

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

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



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

WHATCOM COUNTY COUNCIL

SECOND AGENDA REVISION NOTICE FOR MARCH 10, 2020

The noted changes below have been made to the Council's schedule for tomorrow, Tuesday, March 10, 2020:

ADDED MEETING

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION

4:30 p.m. Tuesday, March 10, 2020

Council Conference Room 311, Grand Avenue, Suite 105

(PLEASE NOTE: MEETING MAY BEGIN EARLIER/LATER THAN 4:30 PM)

Committee Discussion

1. AB2020-123 Discussion of pending litigation with Civil Deputy Prosecutor George Roche: Maier v. Elfo, et al. *[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]*

 2. AB2020-125 Discussion of pending litigation with Civil Deputy Prosecutor George Roche: Bredberg v. Middaugh, et al. *[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]*
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The following item has been added to Council's evening meeting agenda:

OTHER ITEMS

(No Committee Assignment)

4. AB2020-131 Emergency ordinance amending the 2020 Whatcom County Budget, request no. 7, in the amount of \$150,000

Whatcom County Council Committee of the Whole-Executive Session

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



Meeting Agenda

**MEETING ADDED 3.9.2020 (SEE REVISION NOTICE). ESTIMATED TIME -
MEETING MAY BEGIN EARLIER OR LATER THAN 4:30 P.M.**

**Tuesday, March 10, 2020
4:30 PM
Council Conference Room**

COUNCILMEMBERS

Rud Browne
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Ben Elenbaas
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CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Roll Call

Committee Discussion

[AB2020-123](#) Discussion of pending litigation with Civil Deputy Prosecutor George Roche: Maier v. Elfo, et al. [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

[AB2020-125](#) Discussion of pending litigation with Civil Deputy Prosecutor George Roche: Bredberg v. Middaugh, et al. [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

Other Business

Adjournment



Whatcom County

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Agenda Bill Master Report

File Number: AB2020-123

File ID:	AB2020-123	Version:	1	Status:	Agenda Ready
File Created:	03/03/2020	Entered by:	TAdrian@co.whatcom.wa.us		
Department:	Prosecuting Attorney's Office	File Type:	Discussion		
Assigned to:	Council Committee of the Whole-Executive Session	Final Action:			
Agenda Date:	03/10/2020	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Discussion of pending litigation with Civil Deputy Prosecutor George Roche: Maier v. Elfo, et al.
[Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Discussion of pending litigation with Civil Deputy Prosecutor George Roche re: Maier v. Elfo, et al.
USDC WDWA No. 2:19-cv-02077.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Attachments:



Whatcom County

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
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Agenda Bill Master Report

File Number: **AB2020-125**

File ID:	AB2020-125	Version:	1	Status:	Agenda Ready
File Created:	03/05/2020	Entered by:	TAdrian@co.whatcom.wa.us		
Department:	Prosecuting Attorney's Office	File Type:	Discussion		
Assigned to:	Council Committee of the Whole-Executive Session	Final Action:			
Agenda Date:	03/10/2020	Enactment #:			

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

TITLE FOR AGENDA ITEM:

Discussion of pending litigation with Civil Deputy Prosecutor George Roche: Bredberg v. Middaugh, et al. [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Discussion of pending litigation with Civil Deputy Prosecutor George Roche re: Bredberg v. Middaugh, et al. USDC WDWA No. 2:20-cv-00190.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Attachments:



Whatcom County

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
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Agenda Bill Master Report

File Number: AB2020-131

File ID:	AB2020-131	Version:	1	Status:	Agenda Ready
File Created:	03/06/2020	Entered by:	MCaldwel@co.whatcom.wa.us		
Department:	Finance Division	File Type:	Ordinance		
Assigned to:	Council			Final Action:	
Agenda Date:	03/10/2020			Enactment #:	

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

TITLE FOR AGENDA ITEM:

Emergency ordinance amending the 2020 Whatcom County Budget, request no. 7, in the amount of \$150,000

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Supplemental #7 requests funding from the General Fund:

1. To appropriate \$150,000 in Non Departmental to fund COVID-19 emergency response.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
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Attachments: Proposed Ordinance, Supporting Documents - Supplemental #7

**ORDINANCE NO.
AMENDMENT NO. 7 OF THE 2020 BUDGET
(EMERGENCY ORDINANCE)**

WHEREAS, the potential public health emergency caused by the spread of the COVID-19 virus requires Whatcom County take immediate action; and,

WHEREAS, Whatcom County Code chapter 2.02.135 provides for an emergency ordinance to become immediately effective when approved by two thirds vote of the County Council and signature of the County Executive; and,

WHEREAS, additional expenditure authority is required to preserve the health and safety of County citizens; and,

WHEREAS, the 2019-2020 budget was adopted November 20, 2018; and,

WHEREAS, the modifications to the budget have been assembled here for deliberation by the Whatcom County Council,

FINDINGS: The spread of the COVID-19 virus presents a threat to the health and safety of the citizens of Whatcom County. Whatcom County needs additional budget appropriation for preventative measures within county facilities and to provide additional resources to address this likely public health emergency,

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the 2019-2020 Whatcom County Budget Ordinance #2018-064 is hereby amended by adding the following additional amounts to the 2020 budget included therein:

Fund	Expenditures	Revenues	Net Effect
General Fund - Non Departmental	150,000	-	150,000
Total Supplemental	150,000	-	150,000

ADOPTED this ____ day of _____, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chair of Council

APPROVED AS TO FORM:

() Approved

() Denied



Civil Deputy Prosecutor

Satpal Sidhu, County Executive

Date: _____

Supplemental Budget Request

Status: Pending

Non-Departmental

Suppl ID # 3035 **Fund** 1 **Cost Center** 4903 **Originator:** T. Helms

Year 1 2019 Add'l FTE **Priority** 1

Name of Request: COVID-19 Emergency Response

X		3/9/2020
	Department Head Signature (Required on Hard Copy Submission)	Date

Costs:	Object	Object Description	Amount Requested
	6120	Extra Help	\$50,000
	6140	Overtime	\$50,000
	6320	Office & Op Supplies	\$25,000
	6610	Contractual Services	\$25,000
	Request Total		\$150,000

1a. Description of request:

As per Whatcom County Code 2.02.135 Emergency Ordinances, the County Executive is requesting an emergency budget ordinance for the immediate preservation of the public health and safety of the county government and its existing institutions.

1b. Primary customers:

All Whatcom County Residents and Employees of Whatcom County

2. Problem to be solved:

The Whatcom County Health Department is responsible for management of COVID-19 in all of Whatcom County and is the Operational Incident Commander for COVID-19. As per the Whatcom County Comprehensive Emergency Management Plan, the activation level for Whatcom County has been raised to Level 2 by the Whatcom County Sheriff's Office.

Initial protective measures are described as consistent and frequent facility environment cleaning, particularly in public spaces, frequent hand washing and the use of hand sanitizers. Protective measures will escalate with an increasing probability that the COVID-19 virus is confirmed in Whatcom County. Employee absences may result in the need for unbudgeted overtime and extra help, technology expenses may increase, and other expenses may be required. To ensure adequate budget authority for preparing for this emergency response the Executive is requesting budget authority in the amount of \$150,000 from the General Fund Balance to ensure timely and efficient preparation for this likely public health emergency.

3a. Options / Advantages:

Timing is of great importance to ensure adequate and appropriate preparation is not limited by insufficient budget authority.

3b. Cost savings:

Capturing expenses related to COVID-19 response into a single cost center will assist our efforts to track the cost of preparing and responding to the COVID-19 virus while supporting our efforts to seek Federal emergency reimbursement should the opportunity arise.

4a. Outcomes:

Departments will have the necessary budget support needed to prepare for the possiblity the COVID-19 virus is confirmed in Whatcom County.

4b. Measures:

Departments will have taken the necessary steps outlined by the Health Department and the CDC to limit

Supplemental Budget Request

Status: Pending

Non-Departmental

Suppl ID # 3035

Fund 1

Cost Center 4903

Originator: T. Helms

the spread of the COVID-19 virus that has not yet been confirmed in Whatcom County.

5a. Other Departments/Agencies:

When necessary, departments can seek funding support through the Executive Office for expenses related to the preparing for the potential spread of the COVID-19 virus.

5b. Name the person in charge of implementation and what they are responsible for:

Health Dept. - John Wolpers

Facilities - Rob Ney

6. Funding Source:

General Fund