COUNCIL AGENDA
FOR MARCH 31, 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/268/COUNTY-COUNCIL 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:

APRIL 13, 2015
2:30 P.M. - LAKE WHATCOM POLICY GROUP
FIREPLACE ROOM, 625 HALLECK STREET

APRIL 14, 2015
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

APRIL 21, 2015
10:30 A.M. - SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

APRIL 22, 2015
6:30 P.M. - JOINT LAKE WHATCOM COUNCIL/COMMISSIONERS MEETING
BELLINGHAM CITY COUNCIL CHAMBERS, 210 LOTTIE STREET

APRIL 28, 2015
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE
COUNCIL COMMITTEE SCHEDULES

SPECIAL COMMITTEE OF THE WHOLE
9:30 a.m. Tuesday, March 31, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion and Possible Action

1. Appointments to fill vacant positions on the Council’s Finance and Administrative Services Committee and Natural Resources Committee, and appointment of a Council representative to serve on the Bellingham International Airport Advisory Committee and the Emergency Medical Services Oversight Board (AB2015-021)

Other Business

COUNCIL NATURAL RESOURCES COMMITTEE
Members: Barry Buchanan, Carl Weimer
9:40 a.m. Tuesday, March 31, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion

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) (ordinance scheduled for introduction this evening)

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Barry Buchanan
11 a.m. Tuesday, March 31, 2015
Council Chambers, 311 Grand Avenue

Executive Reports

Committee Discussion

1. Discussion regarding mental health services in Whatcom County and the impact on criminal justice (AB2015-123)

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2015 Whatcom County Budget, third request, in the amount of $304,500 (AB2015-098)

2. Resolution approving the 2015 Whatcom County Economic Development Strategy (CEDS) and amended appendix (AB2015-103)

3. Resolution amending Resolution No. 2015-067, approving a salary schedule and policies for unrepresented Whatcom County employees, effective January 1, 2015 through December 31, 2016 (AB2015-104)
Committee Discussion and Recommendations to Council
(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

1. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Military Department for state and federal funding for voluntary acquisition of flood-prone residential properties in Marietta and the removal of all associated structures, in the amount of $379,750 (AB2015-107)
Pages 187 - 227

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a contract between Whatcom County and Helion Software, Inc., for the acquisition, implementation, and maintenance of a replacement document recording and imaging system for the Auditor's Office, in the amount of $78,500 (AB2015-105)
Pages 228 - 312

2. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Foster Pepper PLLC to provide legal services related to the Lake Whatcom TMDL (total maximum daily load), in the amount of $9,622, for a total amended contract in the amount of $39,122 (AB2015-106)
Pages 313 - 318

3. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Geotest Services, Inc., for a change in scope to add construction field inspection services to the material testing and geotechnical services contract (AB2015-108)
Pages 319 - 330

4. Request authorization for the County Executive to award Bid #15-06 to the lowest bidder, WRS, and enter into a contract for 2015 hot mix asphalt prelevel at various locations, in the amount of $1,304,681.14 (AB2015-109)
Pages 331 - 345

5. Request authorization for the County Executive to award Bid #15-08 to the lowest bidder, McAsphalt Industries, and to enter into a contract for the purchase of asphaltic emulsions for the County’s chip sealing program, in the amount of $1,120,000 (AB2015-110)
Pages 346 - 348

6. Request authorization for the County Executive to award Bid #15-14 for the purchase of two 1-ton cab and chassis trucks with 2-3 yard dump body to the lowest bidder, Legacy Ford, in the amount of $80,941.75 (AB2015-111)
Pages 349 - 352

7. Request authorization for the County Executive to award Bid #15-15 for the supply of twelve ½-ton extended cab four-wheel drive pickups to the lowest bidder, Blade Chevrolet, in the amount of $353,479.98 (AB2015-112)
Pages 353 - 356

8. Request authorization for the County Executive to approve the purchase of an additional vactor truck, using the Washington State contract, in the amount of $467,217.69 (AB2015-113)
Pages 357 - 359

9. Request authorization for the County Executive to approve the purchase of light bars and accessories, using the Oregon State bid procurement list from vendor McLoughlin & Eardley Corporation, in an amount up to $100,000 (AB2015-114)
Pages 360 - 362

Other Business
PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
Members: Barbara Brenner, Pete Kremen, Ken Mann
1:30 p.m. Tuesday, March 31, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Resolution to consider vacating a portion of Delta Line Road (AB2015-115)
   Pages 363 - 393

Other Business

PLANNING AND DEVELOPMENT COMMITTEE
Members: Barbara Brenner, Rud Browne, Ken Mann
3 p.m. Tuesday, March 31, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Briefing on proposed ordinance establishing Whatcom County Code Title 19, Code Enforcement (AB2015-116)
   Pages 394 - 403

Committee Discussion and Recommendation to Council

1. Approval of an extension request filed by Brad Swanson for Mayflower Equities, Inc. – Monterey Heights (AB2015-122)
   Pages 404 - 406

Other Business

COUNCIL COMMITTEE OF THE WHOLE
6 p.m. Tuesday, March 31, 2015
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Senior Deputy Prosecutor Elizabeth Gallery regarding pending litigation, Ventres v. Whatcom County Jail (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

SPECIAL COMMITTEE OF THE WHOLE
6:15 p.m., March 31, 2015
Council Chambers, 311 Grand Avenue

Special Presentation

1. County Executive Jack Louws to present progress and developments of the New Jail Project (AB2015-047)
   Pages 407 - 409

Other Business
COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, March 31, 2015
Council Chambers, 311 Grand Avenue

CALL TO ORDER
ROLL CALL
FLAG SALUTE
ANNOUNCEMENTS

If you will be handing out paperwork to council members, please give one copy to the clerk for our office files. Thank you.

SPECIAL PRESENTATION
1. Sheriff’s Office to present Distinguished Citizenship Award to Mr. Gary Spurling (AB2015-017)
   No Paper
2. Behavioral Health Revenue Advisory Committee 2015 1st quarterly report to County Council
   (AB2015-117)
   410 - 413

MINUTES CONSENT
1. Board of Health for February 3, 2015
   Pages 414 - 420
2. Regular County Council for February 10, 2015
   Pages 421 - 429
3. Committee of the Whole for March 3, 2015
   Pages 430 - 431
   Pages 432 - 443
5. Regular County Council for March 17, 2015
   Pages 444 - 450

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 allowing marijuana production, processing and retailing as authorized by Washington State Initiative 502 (AB2015-099)
   Pages 451 - 487
2. Resolution authorizing the sale of county tax title property by negotiation - Request No. 2015-01 (AB2015-091A)
   Pages 488 - 491
3. Resolution authorizing the sale of county tax title property by negotiation - Request No. 2015-02 (AB2015-092A)
   Pages 492 - 495

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 a contract between Whatcom County and Helion Software, Inc., for the acquisition, implementation, and maintenance of a replacement document recording and imaging system for the Auditor’s Office, in the amount of $78,500 (AB2015-105)
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   Pages 357 - 359

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   Pages 360 - 362

OTHER ITEMS
(From Finance and Administrative Services Committee)

1. Ordinance amending the 2015 Whatcom County Budget, third request, in the amount of $304,500 (AB2015-098)
   Pages 58 - 73
2. Resolution approving the 2015 Whatcom County Economic Development Strategy (CEDS) and amended appendix (AB2015-103)
   Pages 74 - 177

3. Resolution amending Resolution No. 2015-067, approving a salary schedule and policies for unrepresented Whatcom County employees, effective January 1, 2015 through December 31, 2016 (AB2015-104)
   Pages 178 - 186

4. Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Military Department for state and federal funding for voluntary acquisition of flood-prone residential properties in Marietta and the removal of all associated structures, in the amount of $379,750 (AB2015-107) (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
   Pages 187 - 227

(From Public Works, Health, and Safety Committee)

5. Resolution to consider vacating a portion of Delta Line Road (AB2015-115)
   Pages 363 - 393

(From Planning and Development Committee)

6. Approval of an extension request filed by Brad Swanson for Mayflower Equities, Inc. – Monterey Heights (AB2015-122)
   Pages 404 - 406

(No Committee Assignment)

7. Request confirmation of Executive’s appointment of Jon Hutchings for Public Works Director pursuant to Whatcom County Charter Section 3.23, effective April 27, 2015 (AB2015-102)
   Page 496

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 10:00 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 Sumas/Everson/Nooksack Flood Subzone, applicant: Chuck Gelwicks (AB2015-089) (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
   Pages 497 - 498

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 Title 20 and the Comprehensive Plan regarding surface mine permitting, the Mineral Resource Lands designation process and Mineral Resource Lands designation criteria (AB2014-344) (proposed schedule – April 14 public hearing)
   Pages 2 - 56

2. Ordinance authorizing amendment No. 2 to Ordinance 2014-11, establishing the Dakota Creek Bridge No. 500 project fund and budget (AB2015-120) (proposed schedule – April 14 Finance and Administrative Services Committee and Council)
   Pages 499 - 502

3. Ordinance authorizing amendment No. 1 to Ordinance No. 2014-012, establishing the Slater Road intersections, Imhoff Road and Ferndale Road, CRP No. 910003 project budget (AB2015-121) (proposed schedule – April 14 Finance and Administrative Services Committee and Council)
   Pages 503 - 506
4. Ordinance granting Sound Internet Services, Inc., a non-exclusive franchise for the provision of telecommunications services (AB2014-201A) *(proposed schedule – to be announced)*
   Pages 507 - 523

5. Ordinance establishing parking restriction on Bennett Drive (AB2015-118) *(proposed schedule – April 14 public hearing)*
   Pages 524 - 527

6. Ordinance amending Whatcom County Code 3.08, Purchasing System (AB2015-042A) *(proposed schedule – April 14 Finance and Administrative Services Committee and Council)*
   Pages 528 - 532

7. Ordinance amending the 2015 Whatcom County Budget, fourth request, in the amount of $1,444,000 (AB2015-119) *(proposed schedule – April 14 Finance and Administrative Services Committee and Council)*
   Pages 533 - 543

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

**ADJOURN**

The next regular council meeting is scheduled for 7:00 p.m. Tuesday, April 14, 2015, in the Council Chambers, 311 Grand Avenue.