

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	MDC	6/27/18	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">JUL 02 2018</p> <p style="text-align: center;">WHATCOM COUNTY COUNCIL</p>	07/10/18	Intro
Division Head:				07/24/18	Finance Comm; Council
Dept. Head:					
Prosecutor:	KMF	6/27/18			
Purchasing/Budget:	MDC	6/27/18			
Executive:	TLS for	7/2/18			

**TITLE OF DOCUMENT:** 2018 Supplemental Budget Request #9

**ATTACHMENTS:** Ordinance, Memoranda & Budget Modification Requests

SEPA review required? ( ) Yes ( X ) NO  
 SEPA review completed? ( ) Yes ( X ) NO

Should Clerk schedule a hearing? ( ) Yes ( X ) NO  
 Requested Date:

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

**Supplemental #9 requests funding from the General Fund:**

1. To appropriate \$50,000 in District Court Probation for additional funding for electronic monitoring program.
2. To appropriate \$186,558 in Planning and Development Services to fund Buildable Lands Program from grant proceeds
3. To appropriate \$50,000 in Superior Court to fund pre- trial risk assessment implementation.
4. To appropriate \$127,726 in Non-Departmental to fund Opportunity Council public services program from grant proceeds.

**From the Public Utilities Improvement Fund:**

5. To appropriate \$1,600,000 to fund PUD #1 Grandview water project.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:**

PROPOSED BY: Executive  
INTRODUCTION DATE: 07/10/18

**ORDINANCE NO.  
AMENDMENT NO. 9 OF THE 2018 BUDGET**

**WHEREAS**, the 2017-2018 budget was adopted December 6, 2016; and,  
**WHEREAS**, changing circumstances require modifications to the approved 2017-2018 budget; and,

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

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the 2017-2018 Whatcom County Budget Ordinance #2016-068 is hereby amended by adding the following additional amounts to the 2018 budget included therein:

Fund	Expenditures	Revenues	Net Effect
<b>General Fund</b>			
District Court Probation	50,000	-	50,000
Planning and Development Services	186,558	(225,000)	(38,442)
Superior Court	50,000	-	50,000
Non-Departmental	127,726	(127,726)	-
<b>Total General Fund</b>	<b>414,284</b>	<b>(352,726)</b>	<b>61,558</b>
<b>Public Utilities Improvement Fund</b>	<b>1,600,000</b>	<b>-</b>	<b>1,600,000</b>
<b>Total Supplemental</b>	<b>2,014,284</b>	<b>(352,726)</b>	<b>1,661,558</b>

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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

\_\_\_\_\_  
Rud Browne, Chair of the Council

APPROVED AS TO FORM:

( ) Approved ( ) Denied

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

\_\_\_\_\_  
Jack Louws, County Executive

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

WHATCOM COUNTY				
Summary of the 2018 Supplemental Budget Ordinance No. 9				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
<b>General Fund</b>				
District Court Probation	To provide additional funding for electronic monitoring project.	50,000	-	50,000
Planning and Development Services	To fund Buildable Lands Program from grant proceeds.	186,558	(225,000)	(38,442)
Superior Court	To fund pre-trial risk assessment implementation.	50,000	-	50,000
Non-Departmental	To fund Opportunity Council public services program from grant proceeds.	127,726	(127,726)	-
<b>Total General Fund</b>		<b>414,284</b>	<b>(352,726)</b>	<b>61,558</b>
<b>Public Utilities Improvement Fund</b>	To fund PUD #1 Grandview water project.	<b>1,600,000</b>	<b>-</b>	<b>1,600,000</b>
<b>Total Supplemental</b>		<b>2,014,284</b>	<b>(352,726)</b>	<b>1,661,558</b>

**WHATCOM COUNTY  
DISTRICT COURT**  
Whatcom County Courthouse  
311 Grand Avenue, Suite 401  
Bellingham, WA 98225-4081



**MATTHEW S. ELICH**  
Judge

**DAVID M. GRANT**  
Judge

**ANTHONY PARISE**  
Commissioner

**BRUCE VAN GLUBT**  
Administrator

TO: Executive Louws

FROM: Bruce Van Glubt

DATE: June 25, 2018

SUBJ: District Court Electronic Monitoring Pilot Project

A handwritten signature in black ink, appearing to read "Bruce Van Glubt", is written over the "FROM:" line of the header.

Attached you will find a supplemental budget request document asking for an additional \$50,000 to both continue and increase the number of defendants on the program through the end of 2018.

With an expenditure authority of \$10,000 per month, the program capacity can increase from 15 to approximately 30 defendants at any one time.

The initial \$15,000 will run out at the end of July. You will find additional details about the program in the attached document.

Thank you for your consideration of this request.

# Supplemental Budget Request

Status: Pending

## District Court Probation

Suppl ID # 2616

Fund 1

Cost Center 1310

Originator: Bruce Van Glubt

Expenditure Type: One-Time Year 2 2018 Add'l FTE  Add'l Space  Priority 1

Name of Request: *Electronic Monitoring Pilot Project*

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6610	Contractual Services	\$50,000
	<b>Request Total</b>		<b>\$50,000</b>

### 1a. Description of request:

Approval of this supplemental budget request will allow for:

1. Continuation a of the Electronic Monitoring Pilot Project for District Court defendants through the end of 2018.
2. Increase the number of defendants on the program at any one time from 15 to 30.

### 1b. Primary customers:

District Court Judges, Prosecutors, Defense Attorneys, and defendants.

### 2. Problem to be solved:

The funding for the first phase of the project will run out at approximately the end of July, 2018. The funding requested in this supplemental budget request will allow continued funding of the project, and increase the number of defendants on the program, through the end of the year. This will allow additional time to evaluate the program, how it is used, and outcomes.

### 3a. Options / Advantages:

Discontinue the program.

### 3b. Cost savings:

### 4a. Outcomes:

The first defendant was placed on the program on 2/2/18. The total number of defendants that have been on the program through June 20th is 18. Of the 18, during the period of time the defendants were on the program:

- \*15 were pretrial cases and 3 were post conviction cases. (83%)
- \*16 were not arrested for new offenses and 2 were. (89%)
- \*17 did not have any warrant issued for their arrest and 1 did. (94%)
- \*There have been 1039 "device" days.
- \*As of 6/20/18 there were 14 defendants on the program.

Feedback from Judges, Prosecutors and Defense Attorneys is as follows:

- \*During the period of time on the program the defendants were not in custody.
- \*It is likely that higher bail would have been imposed with some unable to post bail.
- \*The program has allowed for a higher level of monitoring defendants.
- \*The devices are more convenient for defendants than other options imposed by the court such as daily/weekly UA and PBTs, particularly for those that do not live close to the courthouse.
- \*Both the Prosecutor and the Public Defender's Offices have stated they would like to continue the

# Supplemental Budget Request

Status: Pending

---

## District Court Probation

---

Suppl ID # 2616

Fund 1

Cost Center 1310

Originator: Bruce Van Glubt

---

program and increase the number of defendants on the program.

### **4b. Measures:**

The following information will be continued to be gathered regarding defendants on the program:

1. Number on pretrial and post-conviction monitoring.
2. Number of new offenses.
3. Number of new warrants.
4. Number of days served on the devices.

### **5a. Other Departments/Agencies:**

The Whatcom County Sheriff's Department.

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

### **6. Funding Source:**

General fund.

**WHATCOM COUNTY**  
Planning & Development Services  
5280 Northwest Drive  
Bellingham, WA 98226-9097  
360-778-5900, TTY 800-833-6384  
360-778-5901 Fax



**Mark Personius, AICP**  
Director

Memorandum

**TO:** Jack Louws, County Executive

**FROM:** Matt Aamot, Senior Planner *MA*  
Mark Personius, Director *MP*

**DATE:** June 25, 2018

**SUBJECT:** Budget Supplemental Request ID#2610  
Buildable Lands Program Funding

---

The attached Budget Supplemental Request is an increase in budget authority to accept and disburse the State Department of Commerce grant for the Buildable Lands Project.

**Background and Purpose**

The Washington State Legislature approved a bill in the 2017 legislative session that imposes new land use planning requirements on Whatcom County and the cities. The County and cities will now be required to review past development patterns and compare them to the planned growth envisioned in the Comprehensive Plan and perform other related tasks. If the actual growth deviates from planned growth, then local jurisdictions will need to take reasonable measures to address the situation. This process will include developing County-wide Planning Policies, data collection, research, and developing methods to conduct the buildable lands evaluation.

**Funding Source**

The State Legislature allocated \$225,000 to Whatcom County for state fiscal year 2019 (July 1, 2018 to June 30, 2019) in association with the new Buildable Lands Program requirements. These funds will be used for reimbursing County staff time, reimbursing city expenses, and consultant work. The other option would be for the County (and cities) to fund the work without assistance of the State.

Please contact Matt Aamot at extension 5939 or Mark Personius at extension 5950, if you have questions regarding this project.

Thank you.

# Supplemental Budget Request

Status: Pending

**Planning & Development Services**      **Planning**

Suppl ID # 2810      Fund 1      Cost Center 2527      Originator: Mark Personius

Expenditure Type: One-Time      Year 2 2018      Add'l FTE       Add'l Space       Priority 1

Name of Request: **Buildable Lands Program Funding**

<b>X</b>		6-25-2018
<b>Department Head Signature (Required on Hard Copy Submission)</b>		<b>Date</b>

Costs:	Object	Object Description	Amount Requested
	4334.0421	Commerce Grant	(\$225,000)
	6630	Professional Services	\$78,500
	7210	Intergov Prof Svcs	\$108,058
	<b>Request Total</b>		<b>(\$38,442)</b>

**1a. Description of request:**

The Washington State Legislature approved a bill in the 2017 legislative session that imposes new land use planning requirements on Whatcom County and the cities. The County and cities will now be required to review past development patterns and compare them to the planned growth envisioned in the Comprehensive Plan and perform other related tasks. If the actual growth deviates from planned growth, then local jurisdictions will need to take reasonable measures to address the situation. This process will include developing County-wide Planning Policies, data collection, research, and developing methods to conduct the buildable lands evaluation.

**1b. Primary customers:**

The public and partner cities.

**2. Problem to be solved:**

The Washington State Legislature approved Engrossed Second Substitute Senate Bill 5254 in 2017. This new legislation, relating to the Growth Management Act and Buildable Lands, imposes new requirements on Whatcom County. This request is to accept grant money from the State to facilitate compliance with this new law.

**3a. Options / Advantages:**

The State Legislature allocated \$225,000 to Whatcom County for state fiscal year 2019 (July 1, 2018 to June 30, 2019) in association with the new Buildable Lands Program requirements. These funds will be used for reimbursing County staff time, reimbursing city expenses, and consultant work. The other option would be for the County (and cities) to fund the work without assistance of the State.

**3b. Cost savings:**

The State Legislature allocated \$225,000 to Whatcom County for state fiscal year 2019 (July 1, 2018 to June 30, 2019). Accepting these state funds will save the County and cities from spending local funds to comply with this new state mandate.

**4a. Outcomes:**

Task # 1 - Participate in State process of developing Buildable Lands Program Guidelines (State Guidebook will be finalized by December 2018) and other documents the State Department of Commerce's consultant is developing in association with ESSSB 5254.

Task # 2 - County/City collaboration to develop a unified approach to buildable land requirements, including engaging key stakeholders to solicit input/ feedback.

Task # 3 - Develop County-wide Planning Policies (CWPPs), in consultation with cities, to establish the buildable lands program.

Task # 4 - Collect annual data to the extent necessary to assess achieved development densities and



# Supplemental Budget Request

Status: Pending

Planning & Development Services

Planning

Suppl ID # 2610

Fund 1

Cost Center 2527

Originator: Mark Personius

land suitable for development.

Task # 5 - Begin research and data collection on key issues relating to Buildable Lands.

Task # 6 - Begin the process of reviewing the State Buildable Lands Guidelines and developing draft Whatcom County Buildable Lands Methodology.

Task # 7 - Project management.

All tasks will be completed between July 1, 2018 and June 30, 2019.

**4b. Measures:**

Work products including county-wide planning policies, permit reports and other data compilation, and buildable lands methodology. Work products may be in draft form.

**5a. Other Departments/Agencies:**

Participating Cities within Whatcom County. The County's Information Technology Department will provide permit data reports.

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

Participating City Planners.

Ben Glassett- Whatcom County IT--producing permit reports.

**6. Funding Source:**

The State Department of Commerce (state grant)

# Supplemental Budget Request

Status: Pending

## Superior Court

Suppl ID # 2608 Fund 1 Cost Center 3100 Originator: David Reynolds

Expenditure Type: One-Time Year 2 2018 Add'l FTE \_\_\_ Add'l Space Priority 1

Name of Request: Pre Trial Risk Assessment Implementation

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6610	Contractual Services	\$50,000
	<b>Request Total</b>		<b>\$50,000</b>

### 1a. Description of request:

Superior Court requests funds to contract with a professional consultant who can review local jail data and refine the Virginia model pretrial risk assessment to be statistically relevant for County and municipal jurisdictions in Whatcom Courts.

### 1b. Primary customers:

Initially, the Whatcom County Superior Court judicial officers will apply the risk assessment to qualified pretrial felony defendants. In addition, judicial officers in Whatcom County District Court and other courts of limited jurisdiction (such as the Cities) will be invited to use the locally-validated pretrial risk assessment for qualified pretrial misdemeanor and gross misdemeanor defendants.

### 2. Problem to be solved:

An independent study indicated that up to 60 percent of the Whatcom County jail population is being held on a pretrial basis. This is a significant consumption of jail resources. In addition, Washington State Court Rules: Superior Court Criminal Rules Section 3.2 requires Superior Court to release those accused in non-capital cases without conditions unless the court determines the release will not reasonably assure public safety and/or court appearance when required

Initially, the Whatcom County Superior Court judicial officers will apply the risk assessment to qualified pretrial felony defendants. In addition, judicial officers in Whatcom County District Court and other courts of limited jurisdiction (such as the Cities) will be invited to use the locally-validated pretrial risk assessment for qualified pretrial misdemeanor and gross misdemeanor defendants.

### 3a. Options / Advantages:

A variety of risk assessment tools have been considered. The Virginia model appears to be the most comprehensive and adaptable to our local needs.

County Superior Court judicial officers have indicated that certain qualifying defendants, who are being incarcerated now, may be released from jail with conditions. A locally-validated pretrial risk assessment will give judges the information necessary to order appropriate requirements for each defendant who is awaiting trial.

Best practices call for combining pretrial risk assessment tools with a release matrix to determine the least onerous conditions that will assure pretrial success. Some pretrial risk assessment tools with proprietary algorithms and software can cost up to \$200,000. However, local criminal justice officials recommend using the non-proprietary and no-cost Virginia model risk assessment and applying the risk assessment via hand-scoring (no software requirements). The only cost would be for a professional consultant to validate the local jail data to the risk assessment questionnaire and matrix.

# Supplemental Budget Request

Status: Pending

---

## Superior Court

---

SupplID # 2608

Fund 1

Cost Center 3100

Originator: David Reynolds

---

### **3b. Cost savings:**

Long term cost savings of applying a pretrial risk assessment tool with pretrial monitoring services could include a statistically significant reduction in jail bed use from certain pretrial defendants, reducing the jail size needs. Until we have a risk assessment implemented, however, it is impossible to determine how much of a reduction will take place.

### **4a. Outcomes:**

The goal is to reduce the proportion of defendants who are incarcerated before trial, by using an objective tool to identify those defendants who could be safely maintained in the community and providing monitoring and other services to maintain their accountability for complying with all pretrial requirements ordered by the court.

### **4b. Measures:**

Best practices require that pretrial risk assessments be statistically reviewed after one year of use and every five years thereafter to ensure that the tool remains relevant to local factors. With this initial contract, baseline data on pretrial jail use will be collected and measured. Through periodic reviews, data will continue to be collected and measured, trends identified, and the efficacy of pretrial services will be established.

### **5a. Other Departments/Agencies:**

The Whatcom County Jail, Superior Court, Courts of lower jurisdiction, the Prosecutor's Office, Public Defender's Office, and local law enforcement. The impact can not be assessed until the tool is operational.

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

Superior Court is responsible for implementation. Courts of lower jurisdiction may implement.

### **6. Funding Source:**

County General fund

**WHATCOM COUNTY  
EXECUTIVE'S OFFICE**

County Courthouse  
311 Grand Avenue, Suite #108  
Bellingham, WA 98225-4082



**Jack Louws**  
County Executive

# MEMORANDUM

**To:** Whatcom County Council Members  
**From:** Jack Louws  
**Subject:** Budget Supplemental, Opportunity Council Grant  
**Date:** June 25, 2018

---

The attached supplemental request for \$127,726 is for the purposes of establishing budget authority in order to pass-through an available grant from the Washington State Department of Commerce to the Opportunity Council. This grant was applied for and authorized by the County Council in March, and has been granted for the delivery of direct services by the Opportunity Council as the local community action agency.

This grant is a HUD formula grant, issued annually, and passed through Dept. of Commerce for Community Development Block Grant Programs, for which Opportunity Council qualifies for this financial assistance. Whatcom County has been designated by the Dept. of Commerce as the grantee for the purpose of contracting with the Opportunity Council as a subrecipient for this grant award of \$127,726.

This funding is intended to support new or increased levels of service to low- and moderate-income level homeowners and residents in Whatcom, Island and San Juan Counties for a one year period.

Whatcom County has executed a contract with the State Department of Commerce for this funding. Council's authorization for this supplemental request will result in the execution of a Subrecipient Agreement with the Opportunity Council to implement the designated services noted herein.

# Supplemental Budget Request

Status: Pending

## Executive

Suppl ID # 2613 Fund 1 Cost Center 4286 Originator: Suzanne Mildner

Expenditure Type: One-Time Year 2 2018 Add'l FTE  Add'l Space  Priority 1

Name of Request: **OppCo Public Services CDBG Grant 2018-19**

X

Department Head Signature (Required on Hard Copy Submission)

Date

6.25.18

Costs:	Object	Object Description	Amount Requested
	4333.1422	HUD-CDBG	(\$127,726)
	6610	Contractual Services	\$127,726
	<b>Request Total</b>		<b>\$0</b>

### 1a. Description of request:

This request is for grant revenue from the Washington State Department of Commerce, for pass through to Opportunity Council as subrecipient. This is an annual formula grant for direct public services, delivering housing services to low- and moderate-income residents in Whatcom, Island and San Juan Counties.

### 1b. Primary customers:

Low- and moderate-income residents of Whatcom, Island and San Juan Counties

### 2. Problem to be solved:

This grant must be accessed through the local government, and will provide the following public services: community outreach, resource referral, client housing education, energy conservation education and other housing services.

### 3a. Options / Advantages:

N/A

### 3b. Cost savings:

N/A

### 4a. Outcomes:

Accomplish HUD's objective of increasing the availability and accessibility of housing public services. This is an annual formula grant and the contract period is July 1, 2018 to June 30, 2019.

### 4b. Measures:

Opportunity Council submits ongoing reports regarding service delivery and numbers of persons served. A final report will be issued at grant closeout.

### 5a. Other Departments/Agencies:

Opportunity Council is our local action agency, and 3 community resource centers in San Juan County.

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

Sheri Emerson, Associate Director of Opportunity Council is responsible for overseeing program services.

### 6. Funding Source:

Federal grant from HUD through the Washington State Dept. of Commerce's CDBG Program

**WHATCOM COUNTY  
EXECUTIVE'S OFFICE**

County Courthouse  
311 Grand Avenue, Suite #108  
Bellingham, WA 98225-4082



**Jack Louws**  
County Executive

**MEMORANDUM**

**TO:** Whatcom County Council members

**FROM:** Jack Louws, County Executive

**RE:** EDI Program - Interlocal Loan & Grant Agreement with PUD#1 of Whatcom County

**DATE:** June 22, 2018

---

Attached is a Supplemental budget request for spending authority on an EDI Interlocal Loan and Grant Agreement for which budget authority is required.

On June 5, 2018, the Council adopted the EDI Board's recommendation to provide funding through the EDI Program for the PUD#1's Grandview/I-5/Northgate (Fire System) Water Supply Pipeline project.

The PUD is ready to proceed with the project. The Interlocal Agreement will be presented to Council in July 2018, concurrently with this budget supplemental request. The PUD is expecting to draw on the \$800,000 grant initially, as provided for under the terms of the agreement. The loan portion, another \$800,000, is expected to be drawn upon soon thereafter, and project completion is anticipated to be late 2018 or early 2019.

This program funding is derived from the Public Utilities Improvement Fund.

# Supplemental Budget Request

Status: Pending

## Executive

Suppl ID # 2612 Fund 332 Cost Center 3332237 Originator: Suzanne Mildner

Expenditure Type: One-Time Year 2 2018 Add'l FTE  Add'l Space  Priority 2

Name of Request: EDI PUD#1 Grandview Water Project

X

Department Head Signature (Required on Hard Copy Submission)

Date

6/25/18

Costs:	Object	Object Description	Amount Requested
	7220	Intergov Subsidies	\$1,600,000
	<b>Request Total</b>		<b>\$1,600,000</b>

### 1a. Description of request:

Requesting budget authority for EDI loan and grant funding for PUD #1 of Whatcom County's Grandview/I-5 water pipeline project.

### 1b. Primary customers:

Public Utility District #1 and Whatcom County

### 2. Problem to be solved:

In June 2018, County Council authorized EDI Program funding, to include a grant in the amount of \$800,000 and a loan in the amount of \$800,000 for PUD#1's water pipeline project in the Grandview/I-5 area. The interlocal Loan and Grant agreement is scheduled for Council consideration in July 2018, simultaneously with this budget request. Funding approval will allow for this project to begin by the targeted timeframe of August 2018.

### 3a. Options / Advantages:

The EDI Board and County Council previously determined that this project meets the objectives of the EDI Program project guidelines.

### 3b. Cost savings:

N/A

### 4a. Outcomes:

Project completion is estimated to be late 2018, early 2019.

### 4b. Measures:

Final project report and budget summary.

### 5a. Other Departments/Agencies:

PUD#1 of Whatcom County  
City of Ferndale - current water system improved

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

Stephan Jilk, General Manager of PUD#1, will oversee this project

### 6. Funding Source:

Public Utilities Improvement Fund