up to form a line at the podiums. Each speaker should state his or her name for the record and, optionally, include city of residence. Speakers 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 comments. When a large group of individuals supports the same position on an issue, the selection of one or two representatives to speak on behalf of the entire group is encouraged.

1. Ordinance adopting amendments to the Whatcom County Comprehensive Plan relating to Capital Facilities (AB2018-282) (public hearing only – adoption will be scheduled for a later date)
Pages 289 - 348
2. Resolution approving the Whatcom County 2019 Annual Construction Program (AB2018-281)
Pages 349 - 397
3. Ordinance changing the name of Creasy Road to Creasey Road (AB2018-286)
Pages 398 - 404

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, optionally, include city of residence. Speakers 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 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 Eberle Vivian for administration of the County's self-insured workers' compensation program for the years 2019 through 2021, in the amount of \$169,000, for a total amended contract amount of \$315,237 (AB2018-293)
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Pages 165 - 215

OTHER ITEMS

(From Finance and Administrative Services Committee)

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2. Ordinance amending the Whatcom County Budget, thirteenth request, in the amount of \$182,722 (AB2018-285)
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Pages 58 - 81

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, per RCW 85.38.070(5), to fill vacancy on Consolidated Drainage Improvement District #20 Board of Supervisors, Position 3 - applicant(s): Glen Oostema (AB2018-288)
Pages 405 - 406

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 appointment of Raymond Owings to the Bicycle/Pedestrian Advisory Committee (AB2018-299)
Pages 407 - 409

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 application to fill vacancies on the Whatcom County Climate Impact Advisory Committee, applicants: Ellyn Murphy and John Yakawich (committee provides review and recommendations to the Whatcom County Council and Executive on issues related to the preparation and adaptation for, and the prevention and mitigation of, impacts of climate change) (application deadline for any other applicants is 10 a.m. October 30, 2018) (AB2018-289)
Pages 410 - 422
2. Ordinance adopting amendments to the Whatcom County Comprehensive Plan relating to Density Credits, PDRs, and TDRs (AB2018-298)
Pages 236 - 266
3. Ordinance establishing the Northshore Drive/Edgewater Lane Stormwater Improvements Fund and establishing a project based budget for the Northshore Drive/Edgewater Lane Stormwater Improvements Fund (AB2018-300)
Pages 423 - 427
4. Ordinance establishing the E. Smith/Hannegan Road Intersection Improvements Fund and establishing a project based budget for the E. Smith/Hannegan Road Intersection Improvements; CRP #914002 (AB2018-301)
Pages 428 - 433
5. Ordinance establishing Whatcom County Code 2.47, creating a Whatcom County Food System Committee intended to draft, implement and provide oversight for a county-wide plan to strengthen our local and regional food system (AB2018-302)
Pages 434 - 439
6. Ordinance amending Whatcom County Code 24.11, Drinking Water (AB2018-303)
Pages 440 - 444

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

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