

COUNCIL AGENDA FOR MARCH 3, 2015

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 ARE BROADCAST ON BTV10,
COMCAST CHANNEL 10, AT 7:00 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
COUNCIL OFFICE EMAIL POLICY
CURRENT COUNCIL AGENDA
CURRENT COUNCIL PACKET
PUBLIC NOTICES
1979 - 2015 ORDINANCES
1979 - 2015 RESOLUTIONS
1984 - 2015 COMMITTEE MINUTES
1979 - 2015 COUNCIL MINUTES

UPCOMING MEETINGS AND EVENTS:

MARCH 10, 2015

3:00 P.M. – CITY/COUNTY ELECTED OFFICIALS MEETING
(GROWTH MANAGEMENT COORDINATION)
WHATCOM EDUCATIONAL CREDIT UNION
5659 BARRETT ROAD, FERNDALE

MARCH 16, 2015

2:30 P.M. - LAKE WHATCOM POLICY GROUP
FIREPLACE ROOM, 625 HALLECK STREET

MARCH 17, 2015

REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

MARCH 24, 2015

10:30 A.M. - SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

COUNCIL COMMITTEE SCHEDULES

COUNCIL NATURAL RESOURCES COMMITTEE

Members: Rud Browne, Barry Buchanan, Carl Weimer

9:30 a.m. Tuesday, March 3, 2015

Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Resolution providing guidance to the Water Resource Inventory Area 1 (WRIA 1) Planning Unit (AB2015-081)
Pages 1 - 5

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

Members: Rud Browne, Barry Buchanan, Ken Mann

11 a.m. Tuesday, March 3, 2015

Council Chambers, 311 Grand Avenue

Executive Reports

Committee Discussion

1. Discussion of proposed ordinance amending Whatcom County Code Chapter 2.02 to revise Council meeting rules (AB2015-082)
Pages 6 - 10

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2015 Whatcom County Budget, second request, in the amount of \$2,364,947 (AB2015-067)
Pages 11 - 38
2. Ordinance (Amendment No. 1) amending Ordinance 2013-060 establishing the State Street building acquisition and improvement fund and related capital budget appropriation (AB2015-068)
Pages 39 - 42

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into an Economic Development Investment Program interlocal loan and grant agreement between Whatcom County and the Port of Bellingham for the C Street Terminal Infrastructure Rehabilitation Project, in the amount of \$2,000,000 loan and \$1,000,000 grant (AB2015-083)
Pages 43 - 65
2. Request authorization for the County Executive to approve the purchase of a replacement front loader, using the Washington State Contract, in the amount of \$147,978.70 (AB2015-084)
Pages 66 - 68

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Rud Browne, Ken Mann

3 p.m. Tuesday, March 3, 2015

Council Chambers, 311 Grand Avenue

Committee Discussion

1. Resolution initiating proposed Whatcom County Comprehensive Plan and Zoning Ordinance amendments (AB2015-085)
Pages 69 - 169

Other Business

COUNCIL COMMITTEE OF THE WHOLE
6 p.m. Tuesday, March 3, 2015
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Chief Civil Deputy Prosecutor Daniel Gibson regarding legal issues related to proposed Lake Whatcom TMDL (total maximum daily load) (AB2014-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
No Paper
2. Discussion with Senior Civil Deputy Prosecutor Karen Frakes regarding Court of Appeals Case No. 70796-5-I, Whatcom County v. Eric Hirst, et al (AB2015-018)
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]
No Paper

Other Business

COUNCIL AGENDA

REGULAR COUNCIL MEETING

7 p.m. Tuesday, March 3, 2015

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.

SPECIAL ORDER OF BUSINESS

1. Public statements of qualifications and desires by applicants for the open District 2 position on the Whatcom County Council (AB2015-071)
Pages 170 - 185

MINUTES CONSENT

1. Special Committee of the Whole for October 23, 2014
Pages 186 - 204
2. Special Committee of the Whole for October 27, 2014
Pages 205 - 224
3. Surface Water Work Session for November 18, 2014
Pages 225 - 230
4. Committee of the Whole for January 13, 2015
Pages 231 - 236
5. Regular County Council for January 13, 2015
Pages 237 - 246
6. Committee of the Whole for January 27, 2015
Pages 247 - 248
7. Regular County Council for January 27, 2015
Pages 249 - 266

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 Title 20 and the Comprehensive Plan regarding surface mine permitting, the mineral resource lands designation process, and mineral resource lands designation criteria (AB2014-344)
(Recommended motion: Forward for concurrent review with other Comprehensive Plan amendment proposals – scheduled later this evening)
Pages 267 - 321
2. Ordinance amending Whatcom County Health Code WCC 24.13, Decontamination of Illegal Drug Manufacturing or Storage Sites (AB2015-069)
Pages 322 - 333

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 authorization for the County Executive to enter into an Economic Development Investment Program interlocal loan and grant agreement between Whatcom County and the Port of Bellingham for the C Street Terminal Infrastructure Rehabilitation Project, in the amount of \$2,000,000 loan and \$1,000,000 grant (AB2015-083)
Pages 43 - 65
2. Request authorization for the County Executive to approve the purchase of a replacement front loader, using the Washington State Contract, in the amount of \$147,978.70 (AB2015-084)
Pages 66 - 68

OTHER ITEMS

(From Natural Resources Committee)

1. Resolution providing guidance to the Water Resource Inventory Area 1 (WRIA 1) Planning Unit (AB2015-081)
Pages 1 - 5

(From Finance and Administrative Services Committee)

2. Ordinance amending the 2015 Whatcom County Budget, second request, in the amount of \$2,364,947 (AB2015-067)
Pages 11 - 38
3. Ordinance (Amendment No. 1) amending Ordinance 2013-060 establishing the State Street building acquisition and improvement fund and related capital budget appropriation (AB2015-068)
Pages 39 - 42

(From Planning and Development Committee)

4. Resolution initiating proposed Whatcom County Comprehensive Plan and Zoning Ordinance amendments (AB2015-085)
Pages 69 - 169

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.060 and 100.02.080, applications for council-appointed and Flood Control Zone District 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 a vacancy on the Surface Mining Advisory Committee, surface mining material user representative, applicant: Kyle Strengtholt (AB2015-044A)
Pages 334 - 337

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 reappointment of Richard Yoder to the Whatcom County Agricultural Advisory Committee (AB2015-086)
Pages 338 - 339

APPROVAL OF COMPREHENSIVE PLAN AMENDMENTS

These items have been reviewed by Council and are ready to be considered concurrently so the cumulative effect of the proposals can be evaluated. Each ordinance will be voted on separately, followed by a vote to approve the ordinances as a group.

1. Ordinance repealing the 1994 Eliza Island Plan and amending provisions in the Whatcom County Comprehensive Plan and Zoning Code relating to the plan (AB2014-196) (**forwarded June 3, 2014**)
Pages 340 - 397

2. Ordinance repealing the 1991 South Fork Valley Subarea Plan and amending provisions in the Whatcom County Comprehensive Plan relating to subarea plans (AB2014-197) **(forwarded June 3, 2014)**
Pages 398 - 487
3. Ordinance repealing the 1982 Lake Whatcom Subarea Plan and amending provisions in the Whatcom County Comprehensive Plan relating to subarea plans (AB2014-198) **(forwarded June 3, 2014)**
Pages 488 - 561
4. Ordinance amending Whatcom County Code Title 20 and the Comprehensive Plan regarding surface mine permitting, the mineral resource lands designation process, and mineral resource lands designation criteria (AB2014-344) **(forwarded this evening)**
Pages 267 - 321

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 Hearing Examiner decision filed by Julie Carney and Michael Reid regarding Lincoln Park Retirement Home Center, CUP2009-0021, LSS 2010-0002 (AB2015-070) **(proposed schedule to be announced)**
No Paper
2. Receipt of an appeal of a Hearing Examiner decision filed by Ken and Charmae Scheffer regarding "Rover Stay Over", APL2014-0007, APL 2014-0008, APL 2014-0009 (AB2015-080) **(proposed schedule to be announced)**
No Paper
3. Receipt of application for the Solid Waste Advisory Committee-Waste Collection Industry Representative, applicant: Troy Lautenbach (AB2015-079) (application deadline for any other applicants to this vacancy is 10 a.m. on March 10, 2015) **(proposed schedule – March 17 Council)**
Pages 562 - 563
4. Resolution regarding Community Development Block Grant funding report and new application (AB2015-087) **(proposed schedule – March 17 public hearing)**
Pages 564 - 575

COMMITTEE REPORTS AND OTHER ITEMS

COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7:00 p.m. Tuesday, March 17, 2015, in the Council Chambers, 311 Grand Avenue.