



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
Bellingham, WA 98225-4038  
(360) 778-5010

## Agenda Bill Master Report

File Number: AB2019-322

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<b>File ID:</b>	AB2019-322	<b>Version:</b>	1	<b>Status:</b>	Adopted as Amended
<b>File Created:</b>	05/21/2019	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	07/23/2019
<b>Agenda Date:</b>	07/23/2019			<b>Enactment #:</b>	ORD 2019-058

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Primary Contact Email: RBrowne@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance amending Whatcom County Charter Sections 4.20 (Qualifications) and 6.90 (Illegal Contracts)

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Ordinance amending Whatcom County Charter Sections 4.20 (Qualifications) and 6.90 (Illegal Contracts) to remove language rendered moot or obsolete by the passage of time, as allowed by Charter Section 8.23 (Amendments by the County Council)

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### HISTORY OF LEGISLATIVE FILE

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Date:	Acting Body:	Action:	Sent To:
06/04/2019	Council	INTRODUCED FOR PUBLIC HEARING	Council
	Notes: Vote: 7-0		
06/18/2019	Council	HELD IN COUNCIL	Council
07/23/2019	Council	ADOPTED AS AMENDED	
	Notes: Vote: 7-0, Ordinance 2019-058		

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**Attachments:** Proposed Ordinance, Agenda Bill Master Report

**ORDINANCE NO. 2019-059**

**AMENDING WHATCOM COUNTY CHARTER SECTIONS  
4.20 (QUALIFICATIONS) AND 6.90 (ILLEGAL CONTRACTS)**

**WHEREAS**, the Whatcom County Charter Section 4.20 currently reads "Each County officer holding an elective office shall be, at the time of his appointment" [Emphasis added]; and

**WHEREAS**, the Whatcom County Charter Section 6.90 currently reads "Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be null and void; and any officer, agent or employee of the County knowingly responsible shall be personally liable to anyone damaged by his action" [Emphasis added]; and

**WHEREAS**, the citizens of Whatcom County overwhelming support equal rights and recognition for women; and

**WHEREAS**, Section 8.23 (Amendments by the County Council) of the County Charter states: "The County Council by unanimous vote of the entire Council may effect amendments to the language of the Charter where the passage of time has rendered language moot or obsolete. Such changes shall be made by ordinance, and have a public hearing".

**NOW, THEREFORE, BE IT RESOLVED**, that Section 4.20 and Section 6.90 of the County Charter shall be amended as detailed in the attached Exhibit A; and

**ADOPTED** this 23rd day of July, 2019.

ATTEST

  
Dana Brown-Davis, Clerk of the Council

APPROVED AS TO FORM.

  
Civil Deputy Prosecutor

  
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

Rud Browne, Council Chair

  
WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

Jack Louws, County Executive

Approved      ( ) Denied

Date Signed: July 30, 2019

1 **EXHIBIT A**

2 **Section 4.20 Qualifications.**

3 Each County officer holding an elective office shall be, at the time of his appointment or election  
4 and at all times while holding office, a citizen of the United States and a resident and registered  
5 voter of Whatcom County and councilmembers shall be residents of the districts which they  
6 represent. Any change in the boundaries of the councilmember's district which shall cause that  
7 member to be no longer a resident of the district which that councilmember represents shall not  
8 disqualify that councilmember from holding office during the remainder of the term for which  
9 that councilmember was elected or appointed. (Amended by referendum 1986; Amended by Ord.  
10 2005-075 Exh. A).

11 **Section 6.90 Illegal Contracts.**

12 Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be  
13 null and void; and any officer, agent or employee of the County knowingly responsible shall be  
14 personally liable to anyone damaged by his such action. The County Council when requested to  
15 do so by the County Executive may adopt an ordinance permitting the County to enter into  
16 contracts requiring the payment of funds from appropriations of subsequent budget cycles, but  
17 real property shall not be leased to the County for more than one year, unless it is included in a  
18 capital budget appropriation ordinance. (Amended by ballot measure 1997 [refer to Ord. 97-  
19 042]; Amended by Ord. 2005-075 Exh. A).

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