COUNCIL AGENDA
FOR JULY 12, 2016

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 COUNTY 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 - 2016 ORDINANCES
1979 - 2016 RESOLUTIONS
1984 - 2016 COMMITTEE MINUTES
1979 - 2016 COUNCIL MINUTES

UPCOMING MEETINGS AND EVENTS:

JULY 18, 2016
3 P.M. - LAKE WHATCOM POLICY GROUP
FIREPLACE ROOM, 625 HALLECK STREET

JULY 19, 2016
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

JULY 26, 2016
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

TODAY’S SCHEDULE
9:30 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE IMMEDIATELY FOLLOWING FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE – SPECIAL COMMITTEE OF THE WHOLE (COMP PLAN)
7 P.M. – REGULAR COUNCIL MEETING
COUNCIL COMMITTEE SCHEDULES

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Ken Mann, Satpal Sidhu
9:30 a.m. Tuesday, July 12, 2016
Council Chambers, 311 Grand Avenue

County Executive’s Report

Committee Discussion

1. Discussion regarding a proposed ordinance amending Whatcom County Code Title 2, Administration and Personnel, to add language related to an increase in the number of Whatcom County Council districts (AB2016-220) (ordinance scheduled for introduction this evening)
   Pages 1 - 3

Committee Discussion and Recommendations to Council

1. Ordinance repealing and replacing Whatcom County Code Chapter 1.12, Council District Boundaries (AB2016-200)
   Pages 4 - 9

2. Ordinance amending Whatcom County Code Section 2.22.040, Whatcom County Commission on Salaries for Elected Officials (Membership – Term of Office) (AB2016-216)
   Pages 10 - 12

3. Ordinance amending Whatcom County Code Section 2.118.060, Wildlife Advisory Committee (Term of Office) (AB2016-217)
   Pages 13 - 16

4. Ordinance amending the 2016 Budget, eleventh request (AB2016-215)
   Pages 17 - 21

5. Ordinance amending Whatcom County Code 3.08, Purchasing System (AB2016-191) (from 6/14 and 6/28)
   Pages 22 - 30

6. Request approval for the County Executive to award Bid Number 16-25 and enter into a contract with low bidder, Bianchi Construction, for the construction of the Birch Point Collaborative Drainage System Repair in the amount of $243,861.78 (AB2016-222) (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
   Pages 31 - 69

7. Resolution authorizing an application to the Salmon Recovery Funding Board for a Lower Mainstream Habitat Assessment Grant (AB2016-223)
   Pages 70 - 73

8. Request approval for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Fire District #8 for fire protection services for the Gooseberry Point Ferry Terminal, in the amount of $1,537 (AB2016-224)
   Pages 74 - 80

Council "Consent Agenda" Items

1. Request approval for the County Executive to enter into a contract between Whatcom County and Art Anderson Associates for the design and preparation of a construction bid package for the Lummi Island Ferry Terminal Electrical Repair and Painting Project, in the amount of $86,130 (AB2016-225)
   Pages 81 - 174

2. Request approval for the County Executive to enter into an agreement for construction services assistance between Whatcom County and Amorterra Engineering & Consulting, LLC, for the Birch Point Collaborative Drainage System Repair Project, in the amount of $39,930 (AB2016-226)
   Pages 175 - 193

3. Request approval for the County Executive to enter into a contract for services agreement between Whatcom County and design2LAST, Inc. for building assessment studies and cost estimates for capital improvements at the Whatcom County Jail and Work Center, in the amount of $151,882.94 (AB2016-227)
   Pages 194 - 250
4. Request approval for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the Waterfront District Arterial Streets project grant (AB2016-228)
   Pages 251 - 282

5. Request approval for the County Executive to award bid #16-30 and enter into a contract with low bidder, Lake Union Drydock Company, for the annual drydocking, repair and maintenance of the Whatcom Chief Ferry, in the amount of $488,826 (AB2016-229)
   Pages 283 - 286

Other Business

SPECIAL COMMITTEE OF THE WHOLE
Immediately Following Finance and Administrative Service Committee
Council Office Conference Room and Council Chambers, 311 Grand Avenue
(Council will recess for lunch early afternoon)

Committee Discussion – Conference Room

1. Discussion with Senior Deputy Prosecutor Karen Frakes regarding potential litigation, Comprehensive Plan review process (AB2016-018)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
   No Paper

Public Comment

1. Audience members are invited to comment specifically on the following Whatcom County Comprehensive Plan Chapters (time limited to 30 minutes):

   Chapter 2, Land Use (AB2016-047B)
   Chapter 11, Environment (AB2016-047K)
   Appendices (AB2016-047L)
   No Paper

Comprehensive Plan Chapter 2, Land Use

1. Discussion and preliminary Council direction on Comprehensive Plan Chapter 2, Land Use (AB2016-047B) (additional information can be found at www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process)
   Pages 287 - 477

Comprehensive Plan Chapter 11, Environment

1. Discussion and preliminary Council direction on Comprehensive Plan Chapter 11, Environment (AB2016-047K) (additional information can be found at www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process)
   Pages 478 - 568

Comprehensive Plan Appendices

1. Discussion and preliminary Council direction on the following Comprehensive Plan appendices (AB2016-047L) (additional information can be found at www.co.whatcom.wa.us/2346/Comprehensive-Plan-Update-Process)

   Appendix A, Glossary
   Appendix B, Acronyms
   Appendix C, Countywide Planning Policies
   Appendix D, Bibliography
   Appendix E, WC 20 Year Capital Facilities Plan
   Appendix F, Six-Year Capital Improvement Program
   Appendix G, Water Resources & Salmon Recovery (deleting Transportation Impact Fee Background Information and replacing with a new Appendix G relating to Water Resource and Salmon Recovery Programs, which will be discussed with Chapter 11, Environment)
   Appendix H, Airport Overlay Zones
   Appendix I, Imaginary Surfaces
   Pages 569 - 787

Other Business
COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, July 12, 2016
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 amending Whatcom County Code Chapter 24.05, On-Site Sewage System Rules and Regulations (AB2016-214) Pages 788 - 793
2. Request approval for the County Executive to enter into an interlocal agreement between the City of Bellingham and Whatcom County for 2016 Edward Byrne Memorial Justice Assistance Grant program award (AB2016-201) Pages 794 - 833

OPEN SESSION (20 MINUTES)

During open session, audience members can speak to the council on any issue not scheduled for public hearing or related to the proposed Gateway Pacific Terminal project (GPT). 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 enter into a contract between Whatcom County and Art Anderson Associates for the design and preparation of a construction bid package for the Lummi Island Ferry Terminal Electrical Repair and Painting Project, in the amount of $86,130 (AB2016-225) Pages 81 - 174
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**Pages 283 - 286**

**OTHER ITEMS**

(From Finance and Administrative Services Committee)

1. Ordinance repealing and replacing Whatcom County Code Chapter 1.12, Council District Boundaries (AB2016-200)  
   **Pages 4 - 9**

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   **Pages 74 - 80**

**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 for the Sumas/Everson/Nooksack Flood Subzone Advisory Committee, applicant: Ed Bosscher (AB2016-221) (application deadline for any other applicants to this vacancy is 10 a.m. on July 19, 2016) (Council acting as the Flood Control Zone District Board of Supervisors)  
   **Pages 834 - 836**

2. Ordinance amending the 2016 Whatcom County Budget, twelfth request, in the amount of $190,003 (AB2016-230)  
   **Pages 837 - 851**

3. Ordinance amending Whatcom County Code Title 2, Administration and Personnel, to add language related to an increase in the number of Whatcom County Council districts (AB2016-220)  
   **Pages 1 - 3**

4. Ordinance ordering an election to determine the formation of the Columbia Valley Park and Recreation District (AB2016-218A)  
   **Pages 852 - 854**

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

**ADJOURN**

The next regular council meeting is scheduled for 7 p.m. July 26, 2016, in the Council Chambers, 311 Grand Avenue.
WHATCOM COUNTY COUNCIL

AGENDA REVISION NOTICE
FOR JULY 12, 2016
(DISTRIBUTED AT 3:30 P.M. ON JULY 7, 2016)

THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE COUNCIL’S EVENING MEETING AGENDA:

OTHER ITEMS
(No Committee Assignment)

9. Appointment of Whatcom County Corrections Deputy Mark Holst to serve on the Jail Stakeholder Workgroup (AB2016-179A) (paperwork attached)

10. Resolution amending Resolution 2016-021 to increase membership on the Jail Stakeholder Workgroup (AB2016-179B) (paperwork attached)
### CLEARANCES

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### TITLE OF DOCUMENT:
Appointment of Members to Serve on the Jail Stakeholder Workgroup

### ATTACHMENTS:

### SEPA review required? ( ) Yes ( ) NO
### SEPA review completed? ( ) Yes ( ) NO

### Should Clerk schedule a hearing? ( ) Yes ( ) NO
### Requested Date:

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:
(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Appointment of Members to Serve on the Jail Stakeholder Workgroup

### COMMITTEE ACTION:
6/21/2016: Introduced

### COUNCIL ACTION:
6/28/2016: Appointed: Councilmembers Barry Buchanan and Todd Donovan

### Related County Contract #: Related File Numbers: Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
From: Bill Elfo  
Sent: Wednesday, June 29, 2016 11:05 AM  
To: Barry Buchanan  
Cc: Mark Holst; Daron; Wendy Jones; Caleb Erickson; Ernie Stach; Jack Louws; Tyler Schroeder  
Subject: Jail Stakeholder's Workgroup - nomination

Barry, pursuant to paragraph D, I nominate Sergeant Mark Holst to serve as the Whatcom County Sheriff’s Corrections deputy to the workgroup. Mark has served in the Corrections Bureau for nearly 27 years and has broad experience in both the custodial and jail alternative programs. He is also a member of the Corrections Deputy bargaining unit and serves as a union steward.

I have copied Mark on this email so you will have his email address.

Thank you,

Sheriff Bill Elfo  
Whatcom County Sheriff’s Office  
311 Grand Avenue  
Bellingham, Washington 98225  
(360) 778-6600 (office) 360-778-6605 (direct line)  
"Dedicated to making Whatcom County the safest in the State through excellence in public safety."
### Whatcom County Council Agenda Bill

**CLEARANCES**

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**Division Head:**

**Dept. Head:**

**Prosecutor:**

**Purchasing/Budget:**

**Executive:**

### TITLE OF DOCUMENT:

Res amending Res 2016-021 to increase membership for Jail Stakeholder Workgroup

### ATTACHMENTS:

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<th>SEPA review required?</th>
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<tr>
<td>SEPA review completed?</td>
<td>Yes</td>
<td>No</td>
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| Should Clerk schedule a hearing? | Yes | No |

**Requested Date:**

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

*(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Resolution amending Resolution 2016-021 to increase membership on the Jail Stakeholder Workgroup

### COMMITTEE ACTION:

### COUNCIL ACTION:

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**Please Note:** Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).
RESOLUTION NO._____

AMENDING RESOLUTION 2016-021 TO INCREASE MEMBERSHIP ON THE JAIL STAKEHOLDER WORKGROUP

WHEREAS, on June 14, 2016, the Whatcom County Council approved Resolution 2016-021, establishing a Jail Stakeholder Workgroup to provide a recommendation to the County Council for the financial agreements required for development of a new jail, including the cost of the facility; the funding mechanism; and the allocation and funding of operating expenses between jurisdictions; and

WHEREAS, Resolution 2016-021 set forth a list of members to be appointed to the Workgroup, including one official representing Whatcom County’s small cities; and

WHEREAS, the Small Cities Caucus recently submitted a letter to the County Council requesting that the number of officials representing the small cities be increased to two; and

WHEREAS, the County Council has considered the request for increased small cities representation and concurs.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that membership on the Jail Stakeholder Workgroup shall be amended as follows:

A. Two members of the Whatcom County Council;
B. Two members of the Bellingham City Council;
C. One member of the Lummi Indian Business Council;
D. One member of the Nooksack Tribal Council;
E. The Whatcom County Executive;
F. The Mayor of Bellingham;
G. One official mayor representing the small cities;
H. [One council member representing the small cities];
I. [One council member representing the small cities];
J. [The Whatcom County Sheriff; and]
K. [The City of Bellingham Police Chief].

The County Council will also appoint:
A. One resident of the City of Bellingham;
B. One Whatcom County resident who resides outside the City of Bellingham;
C. One member of the Incarceration Prevention and Reduction (IPR) Task Force nominated by the IPR Task Force and not already designated above; and
D. One Whatcom County Corrections Officer nominated by the Whatcom County Sheriff.

APPROVED this ____ day of __________, 2016.

ATTEST: WHATCOM COUNTY COUNCIL

Dana Brown-Davis, Clerk of the Council
WHATCOM COUNTY, WASHINGTON

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

__________________________
Civil Deputy Prosecutor
June 28, 2016

The Honorable Gary Buchannan, Whatcom County Council Chair
311 Grand Avenue
Suite 105
Bellingham, WA 98225

Dear Council Chair Buchannan;

The Whatcom County Council recently formed a Work Group tasked to craft a funding plan for replacement of the aging Whatcom County Jail. It includes fifteen members representing various jail users and stakeholders. The Council allocated only one seat to the Small City Caucus. We urge you to add an additional seat to make our representation more commensurate with the population we serve.

As currently configured, eleven of the fifteen seats on the task force are in some way associated with either Whatcom County or the City of Bellingham. That number will likely increases to twelve of fifteen seats when a yet-to-be named member of the Incarceration Prevention task force is added. Specifically:

- The six individuals associated with Whatcom County are: Two County Council members; the County executive; Sheriff; a County resident and; a County Corrections officer.
- The five members associated with the City of Bellingham are: Two City Council members; the City Mayor; Police Chief and; a Bellingham resident.

The remaining members are divided among the two tribes and the small cities, each with one representative on the work group (plus the unnamed member of the Incarceration Prevention task force).

The Small Cities Caucus represents some 35,000 residents. It is clear that a single seat on the Work group is disproportionate to the size of our population. Further it is clear that a single seat cannot adequately represent those residents or advance their interests.
We ask you to increase our representation on the Work Group to two seats so that we may participate in a meaningful way in this important project. Thanks for your consideration.

Sincerely;

Harry Robinson / David Wilbrecht  
Mayor of Blaine / City Manager, Blaine

Jon Mutchler  
Mayor of Ferndale

Jim Ackerman  
Mayor of Nooksack

John Perry  
Mayor of Everson

Scott Korthuis  
Mayor of Lynden

Bob Bromley  
Mayor of Sumas

C: Council Member, Todd Donovan  
Council Member, Carl Weimer  
Council Member, Rud Browne  
Council Member, Barbara Brenner  
Council Member, Ken Mann  
Council Member, Satpal Sidhu