COUNCIL AGENDA
FOR MAY 12, 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 19, 2015
10:30 A.M. - SURFACE WATER WORK SESSION
GARDEN LEVEL CONFERENCE ROOM, 322 N. COMMERCIAL STREET

MAY 25, 2015
HOLIDAY – OFFICE CLOSED

MAY 26, 2015
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

JUNE 9, 2015
2:30 P.M. - LAKE WHATCOM POLICY GROUP
FIREPLACE ROOM, 625 HALLECK STREET

JUNE 16, 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: Barry Buchanan, Satpal Sidhu, Carl Weimer
9:30 a.m. Tuesday, May 12, 2015
Council Chambers, 311 Grand Avenue

Committee Discussion and Recommendation to Council

1. Resolution designating Portage Bay as a Marine Recovery Area (AB2015-166)  
   Pages 1 - 4

Other Business

COUNCIL FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Barry Buchanan, Satpal Sidhu
11 a.m. Tuesday, May 12, 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 Gerald Craft, McNett Corporation (AB2015-134B)  
   Page 5

Special Presentation

1. Recreation Northwest to present findings of the Economic Impact of Outdoor Recreation to Whatcom County Study (AB2015-159)  
   Pages 6 - 9

Committee Discussion

1. Discussion of a proposed resolution approving the jail facility use interlocal agreement between Whatcom County and the cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas and including a commitment to enhance mental health and substance addiction programs to reduce jail population and recidivism including the establishment of a Criminal Justice Diversion Task Force (AB2015-047G)  
   Pages 10 - 39

2. Discussion of a proposed resolution providing for submission to the qualified voters of the county a proposition authorizing a local sales and use tax of two-tenths of one percent for the purpose of providing funds for costs associated with financing, designing, acquiring, constructing, equipping, operating, maintaining, remodeling, repairing, re-equipping, and improvement of jail facilities and other public safety purposes (AB2015-047H)  
   Pages 40 - 45

Committee Discussion and Recommendation to Council

1. Request approval of an interlocal agreement between the City of Bellingham and Whatcom County for the division of Emergency Management Services (EMS) assets and liabilities (AB2015-160)  
   Pages 46 - 58
Council "Consent Agenda" Items

1. Request approval for the County Executive to award the bid and enter into a contract with single source bidder, the Bellingham Herald, for official printing services (AB2015-161)  
   Pages 59 - 72

2. Request approval for the County Executive to enter in to a contract for consultant services between Whatcom County and Covenant Consultants, Inc., for the research and valuation defense of the recent property appraisal appeals by BP Oil Refinery, in the amount of $41,500 (AB2015-130A)  
   Pages 73 - 83

Other Business

PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE  
Members: Barbara Brenner, Pete Kremen, Ken Mann  
1:30 p.m. Tuesday, May 12, 2015  
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion of a proposed resolution establishing a Whatcom County Criminal Justice Diversion Task Force intended to provide recommendations, oversight, and specific timeframes on the construction and operation of a new or expanded multi-purpose crisis triage facility to assist with jail and hospital diversion, and new development or enhancement of programs designed along a continuum that effectively reduce criminal justice involvement for individuals struggling with mental illness and chemical dependency (AB2015-047I)  
   Pages 84 - 90

Other Business

PLANNING AND DEVELOPMENT COMMITTEE  
Members: Barbara Brenner, Rud Browne, Ken Mann  
3 p.m. Tuesday, May 12, 2015  
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion of a proposed ordinance amending Whatcom County Code Title 20 to allow vacation rental units as an accessory use (AB2015-072A)  
   Pages 91 - 94

Other Business

COUNCIL COMMITTEE OF THE WHOLE  
6:15 p.m. Tuesday, May 12, 2015  
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Update on Lake Whatcom TMDL (total maximum daily load) Dispute Resolution (AB2015-018)  
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]  
   Page 95

2. Discussion regarding qualifications of applicants – Legislative Analyst position (AB2015-018)  
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (g)]  
   No Paper
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1) (i)]
   
   No Paper

4. Consideration of an appeal of the Hearing Examiner’s decision on file # CUP2009-0021 & LSS2010-0002, filed by Julie Carney and Michael Reid regarding the Lincoln Park Retirement Home Center (AB2014-070)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1) (i)]
   
   No Paper

Other Business
COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, May 12, 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.

Planning Commission, District 3 (1 vacancy, partial term expires January 31, 2018)
The Planning Commission assists the Planning & Development Services Department in carrying out its duties, including assistance in the preparation and execution of the Comprehensive Plan and recommendations to the department for adoption of official controls and/or amendments. The Commission conducts hearings as required under RCW 36.70, and makes findings and conclusions that are transmitted to the Planning and Development Services Department and County Council. The Planning Commission meets on the second and fourth Thursday of every month in the evenings. This is a Council-appointed position.

SPECIAL PRESENTATIONS

1. Executive Louws to present the 2015 State of the County speech (AB2015-162)  
   Page 96

2. Whatcom County Sheriff Bill Elfo to read a proclamation recognizing Police Week (May 11-15) and Corrections Week (May 4-10) (AB2015-017)  
   Page 97

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 an agreement for sale of a license to provide legal property access over County-owned land (AB2015-152)  
   Pages 98 - 112

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 approval for the County Executive to award the bid and enter into a contract with single source bidder, the Bellingham Herald, for official printing services (AB2015-161)
   Pages 59 - 72

2. Request approval for the County Executive to enter in to a contract for consultant services between Whatcom County and Covenant Consultants, Inc., for the research and valuation defense of the recent property appraisal appeals by BP Oil Refinery, in the amount of $41,500 (AB2015-130A)
   Pages 73 - 83

OTHER ITEMS

(From Natural Resources Committee)

1. Resolution designating Portage Bay as a Marine Recovery Area (AB2015-166)
   Pages 1 - 4

(From Finance and Administrative Services Committee)

2. Request approval of an interlocal agreement between the City of Bellingham and Whatcom County for the division of Emergency Management Services (EMS) assets and liabilities (AB2015-160)
   Pages 46 - 58

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 Surface Mining Advisory Committee, geologist position, applicant(s): Lynni Bennett (AB2015-136)
   Pages 113 - 114

2. Appointment of Flood Control Zone District Advisory Committee (FCZDAC) alternate Michael Schoneveld to the FCZDAC, geographic representative (AB2015-155) (Council Acting as the Whatcom County Flood Control Zone District Board of Supervisors)
   Pages 115 - 117

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 the 2015 Whatcom County Budget, sixth request, in the amount of $35,783 (AB2015-163) (proposed schedule – May 26 Finance and Administrative Services Committee and Council)
   Pages 118 – 129

2. Ordinance amending the 2015 Whatcom County Flood Control Zone District Budget, second request, in the amount of $400,000 (AB2015-164) (proposed schedule – May 26 Finance and Administrative Services Committee and Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
   Pages 130 - 135

3. Resolution in support of an application for a Washington Department of Commerce Community Development Block Grant (CDBG) for funds to be used for construction of the additional multi-purpose building at the East Whatcom Regional Resource Center (AB2015-165) (proposed schedule – May 26 public hearing)
   Pages 136 - 145

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN

The next regular council meeting is scheduled for 7:00 p.m. Tuesday, May 26, 2015, in the Council Chambers, 311 Grand Avenue.