

# **Whatcom County Council**

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



## **Action Summary**

**VIRTUAL MEETING - VIEW ONLINE; AGENDA REVISED 4.6 AND 4.7**

**Tuesday, April 7, 2020**

**1 PM**

**Virtual Meeting**

### **COUNCILMEMBERS**

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

### ROLL CALL

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas, and Kathy Kershner

**Absent:** None

### ANNOUNCEMENTS

### EXECUTIVE'S REPORT

### OTHER ITEMS

1. [AB2020-116](#) Update on COVID-19

This item was discussed later after AB2020-170. See below.

6. [AB2020-170](#) Resolution proclaiming the week of April 6 - 12 National Public Health Week

#### **APPROVED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

Enactment No: RES 2020-013

1. [AB2020-116](#) Update on COVID-19

#### **DISCUSSED**

The following two motions were approved 7-0:

A motion was approved to the request the Health Department work with the Executive's Office to craft an ordinance based on recommendations (on file) by the Health Department regarding food establishment relief options (using option #3) to bring back to the Council for consideration.

A motion was approved to to request legal counsel to review the Whatcom County Code to find sections about permits that will expire and have penalties incurred in the period of time from the emergency declaration to June 30, 2020 with the goal of extending permits and waiving penalties.

**AB2020-175** Emergency ordinance authorizing an interfund loan to finance cash flow for COVID-19 emergency response

#### **ADOPTED**

**Aye:** 6 - Browne, Buchanan, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 1 - Byrd

**Absent:** 0

Enactment No: ORD 2020-017

**AB2020-174** Emergency ordinance amending the Whatcom County 2020 Budget, Request No. 10, in the amount of \$3,000,000

**ADOPTED**

**Aye:** 6 - Browne, Buchanan, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 1 - Byrd

**Absent:** 0

Enactment No: ORD 2020-018

2. [AB2020-117](#) Discussion of strategies related to COVID-19

**DISCUSSED**

3. [AB2020-157](#) Request authorization for the County Executive to award Bid #20-15 and enter into a contract between Whatcom County and Granite Construction Company, for annual hot mix asphalt Prelevel work on Lummi Reservation in an amount not to exceed \$436,003.05

**WITHDRAWN**

A motion was approved to put the item back out for bid by the following vote:

Aye: 4 - Elenbaas, Kershner, Browne, Byrd

Nay: 3 - Donovan, Frazey, Buchanan

4. [AB2020-158](#) Request authorization for the County Executive to award Bid #20-16 and enter into a contract between Whatcom County and Granite Construction Company, for hot mix asphalt Prelevel at various locations (non-Lummi Reservation) work in an amount not to exceed \$628,535.00

**WITHDRAWN**

A motion was approved to put the item back out for bid by the following vote:

Aye: 5 - Elenbaas, Kershner, Browne, Buchanan, Byrd

Nay: 2 - Frazey, Donovan

5. [AB2020-147](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and the City of Bellingham to remove Yakima County Jail and add Kittitas County Jail as a Correctional Facility utilized by Whatcom County

**AUTHORIZED**

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Frazey, Elenbaas, and Kershner

**Nay:** 0

**Absent:** 0

**INTRODUCTION ITEMS**

1. [AB2020-163](#) Ordinance amending the 2020 Whatcom County Budget, request no. 9, in the amount of \$390,689

**INTRODUCED**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

2. [AB2020-164](#) Ordinance closing the Lighthouse Marine Park Improvement Fund 362

**INTRODUCED**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

3. [AB2020-168](#) Ordinance amending the Whatcom County 2020 Budget, Request No. 10, in the amount of \$3,000,000

**INTRODUCED**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

4. [AB2020-169](#) Ordinance authorizing an interfund loan to finance cash flow for COVID-19 emergency response

**INTRODUCED**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

A motion was approved 7-0 to add AB2020-173 for introduction.

5. [AB2020-173](#) Ordinance establishing a process for information to be disclosed to the Division of Emergency Management, the County Executive, the County Health Board and the

public during a public health emergency

**INTRODUCED**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

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

The following motion carried 7-0:

In compliance with the Governor's Proclamation 20-28, and as determined by the Council Chair, in consultation with legal counsel, I MOVE the Council suspends all meetings, including meetings held remotely, of County boards, commissions, and advisory committees unless:

1. The agenda is necessary to novel coronavirus (Covid-19) response; or
2. The agenda items are routine and necessary as defined by the updated Open Public Meetings Act general guidance from the Office of the Attorney General of March 26, 2020.

This motion WILL REMAIN IN EFFECT during the duration of the proclamation.

If a board, commission, or advisory committee holds a meeting that meets both requirements, the agency should provide public notice on its online agenda of how the public may remotely attend a meeting, listing the details such as call-in phone number and access code, or login instructions.

**ADJOURN**