

WHATCOM COUNTY COUNCIL AGENDA FOR JULY 13, 2010



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 to enable us to make necessary arrangements.

As a courtesy to all meeting attendees, cellular phone use is prohibited in the Council Chambers.

Accessible parking for disabled persons is available near the Courthouse south entrance.

Please visit us at www.co.whatcom.wa.us for the following:

Council Office Email Policy
Current Council Agenda
Current Council Packet
Public Notices
1991 - 2010 Ordinances
1992 - 2010 Resolutions
2001 - 2010 Committee Minutes
2001 - 2010 Council Minutes

PLEASE NOTE:

THE COUNCIL WILL HOLD A PUBLIC HEARING THIS EVENING ON AN ORDINANCE AMENDING ORDINANCE 2009-071, THE OFFICIAL WHATCOM COUNTY ZONING MAP, AND THE WHATCOM COUNTY COMPREHENSIVE PLAN AND MAPS TO IMPLEMENT CHANGES RELATED TO COMPLETION OF THE 10-YEAR REVIEW OF THE URBAN GROWTH AREAS REQUIRED UNDER THE GROWTH MANAGEMENT ACT, SPECIFICALLY THE URBAN GROWTH AREAS OF BIRCH BAY, FERDALE, NOOKSACK, AND SUMAS (AB2010-054C)

UPCOMING MEETINGS AND EVENTS:

July 20, 2010

Surface Water Work Session, 10:30 a.m., Civic Center Building
Health Committee, 1:00 p.m., Council Chambers - agenda includes a discussion of the regulatory status of the Glendon BioFilter drainfield technology (AB2010-199)

July 27, 2010

Regular council and committee meetings, Council Chambers



WHATCOM COUNTY COUNCIL
COMMITTEE SCHEDULES

COUNCIL NATURAL RESOURCES COMMITTEE
Members: Bill Knutzen, Ward Nelson, Carl Weimer

9:30 a.m. Tuesday, July 13, 2010
Council Chambers, 311 Grand Avenue

AGENDA

	<u>Pages</u>
<u>Committee Discussion</u>	
1. Discussion regarding Whatcom County Code 20.38, Agriculture Protection Overlay (AB2010-240)	<u>1 - 5</u>

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Kathy Kershner, Ken Mann, Carl Weimer

11:00 a.m. Tuesday, July 13, 2010
Council Chambers, 311 Grand Avenue

AGENDA

	<u>Pages</u>
<u>Council "Consent Agenda" Items</u>	
1. Request approval for the County Executive to enter into an interlocal agreement between Whatcom County and Northwest Park and Recreation District #2 for the operation of the gymnasium and playground at Bay Horizon Park (AB2010-265)	<u>6 - 14</u>
2. Resolution amending CRP No. 909010 and authorizing additional funds and approval for the County Executive to enter into a contract between Whatcom County and low bidder, Strider Construction Co., Inc, for Northwest Drive culvert replacement at Bear Creek, in the amount of \$307,680 (AB2010-266)	<u>15 - 29</u>
3. Request approval for the County Executive to enter into a contract between Whatcom County and Identix Biometric Solutions for preventative maintenance for electronic fingerprint machines, and store and forward machine, in an amount not to exceed \$26,056.28 (AB2010-267)	<u>30 - 40</u>

Other Business

SPECIAL COMMITTEE OF THE WHOLE

**Immediately Following Finance and Administrative Services Committee
Tuesday, July 13, 2010, 311 Grand Avenue**

AGENDA

	<u>Pages</u>
<u>Council Conference Room</u>	
1. Discussion regarding pending GMHB litigation (AB2010-072) [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1)(i)]	<u>No Paper</u>
<u>Council Chambers</u>	
1. Rural Element - discussion of Growth Management Act requirements and the Planning Commission recommendations (AB2010-072)	<u>41 - 44</u>
2. Discussion regarding the status of the Council's Planning and Policy Analyst position (AB2010-017)	<u>No Paper</u>
3. Discussion of proposed ordinance amending Whatcom County Code 2.03, Boards and Commissions (AB2010-143B)	<u>45 - 58</u>
<u>Other Business</u>	

**COUNCIL PUBLIC WORKS AND SAFETY COMMITTEE
Members: Barbara Brenner, Ken Mann, Carl Weimer**

**1:30 p.m. Tuesday, July 13, 2010
Council Chambers, 311 Grand Avenue**

AGENDA

	<u>Pages</u>
<u>Committee Discussion</u>	
1. Discussion with Public Works Administration regarding quiet title of county rights-of-way (AB2010-235)	<u>59 - 59</u>
<u>Committee Discussion and Recommendations to Council</u>	
1. Resolution approving the Whatcom County Six-year Transportation Improvement Program for the years 2011 through 2016 (AB2010-269) (resolution scheduled for introduction this evening)	<u>60 - 93</u>
2. Request review and approval of the 2010-2011 Integrated Roadside Vegetation Management Plan (AB2010-268)	<u>94 - 155</u>
<u>Other Business</u>	

**PLANNING AND DEVELOPMENT COMMITTEE
Members: Barbara Brenner, Bill Knutzen, Ken Mann**

**3:00 p.m. Tuesday, July 13, 2010
Council Chambers, 311 Grand Avenue**

AGENDA

	<u>Pages</u>
<u>Committee Discussion</u>	
1. Discussion on amendments to Whatcom County Code 20.90 that would allow County Council to initiate zoning amendments for further review at any time during the year (AB2010-270)	<u>156 - 161</u>
<u>Other Business</u>	



WHATCOM COUNTY COUNCIL
COUNCIL AGENDA

REGULAR COUNCIL MEETING
7:00 p.m. Tuesday, July 13, 2010

Council Chambers, 311 Grand Avenue

AGENDA

Pages

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 June 8, 2010 | <u>162 - 163</u> |
| 2. Special Committee of the Whole for June 8, 2010 | <u>164 - 165</u> |
| 3. Regular County Council for June 8, 2010 | <u>166 - 176</u> |
| 4. Special Committee of the Whole for June 15, 2010 | <u>177 - 182</u> |
| 5. Committee of the Whole for June 22, 2010 | <u>183 - 184</u> |
| 6. Special Committee of the Whole (morning meeting) for June 22, 2010 | <u>185 - 189</u> |
| 7. Special Committee of the Whole (afternoon meeting) for June 22, 2010 | <u>190 - 192</u> |
| 8. Regular County Council for June 22, 2010 | <u>193 - 200</u> |

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 and address 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 wrap up their comments.

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 and address 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 wrap up 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 amending Ordinance 2009-071, the official Whatcom County zoning map, and County Comprehensive Plan and maps, to implement changes related to completion of the 10-year review of the urban growth areas required under the Growth Management Act, specifically the urban growth areas of Birch Bay, Ferndale, Nooksack, and Sumas (AB2010-054C)

201 - 249

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 enter into an interlocal agreement between Whatcom County and Northwest Park and Recreation District #2 for the operation of the gymnasium and playground at Bay Horizon Park (AB2010-265) **6 - 14**
2. Resolution amending CRP No. 909010 and authorizing additional funds and approval for the County Executive to enter into a contract between Whatcom County and low bidder, Strider Construction Co., Inc, for Northwest Drive culvert replacement at Bear Creek, in the amount of \$307,680 (AB2010-266) **15 - 29**
3. Request approval for the County Executive to enter into a contract between Whatcom County and Identix Biometric Solutions for preventative maintenance for electronic fingerprint machines, and store and forward machine, in an amount not to exceed \$26,056.28 (AB2010-267) **30 - 40**

OTHER ITEMS

(From Public Works and Safety Committee)

1. Request review and approval of the 2010-2011 Integrated Roadside Vegetation Management Plan (AB2010-268) **94 - 155**

(No committee assignment)

2. Request confirmation of the County Executive's appointment of Michael Dispigno to the Development Standards Technical Advisory Committee (AB2010-271) **250 - 251**
3. Request confirmation of the County Executive's appointment of Kathleen Solomon to the Whatcom County Substance Abuse Advisory Board (AB2010-272) **252 - 253**

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 amending the 2010 Whatcom County Budget, thirteenth, request, in the amount of \$681,061 (AB2010-274) **On File**
2. Resolution approving the Whatcom County Six-year Transportation Improvement Program for the years 2011 through 2016 (AB2010-269) (hearing to be scheduled) **On File**

3. Ordinance amending **Whatcom County Comprehensive Plan** and zoning designations for property (60 acres) located in the vicinity of 1000 Paradise Road (AB2010-273) (PDS recommends that the Council hold its own public hearing on this ordinance – hearing to be scheduled)
4. Ordinance amending Whatcom County Code, Title 20, to clarify and revise the definition and standards of home occupations (AB2010-047) (hearing to be scheduled)

On File

On File

OTHER BUSINESS

REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

ADJOURN

The next regular council meetings are scheduled for 7:00 p.m. Tuesdays, July 27 and August 10, 2010, in the Council Chambers, 311 Grand Avenue.

UPCOMING MEETINGS AND EVENTS (PLEASE CALL TO CONFIRM):

July 20, 2010	Surface Water Work Session, 10:30 a.m., Civic Center Building Health Committee, 1:00 p.m., Council Chambers *Please note: The agenda for the Health Committee includes a discussion of the regulatory status of the Glendon BioFilter drainfield technology (AB2010-199)
July 27, 2010	Regular council and committee meetings, Council Chambers
August 3, 2010	Council to meet as the Health Board, 10:30 a.m., Council Chambers
August 10, 2010	Regular council and committee meetings, Council Chambers
September 14, 2010	Regular council and committee meetings, Council Chambers
September 21, 2010	Surface Water Work Session, 10:30 a.m., Civic Center Building

WHATCOM COUNTY COUNCIL ACTION TAKEN

June 22, 2010

ANNOUNCEMENTS

1. Discussion regarding the proposed ordinance amending Whatcom County Code 2.02, County Council (AB2010-143A) **Reported**
2. Discussion regarding the proposed ordinance amending Whatcom County Code 2.03, Boards and Commissions (AB2010-143B) **Reported**
3. Rural Element update - discussion of Growth Management Act requirements and the Planning Commission recommendations (AB2010-072) **Reported**
4. Update and discussion regarding Lummi Island Ferry dock negotiations (AB2010-018) **Reported**

MINUTES CONSENT

1. Special Committee of the Whole for May 25, 2010 **Approved 6-0, Weimer Absent**
2. Committee of the Whole for May 25, 2010 **Approved 6-0, Weimer Absent**
3. Regular County Council for May 25, 2010 **Approved 6-0, Weimer Absent**
4. Board of Health for June 1, 2010 **Approved 6-0, Weimer Absent**

OPEN SESSION

CONSENT AGENDA

1. Request approval for the County Executive to enter into a contract between Whatcom County and Work Opportunities Inc. (through funding from the Washington State Department of Social and Health Services, Division of Developmental Disabilities) for "Pathways to Employment" and "Community Access" services to assist individuals with developmental disabilities, in an amount that will vary depending on number of clients and types of services authorized (AB2010-245) **Approved 6-0, Weimer Absent**
2. Request approval for the County Executive to enter into a contract between Whatcom County and Advancement Northwest (through funding from the Washington State Department of Social and Health Services, Division of Developmental Disabilities) for "Pathways to Employment" and "Community Access" services to assist individuals with developmental disabilities, in an amount that will vary depending on number of clients and types of services authorized (AB2010-246) **Approved 6-0 Weimer Absent**
3. Request approval for the County Executive to enter into a contract for services between Whatcom County and Material Testing and Consulting, Inc. for sample collection, inspection, and testing of concrete, asphalt, aggregates and other construction materials to ensure compliance with specifications on Public Works projects, in an amount not to exceed \$50,000 (AB2010-247) **Approved 6-0, Weimer Absent**
4. Request approval for the County Executive to enter into a contract between Whatcom County and San Juan Island Commuter for temporary passenger ferry service between Gooseberry Point and Lummi Island, in the amount of \$58,482 (AB2010-248) **Approved 6-0, Weimer Absent**
5. Request approval for the County Executive to enter into a water transmission line easement between Whatcom County and Mt. Baker Water Association, Inc. to relocate an existing waterline and easement on County Parks Department property to accommodate the construction of WSDOT roundabout at the intersection of Smith and Mt. Baker Highway (AB2010-249) **Approved 6-0, Weimer Absent**
6. Request approval for the County Executive to enter into a contract between Whatcom County and Cascade Vocational Services (through funding from the Washington State Department of Social and Health Services, Division of Developmental Disabilities) to provide "Pathways to Employment" services, in an amount that will vary depending on number of clients and types of services authorized (AB2010-250) **Approved 6-0 Weimer Absent**
7. Request approval for the County Executive to enter into a contract between Whatcom County and Service Alternatives (through funding from the Washington State Department of Social and Health Services,

WHATCOM COUNTY COUNCIL ACTION TAKEN

June 22, 2010

Division of Developmental Disabilities) to provide "Pathways to Employment" and "Community Access" services, in an amount that will vary depending on number of clients and types of services authorized (AB2010-251)

Approved 6-0
Weimer Absent

8. Request approval for the County Executive to enter into a contract between Whatcom County and Washington Vocational Services (through funding from the Washington State Department of Social and Health Services, Division of Developmental Disabilities) to provide "Pathways to Employment" services, in an amount that will vary depending on number of clients and types of services authorized (AB2010-252)
9. Request approval for the County Executive to enter into a contract between Whatcom County and Kulshan Supported Employment (through funding from the Washington State Department of Social and Health Services, Division of Developmental Disabilities) to provide "Pathways to Employment" services in an amount that will vary depending on number of clients and types of services authorized (AB2010-253)
10. Request approval for the County Executive to award bid 10-22 to low bidder, Jansen, Inc. for the supply of large woody debris, in the amount of \$147,234.50 (AB2010-254)
11. Request approval for the County Executive to enter into a contract between Whatcom County and sole source vendor, K&H Integrated Print Solutions, for election envelopes, in the amount of \$90,155 (AB2010-255)
12. Request approval for the County Executive to enter into a lease agreement between Whatcom County Parks and Recreation Department and Coldstream Farm, LLC for the 9 month lease of East Acme Farm, in the amount of \$6,400 (AB2010-259)
13. Request approval for the County Executive to enter into a contract between Whatcom County and Whatcom County Council on Aging (through funding from the Washington State Department of Social and Health Services, Division of Developmental Disabilities) for "Community Access" services to assist individuals with developmental disabilities, in an amount that will vary depending on number of clients and types of services authorized (AB2010-262) (attached)

OTHER ITEMS

1. Ordinance amending the 2010 Whatcom County Budget, twelfth request, in the amount of \$1,109,001 (AB2010-239)
Adopted 6-0, Ord#2010-029,
Weimer Absent
2. Nomination and possible appointment to fill a vacancy on the Whatcom County Solid Waste Advisory Board, representing Solid Waste Disposal Facility - applicant: Pete Edwards (AB2010-242) **(Council may approve a motion to suspend the rules and nominate and appoint this evening, with a two-thirds affirmative vote of the entire council)**
Edwards Approved 6-0, Weimer Absent
3. Request confirmation of the County Executive's appointment of Atina Casas to the Whatcom County Marine Resources Committee (AB2010-256) **Approved 6-0**
Weimer Absent
4. Resolution in support of continuing the multi-agency Coordination Center in Whatcom County (AB2010-243)
Approved 6-0, Res#2010-024,
Weimer Absent
5. Request approval to send a letter in support of the Opportunity Council's application for a housing preservation grant, in an amount up to \$100,000 (AB2010-027) (attached)
Revised & Approved 6-0, Weimer Absent

WHATCOM COUNTY COUNCIL ACTION TAKEN

June 22, 2010

INTRODUCTION ITEMS

1. Ordinance establishing parking restrictions on Locust Avenue (AB2010-257) (hearing to be scheduled) **Introduced**
2. Ordinance amending the **Whatcom County Comprehensive Plan** and zoning map for property known as Harbor Shores located on Blaine Road, South of Dakota Creek (AB2010-258) **Introduced**

OTHER BUSINESS

REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

ADJOURN