WHATCOM COUNTY COUNCIL

COUNCIL AGENDA
FOR NOVEMBER 8, 2017
(WEDNESDAY)

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 - 2017 ORDINANCES
1979 - 2017 RESOLUTIONS
1984 - 2017 COMMITTEE MINUTES
1979 - 2017 COUNCIL MINUTES

UPCOMING MEETINGS AND EVENTS:

NOVEMBER 10, 2017
HOLIDAY – OFFICE CLOSED

NOVEMBER 14, 2017
10:30 A.M. – SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

TODAY’S SCHEDULE:

11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1:30 P.M. – COMMITTEE OF THE WHOLE

1:45 P.M. - PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
IMMEDIATELY FOLLOWING PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE (MEETING TO BEGIN BY 3 P.M.) – SPECIAL COMMITTEE OF THE WHOLE
COUNCIL COMMITTEE SCHEDULES

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Ken Mann, Satpal Sidhu
11 a.m. WEDNESDAY, November 8, 2017
Council Chambers, 311 Grand Avenue

County Executive’s Report

Committee Discussion and Recommendations to Council

1. Resolution setting hearing and notice of hearing on the sale of county tax title property by negotiation, Request No. TR2017-04 (AB2017-311)
   Pages 1 - 8

2. Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Geneva Consulting Services for coordination of the Whatcom County Local Integrating Organization, in the amount of $68,970 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-312)
   Pages 9 - 31

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract between Whatcom County and North Sound Behavioral Health Organization to provide funding to promote recovery and resilience to homeless individuals through the provision of housing case management and shelter operations services, in the amount of $168,339 (AB2017-313)
   Pages 32 - 77

2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County, City of Bellingham, and Lake Whatcom Water & Sewer District for Lake Whatcom tributary monitoring for water years 2018-2020, in the amount of $279,779 (AB2017-314)
   Pages 78 - 90

3. Request authorization for the County Executive to enter into a contract between Whatcom County and Tyler Technologies, Inc. for one-time software licenses and professional services to implement a new permit system, in the amount of $1,080,239.08 (AB2017-315)
   Pages 91 - 194

4. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and design2LAST, Inc. for capital improvements at the Jail (Public Safety Building and Work Center), in the amount of $543,000, for a total amended contract amount of $913,287.20 (AB2017-316)
   Pages 195 - 207

Committee Discussion

1. Discussion regarding a proposed ordinance amending the 2018 Whatcom County Budget, first request, in the amount of $20,456,067 (ordinance scheduled for introduction this evening (AB2017-326)
   Pages 208 - 364

Other Business

COMMITTEE OF THE WHOLE
1:30 p.m. WEDNESDAY, November 8, 2017
Council Office Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Public Works staff regarding a potential property acquisition (AB2017-018)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(b)]
   Page 365
Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
Members: Barbara Brenner, Todd Donovan, Ken Mann
1:45 p.m. WEDNESDAY, November 8, 2017
Council Chambers, 311 Grand Avenue

Special Presentation

1. Quarterly report from Whatcom County Public Works (AB2017-068)
   Page 366

Committee Discussion

1. Update from Public Works staff on quiet zone proposal for Cliffside Drive (AB2017-332)
   Page 367

2. Update from Public Works staff on the status of establishing a stormwater district in the Lake Whatcom Watershed to fund implementation of the Lake Whatcom Management Program (AB2017-251B)
   Page 368

Other Business

SPECIAL COMMITTEE OF THE WHOLE
Immediately Following Public Works, Health, and Safety Committee (no later than 3 p.m.)
WEDNESDAY, November 8, 2017
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion regarding a proposed ordinance amending Whatcom County Code Chapter 16.16 (Critical Areas) and Whatcom County Code Chapter 23.10 (Shoreline Management Program – Purpose and Intent) pertaining to the protection and regulation of environmentally critical areas (ordinance may be introduced this evening) (AB2016-276L)
   Pages 369 - 394

2. Discussion of a proposed ordinance adopting Whatcom County Zoning Code amendments relating to the Resort Commercial District, Planned Unit Development Chapter, and a new Density Credits Chapter (ordinance scheduled for introduction this evening) (AB2017-319)
   Pages 395 - 413

Other Business
COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. WEDNESDAY, November 8, 2017
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 staff 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. Resolution approving the sale of an easement over Whatcom County-owned property (AB2017-308) Pages 414 - 424

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 North Sound Behavioral Health Organization to provide funding to promote recovery and resilience to homeless individuals through the provision of housing case management and shelter operations services, in the amount of $168,339 (AB2017-313) Pages 32 - 77

2. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County, City of Bellingham, and Lake Whatcom Water & Sewer District for Lake Whatcom tributary monitoring for water years 2018-2020, in the amount of $279,779 (AB2017-314) Pages 78 - 90

3. Request authorization for the County Executive to enter into a contract between Whatcom County and Tyler Technologies, Inc. for one-time software licenses and professional services to implement a new permit system, in the amount of $1,080,239.08 (AB2017-315) Pages 91 - 194

4. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and design2LAST, Inc. for capital improvements at the Jail (Public Safety
Building and Work Center), in the amount of $543,000, for a total amended contract amount of $913,287.20 (AB2017-316)

**Pages 195 - 207**

**OTHER ITEMS**

*(From Finance and Administrative Services Committee)*

1. Resolution setting hearing and notice of hearing on the sale of county tax title property by negotiation, Request No. TR2017-04 (AB2017-311)

**Pages 1 - 8**

2. Request authorization for the County Executive to enter into a contract between Whatcom County Flood Control Zone District and Geneva Consulting Services for coordination of the Whatcom County Local Integrating Organization, in the amount of $68,970 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-312)

**Pages 9 - 31**

*(No Committee Assignment)*

3. Request confirmation of the County Executive’s appointment of Starck Follis for Public Defender, effective January 1, 2018, pursuant to Whatcom County Code section 2.09.100 (AB2017-317)

**Page 425**

**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 Whatcom County Code 2.118, reactivating the Whatcom County Wildlife Advisory Committee (AB2017-318)

**Pages 426 - 432**

2. Ordinance adopting Whatcom County Zoning Code amendments relating to the Resort Commercial District, Planned Unit Development Chapter, and a new Density Credits Chapter (AB2017-319)

**Pages 395 - 413**

3. Resolution to sell county tax title property by negotiation - Request No. 2017-04 (AB2017-311A)

**Pages 433 - 440**

4. Ordinance amending Ordinance 2012-050 (establishment of the Birch Bay Drive and Pedestrian Facility project fund and establishing a project based budget for CRP No. 907001) for the fourth time to increase the project based budget for the Birch Bay Drive and Pedestrian Facility project by $7,850,000, for a total project budget amount of $11,450,000 (AB2017-320)

**Pages 441 - 447**

5. Resolution adopting the 2018 budget for the Whatcom County Flood Control Zone District and subzones (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-321)

**Pages 448 - 468**

6. Resolution updating the capital project section of the Lake Whatcom Comprehensive Stormwater Plan (AB2017-322)

**Pages 469 - 472**

7. Ordinance amending Whatcom County Code Chapter 10.04, establishing the speed limit on a portion of Lake Whatcom Boulevard (AB2017-323)
8. Resolution amending the 2017 Flood Control Zone District and Subzones Budgets, fourth request, in the amount of $83,765 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-324) Pages 480 - 485

9. Ordinance amending the 2017 Whatcom County Budget, thirteenth request, in the amount of $4,330,977 (AB2017-325) Pages 486 - 498

10. Ordinance amending the 2018 Whatcom County Budget, first request, in the amount of $20,456,067 (AB2017-326) Pages 208 - 364

11. Ordinance authorizing the levy of taxes for county and state purposes in Whatcom County, Washington, for the year of 2018 (AB2017-327) Pages 499 - 502

12. Ordinance limiting the 2018 General Fund property tax levy (AB2017-328) Pages 503 - 504

13. Ordinance authorizing the levy of taxes for conservation futures purposes for 2018 (AB2017-329) Pages 505 - 506

14. Ordinance authorizing the levy of 2018 property taxes for county road purposes (AB2017-330) Pages 507 - 509

15. Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2018 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-331) Pages 510 - 511

16. Ordinance amending Whatcom County Code Chapter 16.16 (Critical Areas) and Whatcom County Code Chapter 23.10 (Shoreline Management Program – Purpose and Intent) pertaining to the protection and regulation of environmentally critical areas (AB2016-276L) Pages 369 - 394

17. Receipt of application for the Whatcom County Planning Commission, partial term ending January 31, 2021, representing District 2, applicant: Stephen Jackson (the Planning Commission assists the Planning and Development Services Department in carrying out its duties, which include helping to prepare and execute the comprehensive plan and making recommendations for adoption of official controls and/or amendments) (application deadline for any other applicants to this vacancy is 10 a.m. on November 14, 2017) (AB2017-309) Pages 512 - 516

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. November 21, 2017, in the County Council Chambers, 311 Grand Avenue.
WHATCOM COUNTY COUNCIL

AGENDA REVISION NOTICE
FOR NOVEMBER 8, 2017
(DISTRIBUTED AT 2:30 P.M. ON NOVEMBER 8, 2017)

THE FOLLOWING ITEM HAS BEEN ADDED TO THE COUNCIL’S EVENING MEETING AGENDA:

OTHER ITEMS
(No Committee Assignment)

4. Resolution requesting the County Executive make minor changes to improve service to the public and eliminate the need for staff to perform certain repetitive tasks (AB2017-333) (resolution attached below)
RESOLUTION NO. ______

REQUESTING THE COUNTY EXECUTIVE MAKE MINOR CHANGES TO IMPROVE SERVICE TO THE PUBLIC AND ELIMINATE THE NEED FOR STAFF TO PERFORM CERTAIN REPETITIVE TASKS

WHEREAS, Whatcom County government prides itself on serving the public with dignity and efficiency; and

WHEREAS, the Council believes a few changes to County government facilities and policies can increase efficiencies and service to the public; and

WHEREAS, the following observations have been made regarding County-owned facilities and policies:

1. Single stall gender-assigned public restrooms, similar to those located in the Garden Level Conference Room of the Civic Center Building, are located in several county-owned facilities and, on occasion, the male assigned restroom may be unoccupied while the women’s restroom has a lineup of women waiting to use it.

2. Adult males have been observed changing the diapers of infants and small children on the floor of restrooms located within Whatcom County government buildings because the nearest available changing table is either located on a different floor or in the women’s restrooms.

3. Certain assigned parking spots have to be manually marked off by staff on Tuesdays, frequently in inclement weather, which can require both the facilities staff and the user to locate/relocate the cones in the rain, which is an inefficient use of time for all parties involved.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council requests the County Executive allocate sufficient funding to have all single stall gender-assigned public restrooms located within County government buildings relabeled to gender neutral restrooms within the next 90 days.

BE IT FURTHER RESOLVED that the Whatcom County Council requests the County Executive allocate sufficient funding to have changing tables installed within all public restrooms located in County government buildings within the next 90 days.

BE IT FINALLY RESOLVED that the Whatcom County Council requests the County Executive allocate sufficient funding to have permanent signs installed in the south parking lot within the next 90 days to reserve parking for councilmembers on all Tuesdays.

ADOPTED this __________ day of ___________________, 2017.

WHATCOM COUNTY COUNCIL

ATTEST: WHATCOM COUNTY, WASHINGTON

__________________________________________
Dana Brown-Davis, Council Clerk

__________________________________________
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

______________________________
Civil Deputy Prosecutor