

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 FEBRUARY 13, 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:

FEBRUARY 19, 2018
HOLIDAY – OFFICE CLOSED

FEBRUARY 20, 2018
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

TODAY'S SCHEDULE:

9:30 A.M. – SPECIAL COMMITTEE OF THE WHOLE
11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
1:30 P.M. – PUBLIC WORKS AND HEALTH COMMITTEE
7 P.M. - COUNCIL

COUNCIL COMMITTEE SCHEDULES

Special Committee of the Whole
9:30 a.m. Tuesday, February 13, 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Ordinance (interim) repealing Ordinance 2017-057 and adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 (Buildings and Construction), Title 20 (Zoning), Title 21 (Land Division Regulations), and Title 24 (Health Code), relating to water resources (ordinance scheduled for public hearing and council action this evening) (AB2018-057A)
Pages 1 - 25

Committee Discussion and Recommendation to Council

1. 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 code (AB2018-056)
Pages 26 - 281

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Tyler Byrd, Satpal Sidhu
11 a.m. Tuesday, February 13, 2018
Council Chambers, 311 Grand Avenue

County Executive's Report

Committee Discussion and Recommendations to Council

1. Resolution cancelling uncollectible personal property taxes (AB2018-060)
Pages 282 - 288
2. Executive Louws requests approval of the Economic Development Investment (EDI) Board recommendations for funding as presented in the attached EDI Fund applications and approval of the Housing Affordable for the Workforce guidelines (AB2018-061)
Pages 289 - 342
3. Presentation and approval of request to authorize the County Executive to enter into a contract between Whatcom County and ImageTrend, Inc. for software licenses, professional services, and annual fees to implement a regional Electronic Patient Care Reporting software system for Emergency Medical Services, in the amount of \$143,134.20 (AB2018-064)
Pages 343 - 384

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the City of Bellingham to provide for joint usage of the Vactor Waste Site Facility from January 1, 2018, through December 31, 2018, due to the rate increase from \$54.36/ton to \$147.56/ton (AB2018-062)
Pages 385 - 392
2. Request authorization for the County Executive to enter into a contract between Whatcom County and North Sound Behavioral Health Organization to support the County's behavioral health program and to support regional behavioral health activities, in the amount of \$957,459 (AB2018-063)
Pages 393 - 446

3. Request authorization for the County Executive to enter into a lease agreement amendment between Whatcom County and Cornwall Center for the purpose of extending the expiration date to December 31, 2018, for leasing raw land at the Civic Center Building Site, in the amount of \$8,778.96, for a total amended lease amount of \$41,411.25 (AB2018-065)
Pages 447 - 451

Other Business

PUBLIC WORKS AND HEALTH

Members: Timothy Ballew, Barbara Brenner, Barry Buchanan
1:30 p.m. Tuesday, February 13, 2018
Council Chambers, 311 Grand Avenue

Special Presentations

1. Quarterly report from Whatcom County Public Works Director Jon Hutchings (AB2018-066)
Page 452
2. Update from HomesNOW on volunteer efforts to provide homes and shelter for the homeless in Whatcom County (AB2018-072)
Pages 453 - 457
3. Update on the Whatcom County Veterans Program (AB2018-067)
Pages 458 - 488

Committee Discussion and Recommendations to Council

1. Resolution setting Whatcom County Veterans Assistance Program eligibility income standards (AB2018-067A)
Pages 489 - 492

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING

7 p.m. Tuesday, February 13 , 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.

(Public comment applies to both items listed below)

1. Ordinance (interim) repealing Ordinance 2017-057 and adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 (Buildings and Construction), Title 20 (Zoning), Title 21 (Land Division Regulations), and Title 24 (Health Code), relating to water resources (AB2018-057A)
Pages 1 - 25
2. Emergency ordinance (interim) (2018-001) repealing Ordinance 2017-057 and adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 (Buildings and Construction), Title 20 (Zoning), Title 21 (Land Division Regulations), and Title 24 (Health Code), relating to water resources (AB2018-057) **(procedural hearing – ordinance was adopted January 30, 2018)**
Pages 493 - 513

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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Pages 447 - 451

OTHER ITEMS

(From Special Committee of the Whole)

1. 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 code (AB2018-056)
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Pages 343 - 384

(From Public Works and Health Committee)

5. Resolution setting Whatcom County Veterans Assistance Program eligibility income standards (AB2018-067A)
Pages 489 - 492

(No Committee Assignment)

6. Executive Louws requests appointment of one councilmembers to serve on the Americans with Disabilities Act (ADA) Compliance Committee (AB2018-071)
Page 514

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 the Whatcom County Portage Bay Shellfish Protection District Advisory Committee, partial term ending 1/31/2019, or two partial terms ending 1/31/2021, applicant: Eleanor Hines (AB2018-058)
Pages 515 - 521

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 Executive appointments to boards, committees, and commissions for the year 2018 (AB2018-068)
Pages 522 - 535

INTRODUCTION ITEMS

Council action will not be taken on these items. The council may accept the items for introduction in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. Receipt of application to fill vacancy on the Whatcom County Flood Control Zone District Advisory Committee, one year term representing impacted cities, applicant: John Perry (application deadline for any other applicants to this vacancy is 10 a.m. on February 20, 2018) (committee assists and makes recommendations to the Board of Supervisors in performing flood damage repairs, maintenance and improvements, and minimizing future flood damage through prevention and management on the Nooksack River, its watershed, and the other watersheds within Whatcom County) (AB2018-059)
Pages 536 - 539
2. Ordinance amending the 2018 Whatcom County Budget, fourth request, in the amount of \$1,443,449 (AB2018-069)
Pages 540 - 576
3. Ordinance approving the second amendment to Project Budget No. 2 (Jail Improvement Fund) of the 2011 Budget (as established through Ordinance 2011-031) to add \$311,000 of expenditure authority, for a total amended project budget amount of \$3,778,700 (AB2018-070)
Pages 577 - 581

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. February 27, 2018, in the County Council Chambers, 311 Grand Avenue.

CLERK OF THE COUNCIL

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WHATCOM COUNTY COUNCIL

**AGENDA REVISION NOTICE
FOR FEBRUARY 13, 2018**

(DISTRIBUTED AT 10:50 A.M. ON FEBRUARY 8, 2018)

THE FOLLOWING MEETING HAS BEEN ADDED TO THE COUNCIL'S SCHEDULE FOR FEBRUARY 13:

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Tyler Byrd, Todd Donovan

3:30 p.m. Tuesday, February 13, 2018

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Ordinance adopting amendments to the Urban Fringe Subarea Plan, Whatcom County Comprehensive Plan, and Whatcom County Zoning Code (AB2018-055) (ordinance scheduled for public hearing on February 27)

Other Business

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WHATCOM COUNTY COUNCIL

**SECOND AGENDA REVISION NOTICE
FOR FEBRUARY 13, 2018
(DISTRIBUTED AT 2 P.M. ON FEBRUARY 13, 2018)**

THE FOLLOWING ITEM HAS BEEN ADDED TO THE COUNCIL'S AGENDA FOR THIS EVENING:

INTRODUCTION

4. 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 (AB2018-077)