

**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 MARCH 27, 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

**UPCOMING MEETINGS AND EVENTS:**

**MARCH 28, 2018**

6:30 P.M. - JOINT LAKE WHATCOM COUNCILS/COMMISSION MEETING  
BELLINGHAM CITY HALL, 210 LOTTIE STREET (OPEN HOUSE AT 6 P.M.)

**APRIL 3, 2108**

12:30 P.M. - COUNCIL INFORMATIONAL RETREAT  
(NO ACTION WILL BE TAKEN AT THIS EVENT)  
COUNCIL OFFICE CONFERENCE ROOM, 311 GRAND AVENUE, BELLINGHAM

6 P.M. – COUNCIL CRIMINAL JUSTICE AND PUBLIC SAFETY COMMITTEE LISTENING TOUR  
(FIRST SESSION) DEMING LIBRARY, 5044 MT. BAKER HIGHWAY, DEMING

**APRIL 10, 2018**

REGULAR COUNCIL AND COMMITTEE MEETINGS, COUNCIL CHAMBERS  
311 GRAND AVENUE, BELLINGHAM

# **COUNCIL COMMITTEE SCHEDULES**

## **NATURAL RESOURCES COMMITTEE**

**Members: Timothy Ballew, Todd Donovan, Satpal Sidhu**

**9:30 a.m. Tuesday, March 27, 2018**

**Council Chambers, 311 Grand Avenue**

### **Special Presentation**

1. Annual report from Washington State University Extension (AB2018-066)  
**Page 1**

### **Committee Discussion**

1. Briefing by Planning & Development Services staff of mineral resource lands county-wide designation process (continued from March 13) (AB2018-090)  
**Pages 2 - 6**

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

1. Resolution establishing the Lake Whatcom Stormwater Utility Advisory Committee (AB2018-105)  
**Pages 7 - 11**

### **Other Business**

## **FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE**

**Members: Rud Browne, Tyler Byrd, Satpal Sidhu**

**11 a.m. Tuesday, March 27, 2018**

**Council Chambers, 311 Grand Avenue**

### **County Executive's Report**

### **Special Presentations**

1. Update from Deputy County Executive Tyler Schroeder on the expansion of the Crisis Triage Center (AB2018-079)  
**Pages 12 - 23**

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

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 24 - 30**
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 31 - 36**
3. Ordinance amending the 2018 Whatcom County Budget, fifth request, in the amount of \$557,818 (AB2018-098)

**Pages 37 - 62**

4. Ordinance amending Whatcom County Code Chapter 2.130 to revise Economic Development Investment Board membership (AB2018-099)  
**Pages 63 - 66**
5. Resolution authorizing the Whatcom County Prosecutor to file a claim with the State of Washington seeking reimbursement for unfunded ballot box mandate (AB2018-083)  
**Pages 67 - 74**
6. Resolution authorizing for the County Executive to sign an agreement with Washington State Recreation Office to receive matching funds to support acquisition of PDR conservation easements (AB2018-106)  
**Pages 75 - 121**
7. Request authorization for the County Executive to enter into a contract amendment between Whatcom County Flood Control Zone District and Washington State Department of Health to provide additional funds and a time extension to support the Pollution Identification and Correction Program in the amount of \$300,000, for a total amended contract amount of \$1,015,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-107)  
**Pages 122 - 157**

**Council "Consent Agenda" Items**

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Parks and Recreation Commission to receive funds to conduct on-the-water patrols during the peak boating period, in the amount of \$16,810.69 (AB2018-108)  
**Pages 158 - 164**
2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County, City of Bellingham and the Port of Bellingham for the purposes of economic development, in the amount of \$967,550 for year 2018 and \$974,845 for year 2019 (AB2018-109)  
**Pages 165 - 175**
3. Request authorization for the County Executive to enter into a three year contract between Whatcom County and West Publishing for online access to legal research databases and print service subscriptions for the Whatcom County Law Library, in the amount of \$117,519.36 (AB2018-110)  
**Pages 176 - 188**

**Other Business**

**SPECIAL COMMITTEE OF THE WHOLE**

**1:30 p.m. Tuesday, March 27, 2018**

**Council Conference Room/Council Chambers, 311 Grand Avenue**

**Committee Discussion**

1. Discussion with Assistant Chief Civil Deputy Prosecutor Karen Frakes regarding potential opioid litigation against manufacturers and distributors of prescription opioids (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**

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

**Members: Barry Buchanan, Tyler Byrd, Satpal Sidhu**

**2:15 p.m. Tuesday, March 27, 2018**

**Council Chambers, 311 Grand Avenue**

**Committee Discussion**

1. Discussion regarding logistics of future listening session (AB2018-087)  
**Page 189**

**Other Business**

**PLANNING AND DEVELOPMENT COMMITTEE**

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

**2:45 p.m. Tuesday, March 27, 2018**

**Council Chambers, 311 Grand Avenue**

**Committee Discussion and Recommendations to Council**

1. Request for an additional one-year extension for final approval for the Lincoln Road Long Subdivision and planned unit development (AB2018-111)  
**Pages 190 - 202**

**Other Business**

**SPECIAL COMMITTEE OF THE WHOLE**

**Immediately following Planning and Development Committee**

**Tuesday, March 27, 2018**

**Council Conference Room, 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 (continued from 2/27/18) (AB2018-056)  
**Pages 203 - 254**

**For today:**

- A. Audience members are invited to comment on sections of proposed new Title 22 addressing vesting, notice of application, posting of application, open record hearings, consistency review and recommendations (AB2018-056)
- B. Council discussion and preliminary direction on sections of proposed new Title 22 addressing vesting, notice of application, posting of application, open record hearings, consistency review and recommendations (AB2018-056)

**Other Business**

# **COUNCIL AGENDA**

REGULAR COUNCIL MEETING  
7 p.m. Tuesday, March 27, 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.

1. Ordinance regarding temporary installation of stop signs on Mosquito Lake Road (AB2018-100)  
**Pages 255 - 258**
2. 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 259 - 262**
3. 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 263 - 267**
4. Resolution supporting a Community Development Block Grant (CDBG) application and approval (AB2018-103)  
**Pages 268 - 274**

## **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 a contract between Whatcom County and Washington State Parks and Recreation Commission to receive funds to conduct on-the-water patrols during the peak boating period, in the amount of \$16,810.69 (AB2018-108)  
**Pages 158 - 164**
2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County, City of Bellingham and the Port of Bellingham for the purposes of economic development, in the amount of \$967,550 for year 2018 and \$974,845 for year 2019 (AB2018-109)  
**Pages 165 - 175**
3. Request authorization for the County Executive to enter into a three year contract between Whatcom County and West Publishing for online access to legal research databases and print service subscriptions for the Whatcom County Law Library, in the amount of \$117,519.36 (AB2018-110)  
**Pages 176 - 188**

#### **OTHER ITEMS**

##### **(From Natural Resources Committee)**

1. Resolution establishing the Lake Whatcom Stormwater Utility Advisory Committee (AB2018-105)  
**Pages 7 - 11**

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

2. 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 24 - 30**
3. 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 31 - 36**
4. Ordinance amending the 2018 Whatcom County Budget, fifth request, in the amount of \$557,818 (AB2018-098)  
**Pages 37 - 62**
5. Ordinance amending Whatcom County Code Chapter 2.130 to revise Economic Development Investment Board membership (AB2018-099)  
**Pages 63 - 66**
6. Resolution authorizing the Whatcom County Prosecutor to file a claim with the State of Washington seeking reimbursement for unfunded ballot box mandate (AB2018-083)  
**Pages 67 - 74**
7. Resolution authorizing for the County Executive to sign an agreement with Washington State Recreation Office to receive matching funds to support acquisition of PDR conservation easements (AB2018-106)  
**Pages 75 - 121**
8. Request authorization for the County Executive to enter into a contract amendment between Whatcom County Flood Control Zone District and Washington State Department of Health to provide additional funds and a time extension to support the Pollution Identification and Correction Program in the amount of \$300,000, for a total amended contract amount of

\$1,015,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2018-107)

**Pages 122 - 157**

**(From Planning and Development Committee)**

9. Request for an additional one-year extension for final approval for the Lincoln Road Long Subdivision and planned unit development (AB2018-111)

**Pages 190 - 202**

**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 two vacancies on Drainage District #6 Board of Supervisors, Position 1 and Position 2 (per RCW 85.38.070(5)) - applicant(s): Edward Thompson, Position 1, and Jim Bjornstad, Position 2 (AB2018-074)

**Pages 275 - 281**

2. Appointment to fill vacancy on Drainage Improvement District #15 Board of Supervisors, Position 2 (per RCW 85.38.070(5)), applicant: Marvin Vreugdenhil (AB2018-075)

**Pages 282 - 285**

**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 Gary Malick to the Bicycle/Pedestrian Advisory Committee (AB2018-112)

**Pages 286 - 288**

**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 an appeal of a penalty assessment remission decision by Planning and Development Services, File No. ENF2017-00063, filed by Kyle Coston (AB2018-104)

**No Paper**

2. Ordinance regarding temporary installation of a stop sign on Roberts Road at Central Road during construction of the Roberts Road Anderson Creek Bridge #249 replacement project 113 (AB2018-113)

**Pages 289 - 292**

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

**ADJOURN**

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