

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 JUNE 19, 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:

JUNE 26, 2018

7 P.M. – COUNCIL CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE LISTENING TOUR
EAST WHATCOM REGIONAL RESOURCE CENTER, MAPLE FALLS

JULY 4, 2018

HOLIDAY – OFFICE CLOSED

TODAY'S SCHEDULE:

9:30 A.M. – NATURAL RESOURCES COMMITTEE

IMMEDIATELY FOLLOWING NATURAL RESOURCES COMMITTEE–
SPECIAL COMMITTEE OF THE WHOLE

11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1:15 P.M. – COMMITTEE OF THE WHOLE

2:15 P.M. – SPECIAL COMMITTEE OF THE WHOLE

3 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, June 19, 2018

Council Chambers, 311 Grand Avenue

Special Presentation

1. Report from Whatcom County Parks and Recreation (AB2018-066)
Page 1

Other Business

SPECIAL COMMITTEE OF THE WHOLE

Immediately Following Natural Resources Committee

Tuesday, June 19, 2018

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Direction on Comprehensive Plan amendments requested by Council through Resolution 2018-015 relating to the Cherry Point Urban Growth Area (AB2018-076C)
Pages 2 - 7

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Tyler Byrd, Satpal Sidhu

11 a.m. Tuesday, June 19, 2018

Council Chambers, 311 Grand Avenue

County Executive's Report

Special Presentations

1. Update from the Auditor's Office on State reimbursement for return postage on ballots for the Primary and General Elections 2018 (AB2018-183)
Page 8

Committee Discussion and Recommendations to Council

1. Ordinance amending the Whatcom County Budget, eighth request, in the amount of \$44,642 (AB2018-178)
Pages 9 - 18
2. Ordinance amending Ordinance 2017-046 (establishment of the Triage Center Expansion Fund and establishment of a project based budget for the Triage Center Expansion Project) to add \$1,000,000 of expenditure authority to the original project budget of \$300,000, for a total amended project budget of \$1,300,000 (AB2018-179)
Pages 19 - 32
3. Ordinance authorizing an interfund loan to continue financing of Central Plaza Building (AB2018-180)
Pages 33 - 35
4. Resolution authorizing the County Executive, through Parks Director Michael McFarlane, to make application and enter into a grant agreement between Whatcom County and the Washington state Recreation and Conservation Office for funding through the Washington Wildlife and Recreation program for the Maple Falls Park Trailhead Development, in the amount of \$380,000 (AB2018-184)
Pages 36 - 40

5. Resolution authorizing the County Executive, through Parks Director Michael McFarlane, to make application and enter into a grant agreement between Whatcom County and the Washington state Recreation and Conservation Office for funding through the Washington Wildlife and Recreation program for the Lake Whatcom Park Trailhead & Trail Development 18-2035, in the amount of \$500,000 (AB2018-185)
Pages 41 - 45
6. Resolution authorizing the County Executive, through Parks Director Michael McFarlane, to make application and enter into a grant agreement between Whatcom County and the Washington state Recreation and Conservation Office for funding through the Washington Wildlife and Recreation program for the Lookout Mountain Forest Preserve Trail Development 18-2034, in the amount of \$150,000 (AB2018-186)
Pages 46 - 50
7. Resolution authorizing the County Executive, through Parks Director Michael McFarlane, to make application and enter into a grant agreement between Whatcom County and the Washington state Recreation and Conservation Office for funding through the Washington Wildlife and Recreation program for the Birch Bay Beach Park Development 18-1992, in the amount of \$500,000 (AB2018-187)
Pages 51 - 55
8. Resolution of the Whatcom County Council updating the appendix of the 2015 Comprehensive Economic Development Strategy (CEDS) (AB2018-188)
Pages 56 - 76

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Washington State Department of Commerce to receive state funds for conducting work relating to the new buildable land requirements of state law, in the amount of \$225,000 (AB2018-189)
Pages 77 - 102
2. Request authorization for the County Executive to enter into a sale agreement between Whatcom County and Puget Sound Energy for a 45 foot wide utility easement along State Road 547 (Kendall Road) at the East Whatcom Regional Resource Center (AB2018-190)
Pages 103 - 112
3. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Kimberly K. Geariety, Attorney to extend negotiator services through June 30, 2020 to complete a bargaining cycle for five agreements, in the amount of \$128,152, for a total amended contract amount of \$214,528 (AB2018-191)
Pages 113 - 116
4. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Everson, effective July 1, 2018 (AB2018-192)
Pages 117 - 140
5. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Nooksack, effective July 1, 2018 (AB2018-193)
Pages 141 - 164
6. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Sumas, effective July 1, 2018 (AB2018-194)
Pages 165 - 188
7. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Ferndale, effective July 1, 2018 (AB2018-195)
Pages 189 - 212
8. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Lynden, effective July 1, 2018 (AB2018-196)
Pages 213 - 236

9. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Blaine, effective July 1, 2018 (AB2018-197)
Pages 237 - 260
10. Request authorization for the County Executive to enter into a new Jail Facility Use Agreement between Whatcom County and the City of Bellingham, effective July 1, 2018 (AB2018-198)
Pages 261 - 284

COMMITTEE OF THE WHOLE

**1:15 p.m. Tuesday, June 19, 2018
Council Conference Room, 311 Grand Avenue**

Committee Discussion

1. Discussion with Chief Civil Deputy Prosecutor Karen Frakes regarding pending litigation, Kortlever, et al. v. Whatcom County Jail (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

SPECIAL COMMITTEE OF THE WHOLE

**2:15 p.m. Tuesday, June 19, 2018
Council Chambers, 311 Grand Avenue**

Committee Discussion

1. Discussion with Health Department staff regarding Public Water System authority and processes contained within the Coordinated Water System Plan to address proposed water availability within service area boundaries (AB2018-199)
Pages 285 - 286

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

**Members: Barbara Brenner, Tyler Byrd, Todd Donovan
3 p.m. Tuesday, June 19, 2018
Council Chambers, 311 Grand Avenue**

Special Presentation

1. Presentation from the Low Income Housing Institute (LIHI) regarding programs they have established to benefit low-income, homeless, and formerly homeless people in Washington State (AB2018-201)
Page 287

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, June 19, 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 May 8, 2018
Pages 288 - 290
2. Special Committee of the Whole (PM) for May 8, 2018
Pages 291 - 293
3. Regular County Council for May 8, 2018
Pages 294 - 305
4. Committee of the Whole for May 22, 2018
Pages 306 - 307
5. Regular County Council for May 22, 2018
Pages 308 - 317
6. Special Committee of the Whole for June 5, 2018
Pages 318 - 320
7. Regular County Council for June 5, 2018
Pages 321 - 330

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 use and establishing expenditure authority for Point Roberts Transportation Benefit District Tax revenue funds for Tye Drive streetscape corridor landscape maintenance (Council acting as the governing body for the Point Roberts Transportation Benefit District) (AB2018-174)
Pages 331 - 341
2. Ordinance adopting amendments to the Point Roberts and Wiser Lake LAMIRD requirements (AB2018-177)
Pages 342 - 363

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 authorization for the County Executive to enter into an interagency agreement between Whatcom County and Washington State Department of Commerce to receive state funds for conducting work relating to the new buildable land requirements of state law, in the amount of \$225,000 (AB2018-189)
Pages 77 - 102

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OTHER ITEMS

(From Finance and Administrative Services Committee)

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Pages 51 - 55
8. Resolution of the Whatcom County Council updating the appendix of the 2015 Comprehensive Economic Development Strategy (CEDS) (AB2018-188)
Pages 56 - 76

(No Committee Assignment)

9. Ordinance (emergency) adopting emergency zoning regulations for the siting, establishment, and operation of temporary tent encampments (AB2018-182)
Pages 364 - 372

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 the Whatcom County Business and Commerce Advisory Committee, 13 vacancies (committee advises the Whatcom County Council on issues, including regulations and policies that could impact local businesses, industry, or economic development) (AB2018-132B)
Pages 373 - 494

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. Ordinance establishing parking restrictions within ten feet of U.S. mailboxes on all county roads (AB2018-200)
Pages 495 - 497
2. Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary tent encampments (AB2018-182A)
Pages 498 - 506

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. July 10, 2018, in the Council Chambers, 311 Grand Avenue.