

## RESOLUTION NO. 2023-14

### **RESOLUTION AFFIRMING THE CITY OF BELLINGHAM VALUES WITH REGARD TO THE PROPOSED BALLOT MEASURE FOR THE PURPOSE OF PROVIDING FUNDS FOR COSTS ASSOCIATED WITH PUBLIC HEALTH, SAFETY, AND JUSTICE FACILITIES AND SERVICES, INCLUDING BEHAVIORAL HEALTH, HOUSING, PUBLIC SAFETY, AND CRIMINAL JUSTICE FACILITIES AND PROGRAMS**

**WHEREAS**, on July 13, 2009, the Bellingham City Council adopted the Legacies and Strategic Commitments, and affirmed the need for a Safe and Prepared Community and to prevent and respond to crime and ensure safe infrastructure; and

**WHEREAS**, an overarching principle for financial management of the City of Bellingham is to ensure public safety; and

**WHEREAS**, on February 13, 2017, the Bellingham City Council approved Resolution No. 2017-10, affirming the safety of all people residing in Bellingham; and

**WHEREAS**, the City of Bellingham has been a leader in the establishment of the Ground-level Response and Coordinated Engagement (GRACE), Alternative Response Team (ART), Homeless Outreach Team (HOT), and the creation of therapeutic courts; and

**WHEREAS**, representatives of the City of Bellingham have been actively involved in the Whatcom County process to determine the needs related to public health, safety, and justice facility planning; and

**WHEREAS**, on August 7, 2019, the Whatcom County Council approved Resolution No. 2019-036, adopting a statement of public health, safety, and justice facility planning principles for Whatcom County; and

**WHEREAS**, on December 3, 2019, the Whatcom County Council established a Stakeholder Advisory Committee (SAC) to guide the development of a public health, safety, and justice facility needs assessment (as amended, see Resolution No. 2022-021); and

**WHEREAS**, in March 2020, the Justice Project was put on hold as a result of the COVID-19 pandemic; and

**WHEREAS**, on September 28, 2021, the Whatcom County Council approved a motion to re-engage the SAC members and reaffirm the principles in Resolution No. 2019-036; and

**WHEREAS**, the SAC held its first meeting on January 20, 2022 and, over the course of a year, the SAC held 10 meetings and additional subcommittee meetings to review data, identify gaps in the current community response, and consider what it would take to fill gaps to improve health and public safety; and

**WHEREAS**, the Incarceration Prevention and Reduction Task Force (IPRTF), acting as the Law and Justice Council (LJC), provided support, expertise, and assistance to the SAC throughout their efforts to create the Justice Project Needs Assessment Report; and

**WHEREAS**, the Needs Assessment Report includes vision, values, and goals, rooted in the principles of Resolution No. 2019-036 and intended to serve as guidance for the County Council and other community decision-makers for many years to come; and

**WHEREAS**, the Needs Assessment Report:

- Examines data related to incarceration rates, population demographics, incarceration prevention and reduction efforts, and the health and welfare needs of those involved in the criminal legal system,
- Identifies gaps in the current community response to health and public safety needs, both inside and outside the Whatcom County jail,
- Considers what it would take to fill those gaps to improve health and public safety, and
- Makes recommendations to address the community's public health, safety, and justice concerns; and

**WHEREAS**, the Needs Assessment Report focuses on three elements of public health, safety, and justice systems, which are interrelated:

- Systems includes shifts in practices, policies, and funding that facilitate efficient functioning of the criminal legal system and reduce incarceration,
- Services are the supports that need to be in place to prevent and reduce involvement in the criminal legal system, and
- Facilities includes the jail and a variety of residential and non-residential facilities for legal and healthcare services; and

**WHEREAS**, on February 21, 2023, the Whatcom County Council approved Resolution No. 2023-006 that accepted the SAC's Justice Project Needs Assessment Report, requested the IPRTF/LJC to provide guidance and develop elements of an implementation plan, and requested the IPRTF/LJC to monitor and assess progress towards implementing the recommendations of the Justice Project Needs Assessment Report through annual reports, and

**WHEREAS**, the IPRTF/LJC has developed and recommended to the County Council a detailed implementation plan that includes:

- Analysis of potential facilities concepts, including location options and planning level costs,
- Identification of a site and concept for the main jail and service facilities in the community,
- Proposed services and systems efforts and their costs,
- Identification of county departments, community leaders and organizations to lead implementation of the recommendations, and
- A funding approach, including but not limited to elements to be funded through a proposed ballot measure; and

**WHEREAS**, the Justice Project Needs Assessment Implementation Plan includes, but is not limited to the following recommendations:

- Ensure Oversight, Accountability, and Transparency
  - Establish a Justice Project Oversight & Planning (JPOP) Committee
  - Establish a Finance and Operations Justice Project Advisory Board
  - Collect data to measure progress toward desired outcomes and develop a data dashboard
- Increase Access to Behavioral Health Services



- Address workforce shortages in behavioral health services
- Build systems to facilitate communication and coordination between organizations
- Increase the capacity of effective existing programs to divert people from incarceration
- Build the Array of Facilities Needed to Promote Public Safety and Health
  - Build a 23-hour Crisis Relief Center
  - Build a new jail and behavioral health treatment center
  - Identify what additional facilities are needed to support people with behavioral health issues at risk of incarceration
- Expand the Capacity of Programs to Reduce Incarceration/Re-incarceration
  - Ensure people leaving detention and treatment facilities have transportation to a safe destination
  - Bolster Re-entry Support Services
  - Maintain and expand supportive housing programs for people with behavioral health issues and a history of incarceration
- Make Systems Changes with Local, Regional, & State Partners
  - Continue to make changes in court systems
  - Expedite access to competency restoration services
  - Advocate for a state waiver to allow use of Medicaid funds to pay for medical and behavioral health services for incarcerated individuals

**WHEREAS**, in order to provide funding for costs associated with financing, design, construction, maintenance, and operations of public health, safety, and justice facilities and services, as determined by the Justice Project Implementation Plan, it is deemed necessary and advisable for Whatcom County to submit a ballot proposition to the voters for authorization to impose an additional local sales and use tax of two tenths of one percent (.02, or 20 cents per \$100), as authorized by RCW 82.14.450; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:**

1. That a safe and humane justice facility with appropriate behavioral health support is critical to the safety of our community.
2. That the City of Bellingham supports the Stakeholder Advisory Committee and the work of the Incarceration and Prevention and Reduction Task Force and its recommendations as well as the Justice Projects Needs Assessment Implementation Plan.
3. That the City of Bellingham requests that any sales and use tax proposed by the Whatcom County Council to provide funding for public health, safety, and justice facilities must include support for a balanced range of health, housing, and correctional facilities and programs.
4. That the Bellingham City Council requests the Mayor to work with Whatcom County and the other Whatcom County cities to enter into a long-term agreement that acknowledges that all tax proceeds will be used for the mutually beneficial public health, justice, and safety facilities and services outlined in the Whatcom County Justice Project Needs Assessment Implementation Plan and includes a fair and equitable sharing of revenue

that prioritizes the bonding for the construction costs of the jail and behavioral health facilities and, recognizes the County and cities goal to allow the public safety tax allocation to be consistent with RCW 82.14.450(6) as soon as reasonably possible.

5. That the Bellingham City Council supports working with the County to provide for its fair share of the construction costs of the jail and behavioral health facilities, and thereafter the City supports a minimum of 50% of the ongoing county-wide sales tax revenue to be used for community-based projects as prioritized in the Justice Project Implementation Plan, such as the construction and operation of behavioral health treatment facilities serving populations outside the County jail, expansion of incarceration reduction programs, increasing access to community-based behavioral health and substance use disorder treatment services, re-entry programs, supportive housing, diversion programs, and accountability measures that monitor progress and inform future planning.
6. That the Bellingham City Council requests that the Whatcom County Council commit to making initial incarceration, prevention and reduction investments as early as possible and as identified in the Justice Project Implementation Plan and that the City commits to working together to accomplish those mutually beneficial projects.
7. That the Bellingham City Council requests that the long-term agreement with Whatcom County and the Whatcom County cities includes the development of a Finance and Operations Advisory Board to discuss matters and make recommendations related to collection of the sales and use tax, coordinate with the IPRTF/LJC in the monitoring and progress of implementing the projects in the Justice Projects Needs Assessment report, and make recommendations on the finances and operations of the behavioral health, housing, and correctional facilities.
8. That the Bellingham City Council requests that the long-term agreement with Whatcom County and the Whatcom County cities allow for concurrence of the Bellingham City Council with any Whatcom County Council updates to the Justice Project Implementation Plan.

**PASSED** by the Council this 26th day of June, 2023.



Council President

**APPROVED** by me this 21 day of July, 2023.



Mayor

**ATTEST:**

  
Finance Director

**APPROVED AS TO FORM:**

  
Office of the City Attorney