

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

Barbara Brenner
Rud Browne
Barry Buchanan
Todd Donovan
Ken Mann
Satpal Sidhu
Carl Weimer

WHATCOM COUNTY COUNCIL COUNCIL AGENDA FOR DECEMBER 5, 2017

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:

DECEMBER 25 AND 26, 2017
HOLIDAYS - OFFICE CLOSED

JANUARY 1, 2018
HOLIDAY – OFFICE CLOSED

JANUARY 8, 2018
OATH OF OFFICE CEREMONY
12:15 P.M., COUNCIL CHAMBERS

TODAY'S SCHEDULE:

11 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1:30 P.M. – PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE

2:15 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. Tuesday, December 5, 2017

Council Chambers, 311 Grand Avenue

County Executive's Report

Special Presentation

1. Report from Information Technology Manager Perry Rice (AB2017-068)
Page 1

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2017 Whatcom County Budget, fourteenth request, in the amount of \$165,948 (AB2017-345)
Pages 2 - 14
2. Ordinance amending the 2018 Whatcom County Budget, second request, in the amount of \$290,000 (AB2017-346)
Pages 15 - 21
3. Ordinance establishing Whatcom County Code 2.126, Climate Impact Advisory Committee (AB2017-351)
Pages 22 - 26
4. Ordinance amending Whatcom County Code 2.02, County Council (AB2017-352)
Pages 27 - 38
5. Request authorization for the County Executive to enter into a contract amendment between Whatcom County Flood Control Zone District and Watershed Science & Engineering to develop final designs, bid-ready plans and specifications, assist in bid preparation and provide construction support for the preferred option identified in the High Creek Management Plan, in the amount of \$38,416, for a total amended contract amount of \$192,720 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-359)
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7. Request authorization for the County Executive to enter into a seven year interlocal agreement between Whatcom County, the City of Bellingham, and Fire Protection District #7 for Advanced Life Support (ALS) services, in the amount of \$8,010,789 for 2017, \$8,251,116 for 2018, with a consumer price inflation adjuster increase not to be less than 2.5% for subsequent years (AB2017-386)
Pages 57 - 94

Council "Consent Agenda" Items

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Pages 95 - 110

2. Request authorization for the County Executive to enter into a contract between Whatcom County and Mount Baker Foothills Chamber of Commerce in support of operations as recommended by the Lodging Tax Advisory Committee, in the amount of \$100,000 (AB2017-362)
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Pages 130 - 149
4. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Northwest Educational Service District 189 to support their participation in planning and implementing regional youth marijuana prevention strategies and activities, in the amount of \$15,000 (AB2017-364)
Pages 150 - 159
5. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and San Juan County to support their participation in planning and implementing regional youth marijuana prevention strategies and activities, in the amount of \$15,555 (AB2017-365)
Pages 160 - 168
6. Request authorization for the County Executive to enter into a contract between Whatcom County and Marvin Wayne, M.D., P.S., for Medical Program Director services for the Countywide EMS System as defined in the Washington State Medical Program Director Handbook, in the amount of \$105,000 (AB2017-366)
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7. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Office of Public Defense to receive funding to cover two attorney positions in the Whatcom County Public Defender's Office, in the amount of \$194,550, and authorize cost sharing in the amount of \$33,000 (AB2017-367)
Pages 184 - 192
8. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Transportation to obligate federal funds for contract construction, consultant and agency construction engineering support, material testing, and construction inspection for the Hannegan Road/Ten Mile Creek Bridge No. 236 Replacement project, in the amount of \$1,435,045, for a total amended contract amount of \$1,565,045 (AB2017-368)
Pages 193 - 197
9. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Transportation to obligate federal funds for construction of the Roberts Road/Anderson Creek Bridge No. 249 Replacement Project, in the amount of \$1,777,495, for a total amended contract amount of \$1,947,945 (AB2017-369)
Pages 198 - 202
10. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Skagit County to provide funding for the Skagit County Health Department to support their participation in planning and implementing regional youth marijuana prevention strategies and activities, in the amount of \$20,550 (AB2017-370)
Pages 203 - 212

11. Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Snohomish County to provide funding for Snohomish Health District to support their participation in planning and implementing regional youth marijuana prevention strategies and activities, in the amount of \$52,185 (AB2017-371)
Pages 213 - 222
12. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide referral and connection to services for families and professionals seeking resources for children and youth ages 3-21 with suspected developmental disabilities and delays, in the amount of \$77,939, for a total amended contract amount of \$144,939 (AB2017-372)
Pages 223 - 228
13. Request authorization for the County Executive to enter into a contract between Whatcom County and the City of Bellingham to provide funding for ongoing maintenance and operations of the Crisis Triage Facility located at 2030 Division Street, in the amount of \$59,000 (AB2017-373)
Pages 229 - 237
14. Request authorization for the County Executive to enter into a contract between Whatcom County and CDW Government LLC pursuant to the State of Washington Master Contract No. 06016 for the renewal of the 3-Year Microsoft Enterprise Agreement, in the amount of \$168,879.35 per year (AB2017-374)
Pages 238 - 258
15. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Whatcom Family & Community Network to provide funding to deliver prevention strategies that will reduce risk factors for substance abuse and other problem behaviors in the Mt. Baker School District geographic area, in the amount of \$129,250, for a total amended contract amount of \$163,000 (AB2017-375)
Pages 259 - 270
16. Request approval for the County Executive to award bid #17-69 and enter into a contract with bidder Dimensional Communications to complete the Council Chambers audio video system upgrades, in the amount of \$54,996.77 (AB2017-376)
Pages 271 - 273
17. Request authorization for the County Executive to enter into an interlocal cooperative purchasing agreement between Whatcom County and King County to utilize King County's competitively bid supplies, goods, services and equipment per RCW Chapter 39.34, Interlocal Cooperation Act (AB2017-377)
Pages 274 - 277
18. Request approval for the County Executive to award bid #17-71 for the supply of two mini excavators to the lowest bidder, Pape' Machinery, in the amount of \$167,307 (AB2017-378)
Pages 278 - 282
19. Request approval for the County Executive to authorize the purchase of two tilt bed trailers from vendor Pape' Machinery, using Washington State Contract #00816, in the amount of \$71,966.64 (AB2017-379)
Pages 283 - 287
20. Request approval for the County Executive to authorize the purchase of 25 replacement tasers and related accessories from vendor Axon Enterprise, using Washington State Contract #02315, in the amount of \$40,590.67 (AB2017-380)
Pages 288 - 289

21. Request approval for the County Executive to authorize the purchase of four truck-mounted snow plows from vendor Northend Truck Equipment, using Washington State Contract #12304, in the amount of \$27,928.03 (AB2017-381)
Pages 290 - 292
22. Request approval for the County Executive to authorize the purchase of a 2WD crew cab pickup truck from vendor Columbia Ford, using Washington State Contract #05916, in the amount of \$36,457.09 (AB2017-382)
Pages 293 - 295
23. Request authorization for the County Executive to enter into a contract between Whatcom County and KEPRO for employee assistance program services for Whatcom County's employees and families, in the amount of \$2.45 per employee per month for years 2018 through 2020 (AB2017-383)
Pages 296 - 320
24. Request authorization for the County Executive to accept Sun Life Stop Loss Policy for insurance protection for the self-insured medical program for 2018 (AB2017-384)
Pages 321 - 323
25. Request approval for the County Executive to enter in to an agreement between Whatcom County and the Whatcom County Deputy Sheriff's Guild for the period of December 5, 2017, through December 31, 2019 (AB2017-385)
Pages 324 - 379

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE

Members: Barbara Brenner, Todd Donovan, Ken Mann

1:30 p.m. Tuesday, December 5, 2017

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Health Department staff to provide an update on community feedback and proposed recommendations to improve solid waste management service delivery in Point Roberts (AB2017-387)
Pages 380 - 384

Other Business

SPECIAL COMMITTEE OF THE WHOLE

2:15 p.m. Tuesday, December 5, 2017

Council Chambers, 311 Grand Avenue

Special Presentation

1. Presentation of Final Phase III Report of the Incarceration Prevention and Reduction Task Force (AB2017-202A)
Pages 385 - 506

Committee Discussion and Recommendation to Council

1. Discussion regarding resignation of Councilmember Todd Donovan from his current position on the Whatcom County Council (effective January 8, 2018) and the process/timeline for filling the vacant position (AB2017-389)
Pages 507 - 509

Committee Discussion

1. Discussion with Chief Civil Deputy Prosecutor Daniel Gibson regarding specific amendments that were incorporated into the Whatcom County Charter in 2015 (AB2017-390)
Page 510

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, December 5, 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 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 (second amendment) Ordinance 2016-049, Whatcom County's 2017 Unified Fee Schedule (AB2017-347)
Pages 511 - 517
2. Ordinance adopting a secure medicine return regulation (AB2017-348)
Pages 518 - 544
3. Ordinance repealing Whatcom County Code 3.26, Solid Waste Disposal District Tax, in its entirety (AB2017-349)
Pages 545 - 556
4. Ordinance authorizing the levy of taxes for countywide emergency medical purposes for 2018 (AB2017-358)
Pages 557 - 558
5. 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 559 - 560
6. 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 561 - 581
7. Ordinance establishing the Lake Whatcom Stormwater Utility District (AB2017-251C)
Pages 582 - 594
8. 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 595 - 786

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)

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OTHER ITEMS

(From Finance and Administrative Services Committee)

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(From Special Committee of the Whole)

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Pages 507 - 509

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 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 the Lummi Island Ferry Advisory Committee, county resident not living or owning property on Lummi Island, partial term ending January 31, 2019, applicant: Scott Aspmann (committee provides review and recommendations to the County Council and Executive on issues that affect the ongoing operations and infrastructure of the ferry service) (AB2017-334)
Pages 787 - 791

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7 p.m. on January 16, 2018, in the County Council Chambers, 311 Grand Avenue.

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

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WHATCOM COUNTY COUNCIL

AGENDA REVISION NOTICE
FOR DECEMBER 5, 2017
(DISTRIBUTED AT 2:30 P.M. ON DECEMBER 4)

THE FOLLOWING ITEMS HAVE BEEN MOVED FROM FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE TO SPECIAL COMMITTEE OF THE WHOLE:

FROM FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Committee Discussion and Recommendations to Council

3. Ordinance establishing Whatcom County Code 2.126, Climate Impact Advisory Committee (AB2017-351)
Pages 22 - 26
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TO SPECIAL COMMITTEE OF THE WHOLE

Committee Discussion and Recommendation to Council

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Pages 22 - 26
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Pages 27 - 38
-

THE FOLLOWING ITEM HAS BEEN ADDED TO SPECIAL COMMITTEE OF THE WHOLE:

Committee Discussion

2. Review of previously approved contract amendment between Whatcom County and Cascadia Law Group PLLC (AB2017-301)

CLERK OF THE COUNCIL
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WHATCOM COUNTY COUNCIL

**SECOND AGENDA REVISION NOTICE
FOR DECEMBER 5, 2017**

(DISTRIBUTED AT 10:30 A.M. ON DECEMBER 5)

THE FOLLOWING ITEMS HAVE BEEN REMOVED FROM FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE AND COUNCIL:

Council "Consent Agenda" Items

18. Request approval for the County Executive to award bid #17-71 for the supply of two mini excavators to the lowest bidder, Pape' Machinery, in the amount of \$167,307 (AB2017-378)
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