

**RESOLUTION NO. 2023-22**

**A RESOLUTION OF THE BELLINGHAM CITY COUNCIL ENCOURAGING THE QUALIFIED ELECTORS OF THE CITY TO VOTE "YES" ON WHATCOM COUNTY PROPOSITION 2023-04, PUBLIC HEALTH, SAFETY, AND JUSTICE SALES AND USE TAX, AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2023**

**WHEREAS**, on August 7, 2019, the Whatcom County Council approved Resolution 2019-036, recognizing that there are multiple deficiencies with the County's existing public safety (jail) facility, including life-safety issues; and

**WHEREAS**, Resolution 2019-036 identified the need to strive for conditions where the cycle of incarceration is broken rather than perpetuated, with continued support and focus on mental health and substance use disorder treatment and diversion rather than incarceration; and

**WHEREAS**, Resolution 2019-036 established a workplan to develop a public health, safety, and justice facility needs assessment (Justice Project) and prioritize community engagement to guide its development and established a Stakeholder Advisory Committee (SAC) to guide the development of the needs assessment; and

**WHEREAS**, Resolution 2019-036 concludes that "all parties believe there is a need for an improved County jail, and that voters will approve a proposal that addresses the communities' full range of needs and values with a combined public health and public safety initiative that focuses on reducing our need for jail by funding treatments options first, and is built with community input"; and

**WHEREAS**, on July 14, 2022, Whatcom County Council received a letter from the mayors of Whatcom County's seven cities requesting that the County "dramatically accelerate" plans to build a new jail facility; and

**WHEREAS**, on February 21, 2023, Whatcom County Council approved Resolution 2023-006, accepting the SAC's Justice Project Needs Assessment Report and identifying the next steps to create a Justice Project Implementation Plan; and

**WHEREAS**, on June 6, 2023, Whatcom County Council received a letter from the mayors of Whatcom County's seven cities recognizing their cities' role and responsibility in supporting this effort, collectively calling on the County to place the sales tax measure on the November ballot; and

**WHEREAS**, on June 26, 2023, the Bellingham City Council approved Resolution 2023-14 supporting Whatcom County's decision to submit a ballot proposition to the voters to provide 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 and affirming the City's values regarding this ballot measure, which include:

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 Incarceration Prevention and Reduction Task Force, acting as the Law and Justice Council, in the monitoring and progress of implementing the projects in the Justice Projects Needs Assessment report, and make recommendations on the

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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.

**WHEREAS**, on July 11, 2023, Whatcom County Council approved Ordinance No. 2023-039 providing for submission of a proposition to the qualified electors of Whatcom County pursuant to RCW 82.14.450 authorizing the collection of a local sales and use tax of two-tenths of one percent for the purpose of providing funds for costs associated with public health, safety and justice facilities and services, including behavioral health, supportive housing, public safety, and criminal justice facilities and programs; and

**WHEREAS**, Ordinance No. 2023-039 adopts the Justice Project Implementation Plan, which was developed with extensive community input and participation, and is consistent with the City's values regarding the ballot proposition as stated in City Resolution 2023-14; and

**WHEREAS**, Ordinance No. 2023-039 indicates that adequate funding should be provided to accomplish the projects as established in the Justice Project Implementation Plan, such as construction of a new jail and behavioral health facilities and maximizes utilization of the remainder of sales and use tax proceeds for investments in behavioral health, re-entry, supportive housing, and diversion facilities and services; and

**WHEREAS**, Ordinance No. 2023-039 acknowledges the cities' request to eliminate booking restrictions through the construction of a new, appropriately-sized jail facility based on a fair analysis of jail use, bookings, and population growth, taking into consideration strategic investments to avoid unnecessary incarceration; identifies and develops a mechanism for additional bed capacity if the facility reaches 85% of operational capacity; and

**WHEREAS**, Ordinance No. 2023-039 establishes accountability, transparency and oversight mechanisms that include participation of a broad spectrum of local elected leaders, justice system officials as well as other experts and individuals who have direct experience in the criminal justice system and community-based behavioral health services; and

**WHEREAS**, the Justice Project Implementation Plan strikes a balance between criminal justice facility needs and ongoing investments in incarceration prevention and community health; and

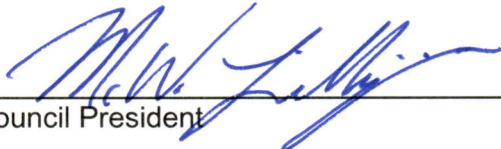
**WHEREAS**, the Bellingham City Council and Mayor Seth Fleetwood agree that voter approval of the proposed local sales and use tax of two-tenths of one percent for the purposes listed above will benefit the safety and welfare of the residents of Whatcom County.



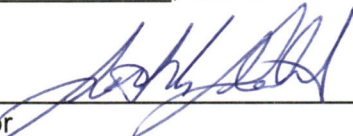
**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:**

The Bellingham City Council encourages the qualified electors of the City to vote "yes" on Whatcom County Proposition 2023-04, Public Health, Safety, and Justice Sales and Use Tax, at the general election to be held on November 7, 2023.

**PASSED** by the Council this 25th day of September, 2023.

  
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Council President

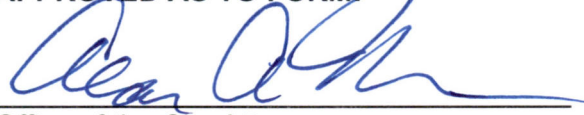
**APPROVED** by me this 11 day of October, 2023.

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**

  
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Office of the City Attorney