

CITY ADMINISTRATOR'S REPORT

City Council Meeting of April 20, 2020

Councilmembers –

Your agenda for Monday night is as follows: **(Remember that the meeting begins at 5:00 p.m.)**

NOTE: the April 20, 2020 City Council meeting will be held remotely utilizing video conferencing technology in compliance with Stay Home, Stay Healthy requirements restricting public gatherings, including civic activities. However, this is still an open public meeting as defined by the Open Public Meetings Act (OPMA). The City will be using Microsoft Teams to livestream the council meeting. Members of the public do not need to download anything to view the proceedings. Click on this [Attendee Link](#) to join the live event at 5 pm Monday, April 20th.

Item A, Public Comment (CANCELLED): In compliance with Stay Home, Stay Healthy restrictions, and consistent with new guidelines established for public meetings through the OPMA, public comment has been cancelled until further notice. However, the public may still submit comments by emailing City Clerk Susan Duncan at susanduncan@cityofferndale.org. Comments received prior to 5pm Monday, April 20th will be included in the meeting record.

Item B, Consent Agenda, including approval of April 6, 2020 Council meeting minutes, approval of March 2020 Claims, approval of Purchasing Limits policy, approval of Budget Amendment.

Purchasing Limits Policy: the Finance and Administration Committee has recommended approval of a new chapter (Ferndale Municipal Code 3.40) that would establish limitations on those purchases that can be made administratively, consistent with the Council-adopted budget, but not requiring additional Council approval. The limit for these purchases is proposed at \$50,000, with some exceptions. The proposal is intended to clarify expectations and procedures for purchases, ensuring that the City Council is responsible for approval of most expenditures above \$50,000, while also allowing more-routine expenditures to occur quickly and efficiently. As noted, all expenditures must be consistent with the adopted budget.

Budget Amendment: the Finance and Administration Committee has recommended approval of an amendment to the 2020 budget for the purpose of funding interim courtroom improvements and the VanderYacht Park restroom. Both projects are expected to move forward as planned in 2020. The interim courtroom improvements are required to meet minimum safety and security standards for the City's courtroom facility, and are limited in scope to those improvements necessary to meet these standards. The current COVID-19 crisis will likely delay more-permanent improvements to City facilities, which Staff believes maintains the need to make the interim improvements that are proposed.

Similarly, the VanderYacht Park restroom facility may be of heightened importance as well, as the closure of other parks and recreation opportunities may result in an increased use of the City's parks. The absence of a restroom at VanderYacht Park has not appeared to reduce the use of the park (or trees and hidden areas within it) as a public restroom.

Item C: Capital Projects Update - Capital Projects Manager Katy Radder and Public Works Director Kevin Renz will provide an update on the City's capital projects.

Item D: Amending the Ferndale Municipal Code related to controlled substance prosecution – City of Ferndale Prosecutor David A. Nelson has recommended that modifications to the Ferndale Municipal Code be made allowing for the misdemeanor citation for possession of illegal drugs. The Whatcom County Prosecutor has determined that Whatcom County will no longer be responsible for prosecuting most felony drug possession cases, which thus places the responsibility on municipal courts for prosecution. In order to adequately handle these cases, a modification to the Ferndale Municipal Code is required. The Finance and Administration Committee expressed general support for the modifications, and requested clarifications that the proposed changes do not apply to certain drugs or drug offenses (such as cannabis) that are legal in Washington State. The proposed changes would not apply to these activities.

Item E: Ferndale First Resolution: Councilmember Llanos has proposed a resolution that would formalize a policy to promote City purchases from local (businesses located in the Ferndale Market Area) vendors. While the City has for many years made an effort to source locally, the resolution would seek to ensure that local purchases are part of the decision process. The policy includes a number of exemptions, such as when locally-sourced products or services are not available, when locally-sourced products are more expensive, when an existing bid or regulatory process does not provide this opportunity, etc.

Item F-I: Mayor, Council, Department, and Committee Reports.

Final Thoughts.



As Great Britain prepared for the imminent invasion of their islands at the beginning of World War II, Prime Minister Winston Churchill began to label his most important orders with an “Action This Day” stamp, expressing both the immediacy of the directive and reflecting the urgency of the action. Nearly eighty years later, every one of us waits urgently to learn what new actions have been taken, this day. What progress has been made? When can we return to our normal lives?

Unfortunately, even as the curve of COVID-19 appears to be flattening in Whatcom County and Washington State, the hoped-for actions to return to normalcy have not yet taken place. This has resulted in frustration, blame, and most damagingly – an increased willingness to ignore the guidelines and orders that have been established (and which are working) to curb the spread of COVID-19. As the

magnitude of the global shutdown becomes more clear, the impact of these decisions is felt more closely and more deeply.

As a small local government, we hear these (often contradictory) calls to take action:

- To close absolutely everything to eradicate the spread of the disease;
- To open the economy back up immediately, as the risks to the economy are greater than the risks to life-safety;
- To focus on specific industries, businesses, or projects;
- To focus on anecdotal examples;
- To rely on empirical or scientific evidence;
- To hold the line on the Governor's order;
- To ignore the Governor's order

Each day, the City is coordinating with the Washington State Governor's office, our representatives in Olympia, other local governments, Whatcom County, and Whatcom Unified Command. The City has prepared a draft plan that is being shared with our representatives, identifying several dozen projects, initiatives, regulatory changes, and modifications that could be considered to get the Ferndale community back to work. The City is working with our counterparts at every level of government to make constructive, rapid, and responsible changes to this ever-evolving threat. Internally, the City continues to explore all options that are available to us to get the community back on its feet and to provide assistance to those who require it. To be perfectly frank and honest, this is a frustrating process: from a personal perspective, I want to be able to take decisive action each day, to cut through as much red tape as possible, and to make transformative change – each and every day. Each and every hour.

But our role as stewards of the public's money and trust means that we must also balance these desires with an understanding of long-term impacts. Will a financial incentive ultimately burden those who can least withstand it the most? Will a decision to get a business or industry back to work threaten life-safety? Will such a decision be inconsistent with another order, potentially subjecting businesses or individuals to fines and penalties, or the virus itself?

So ultimately, what does Action This Day, in this context, mean?

It means making the right decision, based on the best available information, today. And today, these actions mean continuing to coordinate with our partners in order to keep them as partners for the long-term. Suggesting ideas, identifying issues. Advancing solutions. It also means being smart. We know fundamentally that the Best Action that we can take today is to Stay Home and Stay Healthy. To help our neighbors. For those of us who can, to shop locally and make local contributions to businesses and individuals who are suffering. Action This Day does not mean dismissing these best practices because we are frustrated, or because our good actions seem to be working, or to take unilateral action with the expectation that I, my loved ones, or my co-workers won't get sick. This is not a crisis that is going to go away quickly, and the more that we seek to take decisive action against the best practices that have been identified, the longer we will perpetuate it.

Action This Day means being smart, being patient, and being understanding. We all feel powerless. But we are not. All of us have a role to play. What will your Action This Day be?:

- Donating blood
- Donating unused stimulus funds to the Community Resource Center or Ferndale Food Bank,
- Making in-kind donations to Ferndale-based resources
- Donating funds for utility bill assistance
- Making masks for family members or friends
- Spending locally
- Ordering take out
- Buying gift certificates
- Wearing a mask when out in public
- Shopping for your neighbor
- Shopping alone
- Checking in (remotely) with friends and loved ones
- Celebrating our first responders, health care workers, and other front-line staff

Our actions this day will help determine the actions tomorrow.

See you Monday - Jori