

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

WEDNESDAY

NOVEMBER 7, 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:

NOVEMBER 12, 2018
HOLIDAY – OFFICE CLOSED

NOVEMBER 13, 2018
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

TODAY'S SCHEDULE:

10 A.M. – NATURAL RESOURCES COMMITTEE

11:30 A.M. - FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1:30 P.M. – COMMITTEE OF THE WHOLE

2 P.M. - PUBLIC WORKS AND HEALTH COMMITTEE

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

10 a.m. WEDNESDAY, November 7, 2018

Council Chambers, 311 Grand Avenue

Special Presentations

1. Semi-annual report from the Parks and Recreation Department (AB2018-066)
Page 1
2. Presentation from the Climate Impact Advisory Committee (AB2018-017)
Pages 2 - 6

Committee Discussion

1. Discussion on policy issues related to implementation of ESSB 6091 (RCW 90.94) including: 1) withdrawal limits, 2) fees, and 3) metering requirements (AB2018-290)
Page 7

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Tyler Byrd, Satpal Sidhu

11:30 a.m. WEDNESDAY, November 7, 2018

Council Chambers, 311 Grand Avenue

County Executive's Report

Committee Discussion and Recommendations to Council

1. Resolution approving a salary schedule and policies for unrepresented Whatcom County employees, effective January 1 through December 31, 2019 (AB2018-309)
Pages 8 - 27
2. Resolution ordering the cancellation of accounts receivable more than four years old (AB2018-310)
Pages 28 - 31
3. Resolution ordering the cancellation of checks (warrants) more than a year old (AB2018-311)
Pages 32 - 38
4. 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 39 - 43
5. 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 44 - 49

Other Business

COMMITTEE OF THE WHOLE

1:30 p.m. WEDNESDAY, November 7, 2018
Council Office Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Chief Civil Deputy Prosecutor Karen Frakes regarding a proposed ordinance amending Whatcom County Code 24.11, Drinking Water (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
2 p.m. WEDNESDAY, November 7, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding Point Roberts solid waste management issues (AB2018-146C) (from 10/9)
Pages 50 - 60
2. Public Health Advisory Board seeks support to move forward with a proposal for a resolution to stand in support of immigrant families in Whatcom County (AB2018-312)
Pages 61 - 69

Committee Discussion and Recommendation to Council

1. Resolution approving the Glacier Water District Water Comprehensive System Plan (AB2018-307)
Pages 70 - 72
2. 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 73 - 78

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Tyler Byrd, Todd Donovan
3:30 p.m. WEDNESDAY, November 7, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Resolution approving recommendations on applications for Open Space Current Use Assessment (AB2018-313)
Pages 79 - 129

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. WEDNESDAY, November 7, 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.

SPECIAL ORDER OF BUSINESS – INTRODUCTION ITEMS

Council may accept items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time (please note: when a Council meeting falls on a Wednesday, it is necessary to schedule “introduction items” at the beginning of the meeting to allow required time between introduction and final action)

1. Receipt of application for the Whatcom County Planning Commission, applicant: Stephen Jackson (application deadline for any other applicants to this vacancy is 10 a.m., November 13, 2018) (AB2018-306)
Pages 130 - 135
2. Receipt of application for the Whatcom County Lummi Island Ferry Advisory Committee, applicant: Judy Olsen, (application deadline for any other applicants to this vacancy is 10 a.m., November 13, 2018) (AB2018-308)
Pages 136 - 140
3. Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2019 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-315)
Pages 141 - 142
4. Resolution adopting the 2019 budget for the Whatcom County Flood Control Zone District and subzones (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-316)
Pages 143 - 158
5. Resolution adopting the final 2019 budget of the Point Roberts Transportation Benefit District (AB2018-317)
Pages 159 - 160
6. Ordinance authorizing the levy of taxes for conservation futures purposes for 2019 (AB2018-327)
Pages 161 - 162
7. Ordinance authorizing the levy of 2019 property taxes for county road purposes (AB2018-328)
Pages 163 - 164
8. Ordinance authorizing the levy of taxes for countywide emergency medical purposes for 2019 (AB2018-329)
Pages 165 - 166
9. Ordinance limiting the 2019 General Fund property tax levy (AB2018-330)
Pages 167 - 168
10. Ordinance authorizing the levy of taxes for county and state purposes in Whatcom County, Washington for the year of 2019 (AB2018-331)
Pages 169 – 172
11. Ordinance authoring the 2019 Whatcom County Unified Fee Schedule (AB2018-332)
Pages 173 - 224

12. Ordinance adopting of the final 2019-2020 Whatcom County Budget (AB2018-305A)
Pages 225 – 246
13. Ordinance amending the 2018 Whatcom County Budget, fourteenth request, in the amount of \$5,501,518 (AB2018-318)
Pages 247 - 262
14. Ordinance establishing the Law Library/Elections Remodel Fund and Establishing a Project Based Budget to Remodel the Law Library/Elections space (AB2018-319)
Pages 263 - 268
15. Ordinance amending the Triage Center Expansion Project budget (as established through Ordinance No. 2017-046), second request (AB2018-320)
Pages 269 - 273
16. Ordinance establishing the North Lake Samish Road Bridge No. 107 Replacement Fund and establishing a project based budget for the North Lake Samish Road Bridge No. 107 Replacement Fund, CRP #913006 (AB2018-321)
Pages 274 – 279
17. Ordinance establishing the Marine Drive/Locust Ave. to Alderwood Ave. Reconstruction Fund and establishing a project based budget for the Marine Drive/Locust Ave. to Alderwood Ave. Reconstruction Fund; CRP 917001 (AB2018-322)
Pages 280 - 285
18. Ordinance establishing the County Morgue Relocation Fund and establishing a project based budget to relocate the county morgue (AB2018-323)
Pages 286 - 288
19. Ordinance amending Silver Lake Park Improvements project budget (established through Ordinance 2014-077), first request (AB2018-324)
Pages 289 - 293
20. Ordinance establishing the Vactor Truck Storage Building Fund and establishing a project based budget for the vactor truck and equipment storage building (AB2018-325)
Pages 294 - 296
21. Ordinance establishing the Public Safety Radio System Fund and establishing a project based budget to replace the current public safety radio system (AB2018-326)
Pages 297 - 302

MINUTES CONSENT

1. Committee of the Whole for October 23, 2018
Pages 303 - 305
2. Special Committee of the Whole for October 23, 2018
Pages 306 - 307
3. County Council for October 23, 2018
Pages 308 - 309

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 Density Credits, PDRs, and TDRs (AB2018-298)
Pages 310 - 340

2. Ordinance amending Whatcom County Code 24.11, Drinking Water (AB2018-303)
Pages 341 - 347

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.

OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Resolution approving a salary schedule and policies for unrepresented Whatcom County employees, effective January 1 through December 31, 2019 (AB2018-309)
Pages 8 - 27
2. Resolution ordering the cancellation of accounts receivable more than four years old (AB2018-310)
Pages 28 - 31
3. Resolution ordering the cancellation of checks (warrants) more than a year old (AB2018-311)
Pages 32 - 38
4. 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 39 - 43
5. 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 44 - 49

(From Public Works and Health Committee)

6. 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 73 - 78
7. Resolution approving the Glacier Water District Water Comprehensive System Plan (AB2018-307)
Pages 70 - 72

(From Planning and Development Committee)

8. Resolution approving recommendations on applications for Open Space Current Use Assessment (AB2018-313)
Pages 79 - 129

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. Appointments to fill vacancies on the Whatcom County Climate Impact Advisory Committee, applicants: Eilyn Murphy, John Yakawich, Sean Spurgin, Benjamin Fackler-Adams (AB2018-289)
Pages 348 - 373

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 Sterling Chick to the Whatcom County Public Health Advisory Committee (AB2018-314)
Pages 374 - 378

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. November 20, 2018, in the Council Chambers, 311 Grand Avenue.

CLERK OF THE COUNCIL
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WHATCOM COUNTY COUNCIL

AGENDA REVISION NOTICE FOR NOVEMBER 7, 2018

(DISTRIBUTED AT 2 P.M. ON NOVEMBER 6, 2018)

THE ITEM BELOW HAS BEEN REMOVED FROM THE COUNCIL MEETING AGENDA:

INTRODUCTION

18. ~~Ordinance establishing the County Morgue Relocation Fund and establishing a project based budget to relocate the county morgue (AB2018-323)~~
~~**Pages 286 – 288**~~

THE HIGHLIGHTED LANGUAGE BELOW HAS BEEN ADDED TO THE COUNCIL MEETING AGENDA:

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 Density Credits, PDRs, and TDRs (AB2018-298)

Pages 310 - 340

(Recommended motion: Forward for concurrent review. This ordinance cannot be adopted this evening. The Council must consider initiated comprehensive plan amendments concurrently so that the cumulative effect of the various proposals can be evaluated. All proposed amendments will be scheduled together for final adoption at a later date.)

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WHATCOM COUNTY COUNCIL

**SECOND AGENDA REVISION NOTICE
FOR NOVEMBER 7, 2018**

(DISTRIBUTED AT 3:25 P.M. ON NOVEMBER 6, 2018)

THE COUNCIL HAS DELETED THE FOLLOWING MEETING FROM ITS SCHEDULE FOR TOMORROW:

~~PLANNING AND DEVELOPMENT COMMITTEE~~

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

~~3:30 p.m. WEDNESDAY, November 7, 2018~~

~~Council Chambers, 311 Grand Avenue~~

~~Committee Discussion and Recommendation to Council~~

- ~~1. Resolution approving recommendations on applications for Open Space Current Use Assessment (AB2018-313)~~**
~~Pages 79 - 129~~

~~Other Business~~

THE COUNCIL HAS ADDED THE FOLLOWING MEETING TO ITS SCHEDULE FOR TOMORROW:

SPECIAL COMMITTEE OF THE WHOLE

3:30 p.m. Tuesday, November 7, 2018

Council Chambers, 311 Grand Avenue

1. Budget work session – continued discussion and formulation of 2019-2020 budget recommendations (budget documents can be found at www.whatcomcounty.us/2895/2019-2020-Biennial-Budget) (AB2018-305)

Other Business