COUNCIL AGENDA
FOR APRIL 28, 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:

MAY 5, 2015
HEALTH BOARD MEETING
10:30 A.M., COUNCIL CHAMBERS, 311 GRAND AVENUE

MAY 11, 2015
2:30 P.M. - LAKE WHATCOM POLICY GROUP
FIREPLACE ROOM, 625 HALLECK STREET

MAY 12, 2015
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

MAY 19, 2015
10:30 A.M. - SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

MAY 25, 2015
HOLIDAY – OFFICE CLOSED
COUNCIL COMMITTEE SCHEDULES

COUNCIL NATURAL RESOURCES COMMITTEE
Members: Barry Buchanan, Satpal Sidhu, Carl Weimer
9:30 a.m. Tuesday, April 28, 2015
Council Chambers, 311 Grand Avenue

Special Presentation

   Pages 1 - 3

Committee Discussion and Recommendations to Council

1. Resolution supporting increased safety standards for oil transport (AB2015-153)
   Pages 4 - 6

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Barry Buchanan, Satpal Sidhu
11 a.m. Tuesday, April 28, 2015
Council Chambers, 311 Grand Avenue

Executive Reports

Whatcom County Business Presentation
The Council’s Finance and Administrative Services Committee will host business presentations throughout the year to gain greater awareness and understanding of a variety of Whatcom County businesses and their impact on our local economy. Presentations will be 10-15 minutes in length and have been scheduled and facilitated with the assistance of the Port of Bellingham Economic Development Division.

1. Presentation by Kevin Menard, Transition Bikes (AB2015-134A)
   Page 7

Committee Discussion

1. Discussion of a project proposal and potential Washington State Community Development Block Grant (CDBG) application from the Opportunity Council (AB2015-138)
   Pages 8 - 18
2. Discussion with Executive Louws and Chief Civil Deputy Prosecutor Daniel Gibson regarding Ordinance No. 2015-011, an ordinance amending Whatcom County Code 3.08, Purchasing System (AB2015-042)
   Pages 19 - 22

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2015 Whatcom County Budget, fifth request, in the amount of $136,500 (AB2015-132)
   Pages 23 - 33

Committee Discussion and Recommendations to Council
(Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

1. Resolution amending the 2015 Whatcom County Flood Control Zone District Budget, first request, in the amount of $80,000 (AB2015-133) (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
2. Request authorization for the County Executive to enter into a lease agreement between Whatcom County Flood Control Zone District and Percy Hoekema, dba Evernook Dairy, for property located at 7435 Emmerson Road, Everson, in the annual amount of $1,015.56 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)  
Pages 39 - 55

3. Request authorization for the County Executive to enter into a contract between Whatcom County and Veda Environmental to provide facilitation services for the WRIA 1 planning unit meetings, in the amount of $30,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)  
Pages 56 - 71

Council "Consent Agenda" Items

1. Request authorization for the County Executive to enter into a grant agreement amendment between Whatcom County and the State of Washington Department of Ecology for solid waste compliance management and littering and illegal dumping enforcement activities, in the amount of $47,247, for a total amendment agreement in the amount of $201,987 (AB2015-141)  
Pages 72 - 78

2. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Bellingham Whatcom Tourism to amend the scope and compensation for implementing a countywide project, in the amount of $50,000, for a total amended contract in the amount of $300,000 (AB2015-142)  
Pages 79 - 88

3. Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Catholic Community Services for housing case management services, in the amount of $38,634, for a total amended contract in the amount of $326,736 (AB2015-143)  
Pages 89 - 95

4. Request authorization for the County Executive to enter into a contract between Whatcom County and Edge Analytical Labs for water quality analytical testing services, in the amount of $67,500 (AB2015-144)  
Pages 96 - 114

5. Request authorization for the County Executive to award Bid #15-05 and enter into a contract for the Central Shop vehicle exhaust system upgrade to the low bidder, Blythe Plumbing & Heating, in the amount of $173,755.16 (AB2015-145)  
Pages 115 - 117

6. Request authorization for the County Executive to award Bid #15-16 for rental rates for maintenance and construction equipment (without operators) to all bidders, with selection from the list based on equipment availability and suitability, with preference to low bidders (AB2015-146)  
Pages 118 - 138

7. Request authorization for the County Executive to approve the purchase of tires, tubes, and service using the Washington State contract from various local vendors on an as needed basis, total annual expenditures could be up to $80,000 (AB2015-147)  
Pages 139 - 141

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
Members: Barbara Brenner, Pete Kremen, Ken Mann
1:30 p.m. Tuesday, April 28, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Independent Lummi Island Citizens Committee to present information on the Lummi Island Ferry system (AB2015-156)  
Page 142

2. Presentation on restorative justice (AB2015-157)
Committee Discussion and Recommendation to Council

1. Resolution to dedicate the new Potter Road South Fork Nooksack River Bridge No. 148; CRP No. 998027 (AB2015-148)
   Pages 145 - 148

Committee Discussion

1. Project update on the Birch Bay Drive and Pedestrian Facility Project (AB2015-066A)
   Pages 149 - 151

Other Business

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PLANNING AND DEVELOPMENT COMMITTEE
Members: Barbara Brenner, Rud Browne, Ken Mann
3 p.m. Tuesday, April 28, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion on the draft Public Participation Plan for Whatcom County Comprehensive Plan and Development Regulation Amendments (AB2015-149)
   Pages 152 - 178

2. Discussion of a proposed ordinance amending Whatcom County Code Title 20 to allow vacation rental units as an accessory use (ordinance tentatively scheduled for introduction this evening) (AB2015-072A)
   Pages 179 - 296

Other Business

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SPECIAL COMMITTEE OF THE WHOLE
4 p.m. Tuesday, April 28, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Executive Louws to update Council on the New Jail Project (AB2015-047F)
   Page 297

Other Business

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COUNCIL COMMITTEE OF THE WHOLE
6:30 p.m. Tuesday, April 28, 2015
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Discussion with Chief Civil Deputy Prosecutor Daniel Gibson regarding two cases of pending litigation (Ruth vs. Whatcom County; Becker vs. Whatcom County) (AB2015-018)
   [Discussion of these items 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, April 28, 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.

CITIZEN BOARD AND COMMITTEE VACANCIES
Each agenda features at least one council-appointed citizen board, commission, or committee that currently has unfilled positions. Council encourages qualified Whatcom county registered voters who are interested in participating in county government to submit an application for this or any committee vacancy. For more information or an application, please visit the Council website, or call, email, or visit the Council Office.

Surface Mining Advisory Committee, 2 vacancies, two-year terms
Must be a geologist or represent a potable domestic groundwater supply. For more information or an application, please visit the Council website, or you may call, email, or visit the Council Office. Applications are due in the Council Office by 10 a.m. on Tuesday, May 5, 2015.

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 granting Sound Internet Services, Inc., a non-exclusive franchise for the provision of telecommunication services (AB2014-201A)
   Pages 298 - 314
2. Ordinance establishing parking restriction on Bennett Drive (AB2015-118)
   Pages 315 - 318

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)

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   Pages 118 - 138

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   Pages 139 - 141

OTHER ITEMS

(From Natural Resources Committee)

1. Resolution supporting increased safety standards for oil transport (AB2015-153)  
   Pages 4 - 6

(From Finance and Administrative Services Committee)

2. Ordinance amending the 2015 Whatcom County Budget, fifth request, in the amount of $136,500 (AB2015-132)  
   Pages 23 - 33

(From Finance and Administrative Services Committee - Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

3. Resolution amending the 2015 Whatcom County Flood Control Zone District Budget, first request, in the amount of $80,000 (AB2015-133)  
   (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)  
   Pages 34 - 38

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   (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)  
   Pages 39 - 55

5. Request authorization for the County Executive to enter into a contract between Whatcom County and Veda Environmental to provide facilitation services for the WRIA 1 planning unit meetings, in the amount of $30,000 (AB2015-140)  
   (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)  
   Pages 56 - 71
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   Pages 145 – 148

**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 the Sumas/Everson/Nooksack Flood Subzone, applicants: Jerry Juergens, Larry Mades, and Thomas Swartwood (AB2015-089) *(Council Acting as the Flood Control Zone District Board of Supervisors)*  
   Pages 319 - 322

**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 concurrent reappointment of Barbara Plaskett, City Appointment, to the Bellingham-Whatcom County Housing Authorities Board of Commissioners (AB2015-150)  
   Pages 323 - 326

2. Request confirmation of the County Executive’s appointment of Zacchareli Frescobaldi-Grimaldi to the American’s with Disabilities Act (ADA) Compliance Committee (AB2015-151)  
   Pages 327 - 328

**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 to the Surface Mining Advisory Committee, geologist position, applicant(s): Lynni Bennett (AB2015-136) (application deadline for any other applicants to this vacancy is 10 a.m. on May 5, 2015) *(proposed schedule – May 12 Council)*  
   Pages 329 - 330

2. Resolution approving an agreement for sale of a license to provide legal property access over County-owned land (AB2015-152) *(proposed schedule – May 12 public hearing)*  
   Pages 331 - 345

3. Ordinance amending Whatcom County Code Title 20 to allow vacation rental units as an accessory use (AB2015-072A) *(proposed schedule to be announced)*  
   Pages 179 - 296

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

**ADJOURN**
The next regular council meeting is scheduled for 7:00 p.m. Tuesday, May 12, 2015, in the Council Chambers, 311 Grand Avenue.