

**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 APRIL 24, 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](http://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

**TODAY'S SCHEDULE:**

**9:30 A.M. – SPECIAL COMMITTEE OF THE WHOLE, COUNCIL CHAMBERS**

**11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE, COUNCIL CHAMBERS**

**1:15 P.M. – COMMITTEE OF THE WHOLE, COUNCIL OFFICE CONFERENCE ROOM**

**1:45 P.M. – CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE, COUNCIL CHAMBERS**

**2:15 P.M. – PUBLIC WORKS AND HEALTH COMMITTEE, COUNCIL CHAMBERS**

**3 P.M. – PLANNING AND DEVELOPMENT COMMITTEE, COUNCIL CHAMBERS**

**IMMEDIATELY FOLLOWING PLANNING AND DEVELOPMENT COMMITTEE (NO LATER THAN  
3:30 P.M.) – SPECIAL COMMITTEE OF THE WHOLE, COUNCIL CHAMBERS**

# **COUNCIL COMMITTEE SCHEDULES**

**SPECIAL COMMITTEE OF THE WHOLE**  
**9:30 a.m. Tuesday, April 24, 2018**  
**Council Chambers, 311 Grand Avenue**

## **Committee Discussion**

1. Discussion of a proposed ordinance repealing Ordinance Nos. 2018-001 and 2018-005 and adopting amendments to the Whatcom County Comprehensive Plan and the 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 and implementing ESSB 6091 (ordinance scheduled for introduction this evening) (AB2018-129)  
**Pages 1 - 68**

## **Committee Discussion and Recommendation to Council**

1. Resolution recognizing the roles and duties of Whatcom County, the WRIA 1 Planning Unit, and the WRIA 1 initiating governments regarding water resources planning under RCW 90.82 and ESSB 6091 (AB2018-114)  
**Pages 69 - 73**

## **Other Business**

**FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**  
**Members: Rud Browne, Tyler Byrd, Satpal Sidhu**  
**11 a.m. Tuesday, April 24, 2018**  
**Council Chambers, 311 Grand Avenue**

## **County Executive's Report**

### **Special Presentations**

1. Update from Whatcom Events on the Ski to Sea Race (AB2018-017)  
**Page 74**
2. Presentation of Bellingham Whatcom Tourism results for 2017 by President and CEO Sandy Ward (AB2018-017)  
**Page 75**
3. Semiannual report from Human Resources (AB2018-066)  
**Page 76**

## **Committee Discussion and Recommendations to Council**

1. Ordinance amending Ordinance No. 2014-081 (establishment of the Agate Heights/Estate Bay Lane Storm Water Improvement Fund and establishment of a project based budget for Agate Heights Estate/Bay Lane Storm Water Improvements), for a second time to add \$528,219 of expenditure authority, for a total amended project budget amount of \$1,308,219 (AB2018-126)  
**Pages 77 - 82**
2. Ordinance amending the Whatcom County Budget, sixth request, in the amount of \$2,836,591 (AB2018-127)  
**Pages 83 - 125**

3. Resolution amending the 2018 Whatcom County Flood Control Zone District and Subzones Budget, second request, in the amount of \$750,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-128)  
**Pages 126 - 135**

#### **Council "Consent Agenda" Items**

1. Request approval for the County Executive to have the Sheriff's Office purchase a satellite communication system for the communications van as a result of RFP#18-21 from vendor TacSat Networks Inc., in the amount of \$54,999 (AB2018-135)  
**Pages 136 - 140**
2. Request approval for the County Executive to enter in to an interlocal cooperative purchasing agreement with Jefferson County to utilize Jefferson County's competitively bid contracts for purchases of supplies, goods, services, and equipment, per RCW Chapter 39.34 (AB2018-136)  
**Pages 141 - 144**

#### **Other Business**

#### **COMMITTEE OF THE WHOLE**

**1:15 p.m. Tuesday, April 24, 2018  
Council Office Conference Room, 311 Grand Avenue**

#### **Committee Discussion**

1. Discussion with Public Works staff regarding a potential property acquisition (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 145**

#### **Other Business**

#### **CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE**

**Members: Barry Buchanan, Tyler Byrd, Satpal Sidhu  
1:45 p.m. Tuesday, April 24, 2018  
Council Chambers, 311 Grand Avenue**

#### **Special Presentation**

1. Annual report from District Court Probation (AB2018-066)  
**Page 146**

#### **Other Business**

#### **PUBLIC WORKS AND HEALTH COMMITTEE**

**Members: Tim Ballew, Barbara Brenner, Barry Buchanan  
2:15 p.m. Tuesday, April 24, 2018  
Council Chambers, 311 Grand Avenue**

#### **Special Presentation**

1. Presentation from Safe Storage PNW (AB2018-139)  
**Page 147**

#### **Committee Discussion**

1. Discussion of proposed ordinance establishing a 25 mph speed limit on certain Birch Bay area roads (ordinance scheduled for introduction this evening) (AB2018-137)  
**Pages 148 - 155**

2. Discussion of proposed ordinance creating a "Golf Cart Zone" on certain roads in the Birch Bay area (ordinance scheduled for introduction this evening) (AB2018-125)  
**Pages 156 - 163**

**Other Business**

**PLANNING AND DEVELOPMENT COMMITTEE**

**Members: Barbara Brenner, Tyler Byrd, Todd Donovan,  
3 p.m. Tuesday, April 24, 2018  
Council Chambers, 311 Grand Avenue**

**Committee Discussion**

1. County Executive and Deputy Executive to provide an update on homeless issues (AB2018-072A)  
**Page 164**

**Other Business**

**SPECIAL COMMITTEE OF THE WHOLE**

**Immediately Following Planning and Development Committee  
Tuesday, April 24, 2018  
Council Chambers, 311 Grand Avenue**

**Committee Discussion**

1. Discussion of specific sections of the proposed 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 165 - 280**

**For today:**

- A. Audience members are invited to comment on sections of proposed Chapter 22.10, Legislative Procedures; Chapter 22.15, Code Compliance Procedures; Chapter 22.20, Land Use and Development Code Interpretation Procedures; and Chapter 22.25 Land Use and Development Fees (see staff memo for specifics)
- B. Council discussion and preliminary direction on sections of proposed Chapter 22.10, Legislative Procedures; Chapter 22.15, Code Compliance Procedures; Chapter 22.20, Land Use and Development Code Interpretation Procedures; and Chapter 22.25 Land Use and Development Fees (see staff memo for specifics)

**Committee Discussion and Recommendation to Council**

1. Resolution requesting the County Executive direct staff to draft proposed legislation relating to processing and approval of major project permits in the Cherry Point urban growth area (AB2018-076B)  
**Pages 281 - 286**

**Other Business**

# **COUNCIL AGENDA**

**REGULAR COUNCIL MEETING**  
7 p.m. Tuesday, April 24, 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. Committee of the Whole for April 10, 2018  
**Pages 287 - 288**
2. Special Committee of the Whole for April 10, 2018  
**Pages 289 - 292**
3. Regular County Council for April 10, 2018  
**Pages 293 - 300**

## **SPECIAL PRESENTATION**

1. County Executive Jack Louws to present the "State of the County" address (AB2018-138)  
**Page 301**

## **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 authorizing the sale of Whatcom County surplus property pursuant to Whatcom County Code 1.10 (AB2018-118A)  
**Pages 302 - 305**

## **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 approval for the County Executive to have the Sheriff's Office purchase a satellite communication system for the communications van as a result of RFP#18-21 from vendor TacSat Networks Inc., in the amount of \$54,999 (AB2018-135)  
**Pages 136 - 140**

2. Request approval for the County Executive to enter in to an interlocal cooperative purchasing agreement with Jefferson County to utilize Jefferson County's competitively bid contracts for purchases of supplies, goods, services, and equipment, per RCW Chapter 39.34 (AB2018-136)  
**Pages 141 - 144**

#### **OTHER ITEMS**

##### **(From Special Committee of the Whole – A.M.)**

1. Resolution recognizing the roles and duties of Whatcom County, the WRIA 1 Planning Unit, and the WRIA 1 initiating governments regarding water resources planning under RCW 90.82 and ESSB 6091 (AB2018-114)  
**Pages 69 - 73**

##### **(From Finance and Administrative Services Committee)**

2. Ordinance amending Ordinance No. 2014-081 (establishment of the Agate Heights/Estate Bay Lane Storm Water Improvement Fund and establishment of a project based budget for Agate Heights Estate/Bay Lane Storm Water Improvements), for a second time to add \$528,219 of expenditure authority, for a total amended project budget amount of \$1,308,219 (AB2018-126)  
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4. Resolution amending the 2018 Whatcom County Flood Control Zone District and Subzones Budget, second request, in the amount of \$750,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-128)  
**Pages 126 - 135**

##### **(From Special Committee of the Whole – P.M.)**

5. Resolution requesting the County Executive direct staff to draft proposed legislation relating to processing and approval of major project permits in the Cherry Point urban growth area (AB2018-076B)  
**Pages 281 - 286**

#### **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 the Whatcom County Wildlife Advisory Committee, term ending December 31, 2022, applicant: Shannon Crossen (AB2018-115)  
**Pages 306 - 312**

#### **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(s) for the Whatcom County Planning Commission (one vacancy, partial term ending 1/31/2021, applicants must reside in Council District 1) - applicant: Tony Freeland (the Planning Commission assists the Planning & Development Services Department in carrying out its duties, including assistance in the preparation and execution the comprehensive plan and recommendations to the department for the adoption of official controls and/or amendments) (application deadline for any other applicants to this vacancy is 10 a.m. May 1, 2018) (AB2018-133)  
**Pages 313 - 316**

2. Ordinance establishing a 25 mph speed limit on certain Birch Bay area roads (AB2018-137)  
**Pages 148 - 155**
3. Ordinance creating a "Golf Cart Zone" on certain roads in the Birch Bay area (AB2018-125)  
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4. Ordinance repealing Ordinance Nos. 2018-001 and 2018-005 and adopting amendments to the Whatcom County Comprehensive Plan and the 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 and implementing ESSB 6091 (AB2018-129)  
**Pages 317 - 384**
5. Ordinance amending Whatcom County Code 1.08, Initiatives, Referendum, and Recall, to reflect changes approved by the voters (AB2018-134)  
**Pages 385 - 387**

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

**ADJOURN**

**The next regular council meeting is scheduled for 7 p.m. May 8, 2018, in the County Council Chambers, 311 Grand Avenue.**

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

**COUNTY COURTHOUSE**

311 Grand Avenue, Suite #105  
Bellingham, WA 98225-4038  
(360) 676-6690



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Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Satpal Sidhu

**WHATCOM COUNTY COUNCIL**

**AGENDA REVISION NOTICE  
FOR APRIL 24, 2018  
(DISTRIBUTED AT 4 P.M. ON APRIL 19)**

**THE FOLLOWING ITEM HAS BEEN ADDED TO THE 7 P.M. COUNCIL MEETING AGENDA:**

**INTRODUCTION**

6. Receipt of application(s) for the Whatcom County Lake Whatcom Stormwater Utility Advisory Committee, applicants: Laurence Brown, Joseph Baldwin, Chris Keller, Peter Dobey (committee will represent rate payers in the Lake Whatcom Stormwater Utility Service Area and advise Whatcom County Public Works staff and the Whatcom County Council on recommended rate structure options and a fund mechanism) (application deadline for any other applicants to this vacancy is 10 a.m. May 1, 2018) (AB2018-140)