

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 MARCH 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:

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

**MARCH 27, 2018
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE**

TODAY'S SCHEDULE:

1 P.M. – CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE

1:30 P.M. – NATURAL RESOURCES COMMITTEE

**IMMEDIATELY FOLLOWING NATURAL RESOURCES COMMITTEE -
SPECIAL COMMITTEE OF THE WHOLE**

**IMMEDIATELY FOLLOWING SPECIAL COMMITTEE OF THE WHOLE-
COMMITTEE OF THE WHOLE**

COUNCIL COMMITTEE SCHEDULES

CRIMINAL JUSTICE AND PUBLIC SAFETY

Members: Tyler Byrd, Barry Buchanan, Satpal Sidhu
1 p.m. Tuesday, March 13 , 2018
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding logistics of future listening session (AB2018-087)
Page 1

Other Business

NATURAL RESOURCES COMMITTEE

Members: Timothy Ballew, Todd Donovan, Satpal Sidhu
1:30 p.m. Tuesday, March 13 , 2018
Council Chambers, 311 Grand Avenue

Special Presentations

1. Briefing by Planning & Development Services staff of mineral resource lands county-wide designation process (AB2018-090)
Pages 2 - 6
2. Public Works staff to provide a brief presentation about Pollution Identification and Correction Program work in the Jordan Creek Lummi Bay watershed (AB2018-091)
Pages 7 - 13
3. Public Works staff to present the 2017 Public Works Natural Resources Annual Report (AB2018-092)
Pages 14 - 26

Other Business

SPECIAL COMMITTEE OF THE WHOLE

Immediately following Natural Resources Committee
Council Chamber, 311 Grand Avenue

Committee Discussion

1. Discussion regarding recommendations outlined in Cascadia Law Group's report entitled ***Reducing Impacts from Fossil Fuel Projects*** (full report, with appendices, can be found at <http://www.co.whatcom.wa.us/DocumentCenter/View/32762>) (AB2018-076A)
Pages 27 - 59
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COMMITTEE OF THE WHOLE

Immediately following Special Committee of the Whole
Tuesday, March 13, 2018
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Senior Civil Deputy Prosecutor Karen Frakes regarding pending litigation, *Washington Farm Bureau, et al. v. Whatcom County*, GMHB No. 18-2-0001 (AB2018-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110(1)(i)]
No Paper

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, March 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.

MINUTES CONSENT

1. Special Committee of the Whole (AM) for January 30, 2018
Pages 60 - 62
2. Special Committee of the Whole (PM) for January 30, 2018
Pages 63 - 65
3. County Council for January 30, 2018
Pages 66 - 81

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.

OTHER ITEMS

(No Committee Assignment)

1. Ordinance amending Whatcom County Code 9.44.030, Public Peace, Morals, and Welfare (AB2018-078)
Pages 82 - 83
2. Request confirmation of the County Executive's appointment of Mark Personius to Planning & Development Services Director effective March 26, 2018, pursuant to Whatcom County Code Section 2.32 (AB2018-093)
Page 84
3. Request authorization for the County Executive to enter into a contract between Whatcom County and Compass Health to provide mental health treatment services to youth ages 13-24 who utilize the services of Northwest Youth Services in the amount of \$44,330 (AB2018-094)
Pages 85 - 99
4. Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Washington Department of Fish & Wildlife to receive federal EPA National Estuary Program funds to support lower Nooksack River floodplain integrated planning in the amount of \$750,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-095)
Pages 100 - 129

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. Resolution amending the 2018 Flood Control Zone District and Subzones Budget, first request, in the amount of \$50,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-096)
Pages 130 - 136

2. Ordinance amending Ordinance No. 2014-078 (establishment of the 2015 Lighthouse Marine Park Improvement Fund and project based budget for Lighthouse Marine Park improvements) for the first time to add \$24,500 of expenditure authority, for a total amended project budget of \$274,500 (AB2018-097)
Pages 137 - 142
3. Ordinance amending the 2018 Whatcom County budget, fifth request, in the amount of \$557,818 (AB2018-098)
Pages 143 - 168
4. Ordinance amending Whatcom County Code Chapter 2.130 to revise Economic Development Investment Board membership (AB2018-099)
Pages 169 - 172
5. Ordinance regarding temporary installation of stop signs on Mosquito Lake Road (AB2018-100)
Pages 173 - 176
6. Ordinance regarding temporary installation of stop signs on Mosquito Lake Road during the Mosquito Lake Road/North Fork Nooksack River Bridge No. 332 Cap Repair Project (AB2018-101)
Pages 177 - 180
7. Ordinance regarding temporary installation of stop signs on Noon Road at Ten Mile Road and Central Road during construction of the Hannegan Road Ten Mile Creek Bridge #236 Replacement Project (AB2018-102)
Pages 181 - 185
8. Resolution supporting a Community Development Block Grant (CDBG) application and approval of date for public hearing (requested hearing date: March 27, 2018) (AB2018-103)
Pages 186 - 192

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

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

WHATCOM COUNTY COUNCIL ACTION TAKEN – February 27, 2018

CALL TO ORDER

Councilmembers Present: Ballew, Brenner, Browne, Buchanan, Byrd, Sidhu, Donovan

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

1. Special Committee of the Whole for November 14, 2017 - **Approved 6-0, Browne abstained**
2. Special Committee of the Whole for November 21, 2017 - **Approved Consent 6-0, Buchanan out of the room**
3. County Council for November 21, 2017 - **Approved Consent 6-0, Buchanan out of the room**
4. Special Committee of the Whole for December 5, 2017 - **Approved Consent 6-0, Buchanan out of the room**
5. County Council for December 5, 2017 - **Approved Consent 6-0, Buchanan out of the room**
6. Special County Council for January 4, 2018 - **Approved Consent 6-0, Buchanan out of the room**
7. Special County Council for January 9, 2018 - **Approved Consent 6-0, Buchanan out of the room**
8. Special Committee of the Whole for January 16, 2018 - **Approved Consent 6-0, Buchanan out of the room**
9. County Council for January 16, 2018 - **Substitute Approved Consent 6-0, Buchanan out of the room**
10. Surface Water Work Session for January 23, 2018 - **Approved Consent 7-0, Buchanan out of the room**

SPECIAL PRESENTATION

1. Attorney Rodney Brown, Cascadia Law Group, to present findings from report entitled ***Reducing Impacts from Fossil Fuel Projects*** (full report, with appendices, can be found at <http://www.co.whatcom.wa.us/DocumentCenter/View/32762>) (AB2018-076)
Presented

PUBLIC HEARINGS

1. Ordinance adopting amendments to the Urban Fringe Subarea Plan, Whatcom County Comprehensive Plan, and Whatcom County Zoning Code (AB2018-055)
Adopted 6-0, Donovan abstained, Ordinance 2018-006
2. 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)
Adopted 5-2, Brenner and Byrd opposed, Ordinance 2018-007

OPEN SESSION

CONSENT AGENDA

(From Finance and Administrative Services Committee)

1. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Design2Last, Inc. for building assessment studies and cost estimates for capital improvements at the Jail (Public Safety Building) and Work Center, in the amount of \$310,332, for a total amended contract amount of \$1,223,619.20 (AB2018-080)
Approved Consent 7-0
2. Request authorization for the County Executive to enter into a contract between Whatcom County and Allied Universal Security Services for Courthouse security services, security screenings, x-ray, and parking services, in the amount of \$160,000 (AB2018-081)
Approved Consent 7-0

WHATCOM COUNTY COUNCIL ACTION TAKEN – February 27, 2018

3. Request authorization for the County Executive to enter into a three-year contract between Whatcom County and Bayside Pathology for medical examiners services, in the amount of \$572,056 for 2018, with an annual CPI-U inflation adjustment increase each subsequent year (AB2018-082)
Approved Consent 7-0

OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Ordinance amending the 2018 Whatcom County Budget, fourth request, in the amount of \$1,443,449 (AB2018-069)
Adopted 7-0, Ordinance 2018-008
2. 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)
Adopted 7-0, Ordinance 2018-009

(From Special Committee of the Whole)

3. Resolution initiating Comprehensive Plan and zoning amendments (AB2018-084)
Substitute Amended And Approved 7-0, Resolution 2018-005

(No Committee Assignment)

4. Resolution amending Resolution 2017-055 to add one representative from the Port of Bellingham to the Homeless Strategies Workgroup (AB2018-088)
Approved 7-0, Resolution 2018-006

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. Appointment to fill vacancy on the Whatcom County Flood Control Zone District Advisory Committee, one year term representing impacted cities, applicant: John Perry (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors (AB2018-059)
John Perry Appointed 7-0

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. Request confirmation of the County Executive's appointment of Keith Willnauer, County Assessor to serve in one of the elected official positions on the Americans With Disabilities Act Compliance Committee (AB2018-085)
Confirmed 7-0

INTRODUCTION ITEMS

1. Ordinance amending Whatcom County Code 9.44.030, Public Peace, Morals, and Welfare (AB2017-078)
Introduced 7-0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular Council meeting is scheduled for 7:00 p.m. Tuesday, March 13, 2018 in the Council Chambers, 311 Grand Avenue, Bellingham