

Whatcom County Council (Special)

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



Minutes - Draft Minutes

VIRTUAL MEETING - SPECIAL COUNCIL/HEALTH BOARD MEETING

Friday, April 3, 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.

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 1 p.m. on the virtual meeting.

ROLL CALL

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

Absent: None

COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, reported on the following:

- Additional Information provided to Council explaining interfund loans, the process for approval, and what happens once money is placed in a fund.
- Organizational improvements in the Unified Command including being more nimble, and faster and more efficient flow and release of information.
- Instruction given to Department heads about new contracts and spending. The budget planning schedule will go forward as planned.
- Acknowledgement of the Information Technology Department for setting up the technology to allow for virtual work and meetings.
- A tour of Peace Health intensive care units (ICU) which included seeing ICU expansion plans, new ventilators, and how surge demand will be met.
- The main aim to save lives and working together to fill any gaps in current needs.
- A possibility of coordination between the elected bodies of the counties of Whatcom, Snohomish, Skagit, Island, and San Juan for supplies and information. This would also include establishing a communication channel between the incident commanders.
- The message of love and hope is much stronger than fear and despair. We need to work together to overcome deficiencies.

Bill Elfo, Sheriff, gave an update about the Unified Command structure including long staff work hours, an improvement in in-going and out-going communications, coordination with the City of Bellingham and the Lummi Nation and a model being developed to mitigate the pandemic.

Councilmembers spoke about what the Council can do code-wise to help facilitate the needs of the Unified Command structure and having more collaboration and transparency with the Council moving forward.

SPECIAL UPDATES AND DISCUSSION/ACTION ITEMS1. [AB2020-116](#) Update on COVID-19

Erika Lautenbach, Health Department Director, listed the objectives of the Unified Command for the next four-day operational period.

- Establish isolation facilities to meet county-wide demand.
- Provide essential medical screening and care.
- Provide data-driven decisions on public health strategies.
- Set up a fatality management team under the Public Health group.
- Provide resources and supplies to help care facilities and first responders as requested.
- Identify critical functions and services.
- Maintain childcare for and monitor health of essential personnel.
- Minimize staffing at the Emergency Operations Center.
- Establish surge capacity capability in concert with the hospital.
- Monitor and assess agricultural and farming impacts and border restrictions.
- Monitor and assess impacts on local government ensuring compliance with state and FEMA guidance.

She updated the councilmembers on the following:

- Work on a strategic plan that will communicate priorities and decision-making about things such as guidance to medical providers on topic like who can be tested.
- Estimated cost for the next three months associated with a 60-bed isolation facility and how it compares with other types of care facilities based on acuity.
- A cost center that the Health Department created for COVID-19 expenses and how much has been billed to it so far.
- Concerns from staff who are working long hours about conversations regarding budget and staffing cuts after this effort.
- Work with the food safety supervisor to establish regulations for food service; and
- Presentation next week of a proclamation for National Public Health Week.

She answered questions about whether there will be Health Department guidelines for the farmers market opening next week, what the guidance coming out concerning testing will look like and a hope that it includes testing at congregate health care facilities, whether the Health Department

is looking ahead to expectations for what happens once restrictions are lifted if the virus is not yet destroyed, balancing the issue of the economy and saving lives in making decisions, concerns with the level of fatigue in Health Department workers, whether aforementioned costs are based on the assumption that we are paying normal prices for materials and labor or on the assumption that we could be paying hazard pay or paying more because we are bringing in outside contractors since existing staff have reached a level of fatigue, whether there is a forecast on how long this crisis might last so that the County can be thinking about how to stretch resources based on a worst-case scenario, what is included in the cost estimates for the 60-bed isolation facility and whether the Council could see a breakdown even if the Health Department is not solid yet on the details.

This agenda item was DISCUSSED.

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

There was no discussion on this item.

This agenda item was considered but there was no discussion.

OTHER ITEMS

1. [AB2020-165](#) Emergency Ordinance authorizing an interfund loan to finance cash flow for COVID-19 emergency response

Buchanan gave a summary about why this and the next ordinance on the agenda (AB2020-166) are coming before the Council.

Donovan moved that the Ordinance be adopted. The motion was seconded by Frazey.

Tyler Schroeder, Executive's Office, gave an update on the ordinance and read from a memo with supporting attachments outlining the protocol for expenditure decisions, emergency response expenditures to date, and a spending plan (on file). The ordinance would create a Unified Command COVID-19 fund and authorize an interfund loan utilizing dollars from the Economic Development Investment (EDI) Fund. Together, the two proposed ordinances would provide a loan needed for the community response and provide the cash flow needed prior to the Federal Emergency Management Agency (FEMA) Public Assistance Program reimbursement of some or all of those dollars in the future. They would allow the Executive to carry out contract approvals pursuant to and within the scope of the declaration that's been made.

The following people discussed the Ordinance with Councilmembers:

- Tyler Schroeder, Executive's Office
- Brad Bennett, Administrative Services Department
- Bill Elfo, Whatcom County Sheriff
- Dana Brown-Davis, Clerk of the Council

They answered questions about food expenses for the expanded Lighthouse Mission shelter at Bellingham High School and how they will change now that a contract with Bellingham School District has been agreed upon; making sure the County is not double-paying for property that is already owned and paid for by taxpayers; whether the funds to pay for costs related to the expanded shelter are coming out of the Department of Commerce Housing Grant; whether all of the spending is being included in the numbers for and filtered through Unified Command; whether past expenditures were included and paid with the COVID-19 cost center and not a cost to the County; whether any meetings and decisions of the Health Department or anyone else related to this health crisis are being recorded so that they can be reviewed later; whether this dedicated fund is going to reimburse the general fund for money previously appropriated; whether the EDI fund balance is only cash or cash and receivables; why the County would not reimburse the general fund for costs related to staff overtime and remote operation and whether money left in the general fund for those purposes would impact the ability to get reimbursed; whether Schroeder would be approving requests twice based on the purchasing guidelines since he is part of both Incident Command and the Executive's Office; whether reimbursement from FEMA would be used to pay back the EDI fund and what has been taken out of the general fund; and whether the finance section of the Unified Command is being run by Bennett or whether we are relying on volunteers to approve expenses under \$10,000.

Frazey moved a friendly amendment to amend the ordinance to change the interfund loan amount from \$1,000,000 to \$4,000,000. The motion was seconded. (1:22:40)

Donovan accepted the friendly amendment.

Councilmembers and Elfo discussed the amendment, the need for accountability and oversight, trusting the Unified Command, and the need to act quickly on spending decisions.

Elenbaas suggested they approve the proposed interfund loan amount of \$1,000,000.

Frazey stated she would be willing to withdraw the motion for a friendly

amendment if they could revisit it at the Tuesday, April 7 meeting.

Councilmembers and Sidhu continued the discussion about understanding what is needed to spend the money wisely so FEMA will approve and reimburse the funding, whether the Council is micromanaging, how often they are meeting, allowing the Administration to do their job, and getting the necessary tools and information for the Council to do their job.

Browne moved to call the question. The motion was seconded.

The motion to call the question carried by the following vote:

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

Nay: 0

The motion to amend the proposed ordinance to change the interfund loan amount to \$4,000,000 carried by the following vote:

Aye: 4 - Browne, Buchanan, Donovan and Frazey

Nay: 3 - Kershner, Byrd and Elenbaas

The motion to adopt the ordinance as amended failed by the following vote:

(Clerk's note: An Emergency Ordinance requires an affirmative roll-call vote by two-thirds of the entire council)

Aye: 4 - Buchanan, Donovan, Frazey and Browne

Nay: 3 - Byrd, Elenbaas and Kershner

Browne moved to amend the ordinance to change the interfund loan amount to \$2,000,000. The motion was seconded.

Browne withdrew his motion as a point of order since the ordinance was already voted upon.

Councilmembers and Brown-Davis discussed the process for reconsidering the motion to adopt the ordinance.

Kershner moved to reconsider the motion to adopt the ordinance. The motion was seconded. (2:04:50)

The motion to reconsider carried by the following vote:

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

Nay: 0

Buchanan moved to adopt the original ordinance as presented. The motion was seconded by Elenbaas.

Councilmembers discussed the motion.

Donovan moved to amend the ordinance to change the interfund loan amount to \$2,000,000. It was not seconded so **Donovan withdrew** his motion.

Councilmembers and staff discussed and clarified the amount being considered in the ordinance.

The motion to adopt the ordinance as presented with an interfund loan amount of \$1,000,000 carried by the following vote:

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

Nay: 0

Buchanan's motion that the Ordinance be ADOPTED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-015

2. [AB2020-166](#) Emergency ordinance establishing the COVID-19 Emergency Response Fund and establishing a budget for the COVID-19 Emergency Response Fund

Byrd moved and Donovan seconded that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-016

OTHER BUSINESS

Frazey moved move to suspend all Special Health Board and/or Special County Council Meetings until May 4, 2020 unless called upon by the Executive, Unified Command, Unified Command Policy Group, or the Health Department. Regular scheduled meetings will continue as scheduled.

Buchanan asked if they could look at the schedule on Tuesday, April 7, 2020 with consideration of and trying to coincide with the operational

cycle schedule.

Frazey withdrew her motion until it could be discussed on Tuesday, April 7, 2020.

ADJOURNMENT

The meeting adjourned at 3:16 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription