

**ORDINANCE NO. \_\_\_\_\_**

**AMENDING ORDINANCE NO. 2021-045 (REVIEW OF RESPONSE TO COVID-19 PANDEMIC) TO CHANGE CONSULTANT DETAILS AND PROJECT TIMELINE**

**WHEREAS** on July 13, 2021, Whatcom County Council adopted Ordinance No. 2021-045 to establish an independent review of the community response to the COVID-19 Pandemic; and

**WHEREAS** on September 14, 2021, Whatcom County Council discussed the details of the project (AB2021-525) and identified amendments to Ordinance No. 2021-045, including removing requisite qualifications of the commissioner and extending the timeline for completion of the project.

**NOW, THEREFORE, BE IT ORDAINED** that Ordinance No. 2021-045 is hereby amended and replaced in its entirety as shown in Exhibit A, attached.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

**APPROVED AS TO FORM:**

Karen Frakes (by email) 9/21/2021

\_\_\_\_\_  
Civil Deputy Prosecutor

**WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON**

\_\_\_\_\_  
Barry Buchanan, Council Chair

**WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON**

\_\_\_\_\_  
Satpal Singh Sidhu, County Executive  
( ) Approved      ( ) Denied

Date Signed: \_\_\_\_\_

## EXHIBIT A

### ORDINANCE TO ESTABLISH AN INDEPENDENT REVIEW OF THE COMMUNITY RESPONSE TO THE COVID-19 PANDEMIC

**WHEREAS** on January 21, 2020, the Washington State Department of Health confirmed the first case of the novel coronavirus (COVID-19) in the United States in the State of Washington, and, COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans, which easily spreads from person to person; and

**WHEREAS** on January 31, 2020, the United States Department of Health and Human Services secretary Alex Azar declared a national public health emergency arising from COVID-19; and

**WHEREAS** on March 11, 2020, the World Health Organization declared COVID-19 a pandemic with global spread, impacts, and health risks; and

**WHEREAS** in March 2020, Whatcom Unified Command (WUC) was activated to provide an integrated, coordinated, multi-jurisdictional response to the threat of COVID-19 locally, in partnership with the Whatcom County Health Department; and

**WHEREAS** the staff of the Whatcom County Government; the cities of Bellingham, Lynden, Ferndale, Blaine, Nooksack, Everson, and Sumas; the Lummi and Nooksack Nations; PeaceHealth; medical providers; fire districts; businesses; non-profit and faith-based organizations; community groups; and countless citizens all stepped forward to collectively fight the pandemic; and

**WHEREAS** in all prior emergencies the County has faced, we could rely on neighboring communities or states to provide us with materials and skilled workers to help us cope – but as this was a truly global disaster, for a time we had to rely on our own internal County sourced resources to manufacture PPE, distribute food etc.; and

**WHEREAS** Whatcom County can expect future emergencies to arise, of a yet unknown type, which could include future pandemics, floods, fire, earthquake, cyber-attack, widespread communications loss, and perhaps even things we have not yet imagined; and

**WHEREAS** in the book “The Great Influenza” the story of the Spanish Flu pandemic the author concludes:

*“The final lesson of 1918, a simple one yet one most difficult to execute, is that...those in authority must retain the public's trust. The way to do that is to distort nothing, to put the best face on nothing, to try to manipulate no one. Lincoln said that first, and best. A leader must make whatever horror exists concrete. Only then will people be able to break it apart.”; and*

**WHEREAS** this is not humanity's first pandemic, nor will it be our last; and

**WHEREAS** citizens will be less likely to blame their government for future disasters caused by factors outside our control, but will have good reason to be critical if their government fails to plan, prepare and learn from past experiences; and

**WHEREAS** the Pandemic has truly tested our structures and processes for dealing with disaster, and in doing so has provided us an ideal opportunity to evaluate, to recognize what we did well and where we have an opportunity to improve; and

**WHEREAS** the Pandemic response has inspired various requests to review: the makeup of the County Health Board; Unified Command; the County Emergency Management

Plan; and County policy related to communications with the public; and

**WHEREAS** the people most qualified to provide feedback on our response are those who actively worked on answering the needs of the community; and

**WHEREAS** this year we will have several key members of our community retiring and we would like to hear from them before they become unavailable; and

**WHEREAS** the best way to determine the lessons to be learned from the Pandemic is to appoint a Special Commissioner to interview the key participants, to document the lessons learned, to better inform the community on how we can ensure the things we did right, what will be likely to occur again, where we need to improve, and what to avoid next time.

**NOW, THEREFORE, BE IT ORDAINED** that the Whatcom County Council establishes a County Commission to review our community's response to the COVID-19 Pandemic; and

**BE IT FURTHER ORDAINED** that ~~County Council shall select and~~ Whatcom County shall hire, an independent Special Commissioner ~~with the requisite qualifications (ideally a retired senior lawyer familiar with the county)~~ to conduct the inquiry; and

~~**BE IT FURTHER ORDAINED** that such Special Commissioner be compensated at the normal market rate for such work, and be provided the necessary resources including office space and one or more full-time support persons to manage meetings and documentation; and~~

**BE IT FURTHER ORDAINED** that they shall include, but not be limited to examining: the makeup of the County Health Board; Unified Command; County policy related to open communications with the public; expanding the designated senior county emergency advisory positions (i.e. manufacturing, logistics, communications) and the community sectors represented; and

**BE IT FINALLY ORDAINED** that the person shall complete and deliver their report to the County Council, County Executive and County ~~Sherriff~~ Sheriff by ~~October 31<sup>st</sup>, 2021~~ June 30, 2022, and any recommendations incorporated into the next ~~to enable the county to incorporate their findings in future~~ updates to the county's ~~existing~~ emergency response plan.